

LAND REDISTRIBUTION AND STATE
DECENTRALISATION IN SOUTH AFRICA

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ABSTRACT

South Africa is a new democracy that has had to deal with many historical remnants of apartheid. One of the main remnants has been land dispossession and massive inequalities along racial lines of access to land for agricultural purposes. In countering this, the post-apartheid state has pursued land redistribution programmes since the end of apartheid in 1994, as part of a broader land reform project. Simultaneously, post-apartheid South Africa has been marked by significant state restructuring notably a process of state de-centralisation including the positioning of municipalities as development agents. Amongst other goals, this is designed to democratise the state given the authoritarian and exclusive character of the apartheid state, and thereby to democratise development initiatives and programmes. Land redistribution and state decentralisation in South Africa are different political processes with their own specific dynamics. They have though become interlinked and intertwined but not necessarily in a coherent and integrated manner. Within broader global developments pertaining to state decentralisation and land redistribution, the thesis examines the complex relations between these two processes in South Africa. In particular, I analyse critically the decentralised character of the land redistribution programme in South Africa. In order to concretise and illustrate key themes and points, I discuss a particular land redistribution project called Masizakhe located in Makana Municipality in the Eastern Cape Province.

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ACRONYMS

ANC	African National Congress
CASP	Comprehensive Agricultural Support Programme
CONTAG	National Confederation of Agricultural Workers
CPA	Communal Property Associations
DEAT	Department of Environmental Affairs and Tourism
DLA	Department of Land Affairs
DOA	Department of Agriculture
DWAF	Department of Water Affairs and Forestry
ECARP	East Cape Agricultural Research Project
GEAR	Growth, Employment and Redistribution
LED	Local Economic Development
LGNF	Local Government Negotiating Forum
LRAD	Land Redistribution for Agricultural Development
NAFU	National African Farmers Union
NGO	Non-Government Organization
PDLRRD	Provincial Department of Land Reform and Rural Development
RDA	Rural Development Agency
RDP	Reconstruction and Development Programme
SANCO	South African National Civic Association
SLAG	Settlement Land Acquisition Grant
SLAR	State-Led Agrarian Reforms
TFU	Transvaal Farmers Union
TLC	Transitional Local Council
TMC	Transitional Metropolitan Council
WSWB	Willing Seller–Willing Buyer

CHAPTER ONE:

INTRODUCTION AND METHODOLOGY

1.1 INTRODUCTION

The thesis explores the relationship between local state restructuring (notably state decentralization) and land reform (specifically land redistribution) in Makana Municipality in the Eastern Cape Province of South Africa. Based on the official premise that state decentralization has been adopted in South Africa as a means to simultaneously enhance efficiency, equality and participation, the thesis identifies the ways in which decentralization has pursued and achieved these objectives with specific regard to land redistribution, including post-settlement support.

The introduction to the thesis firstly briefly discusses the relationship between state decentralisation and land redistribution in South Africa. It then goes on to set out the research objectives and research methodology, before concluding with an overview of the thesis structure.

1.2 DECENTRALIZATION AND REDISTRIBUTION

Decentralization and land reform have gone hand-in-hand in post-apartheid South Africa (Maharaj 1997:1). In relation to land redistribution, there have been three stages in the decentralization process (Hall, 2008:3). The first stage was centralized redistribution, from 1995 to 1999, involving “a highly centralized approach to land redistribution; wholly controlled by central government, from the center” (Hall 2008:3). The second stage was de-concentration and delegation (from 2000 to 2006), entailing the decentralization of delivery to provincial and local offices of the central state. The most recent and current stage is decentralized planning (from 2007 onwards) – this involves a degree of decentralization focused on area-based planning at district level but still controlled by the central state. Provincial government, as well as district and local municipalities, are seen as central to the decentralization process. Indeed, the 1996 Constitution officially recognizes municipalities as organs of the state designed for driving socio-economic development at local levels. In this

regard, the constitution charges national and provincial governments “to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions” (Section 154 (1) in South African Constitution, 1996). The Municipal Structures Act (1998) clearly defines the powers and functions of municipalities through the new constitution.

Land redistribution in South Africa also has been a major issue since the end of apartheid in 1994. Land reform was made a national agenda and priority to be facilitated by the then national Department of Land Affairs. The details of the redistribution programme are in a large part located in a variety of policy documents instead of within legislation (Lahiff 2006). The 1997 White Paper on Land Reform (DLA 1997:38) sets out the purpose of land reform as “providing the poor with access to land for residential and productive uses, in order to improve their income and quality of life”. The programme initially had a strong emphasis on redistributive justice in targeting the poor, labour tenants, farm workers, women and emergent farmers. It has however increasingly stressed the need for productivity on redistributed farms.

Three important programmes for pursuing and implementing land redistribution have arisen. In order of emergence, these are the Settlement/Land Acquisition Grant (SLAG), the Land Redistribution for Agricultural Development (LRAD) programmes and, in 2006, the Proactive Land Acquisition Strategy (PLAS) (Cousins and Kepe, 2004; Hall, Isaacs and Saruchera, 2007:iv). These programmes differ with respect to their aims, approaches and outcomes. A number of initiatives have also been carried out to enhance post-settlement support to small-scale farmers on redistributed land, notably the Comprehensive Agricultural Support Programme (largely for development of infrastructure) (Thwala, 2003: 8).

With specific relation to land redistribution and decentralization two important steps have been taken. First of all, each municipality is obliged to formulate and implement five-year Integrated Development Plans (IDPs) as strategic planning documents intended to provide a blueprint for local development (DLA, 2006). Formally, IDPs are to be drafted with the involvement of the local people within the area of the municipality. Contained within each IDP is a land reform and settlement plan, but these are often underdeveloped and rarely followed through in any vigorous manner (Kahn, 2007). Secondly, the Department of Land Affairs established district-level land reform offices in order to increase accessibility and

communication with local residents. These offices are then expected to present their progress to Land Affairs' provincial land reform offices (DLA 2006).

In agro-ecological terms, the Eastern Cape Province has considerable potential for agriculture (ECSECC, 2000:8). However, by most indicators, "the province has the highest incidence of poverty in South Africa and the lowest mean monthly household expenditure" (Lahiff 2007:5). About ten million hectares of land (which constitute about 59% of the province) remains in the hands of a small number of white commercial farmers, about 6,500 in number who employ about 70,000 farm workers (Lahiff, 2007: 5). Most small-scale black 'farmers' remain confined to the former Bantustan areas of Ciskei and Transkei, but state grants rather than agricultural activities are normally the principal source of livelihoods for these marginalized rural citizens. The amount of land redistributed through SLAG, LRAD and PLAS in the Eastern Cape amounted to 258,890 hectares by 2007, which was far below the goals set by the Department of Land Affairs (Lahiff 2008:23).

Makana Municipality is located in the Cacadu District Municipality in the Eastern Cape. It covers an area of 422,200 hectares of which 200,000 hectares is for farming (the balance consists mainly of state land and private game parks). The average commercial agricultural farm is 1,200 hectares in size. Commercial farming incomes are separated into four categories, namely, livestock and animal products, field crops, horticulture and other activities such as honey production, aquaculture and forestry products (Antrobus and Antrobus, 2008: 10)

Land redistribution in the Eastern Cape confronts many of the same challenges experienced in other provinces of South Africa. These challenges include "limited budgets, lack of policy direction in key areas, cumbersome internal procedures, inadequate cooperation between and within the different spheres of government (national, provincial and local) and constraints imposed by the national land reform policies" (James 2007: 23). Also, existing studies (in the Eastern Cape and elsewhere) show that land reform beneficiaries experience numerous problems such as "accessing services such as credit, training, extension advice, transport and ploughing services, veterinary services, and access to input and produce markets" (Hall, 2004; Wegerif, 2004).

1.3 THESIS OBJECTIVE

In this context, the thesis examines the relationship between state decentralization and land redistribution through a case study in Makana Municipality. *The main objective is to understand the decentralisation process in terms of its consequences for effective land redistribution.* Secondary goals include the following:

- 1) Discussing the state institutions existing at local level that have a role to play in land redistribution processes in Makana Municipality;
- 2) Detailing the redistribution process (including post-settlement support on redistributed farms) in Makana Municipality; and
- 3) Determining the forms and levels of participation of small-scale farmers on redistributed farms given the state's emphasis on state decentralization and citizen participation.

1.4 RESEARCH METHODS

This section outlines the research methods used in pursuing these objectives, including the challenges faced during the research.

The case study in Makana Municipality focuses on land redistribution beneficiaries from a LRAD project called Masizakhe. The ownership of the farm is under a Community Property Association (CPA), which is made up of ten households. They are beneficiaries of a portion of a formerly white-owned farm called Trentham Park.

The research method used was qualitative. A major strength of qualitative research is that it allows the researcher to understand the character and complexity of social processes taking place thereby leading to rich descriptions of social relationships (Rowlands, 2005:83). The specific research techniques used are as follows:

- a) In-depth interviews: The farmers (i.e. beneficiaries) were asked questions regarding (amongst other things) government delivery on land redistribution, their own involvement in planning and decision-making in relation to the delivery of land, and the quality of post-settlement support. The farms forming part of the research were selected on the basis of purposive sampling.
- b) In-depth interviews: I managed to gain access to information through interviews with the Agriculture Officer from the local municipality (Makana). Emphasis was placed on identifying and unpacking the complex interrelationships that exist

between the various state entities involved in land redistribution in Makana Municipality, with specific reference to the selected farm.

- c) Documentary research; There is a significant volume of publically-available documentation produced by state entities in relation to land redistribution broadly and with particular reference to the Eastern Cape and Makana Municipality. I accessed this information through library and internet resources. My supervisor also managed to organize access to relevant non-published documentation on Masizhake through his contacts at ECARP, a local NGO that assists farmers with pre- and post-settlement support. .

Access to the CPA and to the farm was facilitated by a local NGO named the Eastern Cape Agricultural Research Project (ECARP) which does outreach work on the farm. Fieldwork was undertaken from October to December 2012. The first phase of data collection was based on documents that were made available to me by ECARP about this specific LRAD project. The second phase involved face-to-face in-depth interviews. Two interviews were conducted with members of the Masizakhe CPA and these lasted about forty-five minutes. Simultaneously, the interview was carried out with the Agricultural Officer attached to the Makana Municipality Local Economic Development Office. All interviews were recorded and transcribed. See appendix 1 and 2 for interview schedules.

The fieldwork evidence was critically analyzed and re-analyzed. Documents and transcripts were read several times to allow the researcher to identify the prominent themes emerging out of the data. Data was categorized, coded and indexed according to several themes, as identified in the prevailing literature on land redistribution in South Africa and of course from the data collected. Patterns within and between the categories were also identified, leading to the process of interpretation on the basis of which the findings are explained.

In the fieldwork, certain challenges arose. Access to the Masizakhe CPA was, as mentioned, facilitated by ECARP. But I am not a Xhosa-speaker, and I required a Xhosa-speaking fieldwork assistant when on the farm. The on-farm interviews were carried out in Xhosa and required translation into English. Such an arrangement may lead to misunderstandings and misinterpretations but I sought verification of evidence collected in the field by cross-referencing it to the documentation at the ECARP offices. Fortunately, despite the fact that the October to December period is particularly busy for the farm

beneficiaries, the members of the Masizakhe CPA participated without hesitation and fully in the interviews. Access to the Agricultural Officer at the Makana Municipality LED was not difficult. However, despite ongoing effort on my part, I was not able to organise an interview with the Provincial Department of Agriculture in Port Elizabeth as the relevant officials were constantly busy.

1.5 THESIS OUTLINE

In this final section, I briefly outline the structure of the thesis.

Chapters two and three offer a theoretical, global and South African perspective on state decentralisation. Chapter Two conceptualises decentralisation and examines the history and character of decentralization on an international scale. It looks at the different possible forms and dimensions of de-centralisation, including in relation to Africa, as well as the identified advantages and disadvantages of processes of de-centralisation. Chapter Three focuses specifically on state decentralisation in South Africa. I discuss the history of decentralization in South Africa prior to 1994 (i.e. before the end of apartheid) and then go on to discuss in greater detail post-apartheid state restructuring in relation to policies, legislation, institutional arrangements and practices.

Chapters four and five turn to land reform and land redistribution specifically with reference to both global happenings and local South African events. In Chapter Four, I examine land redistribution and the different kinds of redistribution which have arisen internationally, including both top-down and bottom-up approaches, but with an emphasis on a critical analysis of the dominant market-led land redistribution approach. Chapter Five discusses land reform and particularly land redistribution in South Africa since 1994 in the context of the history of massive land dispossession in the country. The different land redistribution programmes are outlined, but specific attention is given to the social forces that are backing the prevailing market-driven redistribution policies and the complications which arise with post-settlement support on redistributed farms.

These four chapters detail the complexities of state decentralisation and land redistribution at both global and South African spatial levels. In doing, I offer critical commentary on the significance of decentralisation for land redistribution, particularly at these processes play out in practice. In this context, in Chapter Six, I provide a case-study of

a particular land redistribution project called Masizakhe in the Eastern Cape to examine concretely and empirically the intricate relations between decentralisation and redistribution.

The last chapter for the thesis (Chapter Six) summarises the key points and offers an integrated overview of the main arguments arising from the thesis.

CHAPTER TWO:

THE GLOBAL CONTEXT OF DECENTRALIZATION

2.1 INTRODUCTION

State decentralization has taken place, in different forms, across the globe over an extended period of time. In part, decentralisation is designed to democratise processes of socio-economic development, particularly when a particular country has a history of centralised autocracy. Under the influence of neo-liberalism, decentralisation has been vigorously pursued throughout the world, though this is marked by significant unevenness and tension such that there is no standard or pure form of decentralisation. In fact, as this chapter shows, it is marked by various forms and dimensions and often the forms and dimensions are applied selectively in particular cases. In describing the complexities of decentralisation, I also outline the differing arguments made about it with regard to potential and actual advantages and disadvantages.

2.2 DECENTRALISATION AND DEMOCRACY

In relation to state organization, decentralization is regularly defined as

The transfer of power, authority or responsibility for decision making, planning, management or resource allocation from the central government [or state more broadly] to its field units, district administrative units, local governments, regional or functional authorities, semi-autonomous public authorities, parastatal organizations, private entities and non-governmental private or voluntary organizations (Rondinelli et al., 1989: 5).

Critical to this definition is the “transfer of legal and political authority from the central government” to other spheres or tiers of government or even to non-governmental bodies (Ng’ethe, 1998: 5). This includes the “authority to plan, make decisions and manage public affairs” by public and private agencies other than the central government (Ng’ethe, 1998:5). By localizing state functions, de-centralization is designed to deepen processes of democracy and nation-building by ensuring that the views and aspirations of diverse social groups are

more fully expressed and represented within the nation-state, and empowering them in the process (Mayo, 1960:60). Thus, there is said to be a critical link between democracy and decentralization and even a causal effect of the latter on the former.

However, any relationship existing between decentralization and democracy is more complicated than this, if only because democratic decentralization implies more than the downward transmission of authority. Processes of decentralisation may in fact simply reproduce un-democratic practices at more localized levels. Crucially, then, authentic decentralization entails a system of governance in which citizens possess the right and capacity to hold local public officials to account through the use of elections, collective action and other democratic means; together, these enhance citizen participation. In any democratic system, decision-makers (in any sphere of state) must be under the “effective popular control of the people they are meant to govern” with periodic elections providing an important means of ensuring government responsiveness and accountability on broad social issues (Johnson, 2001: 523).

Decentralized state structures exist at different spatial levels, such that they normally include all sub-national units of government that are located in the different regions, sub-regions, districts, municipalities and wards within a state. A government has not decentralized “unless the country contains (relatively) autonomously elected sub-national (provincial, district, municipal and local) governments capable of taking binding decisions in some policy areas” (World Bank, 1999: 108). Such sub-national state formations are to be understood not simply as implementing functionaries of the central state but as genuine sites and channels through which goals are framed, directives issued and policies pursued (Rosenau, 1995). Insofar as decentralized governments rely upon an active local citizenry, they have a more nuanced and richer knowledge of un-mediated demands (Cremer et al., 1994). In addition, this is contingent on open and transparent local state systems which emphasize the significance of downward accountability. The notion and practice of decentralization can therefore be regarded as an attempt to resolve the accessibility limitations of state-centred local management, thereby ensuring processes of democratic consolidation.

2.3 WHAT DOES DECENTRALISATION ENTAIL?

Ultimately, decentralization was formulated for the purpose of “overcoming the indifference of government bureaucrats to satisfying the needs of the public; improving the responsiveness of governments to public concerns; and increasing the quality of services provided” (Rondinelli et al, 1989: 5). Through decentralization, managerial autonomy at sub-national levels is increased and this is designed to facilitate organizational and individual performance by managers performing at their best to meet performance targets. Two offspring of this would be, first of all, a deduction in backlogs and delays in procedures and processes at central state level and, secondly, the emergence of a culture of efficiency and competition with an “open-mindedness regarding the performance of public duties by public servants as opposed to the private sector” (Borins, 1995: 4). All in all, this would be aided by access to and knowledge of local level preferences and issues by sub-national agencies which would reduce the wasting of resources on projects and programmes that are of no advantage to local level citizens. Simultaneously, citizens are empowered through increased participation in decision-making and development planning (Kotze, 1997).

Decentralization takes on two main forms: horizontal or vertical. Horizontal decentralization disperses power among state institutions at the same level, while vertical decentralization (which is of greater significance in terms of the objectives of this thesis) allows some of the powers of the central state to be delegated downwards to lower tiers of authority (Hope, 1997). In addition to these two forms, decentralization can be differentiated into four main types: de-concentration, delegation, devolution and privatization. I discuss these in turn.

De-concentration redistributes decision-making authority, financial and management responsibilities to lower levels but within central government ministries. It simply means transferring responsibilities from officials based in central offices to those working in regions, provinces or districts. Because of this, de-concentration is the least intensive type of decentralization. It does not represent fundamental change as authority remains within the same state institution such that accountability is ultimately still upward to the central government. Although it does result in some dispersal of power, few decisions can be taken without reference to the authority of the centre (Meinzen-Dick and Dohrn, 2008). But the reasoning behind this method of decentralization is the assumption that the central state represents the people and nation and therefore acts on their behalf.

Delegation is the transfer of specific authority and decision-making powers of the state to parastatals, semi-autonomous agencies and other organizations that are outside of the mainstream structures of the state and which are subject to different degrees of control by the state, such as transportation authorities, special project implementation units and semi-autonomous school districts (Hope, 2000). In this type of decentralization, the central government retains the right to overturn decisions made by the delegated body and can, at any time, take these powers back. This, like de-concentration, is a minimalist type of decentralization and may in fact not involve significant powers granted at local state level.

Privatization, as the third type of decentralization, refers to the transfer of responsibility for state functions and services to the private sector, which includes private voluntary organizations and private enterprises. Privatization encompasses a wide range of policies and programmes to encourage private sector participation in public service provision and to eliminate or modify the monopoly status of public enterprises (including parastatals). As with delegation, it may or may not enhance citizenship participation in terms of decision-making processes at local levels.

Compared to de-concentration and delegation (and privatisation), devolution involves fundamental restructuring with respect to intra-state relations, and entails the granting of significant decision-making powers to sub-national authorities by allowing them to have forms and levels of responsibility without over-bearing reference back to the central government (Hope, 2000). This often includes financial power as well as the authority and capacity to design and execute local development projects and programmes (Hope, 2000). Devolution hence entails discretionary authority, with sub-national governments making decisions subject only to broad national policy guidelines. They, at least formally, have power over their own financial, human and material capacities (Silverman, 1992).

Decentralization can also be classified in terms of three dimensions, namely, administrative, fiscal and political. Administrative decentralization focuses on policies that distribute authority over “administration and delivery of social services such as education, health, social welfare, or housing to subnational governments” (Falleti, 2005: 329). The process of administrative decentralization therefore involves the devolution of decision-making powers concerning those policies, but it relies heavily upon necessary funding mechanisms used to meet the costs of delegated administration and service delivery. It can occur together with fiscal decentralization in which case the costs and expenses for

administration and service delivery are centrally funded; but regularly it means that a local government has to rely on its own means for funding (Falleti, 2005). Fiscal decentralization involves a set of policies that enhance the increased capacity of sub-national state governments over their own financial affairs. Such policies vary in form and range from an “increase of transfers from the central government, the creation of new subnational taxes, or the delegation of tax authority that was previously national” (Falleti, 2005: 329). Political decentralization involves increasing, often through a process of devolution, the powers of subnational state authorities through constitutional amendments and electoral reforms that place increasing importance on participation of sub-national state structures. This would entail, for example, the creation of sub-national legislative assemblies that strengthen the political autonomy of sub-national governments (Falleti, 2005). The exact form taken by these three dimensions of decentralisation vary across the four different types of decentralisation.

The process of decentralization though is highly contentious, and can easily be distorted if approached from a purely rationalist (Berkhout and Macht, 2005). Indeed, it is rare to find decentralization policies implemented exactly as intended during the planning and implementation processes within the confines of the predicted outcomes. Regularly, critical measures (such as quality assurance and accountability mechanisms) have to be incorporated into decentralisation to meet the stated objectives. However, even with these control mechanisms, results often fall short of goals (Berkhout & Macht, 2005). In this respect, at least according to Falleti (2005: 330), the administrative capacities of sub-national or local states can be significantly enhanced if “administrative decentralization improves local and state bureaucracies, fosters training of local officials, or facilitates learning through the practice of delivering new responsibilities”. But, as indicated previously, administrative decentralization can often only occur successfully if implemented with the transfer of funds to sub-national levels or with high levels of local revenue generation, otherwise sub-national governments may not have a steady income stream to maximise capacity. Financial deficiencies tend to undercut the autonomy of sub-national governments vis-à-vis the central state despite a marked decentralisation thrust.

But fiscal decentralization can have either a positive or a negative impact on the degree of local state autonomy, as autonomy is contingent on the capacity to access or generate funds (Falleti, 2005). The delegation of tax collection and other fund-raising

mechanisms to sub-national authorities illustrates this. In some instances, if the sub-national state lacks the resources to administer the collection of taxes, inefficient collection and use of funds might arise, thereby leading to ongoing dependence on the national government for financial assistance. This means that sub-national governments with the necessary capacity for collecting and using funds will benefit from fiscal decentralization.

Political decentralization is also affected by the interaction between fiscal and administrative decentralization. This form of decentralisation entails a dispersal of power away from the centre; yet problems arise when there is a proliferation and separation of powers because of the creation of a multiplicity of sub-national state units. This may lead to long, complicated and even chaotic bureaucratic procedures that lengthen the time it takes to deliver services on the ground. The creation of many such structures can also result in division and friction that could also negatively impact on the overall effectiveness of sub-national governments (Falleti, 2005).

In the end, central governments tend to prefer “administrative decentralization (A) to fiscal decentralization (F), which in turn is preferred to political decentralization (P), or $A > F > P$ ” (Falleti, 2005). The rationale behind this is rooted in attempts by national governments to minimise transfer responsibilities that involve fiscal commitments which might undermine the national treasury. In this respect, Garman, Haggard, and Willis (2001: 209) note that: “We would expect the president to be more inclined to transfer responsibilities than the resources to meet them”. Additionally, national governments prefer to delegate fiscal authority rather than political authority as political power at the centre can be used to influence developments at sub-national levels, including the character of sub-national level expenditure (Falleti, 2005).

The same logic applies, but in reverse order, from the perspective of sub-national governments. They would prefer political decentralization above the other two dimensions of decentralisation. Through enhanced political powers, sub-national governments for instance have greater autonomy in pursuing independent political paths and this gives them leverage and security against retribution from above. As well, there would be greater preference for fiscal decentralization over administrative decentralisation because sub-national governments would choose funding and access to funds over added administrative responsibilities which may burden their activities. Overall, then, sub-national governments would prioritise political

autonomy, fiscal authority and administrative responsibilities in that order (P>F>A) (Falleti, 2005).

In practice, particular countries adopt different combinations of the types and dimensions of decentralization and there may be different combinations within a particular nation across economic and policy sectors. There may also be changes in emphases over time or shifts between processes of centralisation and decentralisation and even tensions between these processes (Meinzen-Dick et al., 2008).

A final, point worth noting is that decentralization is not necessarily directly linked to democracy as there are situations where autocratic governments implement decentralization policies. There are also situations in which recentralization occurs under democratic rule, such as during attempts to reduce local elite capture of policy processes or local authoritarian enclaves (Meinzen-Dick et al., 2008).

2.4 DECENTRALIZATION IN AFRICA

Decentralization, in different forms, has been adopted in many states around the world but it is important to analyze it from an African perspective given the conditions under which democracy, political restructuring and development were pursued after the colonialist era. Once they gained independence, many African countries initially emphasized the re-building of the nation-state in a highly centralizing way which had a negative impact on democratic accountability, local governance and the efficient delivery of public services, especially in rural areas. Any movement towards decentralization came as a response to the failures of centralization; this movement sought to improve the delivery of public services and local governance in a cost-efficient manner, as well as increase the administrative capacity and productivity of the public sector (Hope, 1997; Cohen and Peterson, 1999; Hope and Chikulo, 2000, Kemp, 2007).

Although decentralization globally has made significant headway, the decentralization process in Africa faces enormous and complex challenges. From the period of the early 1990s, African countries began to transfer power, resources and responsibilities to their sub-national governments (Brosio, 2000). The rates at which decentralization were taking place, and the forms it took, differed significantly across the continent with countries such as Ethiopia, South Africa and Uganda setting the pace. Other countries pursued decentralization less vigorously. Even in African countries at the forefront of decentralisation, the evidence

suggests that the firm establishment of civil and political liberties (including free and fair electoral participation) – as critical to democratic decentralisation – lagged behind.

In Africa, besides government themselves, local civil formations and external donors have been involved in promoting decentralisation; though consensus does not exist on the objectives. Certain governments (regularly sub-national units) and most donor organizations perceive decentralization as the basis for delivering services to remote and previously neglected areas while at the same time maximising citizen participation in local affairs. Other governments, and notably central governments, see decentralization differently, namely, as a means of shedding administrative responsibilities and reallocating them to sub-national government structures. In doing so, they may ‘curry favour’ with civil society as citizens interpret de-centralisation as a potential way of increasing their participation in local political affairs. In this regard, Brosio (2000) notes that central governments in Africa – particularly in the light of pressure from global donors – may pursue decentralisation to increase their national popularity, even at the cost of ceding some power. Clearly, given the competing agendas, decentralisation is normally a highly contested process. The form which decentralization eventually takes results therefore from the outplaying of power politics. But, in the end, it is largely determined by the endgame sought after by those who are planning and implementing it (Falleti, 2005).

In addition, decentralization occurs in diverse ways in Africa, as elsewhere, depending upon the national and historical context. For example, in oligarchic states, decentralization tends to focus on consolidating power among regional elites (Ansaldi, 1992:17). In developmental states, decentralization policies aim at developing local regions by building-up economic activities such as investment, employment and production (González, 1990: 75). In states striving for market-led reform, decentralization policies – entailing pronounced economic liberalisation – are mainly aimed at reducing the power of central governments in regulating the private sector (Falleti, 2005). These of course are arguments about ideal-typical decentralisation, such that in practice there is a complex mix of different and shifting aims which may or may not be consistent with each other; this has implications for the types and dimensions of decentralisation pursued and/or implemented. Hence, actually-existing processes of decentralisation cannot be read from theoretical models unmediated by on-the-ground empirical investigation sensitive to national context.

Decentralization in Africa occurs within each nation-state in the context of the specificities of its own national development path, such that decentralization is not applied consistently across space and time. Indeed, within a particular national trajectory, there could be different decentralization processes taking place at specific times and places. These have been labelled as “paradigms of decentralization” which are subject to change as a particular nation, or regions within it, moves along the decentralization axis (Singh, 2006). These different paradigms lead to different policy, fiscal, institutional and administrative arrangements embodied in specific decentralisation processes. Any shift in paradigm over time, for instance from de-concentration to devolution, invariably necessitates key changes in such arrangements and has knock-on effects in the quest for (and implementation of) democratically-based development initiatives. Empirical evidence from Africa points out that “while new institutions would come up for fresh projects, the existing programs and projects that were crafted from an earlier paradigm continue at the same time. If the paradigm change has moved forward on the decentralization axis, then the adoption of newer institutions would have a better outcome in poverty alleviation (Singh, 2006: 1). The key point here is that decentralisation is an ongoing process, and one which is marked by ongoing fluctuation and tension.

Decentralization in Africa, as a process, involves a complex mix of centralized and decentralized structures. Countries such as Ethiopia and South Africa have implemented a decentralized system “in which power is divided between a central authority and constituent political units” (Brosio, 2000: 1). Nigeria formulated and implemented a new constitution that reinforces its federal setup while dispensing responsibilities to sub-national governments (Brosio, 2000). Some countries have adopted a multi-layered system of decentralization by placing an “intermediate layer between the central and the local government” (Brosio, 2000: 2). And other countries have sought to improve the operational capacities of existing local state structures in urban areas while also seeking to establish new local structures in rural spaces. Devolution in particular has been critical in this regard. This has entailed efforts to improve urban and rural livelihoods through for example the formation and empowerment of locally-based groups which distribute and use local resources for the benefit of local communities. This can work effectively, however, only if local management group members and the local community more broadly have the skills, knowledge and incentive to manage their resources properly

In examining decentralisation in Africa, two points are worth stressing. First of all, there is tremendous diversity throughout the continent with regard to decentralisation, with countries choosing paths of decentralization based on historical considerations (including questions around ethnicity and secession) as well as contemporary conditions and influences exiting both internally and externally. Secondly, in the majority of African states where decentralization has been implemented in some way or to some extent, free and fair elections at both national and local levels have been introduced as part and parcel of the process, along with attempts to consolidate political and civil liberties. This has resulted often, but not invariably, in improved accountability to the citizenry and to empowerment of poor and vulnerable groups (Baland and Platteau, 1996; Agrawal and Gibson, 1999).

2.5 ADVANTAGES AND DISADVANTAGES

Like any other social and political process, decentralization has advantages and disadvantages, based on the particular type or dimension of decentralization pursued, when and where it is applied (for instance, urban or rural), the groups and group agendas underpinning the process, and the goals it seeks to achieve. In this section, I examine some of these advantages and disadvantages in terms of democracy and poverty alleviation, efficiency and effectiveness, and social cohesion and peace.

2.5.1 DEMOCRACY AND POVERTY ALLEVIATION

Decentralization is regularly viewed as a means of consolidating and deepening democracy. This view is particularly held by theorists who analyze it from liberal tradition viewpoint (Diamond and Tsalik, 1999). Studies carried out in Africa, Asia and Latin America indicate that decentralization, if involving democratic systems facilitating rights of expression, transparency and local elections, can greatly increase the participation of local people in decision-making processes, especially for social groupings that have been marginalized in the past. At the same time, decentralisation with democratic reforms means that public officials can be held accountable for their actions on a more solid basis.

However, critics claim that the linkages between decentralization and democratisation are highly complex, such that a positive correlation may not exist between the two. Research published for example in the *World Development Report* in 2000 showed that some countries

that pursued decentralisation and redistributive economic restructuring were not democracies while other countries without significant decentralisation and redistribution were in fact more democratic (Brosio, 2000). In other words, even the devolution of power can be implemented by an authoritarian central state which selects or appoints officials to fill local positions or, alternatively, a sub-national unit with significant decentralised powers may function autocratically and with nepotistic officials.

Nevertheless, decentralisation normally has the potential to provide a safety net for poor people. Democratic mechanisms such as local periodic elections empower citizens with the ability to bring about a change in government, thereby at least indirectly putting pressure on current state officials to address broad developmental goals. Such mechanisms may also allow citizens to determine local development programmes within their communities, and to assemble and organise the necessary resources to pursue these programmes. However, the significance of elections should not be romanticised in assessing their effectiveness in driving local development. By definition, elections take place periodically (every four, five or six years in many cases) and this can result in government officials neglecting their duties for extended periods between elections (Blair, 2000). Also, as Crook and Manor (1998:302-4) note, promoting the culture of accountability is not devoid of many problems. In this regard, they make reference to Karnataka in India where accountability was reasonably successful but only because of the existence of a competitive political party system, a free press and, particularly important, a professional civil service which engaged extensively with the public. They therefore concluded that accountability can only function properly when buttressed by the required mechanisms and structures (Crook and Manor, 1998: 303).

Clearly, decentralization faces numerous challenges as a basis for implementing and consolidating democracy at local level. Meinzen-Dick et al. (2008) note for example that democracy, particularly when driven from the centre in a top-down fashion or by external agents such as donors, is “likely to work only where the preconditions for substantive democracy are in place, with strong civil society or customary mechanisms for check and balances”. Marginalised groups may continue to be marginalised. There are indeed many complexities pertaining to the relationship between democratic institutions (such as political parties and pressure group lobbying) and the resources the poor and marginalised people have in seeking to influence these institutions (such as money, power and information).

This means that the right to practice democracy may be at times an unrealisable right. For instance, during lobbying and campaigning processes, political parties and politicians use convenient short-term goals and developmental projects to sway the opinions and preferences of voters for electoral gain only. Because marginalised and resource-poor groups are susceptible to engaging with the party system for immediate assistance, manipulation of the democratic process occurs. As well, notably in rural communities where the public transport network is deficient or expensive, citizens may not be able to register to vote or to attend rallies and thus, in effect, they are disenfranchised. In addition, poor people, especially those living in rural communities, may be influenced in their voting by the fear of a backlash if they support the ‘wrong’ party. This happens especially in village settings that fall under a chieftainship system (which may be in a patronage relationship to the central state), in agrarian societies where people live and work on land owned by landowners who identify with a conservative political party or in communities that rely on food subsidies and grants (Moore and Putzel, 1999).

As a result, through decentralisation, politics and policies at sub-national level may be captured by the local elite and not the poor, which they are meant to serve. As argued by Luckham et al. (2000), this implies that local power structures dominated by the elite may simply be reproduced in new forms; as policies that benefit the poor usually come at the expense of elite groups in society and hence the latter will defend their interests. In addition to this, decentralisation may reinforce regional and other biases through the exclusion of certain groups. This may come in the form of favouritism towards urban areas over rural areas, or in and through political biases wherein politicians who are more influential than others manipulate the distribution and allocation of resources (Binswager-Mkhize, 2008). Civil society groups and institutions would be critical in countering such biases by carrying out awareness and empowerment programmes.

No doubt, many cases where decentralization has been implemented (such as Brazil) show evidence that decentralization can promote democracy. But the factors blocking the consolidation of democratic decentralisation are many (Meinzen-Dick, Gregorio and Dohrn, 2008) These problems include cases where fiscal decentralization is implemented amidst regional inequalities in terms of the scale of available resources, or where political decentralization takes place amidst the continued entrenchment of influential political parties. According to Souza (1996: 551), these limits ably demonstrate why “decentralization has

generally promised more than it has delivered, both in the political system and in policy results, emphasizing that decentralization is not the panacea promised by its advocates, and that its results are influenced by political and economic factors”.

Another fact linked critically to democratisation, and which may lead to overestimating that effect of decentralization, is the question of ongoing poverty and development deficits. Government decentralization, in and of itself, does not directly or inherently result in poverty alleviation and socio-economic development. Johnson (2001: 523) argues that one reason for the absence of a clear causal link between state decentralization and poverty alleviation is that “strong economic performance and sound economic policy require a system of governance that favours planning and coherence over the demands of democratic representation”. This claim is supported by Wade (1990), who identifies the significance of authoritarian types of administration (undemocratic developmental states) in countries such as Taiwan and South Korea in promoting notable economic growth rates. Luckham et al. (2000:36) also add their voice to this position. They argue that democratic systems, because they are citizen-inclusive, lead to a multiplicity of various demands for poverty alleviation and socio-economic development of a redistributive kind. Such an array of demands can effectively undermine the economic growth, especially if these demands require short-term fixes which have negative fiscal and political effects on long-term economic policy and stability (including fiscal deficits).

But it would be good to end this section on a more positive note. A study carried out by Tendler (1997) in north-eastern Brazil shows how decentralisation led to extensive interaction between government health workers and client communities, leading to improved primary healthcare in rural areas. In this respect, government officials were deployed to rural areas where they spent extensive time interacting with client community members. This led to officials developing a nuanced understanding of the community and a deep sensitivity to community voice and needs. In doing so, they developed an empathy and sense of unity with the community members. This entailed a deep and abiding commitment to the participation of local communities which, in the end, is supposed to be a fundamental aspect to any genuine decentralisation process.

2.5.2 EFFICIENCY AND EFFECTIVENESS

The merits and demerits of decentralization are also debated based on more quantitative measures around efficiency and effectiveness. Mainstream market theory economists argue that decentralization has considerable merit because it enhances the allocation of resources based on the assumption that state officials have a better understanding of sub-national and local civil, political and economic systems. This compliments the current neo-liberal trend followed by most governments that stresses cost and resource efficiencies, with significant pressure being applied on all state levels to ensure accountability and responsiveness, especially with regard to service delivery. Hope (2001) notes that some governments, in this way, seek to reduce the sheer size of the public sector while maintaining its effectiveness, a practice said to be achievable through decentralization policies. He further argues that “decentralization of government services can be far more efficient than their supply by [central] bureaus” (Hope, 2001: 127). This is designed to improve the level, quality and efficiency of public services while simultaneously decreasing costs (Tanzi, 1995: 18).

Centralized forms of state administration, it is claimed, experience systematic if not systemic problems that result in communication overload and delayed response times to urgent needs; as well as being unfamiliar with – and insensitive to – local realities (Friedman & Taylor, 2011). Restructuring the delivery of public services through decentralization is therefore seen as the optimal means for tackling problems inherent within centralization (Hope, 2001). In addition, decentralization reduces bureaucratic formalities and bottle-necks through making state facilities and resources more readily accessible at local or ground level. This places decision-makers within the spatial and social proximity of local citizens which, in turn, increases efficiency. An added advantage of decentralization, in relation to effectiveness, is the way in which policy changes are more easily implemented by lessening on-the-ground apathy or resistance by local communities. Local level officials therefore act as “channels of communication between national governments and local communities and thereby facilitate understanding of the aims and objectives of the policy efforts” (Hope, 2001: 127).

These broad claims about effectiveness and efficiency, like the arguments about democratisation and poverty reduction, will be subject to critical scrutiny later in thesis, with respect to South Africa as a whole and the case study more specifically. I end this section

with a brief reference to arguments surrounding decentralisation and social cohesion and peace.

2.5.3 AS A TOOL FOR SOCIAL COHESION, UNITY AND PEACE

Decentralization is also said to be a tool for unity and stability. Particularly in nations with a diverse population and regional disparities, decentralization acts as a platform for sub-groupings to articulate and pursue their political and economic aspirations (Binswager-Mkhize, 2009). It therefore is used to “satisfy the demands for recognition of communal identity or to defuse civil strife or even civil war” (World Bank, 1999:3). State programmes developed through decentralisation are more likely to be formulated according to the particular needs of the intended groupings. In facilitating the involvement of diverse social and cultural groupings at local level, social cohesion, unity and peace may be promoted through joint and consensual participation (Hope, 2001). However, many challenges exist in seeking to use decentralization as a tool for peace and unity. Decentralization may simply exacerbate resource differentials and heighten social tensions where these resources are concentrated in certain regions (such as urban areas or sites of mining activity). It could lead to friction between regions over the control of the resources especially when regions are divided along ethnic or religious lines. Decentralization can, in this way, even become the platform on which secessionist rivalries occur, leading to an amplification of such rivalries (Brosio, 2000).

2.6 DECENTRALIZATION AND POWER

Based on the discussion so far, many different views about decentralization clearly exist. More importantly, there are numerous viewpoints with regard to the advantages and disadvantages of decentralization. As noted by Singh (2006:3), “centralization and decentralization are not definitive concepts, but defining features” and therefore “there are bound to be different pathways to decentralization as well as for centralization”. Irrespective of these differing views, theorists – even those most critical of decentralisation – acknowledge that decentralization increases the power of sub-national government structures to a certain extent or at least has the potential to do so.

The point of departure for coming to terms with the complexities of decentralisation rests on the question of the resulting re-distribution and distribution of power. Falleti (2005: 333) notes, in this regard, that the broad aim of decentralization has three power components, namely, a balance between “autonomy and accountability, constructive support from external actors; and a commitment to democratic deepening”. Sayed (2002, 36) likewise highlights that governments must find a “balance between centralized control and decentralized decision-making”. Any process of authentic decentralization (or ideal decentralisation) cannot simply entail a redistribution of power to local level based on a zero-sum conception of power. More specifically, granting power at the local level may not lead to an equivalent reduction in power at central level, nor does it mean that an even distribution of power will result at local level (Johnson, 2001). ‘The local’ is not homogeneous and undifferentiated. Lower power differentials and dynamics may not be challenged through decentralisation. The redistribution of power must occur alongside attempts to create structures that ensure its access by all tiers of society. Johnson (2001: 527) thus brings to the fore that “the challenge here is one of maintaining the autonomy to overcome powerful interests in society while, at the same time, engaging the views and preferences of non-state actors such as civil societies and community groups”.

While it is undoubtedly true that decentralization seeks to address the shortcomings of unresponsive state institutions, it is unlikely to succeed if implemented without the required local structures based on participatory forms of democracy. If sub-national institutions do not have firmly-footed financial, administrative and political capacity, they are likely to experience chronic and systemic failure. This is particularly the case when it comes to rural areas, which are resource-deficient spaces regularly marked by under-financed local state bodies. At certain times and in certain places, governments in Africa look to existing customary and chieftainship institutions to act as agents of decentralization. An example of this is the delegation of judicial and administrative roles around land to traditional leaders in African states, such as in some areas of Ghana where local chiefs are given the power over the administration and allocation of land (Meinzen-Dick, Gregorio & Dohrn, 2008) This is not devoid of problems insofar as the chieftainship system is not firmly grounded in democratic procedure. It certainly does not guarantee equal access to land and land-based resources especially in societies where such authorities are patriarchal in character. Therefore, when decentralisation is implemented in traditional local settings (which involve a

community led by a chief, elders or headmen), as least as reconfigured under colonialism, there are likely to be measures that contradict democratic processes and local participatory involvement. Again, power becomes concentrated locally and not widely dispersed.

Many states have resorted to the formation of local development frameworks to complement the process of decentralization. These frameworks concentrate on “strengthening decentralized institutional arrangements for empowerment, governance, [and] service provision ... as the building blocks of sustainable capacity for local development” (Mniwasa and Shauri, 2001: 15). In other words, local state structures in pursuing development seek to provide platforms for empowering communities especially in marginal areas such as rural spaces, so that local state institutions become porous and permeable to community interests and demands. This entails establishing and promoting formal opportunities for influencing “local planning and policy processes, local decision-making systems, and accountability mechanisms linking decision-makers and citizens” (Mniwasa and Shauri, 2001: 15). Often, though, the very creation of such institutional arrangements is contingent on significant community mobilisation and activism to pressurise local state units to open up the state to participatory mechanisms. Without this broader involvement, decentralisation – as is indicated above – may simply reconfigure local power differentials to the disadvantage of marginal social groupings.

2.7 CONCLUSION

In summary, decentralization is seen as playing a major role in bringing about much needed political restructuring that involves participation from the population at the ground level. What this discussion has brought to the fore is that decentralization promises many advantages such as increased efficiency in service delivery, more informed decision-making processes and empowerment of citizens. However, certain conditions need to be met for the successful implementation of a decentralized system, including setting up of systems that prevent elite-capture as well as logistical, administrative and financial capacities for local governments in the case of devolution. Decentralization is a highly complex process with a multiplicity of forms and dimensions and it is sometimes unevenly or partially pursued and implemented – in such cases, it may even result in digression and a situation of a political tug-of-war between local and national states over authority and resources. In the end, decentralization is a system best implemented according to the needs and conditions within a

specific nation-state such that there no one-size-fits-all model for each and every nation-state. In this context, the following chapter examines state decentralisation with specific reference to South Africa.

CHAPTER THREE:

DECENTRALIZATION IN SOUTH AFRICA

3.1 INTRODUCTION

In the immediate aftermath of the end of apartheid in 1994, the South African government embarked on a process of restructuring designed to decentralise power from the central state to provincial and particularly local state structures (or municipalities). There have been two main arguments behind the decentralization process in South Africa, first of all, that “decentralization or rather, the distribution of duties to local government structures leads to an increase in effectiveness and efficiency” and, secondly, that “distribution of duties to local government structures will reduce the existing administrative workload, pressure and responsibilities”. (SLSA, 2008: 7). In and through this restructuring, municipalities have been positioned as key agents of socio-economic development but with a dubious degree of logistic and financial capacity which has resulted in ongoing urban protests or so-called service delivery protests.

Over time, South Africa’s programme with respect to decentralisation has its own peculiar characteristics and in certain ways deviates from universal trends. As Maharaj (1997:1), argues: “Out of all the political systems that have gone through a non-revolutionary regime transition from authoritarianism to democracy, South Africa is the only one where this transition occurred simultaneously at a national and sub-national level”. Seeking to understand the restructuring of the state and specifically decentralisation in South Africa is important to this thesis as a range of tiers and spheres of the state (including central, provincial and local structures) are either directly or indirectly involved in the land redistribution programme, but in a manner which suggests at times an absence of direction and coherence.

3.2 HISTORY OF DECENTRALIZATION

The Apartheid system was structured in such a way that it sought to inhibit and undercut activities and events that happened at the local level. Because of this, any social mobilisation

and movements at local level that sought government restructuring (such as decentralization with the purpose of addressing government injustices) faced massive challenges (Kauzya, 2007: 9). Ultimately, the history and intensity of local, notably urban, struggles against Apartheid played a major role in defeating Apartheid and in influencing the structures assumed by local government post-1994. Since the abolition of Apartheid in the 1990s, there are however many remnants of its legacy in the local government system in South Africa. Because of this, “a complete understanding of the process of post-apartheid decentralization is only possible when one grasps the history of human settlements and the role local governments played in establishing and sustaining separation, segregation, and inequality at local level” (Kauzya, 2007: 11). This section provides a historical overview, pre-dating Apartheid, as a basis for examining post-Apartheid restructuring along lines of decentralisation.

The Union of South Africa was formed in 1910 and consisted of four colonies that merged together: the provinces of the Cape, Transvaal, Orange Free State and Natal. These each had elected Provincial Councils with power over education, health, local governments, roads and physical planning (Wittenberg, 2003: 10). Urban municipalities were established at local level, and were administered by city councils mainly elected by white residents. The duties of these city councils included the administration of water and electricity reticulation, refuse removal, sewerage disposal, low-cost housing schemes, urban control and public health inspections. Municipalities also existed in small centres as town boards. There was an absence of decentralised local authorities in rural areas of white South Africa and rural reserves were administered by traditional leaders under central state control.

When the National Party came into power in 1948, it promised to stem if not reverse the supposed tide of migration by Africans into white urban areas. The National Party government tightened up the pass law and influx control systems and made residence by Africans in urban spaces less secure. In institutional terms, it claimed that municipalities were inadequately controlling the urban influx of Africans and the locations/townships in which they resided, and it therefore sought – as the central state – to intervene more forcefully in these processes. For this reason, the central government slowly but surely took administrative powers over these areas away from the municipalities, eventually (in 1971) putting them in the hands of special bodies called Administration Boards (later named Development Boards). These boards were integrated into central state structures and controlled African

accommodation, employment and access to cities on a region-wide basis covering municipalities, adjoining farms and rural areas (Wittenberg, 2003:13-14). At the same time, townships had elected city/town councils with very minimal powers and negligible financial resources.

In the reserves, prior to Apartheid, power had been vested in tribal authorities (in terms of the 1927 Native Administration Act). These authorities, as indicated, were always under central state authority and were expected to act as state functionaries. Because of this, at times the state replaced uncooperative chiefs with more compliant and subservient individuals. Legislation in the 1950s under the National Party government, such as the Bantu Authorities Act (1951), the Native Affairs Act (1955) and the Promotion of Bantu Self-Government Act (1959), created a hierarchy of tribally-based regional authorities. Under this system, different language groups amongst the African population were said to represent different nations in South Africa and would be allocated specific homelands with legislative assemblies for self-governance purposes. Ten homelands were created, including Ciskei and Transkei in the Eastern Cape. From the 1960s onwards, these legislatures had varying central state powers transferred to them, such as justice, agriculture and finance. Homelands however lacked a solid financial base and relied heavily on the central state. In effect, this form of decentralisation embodied an extension of indirect rule over by the African population by the white South African state.

Simultaneously, massive opposition to Apartheid intensified in the 1970s and on into the 1980s, including trade union action, student protests and community-based struggles. By the late 1980s, many areas of the country, particularly urban centres, had become ungovernable from the perspective of the central state. The Apartheid state responded in a variety of ways, including reform, cooptation and outright repression. One significant institutional restructuring entailed the formation of the National Security Management System (NSMS). The purpose of the NSMS was to “counter the resistance and re-gain control, to target areas wherein grievances arise to avoid mobilization and to replace the void created by the disbanding of organizations [including local state structures in African townships] by establishing platforms and channels for communication that are less aggressive toward the state” (Wittenberg, 2003: 22-23). The NSMS was organised in a very centralized manner with hierarchical structures stretching from regional level (known as Joint Management Centres) to local level structures. These structures, at their respective levels,

became quite critical in overseeing the various functions of the state. When F.W. de Klerk became President of the National Party, the NSMS became known as the National Coordination Mechanism, again with national, regional and local tiers and axes of coordination. It was later transferred from the President's Office to the Department of Regional and Land Affairs. During this time, the government also declared a nation-wide state of emergency in 1985, and even the South African Defence Force began participating in local government administration (Boraine, 1989).

It seemed that these centralised methods of governance were playing a significant role in restoring, at least temporarily, law and order in South Africa but this restoration was anything but complete. The political and social instability had in fact reached systemic crisis proportions, leading to almost a dual-power situation (or a stalemate) and the eventual collapse of the Apartheid system. Thus, while this recentralisation was taking place, other local level events were taking place.

The intensity of tensions at local level led to negotiations – notably in the 1980s – between local civic organizations (often affiliates of the United Democratic Front) and the authorities in their respective areas, including township councillors who were seen as mere puppets of the Apartheid regime. The civics demanded “new unified nonracial, democratic local authorities through which they could participate fully in local government as well as in the redistribution of resources among communities” (Cloete, 1991). As a negotiating tool, they forced most local councillors to resign and declared that residents would not pay for the minimal services they received, which led to for example rent boycotts. These local councils eventually collapsed and in many places were replaced, unofficially, by civic-based forms of local governance (Atkinson, Heymans and Humphries, 1987). The national government however stood firm and refused to bring about any significant local state restructuring, particularly given the in-principle demands for non-racial local states which were run counter to the racially-based foundations of the Apartheid state.

The African National Congress (ANC), the waiting government-in-exile, was significantly involved in the struggles taking place in South Africa during the 1980s, and entered into secret and then open negotiations with the ruling National Party in the late 1980s and early 1990s. It was heavily involved in the formation of the South African National Civic Association (SANCO) towards the end of 1991 which effectively represented it at (local level government) negotiations which commenced in 1992 with the then Ministry of Local

Government. These negotiations were marked by significant tensions and deadlocks (Cloete, 1994), but they eventually led to the formation of a national Local Government Negotiating Forum (LGNF) that would serve as the official negotiating platform between SANCO and the Ministry of Local Government. The recommendations arising from the LGNF were ratified by the Multi-Party Negotiation Process (MPNP), which was the broader process of a negotiated settlement taking place in the early 1990s to bring an end to the system of Apartheid.

3.3 POLITICAL ECONOMY OF POST-APARTHEID SOUTH AFRICA

The post-apartheid state, under the control of the African National Congress (ANC), sought to bring about historical redress because of the racial legacies of the Apartheid system and the earlier Segregation system (from 1910 to 1948). At the same time, Apartheid ended at the height of the neo-liberal period of modern capitalism and there was considerable pressure placed on the ANC government by multi-lateral organisations such as the World Bank to bring about neo-liberal restructuring (indeed, this pressure was evident during the transitional period from 1990 to 1994). In trying to address the need for historical redress through the redistribution of wealth, and in trying to grow the national economy, the ANC initially adopted the Reconstruction and Development Programme (RDP); it became the election manifesto for the party during the first democratic elections in 1994.

The RDP focused on developmental over growth, or at least it pursued a path based on 'development first, growth second' or growth through redistribution. For the ANC, the RDP was a people-centred programme which drew on the vision of the Freedom Charter and which emphasised the democratic underpinning of any road to economic growth and development (African National Congress, 1994: 8). The RDP system consisted of centralist and decentralist tendencies. The central state, like the Apartheid state of the past, was given the central and leading role in guiding the economy and the market toward reconstruction and development. But this centralised development thrust, unlike the Apartheid state, was to be inclusive and not exclusive. Development was to be rooted in more democratic and participatory practices, and not simply based on the national non-racial franchise. This inclusiveness also included devolution of state powers to more local levels, thus allocating duties and responsibilities to lower spheres of government and maximising citizen participation in local state administration. The local state was being positioned as at the

forefront of developmental projects since these state structures were closer to the people and their organisations.

The ANC therefore elevated the role and importance of local government through the RDP. This however, was complicated by the policies pursued by the ANC thereafter. There soon arose an emphasis on economic growth as the best means of achieving redistribution and development, or redistribution through growth. This required policies and programmes that were less radically redistributive. In the 1994/5 budget, the ANC's trajectory fell more in line with the preferences of neoliberal thinking and discourses, including the requirement that social spending take place to an extent consistent with the level of economic growth (as advised by the World Bank). This became more explicit state policy in June 1996 when the ANC parted ways with the RDP and unveiled the Growth, Employment and Redistribution (GEAR) programme. GEAR was firmly rooted with the neoliberal paradigm. This entailed, amongst other things, the cutting of government spending, increased privatization, decreasing of corporate taxes, promoting wage restraint for organized workers and limiting regulations on exchange control. This is not to claim that the post-Apartheid state became completely neo-liberal in form and content, as certain redistributive programmes continued such as the social grants system, labour legislation protecting the rights of workers, and land reform (albeit market-driven). But the overall trajectory since 1996 has been largely neo-liberal.

Some debate exists about the extent of differences between RDP and GEAR, as the former was not devoid of neo-liberal tendencies given the lobbying of multi-lateral organisations such as the World Bank and the International Monetary Fund during the 1990-1994 transition away from Apartheid. With specific reference to decentralisation, this ANC continued to stress this as a basis for broad-based socio-economic development. Of course, devolution – as articulated by the ANC even during the transition period and as embodied in the RDP – is not in itself inconsistent with neo-liberal principles, as these principles raise doubts about state efficiencies and effectiveness particularly at central state level. In fact, from the start, the decentralisation policies of the ANC with regard to local government have had neo-liberal tendencies, most notably the need for cost-effectiveness, cost-recovery measures and the privatisation of certain services where feasible (such as water), which compromises the prospects of wholesales provision of services particularly for African townships.

The emphasis on civil society participation in bringing about socio-economic development is also based on the neo-liberal critique of the state. Thus the White Paper on Local Government published in March 1998, in placing local government in a developmental context, speaks about “working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives” (Department of Provincial and Local Government, 1998: 17). This was further pursued through the release of the White Paper on Municipal Service Partnerships (MSPs) in April 2000. This policy document focused on encouraging coordination between municipalities and community-based organizations and the private sector, the purpose being to “promote economic development in communities, strengthen democracy and empower civil society at the local level” (Department of Provincial and Local Government, 2000: 15). The document also focuses on “efficient, competitive, transparent and socially equitable procurement and contracting arrangements” as necessary for an improvement in service delivery. The privileging of efficiency and competitiveness articulates neatly with neo-liberal restructuring.

3.4 POST-APARTHEID DECENTRALIZATION

Clearly, prior to the end of Apartheid, state structures were marked by forms of decentralisation. But these structures were racially-based and racially-exclusive. The central state was heavily involved either directly or indirectly in the management of so-called African spaces (reserves/homelands and urban townships) with only minimalist forms of democratic involvement in these spaces. The state forms which existed, namely, homeland governments and township councils, did not have significant administrative and financial capacity and massive power differentials existed between them and the apartheid state. The new, ANC, government sought to bring about significant changes in this regard – though its actions have been highly uneven.

Since 1993 and the subsequent ending of the Apartheid system, the South African government has pursued a range of decentralization policies and programmes with the intention of distributing power to lower tiers of (provincial and local) government. In practice, at times many initiatives have been slow in achieving the transferring or dispersal of power due to for example ill-designed strategies and resistance from the central government (Pelser, 1999: 485). The growth, trajectory and progression of decentralization have gone

through different phases marked by certain key documents, such as the 1996 Constitution and the White Paper on Local Government (1998). The government of National Unity led by the ANC assumed the responsibility of restructuring the administrative system in 1994 (Edoun, 2012:12). The four provinces and nine homelands were replaced by nine provinces, with considerable power delegated to the provinces. Provincial elections were held in 1994 simultaneous with the first democratic national elections. At the local level, de-racialised municipalities were to be formed.

Provincial governments were set up in a manner that makes them bound by laws and policies passed at national level. They are however given a degree of autonomy in that they can develop their own laws and policies according to their specific needs. Each province has a legislature of between thirty to ninety members responsible for approving provincial laws, passing the annual budget and electing the Premier who is the political head of the Province. The Premier in turn appoints Members of the Executive Council (MECs) who serve as political heads of each state department. On the administrative side, each provincial government is led by a Director General while provincial departments are led by Deputy Director Generals also known as Heads of Departments. Head of Departments then appoint public servants such as teachers and nurses. Each province usually has a number of departments, notably: Finance, Economic Development, Tourism, Housing, Education, Health, Social Development, Transport, Public Works, Planning and Environment, Agriculture and Local Government. Their duties are listed in Schedule 4 and 5 of the Constitution. One main function of provincial governments is to regulate and monitor lower tiers of government, mainly the municipalities.

There were ongoing deliberations and negotiations for the purpose of deciding upon the post-Apartheid structures to be assumed by municipalities and also to provide transitional measures at local level to administrate municipalities until the new structures were agreed upon and implemented. Central to the latter was the Local Government Transition Act (Act 209 of 1993). This act, amongst other things, established provincial demarcation boards to set the borders of local level structures (municipalities) and delimited specific electoral wards within municipal areas (Cloete, 1994); and it also sought to promote –for the post-1994 arrangement – broad-based civil involvement in the local state arrangements (Hargreaves and Meer, 2000). The interim phase ended in 1995 with local government elections held for Transitional Local Councils and Transitional Metropolitan Councils. The restructuring of

local government involved two phases. The first phase was in 1995 at which time 843 transitional municipalities were established. Then, in the year 2000, urban and rural areas were joined together resulting in the formation of 284 municipalities nation-wide – these consisted of six Metropolitan Municipalities, 47 District Municipalities and 231 Local Municipalities (Edoun, 2012:12), with district municipalities having a number of local municipalities falling under their authority. Rural areas for the first time became incorporated under a uniform South African-wide municipal system, with many municipalities containing both urban and rural spaces.

It appears that the ANC had some reservations about the principle and practice of decentralisation during the constitutional negotiations. The ANC in fact accepted the principle only late in the negotiations (Niksic, 2004) as it favoured a unitary government. It finally gave in to the establishment of a federal type of state though so as to protect the interests of minority social groups given the diversity of South African society (de Jager, 2006). Vertical decentralization occurred through considerable responsibilities and duties that were dispensed to the lower levels of government (provincial and municipal) as per the agreements of the multi-party negotiating forum and this delegation of power became formalized in the Constitution and policy documents such that South Africa is said to be on the cutting edge of government restructuring (Galvin and Habib, 2003).

In 1996, the Constitution came into force and it became the blueprint for the current system of decentralization. The Constitution of the Republic of South Africa Bill was drafted as mandated in the Interim Constitution of 1993. The main objective was to draft and pass a constitution that was “legitimate, credible and accepted by all South Africans” and the drafting process, it is claimed, was the “largest public participation programme ever carried out in South Africa” (Reddy and Sabelo, 1997: 581). In fact, the drafting process took approximately two years to complete and it entailed wide-ranging discussions with citizens, civil society and political parties after which the political parties (all with representatives in the national assembly) negotiate the constitutional statutes and their formulations.

With specific reference to state governance, the parties agreed that governance would entail “distinctive but interdependent spheres of national, provincial and local government” (Reddy and Sabelo, 1997: 581). In this respect, Section 39 (1) and (2) of the Constitution states that

A spirit of co-operation must be observed and practiced among all spheres of governance, in the interests of preserving peace, securing the well-being and promoting national unity and the indivisibility of the Republic and providing effective, transparent, accountable and coherent government.

This would entail considerable decentralization to provincial and local levels.

As indicated previously, municipalities were to be established in all parts of the country. As a measure of intent towards administrative decentralization, the 1996 Constitution therefore officially recognizes municipalities as organs of the state and central to public administration, unlike pre-1994 when they were, where they existed, more akin to parastatal institutions (Hall, Isaacs and Saruchera, 2007: 2). The Local Government: Municipal Structures Act 117 of 1998 defines the three categories of municipalities outlined earlier: district, local and metropolitan municipalities. The act also clearly defines and outlines their powers, functions and jurisdictions of the different types of municipal structures. For example, district municipalities were to be responsible for providing and maintaining infrastructure like major roads, clean water, electricity, sewerage disposal, health services, firefighting services and tourism. They were also responsible for coordinating the activities of the local municipalities falling under their jurisdiction, including ensuring district-wide development planning. Because of political tensions in some areas which hindered the process of demarcation, the ANC government chose to create six so-called cross-border municipalities (Hall et al., 2007: 2).

All categories of municipalities were expected to operate democratically in pursuit of socio-economic development at local levels. Thus, they were to provide various services to communities (or service delivery) in a sustainable manner, to encourage and promote social and economic development, and to involve local communities and community organizations in local government in a participatory manner. But these initiatives were to be pursued in conjunction with other levels of government. Hence, Section 153 of the constitution speaks of the developmental mandate of the municipalities but highlights that municipalities should “act in concert with other spheres of government” in fulfilling this mandate; in this way, local socio-economic development would take place within the parameters of national development as defined by the central state (Hall et al, 2007: 2).

Both national and provincial governments are in fact mandated to support, strengthen and capacitate municipalities for purposes of performing their functions effectively and

efficiently, a policy based on the principles of de-concentration. In this respect, each tier of government is to adhere to a “spirit of cooperative governance”, to “respect the constitutional status, institutions, powers and function of government in other spheres” or tiers; and to “assume only the powers and functions conferred on it in terms of the Constitution” (Hall et al, 2007: 2). To this end, legislation has been passed which establishes structures and institutions that promote inter-governmental relations and which seek to inhibit disputes between tiers of government.

Elected municipal councils hold the executive and legislative authority at municipal level. In this respect, any particular council has the power

To administer legislation passed by it; and to administer, in its municipal area, national and provincial legislation that has been assigned to it in terms of national and provincial legislation, and any other functions assigned to it. ... A municipal council has control over internal arrangements and make rules and orders concerning its business and proceedings, including rules and orders regulating the establishment, composition, powers, functions and procedures of its committees (Reddy and Sabelo, 1997: 581).

This does entail a significant process of devolution with respect to state restructuring subsequent to end of Apartheid. But municipalities clearly work within nationally-driven directives. Therefore, according to the Constitution, the main function of local government is to “promote the social and economic development of local communities within the framework of national and provincial development policies and to enhance social and economic development generally” (Nyalunga, 2006: 3).

By applying principles of political decentralization, or specifically devolution, local government structures, or municipalities, are explicitly defined constitutionally as development agents. Besides their own specific tier functions, national and provincial governments are tasked with the duty of, at least indirectly, monitoring municipal functions and building municipal capacities vis-à-vis socio-economic development but in an interventionist and obstructive manner. In any case, both national and provincial governments need to implement policies, legislation and programmes that affect municipalities, and they have to do so in consultation and cooperation with municipalities, both district and local ones.

As a measure of fiscal decentralization, municipalities must ensure that budgeting, administrative and planning processes are directly geared towards socio-economic development in their areas of jurisdiction in a participatory and sustainable manner.

Critically, though, such developmental initiatives can only within each a municipality's financial, administrative and operational capacity. This has proven difficult for municipalities, particularly for those with extensive rural areas within their boundary and/or with minimum revenue bases. Devolution it seems has taken place without, in many cases, sufficient financial resources to meet development objectives or even basic service delivery.

The developmental component of the municipal mandate centres on the requirement, by law, of formulating and implementing Integrated Developmental Plans (IDPs) with, it must be added, the participation of local communities and relevant stakeholders and organizations. As well, these plans are to be brought into operation by liaising where necessary with other tiers of government, such as the district municipality and the provincial and national governments in the case of IDPs for local municipalities.

The mechanism created for this involvement of government and civil society is the Integrated Development Plan Representative Forum which is made up of members in the Executive committee of the Local Council, Councils (including District Councillors), Traditional leaders, Ward committee representative, Heads of departments and senior officials from municipal and government department, representatives from organized stakeholder groups, people who fight for the rights of unorganized groups (e.g. a gender activist), Resource people or advisors, and Community representatives. (Kauzya, 2007: 12)

This forum thus is intended as an arrangement through which diverse groups can represent their interests and views by way of discussions and negotiations, though this does amount to joint decision-making on some sort of consensual basis. It is also meant to ensure proper and ongoing monitoring of development programmes (as embodied in the IDP) during the implementation process. At least formally, then, local governments – through the processes underpinning the formation and implementation of IDPs – ensure that local communities and stakeholders participate in planning, decision-making and implementation processes while allowing for coordination with district, provincial and national government structures (Venter, 1998). The form and extent of civil society participation in the IDP process though has been subjected to significant criticism.

IDPs are formulated by non-racial municipalities and, because of this, are officially seen as mechanisms for undoing and correcting the negative effects of Apartheid spatial planning, which even in urban areas divided business and residential spaces along strictly

racial lines. This of course entailed an unequal distribution of resources on a massive scale according to racial groups, as part of the broader system of Apartheid. Rural areas were also designated in racial terms, notably black homelands and the white countryside, and these rural areas – for the African population – were the worst affected with respect to basic infrastructure, service delivery and facilities. To rectify this racial bias through decentralisation of powers to municipal level, or by any other means, is a daunting task. Nevertheless, in formulating IDPs, municipalities are expected to do the following: offer an assessment of the current level of development within their respective areas of jurisdiction (including any spatial unevenness) as well as a basic needs assessment; outline key developmental objectives and priorities, in addition to a long-term development vision for the municipality; detail operational strategies, performance indicators and main targets; and offer a comprehensive financial plan including a budget projection (Kauzya, 2007: 13). Further to this, there must be a spatial development framework with specific reference to land use management, and reference to land reform possibilities and projects.

The constitutional underpinning for the post-Apartheid municipal system is not without its problems. Although the World Bank (1999: 108) speaks about “autonomous sub-national governments capable of taking binding decisions in some policy areas” as the benchmark for decentralized government, the South African Constitution does not provide substantial directives on the level of the extent and form of autonomy of local government. It also allows for central state driven alterations to the duties and responsibilities of municipalities (either added to municipalities or subtracted from them) without full democratic input from local level, though there are formal mechanisms allowing for consultation, input and discussion on any alterations. In addition, it appears that local government is a mere agent of other higher tiers of government, therefore almost working on behalf of the provincial and national governments instead of being a tier in its own right in an all-embracing decentralized government system (Reddy and Sabelo, 1997:587). At the same time, the constitution does prioritise the significance of municipalities by claiming that they constitute one of three spheres of government instead of a mere level of government subservient to other levels; this implies some semblance of equality between tiers rather than a hierarchy of tiers.

Overall, then, local governments in post-Apartheid South Africa are responsible, on a reasonably independent basis, for administering the areas under their jurisdiction. Amongst

other things, this includes, in the light of IDPs, maintenance and development of infrastructure, provision of basic services, and short-term and longer-term socio-economic development projects. These projects are supposed to be realistic (given any restrictions on capacity, either financial or logistical), involve the efficient and optimal use of resources, attract outside investment or additional funding, and benefit everyone within the community. All this is to be done in a manner consistent with the fundamental ideals of democracy as enshrined in the new constitution. In other words, development and democracy are said to be the kingpins of municipalities and municipal planning and action (Reddy and Sabelo, 1997: 587). This is the grand design, but the evidence suggest that municipalities have been unable to promote significant socio-economic development within their areas of responsibility and that they regularly act in a way which goes against the key cornerstones of participatory democracy.

The White Paper on Local Government of 1998, as drawn up by the Ministry for Provincial and Constitutional Development gave flesh to the constitutional provisions relating to post-Apartheid local state restructuring. It does this with respect to for example administrative mandates, efficiency targets and relations of cooperation with other ministries. In the end, the White Paper serves as a blueprint for a developmental local government system focused on the needs of local citizens with citizen participation as well as tackling the local legacies of Apartheid spatial engineering in a just and sustainable manner. In this sense, it services as “mini-constitution for local government” (The White Paper, 1998). It therefore outlines a vision of a developmental local government which “centres on working with local communities to find sustainable ways to meet their needs and improve the quality of their lives” (The White Paper, 1998). This key developmental dimension seeks, amongst other things, to “democratize development; and generate social capital through providing community leadership and vision, and seeking to empower marginalised and excluded groups within communities” (The White Paper, 1998). This entails building the developmental capacity of municipalities through integrated development planning and budgeting, performance management and cooperating with local citizens and partners (The White Paper, 1998).

Relations of cooperation and integration with other spheres of government (central and provincial) are critical to municipalities, and to these other spheres. For example, the Department of Rural Development and Land Reform in pursuing land reform can only do so

properly in conjunction with municipalities, as the latter are mandated to assist with post settlement support and other actions.

3.5 CRITICAL ANALYSIS OF POST-APARTHEID DECENTRALIZATION

Although the South African government has made important steps towards a decentralized government system, many on-going traits suggest otherwise. According to Galvin and Habib, “competing tendencies toward centralization have become increasingly evident in spite of the rhetorical assurance of decentralization in policy papers and legislation; centripetal tendencies are undermining the implementation of these policies” (De Jager, 2006: 19). These authors therefore suggest the existence of two clear traits which have emerged out of the South African governments’ actions or inactions, namely, “institutional centralization and dispositional centralization”. In other words, ANC leaders and the political elite are disposed towards centralisation and this has been institutionalised, despite their public discourses about the significance and need for decentralisation.

De Jager identifies four possible reasons for the post-Apartheid South African government’s centralizing traits while preaching about decentralization. The first relates to the Apartheid past which was “based on a federal and supposedly decentralized, albeit warped, form of government” (de Jager, 2006: 104). The blanket rejection of Apartheid as a system by the ANC to some extent influences the ANC’s reservations about continuing with a fully-fledged federal system. It also explains why the post-Apartheid South African system of government is never referred to as a federal system by the ANC although it has many key characteristics of such a system. The second reason is that though the ANC leadership tends to support and wax eloquently about the system of decentralization, in reality it dislikes decentralisation because this clearly reduces and undermines their institutional bases of power and influence over development processes and resources (de Jager, 2006: 104). Thirdly, the vast majority of the ANC government leadership were groomed according to a radical Leninist school of thought that promotes a top-down hierarchical system that separates rulers and ruled; added to this is the fact the ANC, as waiting government-in-exile, was never grounded in deep democratic practices and has a history of authoritarian practices. Finally, from the perspective of de Jager (2006: 104), “there is a growing worldwide tendency towards centralization, a wave that South Africa appears determined to ride”. This relates to the centripetal tendencies that Galvin and Habib speak about. More specifically, the

central state itself has become increasingly insulated and subject to centralised tendencies internally, with this leading to a strong executive presidency.

In this regard, centralization has been occurring simultaneous with processes of decentralisation as identified in the *World Development Report* in 2000 on the link between democracy and decentralization. This report states that devolution is being implemented by an increasingly authoritarian central state which selects or appoints officials to fill local state positions or simply creates sub-national units with nepotistic officials (Brosio, 2000). When Nelson Mandela was president, for example, a Presidential Review Commission was set up for the purposes of reviewing the structure and duties of the Presidential Office. A report from this commission urged that the president's office provide the very foundation for central government, which implied centralization. The government went on to form a Coordination and Implementation Unit (CIU) (later converted to and renamed the Policy Coordination and Advisory Service (PCAS)) in the President's Office. This Unit served the purpose of "equipping the government with the strategic planning and management capacity it required" (Davis, 1999: 6). It was made up of five units (economic sector, intergovernmental co-ordination, social sector, criminal justice system, and international relations) which were charged with vetting new policy and even drafting legislation at cabinet meetings (de Jager, 2006: 105).

The Chief Directors of these units had a similar status to cabinet ministers but there was a fundamental difference: while cabinet ministers were accountable to parliament, the chief directors were accountable to the president and the president. This meant that the power of cabinet ministers was reduced and that they became mere "managers and marketers of new policies" while decisions of key policy issues were made by PCAS behind closed doors (de Jager, 2006: 105). This also implied a weakening of the parliamentary system in ensuring proper vetting and monitoring of the state bureaucracy, as decisions made by the PCAS were beyond the sight and influence of parliamentarians, even those within the ruling ANC party. Another possible sign of government centralization has been the strengthening of the centre through decreasing the provincial government budgets as allocated by the Ministry of Finance.

This centralised system appears to be based on three main principles, namely, centralize, coordinate and control. Though the drivers of this centralisation would claim coordination of state action as the critical dimension to centralisation, it is likely that control

is central to the initiative insofar as it tends to sideline ministers and parliament. Control implies for instance that policy makers are only accountable to the president and that policy is to be handed down from the office of the president to ministers who become responsible simply for implementing policy. This centralised system leads to behind-the-scenes power politics and secrecy, and it detaches policy makers from on-the-ground realities by inhibiting the prospects for democratic input even from the legislature.

Because of this, the central state seems insensitive and unresponsive to on-going poverty and service delivery deficiencies which have provided a springboard for localised but country-wide protests known officially as ‘service delivery’ protests. This supports Friedman’s (2011) claim that centralized forms of administration face almost systemic problems that result in communication overloads and lengthy response times. Since their inception, the new municipal structures have been marked by back-logs, which is clearly in tension with the intended benefits of decentralization as outlined by Borins (1994). According to Gumede (2008:262) such protests rose from 5,800 between 2004 and 2005 to over 10,000 during 2006 while citizen satisfaction with reference to the ANC government fell from 75% in 2006 to 58% in 2008. Not surprisingly, given the detached character of central state action, these protests were blamed at one point by the then Intelligence Minister Ronnie Kasrils as the work of “agent provocateurs” (Gumede, 2008: 262). Of course, local municipalities bore the brunt of these protests which expressed not only deep concerns about service delivery weaknesses on the part of municipalities but the fact that municipalities were not functioning on a democratic basis.

Decentralized governance continues to face many challenges, an issue that seems to reinforce the notion that democratic decentralization does not inherently result in poverty alleviation and socio-economic development. President Jacob Zuma took office in 2009 amidst a wave of ‘service delivery’ demonstrations by main urban South Africans. During his first month in office, Zuma established a Ministry of Performance Monitoring and Evaluation led by Collins Chabane (the former Head of Public Works in Limpopo) with the intention of improving service delivery and the developmental performance of provincial and local governments (Friedman, 2011). A report from this new ministry highlighted state underperformance and inefficiencies and pinpointed the existence of inadequate or non-existent accountability at the upper levels of government ministries, *ad hoc* policy planning and weak inter-ministerial coordination (Friedman, 2011). The report went on to suggest that

central state departments should focus on setting measurable performance targets and develop an “outcomes approach”, which involves mechanisms to measure the performance of ministries with regard to clearly-defined goals and targets.

The outcomes though were to be determined by the presidency rather than internally-developed goals set by individual ministries and departments to avoid overlapping goals across ministries and departments (Friedman, 2011) The criteria to be deployed in measuring state performance included efficiency (implying an economic and effective use of resources), professional ethics and a fully accountable public administration. On this basis, the president signed performance agreements in April 2010 with his thirty-four ministers. However, legislation does not currently exist to facilitate the accountability of ministries (and departments) vis-à-vis the failure to meet the set targets and outcomes (Friedman, 2011). In addition, and despite ongoing efforts in improving the effectiveness of sub-national governmental units in South Africa, performance, delivery, accountability and accessibility continue to be highly problematic. In this light, in 2009, the Deputy Minister of Co-operative Governance and Traditional Affairs summed up the progress of local state institutions by stating that “local government just isn’t working”.

3.6 CONCLUSION

James Manor (2011: 13) presents a very valid argument when he states that

The people who designed South Africa’s new system for local democracy wanted the best for their country, but they were naive. They were sophisticated technocrats, but they did not include anyone who understood democratic decentralization in less developed countries – and that is what South Africa is. Instead, they studied highly technocratic systems of local administration and democracy in industrialized countries and included the latest methods used in those countries in their plan for South Africa. The result was a system which gave too little power, funds and autonomy to elected members and leaders of local councils, and instead imposed upon those councils excruciatingly complex, onerous technocratic tasks. ... If the new emphasis on addressing poverty and inequality in South Africa is to result in the strengthening of local government, action will be needed to deal with the flaws in their decentralized system – and that may be too much to ask.

This critique of state decentralisation in South Africa raises deep concerns about state capacity (particularly at local level) and this is of course of relevance to the pursuance of land redistribution given that redistribution depends quite fundamentally on decentralised state structures. A decentralized state system in South Africa was intended, amongst other goals, to benefit local black communities who suffered immensely under the past system of racial domination and to do so in an empowering way. Decentralisation since 1994 has been quite extensive though there are also centralising tendencies taking place concurrently. And the decentralisation trend in-and-of-itself is also characterised by serious problems and challenges such that a fine-tuned system of decentralised government does not exist in South Africa. This has serious implications not only for ‘addressing poverty and inequality’ but also for land redistribution specifically insofar as the latter seeks to undo conditions of poverty and inequality. The following chapter examines land redistribution from a global perspective, before looking at land reform in South Africa (in Chapter Five).

CHAPTER FOUR:

LAND REDISTRIBUTION GLOBALLY

4.1 INTRODUCTION

This chapter examines land reform broadly and land redistribution more specifically from a global perspective but with some historical depth. The particular focus relates to the question of and controversies around the methodologies of land redistribution. The main controversy concerns market-led land redistribution which currently is the dominant methodology and which has been backed by powerful neo-liberal global forces such as the World Bank. In the chapter, I examine critically market-driven redistribution from the standpoint of a more radical methodology involving expropriation or at least selective expropriation. In doing so, of critical significance are the double aims of equity and efficiency with the former often being sacrificed on the altar of the latter (because of the marked emphasis placed on agricultural production and productivity). This chapter therefore provides a basis for considering the experience of land redistribution in South Africa since the end of apartheid.

4.2 LAND REFORM

Land reform continues to be a major social, political and economic issue around the world. Due to significant differences across nations and regions in relation to the history of land dispossession and acquisition, land types, farming methods, general social and economic conditions and political aims, a firm and uncontested definition of land reform is difficult. Sometimes a narrow definition is offered, as when it refers to “the redistribution of property or rights in land for the benefit of the landless, tenants and farm laborers” (Warriner, 1969 cited in Martin Adams, 1995: 1). This definition reduces land reform to land redistribution, which may in fact be a sufficient definition for some nations where the primary challenge is the unequal distribution of landholdings between social groups. Sometimes a very wide definition is provided, such as when land reform is said to describe “a collection of activities and changes designed to alter the agrarian structure of a country” (Ciparisse, 2003: 59). This

equates land reform with agrarian reform; yet certainly in many nations land and agrarian reforms are intertwined if not indistinguishable processes.

Generally there are three major types of land reform, namely, land tenure reform, land restitution and land redistribution; land redistribution is the focus of this thesis. Land tenure reform concerns the most suitable form of access to land (such as freehold and communal tenure), land security and land management (including decentralized modes of administration). Considerable debate exists around land tenure in Africa given the historical dominance of communal tenure in most countries and the emphasis within the neo-liberal paradigm of private property rights in terms of supposedly facilitating tenure security and investment in agricultural activities (Binswanger-Mkhize et al., 2009). Land restitution relates to particular claims over particular pieces of land based on ancestral, cultural, historical and spiritual rights. Land redistribution involves an attempt to redress broad social group-based inequalities (often on racial and ethnic grounds), arising from land dispossession, by wholesale reallocation of land to these marginalized groups. It therefore entails significant modification in land ownership and access. Historically, “land redistribution has been carried out to abolish feudal, colonial, or collective forms of landownership and more generally to correct old wrongs” (Binswanger-Mkhize et al., 2009:4). There is considerable variation between countries with regard to the relevance of these types of reforms for addressing the land question.

Currently, there are two dominant approaches to land reform which can be labelled as neoliberal and populist. Neoliberal land reform, which is often referred to as market-led land reform, seeks to “create or restore private rights to property for the purpose of improving the smooth functioning of rural markets (usually markets in land, credit and agricultural inputs) and increasing efficiency and production through security of title” (Wolford, 2007: 551). Populist land reforms attempt to “create or restore the connection between peasant communities and the land, improving social justice by distributing resources to the poorest who will then contribute to balanced development and food sovereignty (freedom from dependency on world food trade)” (Wolford, 2007: 551). These two approaches entail very different understandings of the relationship between the market and society.

In this context, the neoliberal perspective assumes that “the market is the optimal mechanism for allocating property to productive individuals because property rights are a reasonable reflection of labour applied: people who own property do so because they worked

for it and this relationship has to be encouraged and rewarded” (Wolford, 2007: 551). The market therefore is both efficient and effective and facilitates, or simply allows for, redistribution without undercutting agricultural production. Alongside the market is the significance of a private property land regime, to ensure tenure security and on-going reinvestment in farm-based activities and expansion. The populist perspective argues that “the market is a vehicle for theft and exploitation: people who own property do so because they possess political influence (both in the present and in the past) and power” and “reforms that go through the market are thus likely to be plagued by its very historical mal-development” (Wolford, 2007: 551,552). The market, as part of the capitalist economy, serves the interests of the wealthy landowning class and, to undercut its property rights, a combination of land repossession (or occupations) and expropriation is necessary. The state enters into the analyses of both approaches. Neoliberals advocate for the involvement of the state but primarily in legalising and supporting the activities of the market (hence, market-led reforms are normally backed by the state), Populists advocate for state interventions of a more forceful kind in bringing about significant land reform, and argue for continual state support (post-reform) to facilitate the localised market activities of smaller-scale farmers.

4.3 METHODS OF REDISTRIBUTION

This section, and indeed the balance of this chapter, focuses on the process of land redistribution. There are many ways to go about the process of redistribution and, sometimes, these methods are used simultaneously. I first examine the willing buyer-willing seller method, which has been prevalent in the context of neoliberal restructuring globally.

4.3.1 VOLUNTARY ACQUISITION (WILLING BUYER-WILLING SELLER)

Under the willing buyer-willing seller method, which is also referred to as voluntary acquisition, “land typically is acquired from landowners willing to sell their property by a willing buyer (usually the state), and then redistributed to groups or individuals” (Binswanger-Mkhize et al. 2009: 21). The state regularly purchases land at market value, from budgeted funds for this very purpose. In most cases, land purchased by the state is transferred directly from the owner to the intended recipients of land redistribution, whether a particular family, group of families, community group or cooperative. The essence of this

method is its voluntary character, as the only land subject to redistribution is land voluntarily put on the land market by the current owner. This method has been used in the land reform programmes in Kenya, Brazil, Malawi, India, the Philippines, South Africa, and many Central American countries such as Mexico.

Normally, potential land beneficiaries need to make a formal application for land and they are selected on the basis of certain criteria set by the state. In doing so, it tries to bring the land redistribution programme “more in line with what the beneficiaries really want because some may want a farm close to where they currently live, others may want a farm much closer to an urban centre; some may want a large farm suitable for livestock production, others may want a small plot close to town for irrigated vegetable production” (Binswanger-Mkhize et al. 2009: 22). Of course, beneficiaries do not always have a choice over the purchased farm on which they are resettled, as a range of other factors also enter into the equation, such as the cost of the land purchase and regulations pertaining to land subdivision.

The willing seller-willing buyer approach is highly controversial and has been subjected to serious criticisms. A key criticism is the very character of this method: it depends wholly on the willingness of land owners to place their farms on the market. This leaves the redistribution programme in a very precarious position and subject to the whims and wishes of landed property owners. It means that the state is not able to plan and implement a coherent redistribution programme, as market-led reform leads to patchwork purchases. Purchased farms are invariably dispersed and scattered throughout the countryside rather than contiguous. And hence the state cannot benefit from economies of scale by ensuring that farmers on contiguous farms collectively engage in the purchase of inputs and the marketing of produce. Some states have sought to address this issue through many indirect methods that might influence landowners, or even specific landowners, to sell their farms such as the imposition of a land tax on underutilised or unutilised farm land or farm-level negotiations under the threat of expropriation.

One major concern is the capacity of the state to purchase farms at market value given other expenditure priorities for the state treasury; in fact, it is not uncommon for private landowners to inflate the value of their land thereby inhibiting the extent to which the state can use this method for land redistribution. There is also the question of the ability of resource-poor individuals (who are regularly targeted in land redistribution programmes) to

make a financial contribution to land acquisition (insofar as they are required to do so). Sometimes a state though may set up a land development bank to allow these individuals to access purchase loans with minimal interest rates. Beneficiaries may also not have the required capital or are not sufficiently creditworthy to acquire loans for post-settlement financial support; though this is also a problem with regard to other methodologies of land redistribution. In some countries, this problem has been addressed through grants and other forms of post-settlement support from the central state and subsidized loans that are granted (again, from a state land bank) to the beneficiaries of the redistribution programme for the purpose of developing their newly-acquired farms. However, land redistribution beneficiaries from poor communities still remain at a disadvantage in the agrarian economy due to the monopolies held by wealthy and well-connected landowners over spaces. This issue has been addressed at times through support systems initiated by “government, non-governmental organizations, and farm workers and tenants unions (such as the National Confederation of Agricultural Workers (CONTAG) in Brazil)” (Binswanger-Mkhize et al. 2009: 22).

During the 1980s and 1990s Zimbabwe and more recently Namibia used what Ntsebenza and Hall (2007: 730) called the “state centred and market based” approach to redistribution. Land was identified and acquired on a willing-seller willing-buyer basis (meaning market-driven supply and demand) but the state took a more proactive and interventionist stance. In the case of Zimbabwe, sellers of land had to receive a ‘certificate of no interest’ (or right of first refusal) from the state, which meant that the state had first option in the purchasing of any land placed on the market. This enabled the Zimbabwean government to screen every property coming on to the land market and, if it was assessed as appropriate for redistribution and resettlement, it would be acquired (funds permitting). Still, even with such interventionist approaches, only minimal land redistribution took place as the state was held hostage (so to speak) to market forces. The most significant land redistribution in Zimbabwe, prior to fast track reform from the year 2000, happened in the early 1980s but this arose from land occupations on white-owned farms abandoned during the guerrilla war during the 1970s.

Another version of the willing buyer-willing seller methodology of redistribution has been attempted in some African countries (notably Malawi) – this is a “market assisted approach” which involves redistribution with the support of the state, the private sector and civil society within a market framework. Likewise, this method however has proven to be

unfruitful with only minimal progress as measured by the sheer extent of redistribution and resettlement (Moyo, 2010:15). Though market-led land redistribution depends quite fundamentally on the willing buyer, at times potential land for purchase by the state may be proactively identified by possible beneficiaries. In such cases, the state then gathers details about the farm to determine the market value of the land and the prospects of it being put on the market in the foreseeable future; it may go further and approach the land owner about this prospect.

4.3.1.1 PAYMENTS FOR LAND

In purchasing land for redistribution purposes, the state sometimes seeks to avoid the price as determined and set by the seller. Thus, the state may engage in a land valuation programme to assess a fair price for the land on offer as a basis for compensating the owner. For valuation-based compensation arrangements, the state may examine and use the following criteria: “variations as shown in land tax records, recorded land revenue, collected rent, value of produce, landlord's net income, land market value, and current market price” (Harris Jr, 1969 :195). This is regularly done where an active land market does not exist as, without such a land market, current market values would be impossible to ascertain. But the state may also engage in such valuations when it is under the impression that owners are intentionally seeking to inflate prices for profiteering purposes.

Land redistribution pursued through voluntary acquisition or any of the market-led methods involves financial compensation to the former owner, and the exact method of payment is of paramount importance to the redistribution programme. Different states have used different methods of compensation based on their specific socio-economic, constitutional, legal and historical circumstances. In South America, Venezuela has used a method in which the purchased property is reimbursed through a combination of cash and bonds. In Egypt, under the 1961 land reform programme, “compensation is promised in the form of fifteen-year-term 4 per cent bonds negotiable at the Egyptian stock exchanges” (Griffin et al., 2002: 296), while the Taiwanese government “paid the former landowner 70 per cent of the land value with land bonds and 30 per cent with stock in government owned industries” (Griffin et al, 2002: 297).

In the case of the beneficiaries themselves, no payment at all has been asked from the beneficiaries in certain instances of land reform, such as in the Communist country of Cuba.

However, in other cases, the beneficiary is obliged to make some form of payment over a specified period of time. This has happened for example in Spain, Philippines, Taiwan, Korea and the United Arab Republic. In Spain and in the United Arab Republic, in fact the new owners had to pay the full value of the allocated farm over an extended period (from twenty to forty years) as well as an administration charge. In the Philippines “the new landowners pay the additional cost of surveying, subdivision, and registration, plus 6 per cent interest on the money over a period of twenty-five years” (Harris Jr, 1969: 195). With regard to Taiwan, the exact price (paid over ten years) was determined at least in part by the value of the crops grown on the land during the ten year period, particularly the value of sweet potatoes or rice (Harris Jr, 1969). In certain cases, evidence shows that the regular post-settlement instalments for the land – if averaged monthly – were less than the amounts paid previously as tenants on the same land. A key point though is that significant diversity exists with respect to reimbursements by the beneficiaries of redistributed land.

States normally seek to assist the beneficiaries of redistribution beyond simply limiting the burden of any repayment for the cost of the land and the fixed property on the land. Post-resettlement support of various kinds is critical to new farmers on redistributed land, as will be seen in the case of South Africa. Here I simply refer to post-resettlement financial support from the state. A clear example of this is Venezuela. In Venezuela, besides an extended repayment period for the acquired land, the state offered funds for improvements on the land, working capital for the initial agricultural season and the costs of various community facilities and services (Harris Jr, 1969: 197).

4.3.1.2 LAND TAXATION

Specific measures are sometimes resorted to in order to facilitate the process of land redistribution. Instead of expropriation and the challenges states often face (particularly in pursuing selective expropriation under non-revolutionary conditions), states may for example “encourage deconcentration of ownership and more intensive and more productive use of land, or both” (Harris Jr., 1969:194) One method often tried in this regard is the use of reformed tax systems. Some states have developed and implemented tax systems that levy progressively higher taxes on idle, underutilised or unutilised land, though land owners regularly query such descriptions of unproductive land. This has happened quite regularly in the case of certain Indian states. Other states have formulated tax regimes that charge higher

taxes on absentee owners of agricultural land, such as in Latin America and Australia. Another tax method used is linked to agricultural potential and not actual agricultural production; this has been used in Taiwan, Italy and Korea. In other words, land owners are taxed according to the projected value of their agricultural land (measured in terms of the value of crops potentially grown). This of course is difficult to measure and requires “satisfactory land maps, a system of soil classification, and previous experience with taxes on the assessed market price of land” (Harris Jr, 1969: 194). The intended consequence though is for landowners to offer their land to the state as the tax regime cuts into farm profitability.

The land tax system is not meant to coerce farmers to offload their farms for the mere sake of releasing more land for redistribution. It is meant rather to ensure that farm land is used to its maximum potential; preferably, if need be, by redistributing land to dispossessed social groups. In this regard, at least according to World Bank thinkers, the ideal land tax “would tax the potential agricultural profit of a particular piece of unimproved or unused land. Unlike a property tax, a land tax would not tax the value of investments on the land or the value of the farmhouse erected on the land” (Binswanger-Mkhize et al., 2009: 13). Thus the land tax should not tax farm land like property taxes do; rather, in taxing agricultural potential, such a tax regime might facilitate the ceding of land by large landed property owners which can then be used for purposes of redistribution. The tax should, post-redistribution, “exempt small farmers from making significant tax payments” (van de Brink et al., 2006: 32). Such a land tax would also, depending on the system of governance in place, be a revenue source for local state structures (in undertaking in particular their post-settlement support) or for the overall land redistribution process itself (as has taken place in Namibia).

4.3.2 COMPULSORY ACQUISITION

An alternative method to acquiring land, which is more highly contested than market-led reform in many a political circle, is compulsory acquisition or land expropriation of private land by the state. This method has mostly been pursued and exercised on a large-scale in revolutionary-type moments of land reform such as in France, Russia, China, Cuba (and other communist countries) and most recently Zimbabwe under fast track reform. In Africa the use of land acquisition or expropriation by the state without compensation was practised in states that had just gained their independence from colonial rule. But expropriation has been

practiced in different states for different reasons, and sometimes it has not been implemented in a blanket way but rather has been applied selectively. In Brazil, the Philippines, South Africa and Zimbabwe, expropriation is deemed as a public purpose such that many (even non-revolutionary) governments “have a provision for land expropriation in case they need to make land available for the public interest (such as to create major public infrastructure)” (Binswanger-Mkhize et al., 2009: 23). This provision is often grounded in the nation’s constitution. Between 2002 and 2006, Brazil embarked on a land reform programme in which 32 million hectares of land was expropriated for the purpose of redistribution. The federal government invested \$2 billion into the programme and paid the former landowners generously for the expropriated land. Several other countries have attempted to use land expropriation to some extent for the purpose of redistribution, including Mexico, Columbia and the Philippines.

Clearly, expropriation undercuts the sanctity of the market and market forces (and thus can be distinguished from the previously-discussed reform method on this basis alone). Farm owners have no option but to give up their land to the state. But, like market-led reform, it may entail compensation for the land though at a price fixed by the state and not by the market. Outright confiscation would imply no compensation whatsoever. Expropriation may also take place from below instead of from above via the state. In the case of Zimbabwe, a “community-led land self-provisioning strategy was followed in Zimbabwe, mainly in the form of ‘illegal’ land occupations by potential beneficiaries” (Moyo, 2002:15). Up until the land occupation movement in the year 2000, these occupations were regularly repressed by the state; the subsequent land movement was defended and legitimised by the state though ultimately subdued by the state.

In many cases where selective expropriation is feasible and has occurred, the state often prefers to negotiate a settlement rather than to force through expropriation. This is due to the major delays and costs involved in the expropriation process. Landowners threatened by expropriation who are unwilling to give up their land regularly resort to the judicial system in order to delay the expropriation process, if not to escape it altogether. This happened on a large-scale in Zimbabwe in the late 1990s when over 1,000 white commercial farms designated for expropriation. The legal process is lengthy and costly thereby adding to the costs of the expropriation process particularly when compensation is involved. Therefore,

the state uses expropriation as a negotiating stick which can be resorted to if a deadlock is reached in a highly-contentious land acquisition case.

Selective expropriation regularly entails the targeting of specific lands or farms. With respect to targeting of land, market-led redistribution does not allow for this as the entire process in the end is conditional on willing sellers. However, at times, certain land properties may be considered as unsuitable for redistribution and resettlement due to for example geographical location, suitability for productive agriculture and unresolved ownership of the land including nagging land boundary disputes. Thus, not all land made available through market-led reform is conducive for redistribution purposes, as any advantages arising from resettlement may be outweighed by these negative factors. In the case of Malawi, “properties that are encroached on cannot be acquired because it would encourage further encroachment and make it very difficult for alternative beneficiaries fully to possess the land they acquire”. (Binswanger-Mkhize et al., 2009: 20).

In addition to this, and with specific regard to selective expropriation, considerable controversies exist in particular countries about which land should and can be targeted. Much of this controversy arises from existing conflicts between landless and land-short people on the one hand and large landowners on the other hand; and also from the vagueness embodied in constitutional provisions about land expropriation for the public good. The land targeted in practice varies significantly between countries but is generally “related closely to the objectives and target groups of the reform and to whether rights-based or broader entitlements are being used” (Binswanger-Mkhize et al., 2009:18). In former settler colonies like Kenya and Zimbabwe (and South Africa), the targeting of land focuses on white-owned farms as a basis for historical redress and wealth redistribution. In other countries (notably India), there are legal ceilings on the hectares of land owned by particular individuals (often varying between eco-agricultural regions in a country), with any land above the ceiling being subject to redistribution or at least renting by the landless. In other cases (including Brazil and Colombia), underutilised or unutilised land is targeted for resettlement.

Insofar as selected expropriation is taking place by the state, it is often done concurrently with a broadly market-led land reform programme. This is the case with Brazil. The expropriation programme in Brazil regularly focuses on underused land which has been occupied by the various land movements which exist. To avoid confusion and potential competition between selected expropriations and the market programme, a decision was

made that “under the market-assisted program, land that is eligible for expropriation would not be acquired” through market means (Binswanger-Mkhize et al., 2009: 20). In the Philippines, where a similar mix of methods has taken place, no such arrangement is in place and this has led to tension between expropriation and market-driven redistribution.

In South Africa, market-led reform has dominated completely since the end of apartheid in 1994 and no significant land expropriation has taken place since 2003, though expropriation for public purposes is permitted by way of the constitution. In addition, the relevant legislation on land restitution in South Africa does allow for expropriation of land by ministerial directive and there have been cases of expropriation for restitution purposes. The first expropriation orders under the restitution programme were only issued in January 2007 and the first land acquired through expropriation was transferred in March of that year. Most restitution claims however have entailed compensation through financial payment and not compensation through expropriation. To reiterate, no significant movement by the state has taken place in terms of redistribution through expropriation. But South Africa is currently revising its expropriation law to give effect to the “constitutional provision that allows land to be expropriated below market value by deducting the value of subsidies received from the state by the landowner” (Binswanger-Mkhize et al., 2009: 26).

4.4 HISTORY OF LAND REDISTRIBUTION

Land redistribution can be traced back historically to the Roman Empire and the Chinese dynasties and indeed is linked to critical world developments such as the rise of feudalism and the French Revolution. These earlier processes of redistribution often meant land dispossession, as with the emergence of capitalism in Europe – in this sense, it was regressive and involved the enclosure movement, violence and massive displacement of rural people. Later, large-scale land redistribution, in the 20th century, took on a variety of forms and occurred most dramatically with reference to the Mexican, Russian and Chinese revolutions. Whereas the earlier ‘accumulation through dispossession’ processes under early capitalism entailed the undoing of the commons and privatization, these later revolutionary processes involved collectivizing (a process of consolidating individual land units and labourers into collective farms with the intention to maximize economies of scale). Other communist-inspired land reforms tended to stress de-collectivization, such as Cambodia and Vietnam.

After World War II, land redistribution was driven by two main factors. First of all, the United States of America (USA) adopted a foreign policy which prioritised land reforms and it lobbied for this at the United Nations. This was taking place at the start of the Cold War. Isador Lubin, the USA representative to the United Nations Economic and Social Council at the time, stated succinctly that “[a] nation of insecure tenants and rootless labourers, who see little hope to better their lot, is an unstable society, subject to sporadic violence and easily persuaded to follow false leaders” (Binswanger-Mkhize et al., 2009: 6). The false leaders were invariably communist leaders. The second factor was the end of colonialism in most of Africa (and elsewhere). The national revolutions in Africa highlighted the significance of the land question and, in the post-colonial era, massive redistributions of land took place in countries such as Algeria, Egypt, Iran, Iraq, Pakistan, Syria, and Tunisia. As well, India embarked on important land reform programmes subsequent to independence in 1947 though these focused less on redistribution and more land tenure (by strengthening tenant and user rights). In sub-Saharan Africa, Kenya (as a former white colonial settler society) was the first post-colonial state to pursue and implement land redistribution and resettlement. Throughout much of Latin America, many land reform programmes followed on from the Cuban Revolution, but mainly to inhibit and undermine any expansion of communist thinking and practice in the region.

Land distribution seemed to be put on the back burner so to speak during the 1980s, but it slowly emerged with the end of the Cold War (though not necessarily re-emerging because of the ending of this so-called war). The 1980s was the pinnacle of structural adjustment programmes under neo-liberal restructuring, and this earlier period of ‘hard-core’ neo-liberalism undercut state policies and programmes pertaining to social and economic redistribution, including land redistribution. Land reform soon resurfaced though in line with ‘soft-core’ neo-liberalism with a so-called human face. This occurred even in the heartlands of the former communist world, including in Eastern Europe and Central Asia with collectivised land being redistributed to workers and, in some instances, to former owners. It also resurfaced in Latin America, southern Africa and elsewhere in the world where many states attempted to use reform (though market-led reform) as a basis for addressing systemic inequalities in access to land.

This later period of redistribution and reform more broadly differed from the earlier rounds of reform. In the past, redistribution was regularly met with opposition from

governments, and it occurred under conditions of revolution (socialist and nationalist), war and foreign occupation. Because of this, it often involved blanket expropriation and was both large-scale and dramatic. In addition, in the past, “little in the way of land redistribution has ever happened without strong peasant discontent and revolts” (Binswanger-Mkhize et al., 2009: 6). The global history of land reform is marked by references to such major (and minor) revolts, and these revolts were often central to bringing about dramatic reform (as in the cases of Russia and China). In many instances, the gains achieved through land-based revolutions have been reversed or they were never fully realised. The point though is that, in the more recent round of redistribution, governments are less hostile to the quest for land redistribution, and are pursuing it in a more peaceful and lawful manner. However, they face many challenges in pursuing market-led reform (for reasons outlined earlier) (Binswanger-Mkhize et al 2009: 6).

Over the past fifteen to twenty years, land distribution (and land tenure reform) has therefore been part and parcel of the post-Washington Consensus, or neo-liberalism with a human face. In countries in Latin America, Asia and Africa, multi-national institutions and major global donors have been central to debates over distribution and have attempted on an ongoing and aggressive manner to influence the path that distribution will take. The World Bank, in particular, has advocated with vigour for the establishment of secure tenure rights (involving a private property regime) and distribution of land through market-mechanisms in contrast to state-led reforms and those forms demanded by increasingly visible peasant or small-scale farmer organizations (Borras Jr. 2003: 555).

4.4.1 REDISTRIBUTION IN AFRICA

The colonial history of Africa is varied. Of particular significance to this thesis are settler societies (such as South Africa) where massive land dispossession took place. In other parts of Africa, such as West Africa, large-scale dispossession did not take place. In former settler societies, because of the sheer scale of land dispossession, the black rural population was confined to areas known variously as tribal trust lands, communal areas or Native reserves. These regularly overcrowded and unproductive reserves served as a source of “cheap, male, migrant labour for the emerging mines, industries, and commercial farms of the region, since small plots (and in some cases agro-ecological factors), coupled with poor infrastructure and lack of access to markets, meant that peasant agriculture on its own was unable to support the

rural population” (Cousins and Scoones, 2009: 32). While the emerging white commercial agriculture was heavily supported and subsidised by the colonial state, small black farmers were discriminated against in order to diminish their capacity to compete against white farmers in local or national agricultural markets (Moyo, 2007: 60–3). This led to the establishment of a dualistic and racially-divided agrarian structure consisting of “a large-scale (white) capitalist farming sector, which dominated production for both the domestic and international markets, on the one hand, and a struggling peasant sector, on the other” (Cousins and Scoones, 2009: 33). There were however cases in which black peasants became successful (even market-orientated) agricultural producers even in a context of discrimination, such that the colonial state used further draconian measures to undercut their productivity and market access.

In the former settler colonies, the liberation or nationalist movements clearly articulated land as a cornerstone for the struggle against colonial rule (or colonial-type rule in the case of South Africa). Because of this, “a key policy focus of post-liberation governments in ... [these]... countries has been land reform programmes designed to alter the racial distribution of land holdings” (Cousins and Scoones, 2009: 33). Redistributive land reforms in post-colonial Africa, at least in the case of former settler colonies, mainly focus on “restoring lands controlled by large landholders through the resettlement of displaced peasants and alienated semi-proletarians, and the enlargement of peasant land areas using repossessed contiguous lands” (Moyo, 2004: 10). Other objectives include decongesting of overpopulated communal areas, enhancing food security at household level, and expanding the home market for basic locally-produced commodities. In other parts of Africa, land reform focuses on the question of land tenure, with considerable controversy existing because of the neo-liberal emphasis on access to land in and through private property rights. This, it is often argued, might undercut the multi-faceted bundle of rights of access to land existing under more communal forms of tenure.

Land reform in Africa, unlike some other regions, has not been financially supported in any significant fashion by the relevant former colonial or imperial power. Instead, under conditions of neo-liberalism, reforms in Africa have been mainly funded by the World Bank. But such support from the World Bank (and affiliated global donors) entails a number of important but problematic conditionalities. One overall condition, as propagated during the early neo-liberal phase, was the implementation of structural adjustment programmes and

poverty reduction strategies based on these programmes. Of course, as indicated already, this meant land reform driven by the market and within the boundaries of civil liberties, which in the end undercut any significant redistribution. Thus, “[e]vidence from Kenya, Malawi, Botswana, Mozambique, and Zambia reveals that rural land inequality has grown in line with structural adjustment programmes” (Moyo, 2004: 10).

The later neo-liberal period under the post-Washington Consensus has, technically, moved beyond structural adjustment but in practice the same basic conditionalities exist, including market-driven economic growth, privatisation and de-regulation. In this context, land redistribution has taken a pronounced ‘productivist’ trajectory in which the stress is on agricultural productivity. Initially, and Zimbabwe is a good example of this, there was a focus on landless and land-short rural people and the need for historical redress for equity purposes. This slowly but surely turned to an emphasis on agricultural productivity (notably in the 1990s in Zimbabwe) whereby even the criteria for resettlement under redistribution entailed reference to the potential to produce; because of this, there was a tendency for more successful small-scale (or peasant) farmers from communal areas to be prioritised under the land redistribution programme. As Moyo argues (2004:17), there has been a “refocusing [of] the redistribution vision from the 'landless' and 'insecure' towards the 'capable' and presumed 'efficient' indigenous agrarian capitalists, within the terms of the neo-liberal global development paradigm, using regional mobilisations” (Moyo, 2004: 17). This of course also implies a commercialisation of the redistribution programme, as resettled farmers became expected to compete on open agricultural commodity markets for commercial gain.

Land redistribution in Africa has led to the rise in new patterns of land ownership and access. This has mainly involved top-down mechanisms but also, at times, more bottom-up methodologies. Top-down methods entail market-driven processes with state involvement. In post-colonial states which are not former settler colonies, and thus in states where land has remained in the main amongst small-scale producers, this has resulted in land consolidation in recent years both in terms of concentration and centralisation of land ownership. This often entails the expansion of indigenous capitalists into commercial agriculture or the purchasing (or granting) of large tracts of land to multinational corporations and foreign governments in what are called post-colonial ‘land grabs’ or a new round of large-scale land dispossession. These agricultural enterprises are export-orientated and are normally firmly integrated into the neo-liberal global food regime dominated by multi-national conglomerates. They also

result in increasing class differentiation in the agrarian structure of such countries. But it is also taking place in former settler colonies. For instance, in Kenya, the president holds the land in trust on behalf of the nation and has powers to grant or cede land to even foreign nationals or foreign companies. In enacting these powers, conflict has emerged in particular between the state and indigenous pastoralists.

In the case of land redistribution from below (a more populist model), local communities or grassroots organisations have taken the initiative to occupy land. In this way, rural populations “subjected to unfettered market forces” have “struggled for re-peasantisation among other political and economic ends” to maintain their rural-based means of livelihood (Moyo, 2004: 10). Zimbabwe is the most dramatic and prominent example of this. But there are many other cases in Africa of landless workers, peasants, forest dwellers and pastoralists occupying lands in a decentralised and dispersed manner. Insofar as the land question in Africa also relates to urban spaces, with regard to access to housing and urban agriculture in particular, many of these more scattered and isolated occupations are undertaken by urban dwellers including shack-dwellers in informal settlements. These populist methods seek to bring about accumulation from below rather than accumulation from above as is the case with the takeover of lands by indigenous elites and multinational companies under market-led redistribution. In addition, many landless and land-short rural people engage in defensive actions to resist the takeover of their common lands by the top-down process, with women playing a key role in this rural resistance. These bottom-up processes are roundly condemned by nation-states in Africa and by global forces, leading to the imposition of sanctions and withdrawal of global funding in the case of the land occupation movement and fast track reform in Zimbabwe. In fact, these populist measures are designated in a derogatory manner as ‘land grabs’ which disrespect the sanctity of market forces and private property.

Another critical issue pertinent to land redistribution in the African context is the role and power of traditional chiefs in the administration and allocation of land. Though post-colonial states in Africa have had a love-and-hate relationship with the chieftainship system, sometimes undercutting the system and sometimes buttressing it, the system has in many countries endured to this day at least in relation to communal tenure regimes. At the same time, in the case of land affairs, dual legal systems often exist (one under civil law and one under customary law) which often leads to confusion and tensions between civil authorities

(local states such as municipalities) and traditional authorities. Many post-independent African states therefore have delegated the power over land allocation to elected rural councils (or municipalities) and traditional leaders. This has led to considerable conflict at times with respect to which authority has the right to allocate land under specific conditions, such as has occurred in Ivory Coast, Burkina Faso and Ethiopia. Although private markets in land may not officially exist in communal spaces, it is not uncommon for chiefs (or even headmen) to engage in informal land sales (or leases) with outsiders including companies. In this sense, it forms part of a top-down process of redistribution. At other times, chiefs have granted access plots of land to landless people, including women who were recently divorced or widowed and lost access to their plot because of the patriarchal system of land-holdings in existence.

4.5 APPRAISING LAND REDISTRIBUTION

Significant debate exists about land redistribution in Africa (and in fact elsewhere), including in relation to the relationship between redistribution and agricultural productivity and performance. Often this debate hinges on the priority given to external or internal factors in explaining the lacklustre state of affairs with regard to land reform and agriculture on the continent. The external factors refer to global neo-liberalism and the integration of African economies in a subordinate fashion into the world capitalism economy, while internal factors highlight state mismanagement of agriculture by post-colonial governments and the interests of local political and economic elites in thwarting general land reform.

In this light, there are many arguments for and against land redistribution. The arguments focus on the social, economic and political implications of redistribution and how these implications play themselves out at household, community and national scalar levels. The particular stance adopted reflects the particular interests and agendas of those engaged in the debates, as land redistribution – as indicated previously – is driven by different actors and groups. Among development practitioners and land advocates, deep disagreements exist on the most appropriate path in pursuing the redistribution of land (for example state-led or populist-driven); on the actual mechanisms for acquiring land (for instance, market-based, expropriation or outright confiscation); on the necessary beneficiaries of land, which relates to controversies around capital from below and accumulation from above; and funding for any significant land redistribution programme, whether through the market or expropriation.

Hence, though there may be general consensus about the need for distribution *per se*, the specificities and modalities of redistribution are dogged by heated debate and at times outright on-the-ground conflicts.

To consider these kinds of questions, I turn to the work of Binswanger-Mkhize et al., (2009) as they outline four categories of land reform advocates: advocates of social land Reform, of economic land reform, of political land reform and of environmental land reform. These are distinguished for presentation and analytical purposes only because, in practice, these dimensions are often interrelated and certainly not necessarily mutually exclusive on a consistent basis.

Advocates of social land reform do not seek or at least do not prioritise any economic benefit arising from reform but “see it as a way to provide some security and subsistence to a large unemployed rural labour force” (Binswanger-Mkhize et al., 2009: 15). Albeit a recognition of the significance of reform for reducing agrarian poverty, the main focus is furthering the twin goals of equality and justice through historical redress. Thus, these advocates “stress objectives such as decongestion of overpopulated communal areas; resettlement of squatters, destitute people, and the landless; and the associated reduction of hunger and extreme poverty (for example, in Brazil, Malawi, South Africa, and Zimbabwe)” (Binswanger-Mkhize et al., 2009: 15). This rationale for land reform speaks to the cultural dimensions of reform, including the ways in which re-access to land for landless people brings about human dignity.

Proponents of the economic foundation for land redistribution make the claim that smaller farms are more productive than large farms. This populist-type argument is sometimes based on the proposition that large farms are rarely used to their maximum potential and therefore significant areas of land under the control of large-scale farmers go underutilised. The sub-dividing of large farms into smaller family-run farms (a process of re-peasantisation) leads to increases in overall agricultural production, though there may be a drop in agricultural productivity per land unit. It also increases the number of households who can sustain rural livelihoods through self-employment (as farmers) or perhaps employment, thereby reducing agrarian poverty. This populist approach is advocated by supporters of both private property regimes (such as the World Bank) and state-owned communal tenure, and thus it is consistent with both market-driven and state-led reform. Critics of this position deny the supposed production and efficiency benefits arising from re-

peasantisation, with some pointing to the fact that it is based on unpaid labour by particularly women and therefore does not address the patriarchal-basis of land access amongst small-scale farmers.

Political land reform arguments point to the instability which invariably exists if the colonial-type land condition remains unresolved in post-colonial societies. The festering of the land question in Zimbabwe during the 1980s and 1990s erupted twenty years after independence through the land occupation movement and the Zimbabwe government, while defending the movement, also sought to subdue and co-opt it through the fast track land reform programme. In the case of former settler societies like South Africa, addressing the political dimension of reform implies correcting the racial imbalances in land ownership and access. Failure to do so will also undermine efforts of nation-building under post-colonial conditions as marginalised groups may continue to be excluded from 'the nation' as full rights-bearing citizens.

Finally, an emphasis on environmental land reform entails "environmentally sustainable management of land, forests, and wildlife resources by turning over their ownership and management to defined communities" (Binswanger-Mkhize et al., 2009: 15). Advocates of this usually support the transfer of administrative rights over natural resources to local communities who are deemed to have some sense of historical belonging to a particular area and would be appropriate custodians of the environment. At times, however, such areas have been subject to the corporatisation and commercialisation of the environment to the detriment of local people and their sustainable livelihoods.

As noted, these four dimensions interact in complex ways with reference to particular cases of land redistribution. And the particular dimension emphasised and the downgrading of other dimensions depends on the interplay of a range of social actors and the balance of power between and amongst them. In this regard, the World Bank (and global neo-liberal forces more broadly) has been a critical player over the past two or three decades. The World Bank advocates for a market-based approach to reform that focuses on individual property rights (even for small-scale farming). In linking land reform and redistribution more specifically to the market mechanism and liberal democracy, the bank claims the following: "Few will disagree that inappropriate land policies can constitute a serious constraint on economic and social development: Insecure land tenure, outdated regulations, and dysfunctional land institutions constrain private investment and undermine local

government's ability to raise taxes in many countries" (Wolford, 2007: 555). Private property rights, for the World Bank, are critical for land security and agricultural investment. In other words, secure forms of land tenure (meaning freehold tenure with exclusive rights over landed property) enhance the prospects of productive investment in the long-term and ensure fixed collateral for financing purposes. Land redistribution which does not respect and consolidate the private property regime is inimical to agricultural production and productivity from this very economic perspective.

As Klaus Deininger and Hans Binswanger (1999) state in a World Bank paper that traces the history of the World Bank's land policy up until the late 1990s: "Providing farmers with residual rights to production, even if these are only temporary, will increase the incentive to clear and cultivate land, as illustrated by the tremendous increases in output and productivity associated with the transition from collective to individual (usufruct) rights in China" (World Bank, 1999: 250). In this way, peasant farmers are conceptualised as economically-rational and self-maximising land users who will invariably respond positively to private titling of land in a way which increases agricultural efficiencies and the optimal use of labour and land resources (Borras Jr., 2003: 369). This, according to the World Bank, is further enhanced by minimal state intervention in commodity markets to minimise market distortion: "market reforms will correct problems created by 'non-market' forces" (World Bank, 1999: 250). Any hint of the possibility of expropriation of land by the state, even selective expropriation, sends out the wrong message and signal and will ultimately inhibit the rational use of resources and investment for purposes of accumulation.

Thus, in a nutshell, beneficiaries of market-led land redistribution need to have unchallengeable security of tenure with regard to ownership, rights and access over the land. Even constitutional provisions which allow for expropriation in the public interest undercut such security and would therefore minimise the relevance of land redistribution from this full-blown productivist perspective. One critical example used by the World Bank to highlight the negative implications of land redistribution without security is Zimbabwe and the fast track land reform programme. This of course went well beyond selective expropriation and has fundamentally altered the agrarian class structure. But the fast track land programme entailed sweeping changes to legislation (often by decree) to legitimise the land occupation movement and to facilitate resettlement. In so doing, the fast track farms became state land without private titling. Such a disruptive redistribution process means that

“clarifying the land rights situation and resolving conflicts that undoubtedly will emerge will prove a daunting task” (Binswanger-Mkhize et al., 2009: 30). The beneficiaries of fast track lands merely have rights to occupation, and they will continue to be in a state of uncertainty about the holding of the farm plot or division and could be subjected to eviction in the future including by local political elites.

These neo-liberal claims have been criticised profusely by others, in relation to Zimbabwe and elsewhere. One key concern is that agricultural production on particular farms, for whatever reason (including extended periods of drought), may become problematic and the farmers may go into debt, leading to distress-sales (of productive assets or the entire farm) to more resource-rich and powerful farmers. This would lead to a re-concentration of land holdings thus undermining the redistribution programme. Another counter-argument derives from the distinction between land ownership and land rights. Land ownership based on freehold title does not allow for diversity in forms of access to land, which is seen as a key advantage of community property regimes in which the state has ownership of the land. For example, forest products under private property regimes become the exclusive property of the land owner whereas, under communal property regimes, access to forest products for a range of social groups (even landless people) is possible. Further, communal property regimes act as a social safety net for households or individuals who may not be permanently-based farmers but who may need access to land in times of crisis; this contributes to a degree of certainty in future livelihoods which is not possible under freehold title.

Many of the debates around land redistribution in terms of identifying advantages and disadvantages hinges on two questions: equity and efficiency. The crucial point in this regard is whether these two goals (equity and efficiency) can be pursued simultaneously or do they necessarily enter into tension such that one needs to be prioritised over the other. The possibility of combining both is encapsulated in one of the Zimbabwean state’s programmes called “equity with growth” though this did not relate specifically to land. In the case of Zimbabwe, at least until the year 2000, it seems that efficiency/growth took precedence over equity/redistribution. The following two sub-sections explore this with specific reference to land redistribution.

4.5.1 EQUITY

Land redistribution is regularly seen as critical to bringing about equity in land holdings and access, particularly in countries (such as former settler colonies in Africa) where farmland and wealth are historically very unequally distributed, and where this inequality exists on the basis of social identity such as ‘race’ and ethnicity. The breaking up of large farms into smaller farms is therefore crucial to generating social and economic equity through redistribution of land and land-based resources (Lipton, 2009). In this respect redistribution of wealth broadly (and land specifically) facilitates economic growth. Hence, “countries with a more egalitarian distribution of land tend to have better, more inclusive institutions that, in turn, lead to higher levels of economic growth” (Deininger et al., 2009 :8). Equity then is good for growth.

Many, and quite varied, examples are used to demonstrate this argument – including examples of shifts from socialist collective farming or capitalist commercial farming. One case often referred to is post-Mao China, with the shift from collective large-scale farms to small family farms from the late 1970s. China’s phase of high and sustained economic growth is said to be linked to this process of redistribution as well as to the accompanying liberalisation of key agricultural markets. In the case of Zimbabwe, ongoing debate exists about the effects of fast track land reform, from claims that the programme has totally undercut agricultural production in the country to arguments that the small fast track farmers are investing and producing at levels far beyond expectations.

For those who believe that equity spurs growth, the following arguments are made. Small family farmers, with only minimal capitalisation and mechanisation, tend to utilise more labour power per land unit than do large-scale farmers and hence the possibility exists that such farms will generate more employment per hectare (this may often only be family labour, but evidence suggests that even small farmers employ non-family labourers on a permanent, seasonal or more casual basis). In Malawi, average annual incomes of beneficiary households increased by 63% and food security lengthened from 3.6 months to 10.7 months after redistribution. In Zimbabwe, “land reform beneficiaries cultivate nearly 50 percent more land than non-beneficiaries, obtain four times as much in crop revenues, own substantially more livestock, and have expenditures that are higher by 50 percent” (Moyo, 2004: 10). This, Moyo goes on to argue, has taken place with only minimal post-settlement support by the Zimbabwean state.

This redistribution of wealth, poverty reduction and employment creation is in large contrast to countries where massive inequalities exist in land holding sizes. More specifically, in countries such as Brazil, Columbia, Guatemala and South Africa, where large commercial farms or *latifundas* dominate much of the agrarian landscape, rural poverty is rampant and there is significant outmigration from rural areas to urban centres (often into informal settlements or slums) by landless individuals and households. In other words, not only does the equity challenge remain but it has negative repercussions for the prospects of growth through redistribution.

However, in many countries, there remain serious stumbling-blocks in facilitating an equity path. The predominance of land markets place serious restrictions on the prospects of land sales to the rural poor, even through the state. As well, colonial-style legislation and regulations inhibiting subdivision of large farms continue to exist in specific countries, and thus legal obstacles arise in this context. One example of this is in South Africa, though there are current attempts to undo the subdivision restrictions. In addition, insufficient state funds for market-led redistribution minimises land distribution and subsequent subdivision particularly given that at times landholders with large pieces of land have their land valued for collateral purposes in accessing credit which is often above the actual market value of the landholding and therefore drives up land prices. Related to this is the fact that, with the state as a buyer on the land market, the demand for land increases and – if the law of supply and demand is accepted as having some degree of truth – the prices of land will rise accordingly (Binswanger-Mkhize et al., 2009:10-13). A final factor relates to the specificities of different agricultural subsectors. Certain subsectors, compared to others, are not particularly suitable to subdivision, including highly-capital intensive ones such as dairy and grapes. They would need to remain as large units, either privately-owned or perhaps on a collectivised basis (World Bank, 2007).

4.5.2 EFFICIENCY

The discussion in the preceding sub-section highlights the significance of land redistribution for purposes of rectifying inequities of the past, with the additional claim that such an equity-driven redistribution is not inimical to economic growth but in fact spurs growth through the redistribution of wealth. Beyond the equity question, land redistribution is also propagated and promoted because of supposed benefits with regard to agricultural efficiencies

(something which I touched on briefly in the equity sub-section). The specific argument is that small-scale farming is more efficient as compared to larger farms, based on factor analyses of capital, land and labour. Of course, distinguishing between large and small scale can be problematic, such that what constitutes a small farm varies according to “differences in soil fertility, rainfall distribution, market development, technology, and the opportunity cost of capital and labour in the economy” (Ntsebeza, 2007: 155). For this reason, ‘small’ and ‘large’ tend to be linked more to productive capacity and not size of farms as measured by hectares.

It is often assumed that small-scale farms are backward, outdated and in the end inefficient. This in large part arises from the discursive association of small-scale farmers with the notion of the peasantry, with the latter seen as a pre-capitalist form of agricultural production devoid of all traits of modernity. In reality, however, “nearly a century of research by agricultural economists all over the world has produced a counterintuitive stylized fact: small-scale farmers generally use land, labour, and capital more efficiently than do large-scale farmers who depend primarily on hired labour” (Binswanger-Mkhize et al., 2009:32). This involves an ‘inverse farm size–productivity relationship’ which suggests that, for agriculture, there exist diseconomies of scale rather than economies of scale which lead to inefficiencies. The big-farm productivity argument which equates capitalisation/mechanisation with productivity is however often deployed to criticise radical land redistribution, as is the case of Zimbabwe; and such arguments also prevail in South Africa. The more populist position, as indicated, is highly critical of such arguments.

Public expenditure and budget allocations for small-scale farming are often deemed as unviable because of inefficiency concerns. In this regard, “[t]he dominant framing of viability is embodied in technical recommendations around ‘minimum farm sizes’, ‘economic units’, and ‘carrying capacities’. Methods and measures for appraisal of land reform – in planning, monitoring and evaluation – are defined in terms of marginal returns on investment or farm profitability” (Binswanger-Mkhize et al., 2009: 32). Such considerations often lead to claims that smaller family-size farms are incapable of producing at the level or capacity that large farms produce and that this undermines national food security. This approach of course ignores the non-economic justifications for land redistribution, including the equity justification, but it is also disputed on purely economic grounds based on the logic of the ‘inverse farm size–productivity relationship’. Insofar as the big-farm logic prevails, and it

often does (not only among commercial farmers themselves but also among state officials), then it entrenches resistance to land redistribution. In the age of neo-liberalism, when equity is placed on the back-burner so to speak, this becomes particularly prevalent.

Griffin et al. (2002) identifies a number of issues with agricultural programmes which indicate, in practice, a bias in favour of large farms and against small-scale farmers. These are as follows. First of all, agricultural extension policies concentrate on large farmers and may limit small farmer participation in agricultural markets. Secondly, agricultural research and development programmes focus on export crops and genetically-modified crops and ignore the significance of indigenous seed banks as often favoured by smaller farms. Thirdly, water policies of states regularly favour large-scale farms such that small-scale farmers may fall outside the water distribution system. Fourthly, credit policies of banks and other lending institutions favour large landowners with freehold collateral and small-scale farmers are considered as significant credit risks. And, finally, large land owners are well-organised and interact formally with the state (including agricultural ministries and departments) while small farmers often are unorganised and they become marginalised vis-à-vis the state (Griffin et al, 2002).

In advocating for small-scale farm efficiencies, it is often pointed out (as indicated previously) that “large commercial farmers often use only a small fraction of their land for crops, leaving much arable land idle and forested... [T]his practice provides lower values of output per hectare than do the crops of family farmers” (Binswanger-Mkhize et al., 2009: 32). Though large farmers regularly indicate that this claim is dubious, as certain lands are left fallow for certain periods for a variety of reasons, the argument about underutilisation is regularly used to support the superiority of efficiencies on small-scale farms. The counter-argument to this is that small-scale farmers also do not fully utilise their lands, because of for instance a lack of draught power for ploughing or because of insufficient inputs (such as seeds) for growing crops in a particular agricultural season. In this respect, small-scale farmers are forced to underutilise their lands, while large commercial farmers do so voluntarily to allow soils in a particular field to recovery and be replenished. Hence, this implies small-scale farm inefficiencies.

A further claim about the advantage of small farms is the impact they have on building localised economies and commodity markets. Large farms tend to be export-orientated and are integrated into global food commodity chains linked to large

multinationals internationally and corporate retailers nationally. This arrangement tends to inhibit the formation of vibrant local markets supplied by local producers and foodstuffs purchased and consumed locally. Small-scale farming, potentially at least, facilitates a process of de-globalisation and localisation to the advantage of local communities. In relation to this, family farmers “spend more of their income on locally produced goods and services than do large farms, creating a positive relationship between family farms and nonfarm incomes in the local economy” (Binswanger-Mkhize et al., 2009: 9). At the same time, small farmers often venture into non-agricultural and non-farm productive enterprises in seeking to diversify their livelihood portfolio. This has been the case in China, Costa Rica, Indonesia, Malaysia, Taiwan and Thailand, where redistribution led to a boom in small-scale entrepreneurship. There is also considerable evidence from Zimbabwe, post-fast track reform, supporting such a claim.

Thus, besides the equity argument, there is considerable backing for small-scale farming on grounds of efficiency. This is a point emphasised by Cousins and Scoones (2009) in relation to southern Africa. In their populist version of land reform, the beneficiaries should be efficient small-scale farmers who have state support through policies which promote production, access to finances and resources from the state or private sector, and other comprehensive post-settlement assistance geared towards the specificities and complexities of small-scale farming.

4.6 CONCLUSION

In conclusion, though some degree of international consensus has been reached with regard to the need for addressing the level of inequality in land distribution and access, the means and processes involved in redistributing the land continues to be a widely contested issue with different actors advocating for different processes altogether. One point that remains clear however is the fact that if states continue to delay redistribution or other forms of land reform, poverty and inequality may continue to rise. In states where redistribution has taken place but without the necessary control and audit systems in place, land has simply been taken from large landowners and has landed in the hands of local elites. In other cases where redistribution has occurred but has failed to be followed by post-settlement systems, new farmers have failed to cope with the demands of a highly-competitive and risky agricultural sector. These challenges do not wholly derive from a market-driven process as, even under

expropriation, post-settlement support for instance would be crucial. But certainly market reform (based on willing seller-willing buyer) has raised serious challenges leading to wide-ranging criticisms of it. In this context, the following chapter looks at land redistribution in South Africa which has been characterised by market-led processes.

CHAPTER FIVE:

LAND REDISTRIBUTION IN SOUTH AFRICA

5.1 INTRODUCTION

There has been an urgent need to address the racialised character of land ownership and access in South Africa since the end of apartheid, if only for reasons of historical redress and equity. Because of this, and even based on constitutional provisions, the post-apartheid state has pursued land reform on three fronts: land tenure, restitution and redistribution. This chapter focuses specifically on land redistribution which has gone through a number of stages (or specific programmes) since 1994, all of which are based on market-led reform. Expropriation, though at times debated publicly, has not filtered into land policy in any way. In analysing the land redistribution process in South Africa, I provide a brief history of land dispossession in the country before focusing on post-apartheid developments: including the relevant policies and legislation, the social forces supporting the current market-driven methodology, the three particular programmes adopted in succession and the controversies around the increasingly productivist logic underlying redistribution with a stress seemingly on efficiency over equity. How decentralisation fits into the redistribution trajectory is also emphasised. In offering this overview, I provide a basis for discussing the particular case of Masizakhe in the Eastern Cape which seeks to illustrate the arguments pertaining to land redistribution and state decentralisation put forward in the thesis.

5.2 HISTORY OF LAND IN SOUTH AFRICA

The history of events in South Africa leading to the current patterns of land distribution is a very important issue that needs to be set out in order to contextualise the state's current programme of land redistribution. In effect, the degree of land dispossession of indigenous people in South Africa exceeds that of any other country in Africa, including other former settler societies like Zimbabwe. This history of dispossession, involving both the British and Dutch settlers, dates back to the Cape of Good Hope in the 1650s when European settlements were established and then progressed northwards and eastwards over an extended period

(Lahiff, 2008). The first group to be dispossessed under laws and practices of spatial segregation were the Khoisan, who were prohibited from inhabiting areas west of the Salt and Liesbeck rivers. The first official reserves for the Khoisan were declared in the 1800s by the British and Boer governments (Thwala, 2003).

By the mid-twentieth century most of the most productive agricultural land had been formally allocated to the white settler population while the majority Bantu-speaking (African) population were confined to reserves, which later became known as homelands or bantustans. The amount of land given to Africans constituted a mere 13% of the total land surface of the country. This racially-based discriminatory arrangement was first enacted in terms of the infamous 1913 Native Land Act. This “restricted the area of land for lawful African occupation, stripped African cash tenants and sharecroppers of their land, and, consequently, replaced sharecropping and rent-tenant contracts with labour tenancy” within so-called white South Africa (Thwala, 2003: 58). Besides labour tenancy on white commercial farms, Africans (often with roots in the reserves) also became labourers on these farms, as well as on the mines. Farm workers, who lived with their families on the farm, lacked basic facilities and services in the residential compounds, and were subjected to insecurity of tenure and eviction (Lahiff, 2007).

The post-1948 apartheid government, in relation to the homelands, restructured living and farming arrangements through better planning and schemes in the 1950s, which included cattle-culling, centralised villages, and the fencing off of fields and grazing land from residential areas. Additionally, the state imposed – through the Bantu Authorities Act (1951) – tribal and subservient territorial authorities on the homelands. The 1959 Promotion of Bantu Self-Government Act subsequently formally designated the bantustans as the political home of Africans.

In 1923, a similar principle and practice of separate residential (and business) areas in urban spaces for racial groups was implemented, and this was further enshrined and extended by the Group Areas Act of 1950. In 1937, the Natives Law Amendment Act was implemented that prohibited Africans from purchasing land in any urban areas. To control the movement of Africans to urban centres, the influx control and pass law systems were further reinforced in the 1950s, including its extension to women. Any kind of permanent residence for Africans in urban areas was very tightly controlled by the state. Living conditions in black locations (later known as townships) in urban areas were horrendous with poor service

delivery by local state structures. In this regard, housing statistics show that, in 1985, the housing backlog for townships amounted to 281,269 units despite urban controls over African in-migration.

Between 1960 and 1980 it is estimated that approximately 3.5 million Africans were forcibly removed from white farms, black spots and urban areas, and relocated to the homelands or bantustans (Thwala, 2003). This led to overpopulation and congestion in the homelands (with some homelands experiencing an average population density of 500 people per square kilometre) and thwarted any sustainable rural-based livelihoods in these areas. By the late 1980s, there were about thirteen million people living in the homelands. These homelands were characterised by “extreme poverty and under-development, extremely low incomes and high rates of infant mortality, malnutrition and illiteracy relative to the rest of the country” (Lahiff, 2007: 4).

While the racially-based South African state was undermining African rural livelihoods, it was forcefully supporting the growth and development of white commercial agriculture. By the 1980s, 60,000 white farmers occupied 82 million hectares of mainly prime farmland, which amounted to 86% of all agricultural land in the country and 68% of South Africa’s surface area (though these often-quoted figures are an overestimate as they also incorporate state-held land of various sorts). State interventions including the building of basic infrastructure (such as roads and electricity pylons) and massive subsidies were critical to the consolidation and dominance of white agrarian capital in the countryside and white farmers were a critical support base for successive governments in both the segregation period (1910-1948) and the apartheid period (1948-1994).

By the end of apartheid, a colonial-style condition existed in South Africa in relation to land because of the historical dispossession of lands which remain unchanged into the 1990s. However, with neo-liberal restructuring taking place globally from the late 1970s, it was almost inevitable that this restructuring would influence the transition from apartheid to post-apartheid society. The new ANC government recognised the need for historical redress in terms of land dispossession, but it also had to take into consideration the presence and power of neo-liberalism. And it did so through a negotiated settlement.

5.3 POST-APARTHEID LAND REFORM

The transition to a democratic South Africa occurred during the period from 1990 to 1993 and involved a complex process of negotiation between the apartheid state and primarily the ANC. Like negotiated settlements elsewhere, this entailed compromise by the incoming government. In the case of South Africa, much of the power and wealth of the white minority remained intact. In this regard, the new Constitution does not challenge property rights and indeed protects the property rights of existing owners. In this way, it legitimises the colonial dispossession of land. Certainly, the transition entailed seeking to address racial injustices of the past, including in relation to land, land ownership and land access. The new constitution in fact gave the post-apartheid state a mandate to redress land inequality, not only for the mere sake of rectifying historical wrongs but also as a basis for addressing and reducing rural-based poverty.

There are three planks to the land reform programme, which seek to address different dimensions of the land injustices of the past. First of all, there is land restitution which is the process by which land and other property that was forcibly acquired is restored or compensation of some form provided. Restitution focuses on particular pieces of land which may have historical, cultural or ancestral significance and from which people were forcefully removed in the past. In practice, it may not entail restoration of land to the claimants but financial compensation. The window of opportunity for restitution claims has passed and most of the claims pertained to urban areas. Secondly, land tenure reform which “addresses tenure issues in communal areas which include large parts of the former Bantustans, or homelands” (Moseley and McCusker, 2008: 324). The post-apartheid state has failed to address land tenure reform in any significant way, and it has been dogged by controversy, as has the chieftainship system embodied in the former homeland system. The third plank, which is the focus of this thesis, is land redistribution. It differs from restitution in that it seeks to address the general imbalance in land ownership and access.

Probably the most contentious issue amongst those who were involved in drafting the land reform programme has been an issue pertaining to redistribution, namely, the method by which land would be selected, acquired and paid for redistribution and restitution purposes (Lahiff, 2000). Some of the parties involved, during the transition away from apartheid, were global players including the World Bank, Food and Agriculture Organization, United Nations Development Programme and Development Bank of Southern Africa. During a 1992 mission to South Africa and an ensuing land conference, these groups (along with South

African land experts) indicated the following possible options for facilitating land redistribution: (i) willing-buyer willing-seller basis; (ii) land market mechanisms imposed on the commercial farming sector including restrictions on number of farms owned by any particular individual and farm size; (iii) state acquisition of insolvent farms; (iv) imposition of a targeted land tax; and, most controversially, (v) nationalization of land. These various 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” (Karumbidza, 2007: 9).

The double emphasis on redistribution (‘a more equal land distribution’) and growth (‘growth-orientated agricultural sector’) clearly comes out in this quotation. The problem though is that tensions often exist between these two objectives and that, in the context of neo-liberalism, the latter tends to dominate. This seems to be the case with the South African land redistribution programme. Certainly, willing-buyer/willing-seller has taken precedence over any prospects of land nationalisation, which the ANC government has vehemently opposed. Before examining the specific land redistribution programmes launched by the ANC, I outline some of the pertinent legislation and the social forces which underpin the redistribution programme.

5.4 LEGISLATION AND POLICY

The Constitution of the Republic of South Africa sets out the basis for land reform, particularly in the Bill of Rights which mandates the state to carry out land and land-related reforms; it also, over a set period of time, grants specific rights to victims of past land-based discrimination.

The Provision of Certain Land for Settlement Act of 1993 has provided for the designation of land for resettlement purposes (and some financial assistance) to individuals or groups acquiring land for productive and residential purposes (Didiza, 2006: 21). This act was amended in 1998 (the Provision of Land and Assistance Act) to allow for land to be purchased by the state without first being designated as such through the slow-moving bureaucratic system of the state. This amended legislation also provides the Minister of Land Affairs (now Land Reform and Rural Development) with the right and capacity to expropriate land in the public interest as initially formulated in Section 25 (4) of the Constitution. While the constitution does not rule out expropriation, the capacity to do so has

not been pursued by the state such that the constitution's clause on the protection of property rights (which effectively is white-owned property in the case of rural holdings) has been supported by the state in and through its land policies and programmes.

Of importance to the post-apartheid state's land policy is 'White Paper on South African Land Policy'; this was released in April 1997 after an extensive consultation process. Again, in bringing to the fore both growth and redistribution, it sets out the "vision and implementation strategy for South Africa's land policy dealing with, both in urban and rural environments, redressing the injustices of apartheid, fostering national reconciliation and stability, underpinning economic growth, improving household welfare and alleviating poverty" (Former Minister of Agriculture and Land Affairs Thoko Didiza, 2006). The White Paper also reiterates the three pillars of the land reform programme, namely, land restitution, tenure reform and redistribution (DLA, 1997: 38). In suggesting a critique of reliance on large-scale commercial farming, the document refers to the establishment of small-scale family-operated farms as a basis for reducing unemployment and generating sustainable livelihoods (Cousins and Scoones, 2010: 49). In doing so, it refers to the resettlement of the poor, labour tenants, farm workers, women and emerging farmers on such farms, but without detailing specific strategies and mechanisms that ensure that all these groups will benefit (Binswager-Mkhize et al., 2009: 181).

Crucially, the White Paper stipulates the pursuit of redistribution through implementation of a 'willing buyer-willing seller' approach. This is in line with the proposals propagated by the World Bank (and other global institutions), thus stressing the voluntary and contractual character of redistribution and calling for a largely unobtrusive approach by the state (Lahiff, 2000:179). It also emphasized that payments for land voluntarily put on the market should be at full market-related prices. Advocates of this market-led redistribution claimed that it fitted neatly into the ANC's rainbow-nation vision by ensuring transformation based on national reconciliation and unity.

The adoption of the concept of willing seller-willing buyer was not immediately and un-problematically adopted by the new ANC government, as it gradually entered the official discourse around land reform during the period from 1993 to 1996, reflecting the ANC's shift in thinking from left-nationalist to more mainstream neo-liberal. This differed substantially from the ANC's pre-1994 rhetoric which strongly urged land reform as a critical component for redressing rampant poverty in both urban and rural areas (Moseley and McCusker, 2000:

325). And, certainly, it is a far cry from the ANC's Freedom Charter drafted and agreed to in the 1950s, which promised nationalisation and – on this basis – that “the land shall be shared among those who work it” and will be “re-divided among those who work it, to banish famine and land hunger” (Ntsebeza, 2004: 2). Even as late as 1992 the ANC, in the “Ready Govern” policy statement, advocated for the use of expropriation and other non-market mechanisms to acquire land. Willing seller-willing buyer was also absent from the Reconstruction and Development Programme, which was the manifesto on which the party came to power in 1994 (Lahiff, 2000:6). However, when the time came to discuss the interim constitution in 1993, the ANC shifted from its original position (in line with the Freedom Charter) to an outright acceptance of the property clause. In many ways, this is the backbone of the market-led mechanism as it protects and legitimises individual property rights and allows white agrarian landholders to dispose of land willingly (Ntsebeza, 2004: 4).

Market-led redistribution arguably is not land reform at all. Hypothetically, for instance, if no agricultural land was placed on the land market by commercial property owners, then no redistribution or resettlement would take place. In practice, it means that the prevailing agrarian structures of land ownership and agricultural production remain in place. Redistribution of land would take place at the margins so to speak, chipping away at white ownership of land but not challenging it as such. Indeed, what often happens under market-led reform is that farms that are available for purchase on the market by the state tend to be the most economically-marginal ones. The larger, more productive and export-oriented, agricultural enterprises tend to be purchased by companies, corporations and foreign investors with a significant capital base, particularly at a time when the state (including the ANC-led state) is seeking to integrate the South African economy increasingly in the global economy and does not want to hamper agricultural productivity and growth (Moseley and McCusker, 2000: 334).

5.5 STAKEHOLDERS

One of the main issues embodied in the process of redistribution, and the formulation of redistribution policies, is the involvement of ‘stakeholders’ other than the state, notably donors and civil society groups who advocate for or oppose redistribution and its particular manifestations. These stakeholders, or at least some of them, have played an important role in shaping policies and mechanisms that direct and regulate the process. The post-apartheid

state invariably finds itself under pressure from a range of quarters. This pressure comes from poor landless or land-short groups and organisations that advocate for swift and concerted state intervention in driving (often radical) redistribution of land on the one hand; and white landowners and donors who try to preserve the *status quo* (through market-led methods) on the other (Karumbidza, 2007: 4). In the end, though, the more conservative forces are the more powerful force and they have been able to play a critical role in shaping post-apartheid redistribution policies, as indicated already with reference to the role of the World Bank.

Demands for a fast-track-style and radical land redistribution process (as happened in Zimbabwe) has been put on the agenda by various civil society groups. A prominent one (though defunct now) was the Landless Peoples Movement (LPM) which had developed ties to the *Movimento dos Trabalhadores Rurais Sem Terra* (MST) from Brazil (Driver, 2007: 32). It was established in 2001 and its members constituted farm workers, labour tenants and unemployed people living in urban and peri-urban areas. The group, which was supported by a nation-wide NGO coalition during much of the time, sought an end to the willing buyer-willing seller method in order to solve the problem of unemployment and food insecurity (Sibanda, 2001:8). Many tensions existed between the LPM and the NGO coalition and both have since collapsed. Although there is ongoing rural mobilisation, organisation and struggles (most notably the farm worker strikes in the Western Cape in late 2012), these are in large part dispersed and de-centralised.

The redistribution process has involved the significant involvement of donors. Major donors include the United Nations Development Programme (UNDP), UK Department for International Development (DFID), the European Union, the World Bank and the United States Agency for International Development (USAID). Their declared aim is a reduction of rural poverty through redistribution, with a particular emphasis on post-settlement support systems so that land beneficiaries can be competitive on the market. Donors set standards which must be met by the state for their continued assistance in the land reform process. In this regard, they have stressed the importance of increasing the state's capacity to engage in land redistribution programmes, cost-effectiveness in programme implementation, and ensuring that land reform does not lead to environmental degradation. These specific demands have slowed down the pace of land reform, but perhaps the most critical conditionality is the need to maintain macro-economic stability vis-à-vis the agricultural sector (Karumbidza,

2007: 3). In other words, donor conditionalities may entail a neo-liberal straightjacket because they imply market-led reforms only.

Another influential organization in the land redistribution process is the South African Agricultural Union (also known as Agri-SA). For some time, it has been the “apex organisation acting as a mouthpiece for all farmers at national level, with the purpose of ensuring the best possible financial and social position for the farmer within the national economy” (Agri South Africa, 2006). This union at first strongly opposed the redistribution process, arguing that it would undercut national food security. It has however now closely working with the process, and albeit to a limited extent (Driver, 2007: 40). It liaises with the state in formulating and implementing policy and its members are even acting as mentors for small-scale farmers on redistributed farms in terms of the state’s redistribution programme. It still expresses opposition to any significant land tenure reform on commercial farms. A smaller and more conservative white commercial farmer union is the Transvaal Farmers Union. Another association is the National African Farmers Union (NAFU), established in 1991, with the aim of “creating a home for thousands of black farmers who had been previously excluded from the mainstream of agriculture” (NAFU, 1991). Its members in large part consist of farmers who have purchased farms on the open market. These three organizations are part of the presidential working group on agriculture, originally established by President Thabo Mbeki; this group meets with the president a few times a year to discuss issues regarding the agricultural sector (Driver, 2007: 40).

Another organization significant to the land reform process is the state’s Land Bank which was formed in 1912 to aid white farm owners with infrastructure and production. Currently, it offers access to funds to clientele who would normally be unable to access funding from mainstream commercial banks (Sibanda, 2001: 8), and hence it has supported land redistribution beneficiaries. However, the bank has been criticised for being riddled with “a parasitic and unethical leadership, lack of control systems, lack of accountability, poor business direction, poor corporate governance leading to corruption and mismanagement, and lack of proper risk and credit policies” (The Institute of Bankers in South Africa, 2010). Because of this, its delivery of financial services to newly established farmers has been problematic.

In examining the policy preferences of these different groups and actual state policy and practice, the only conclusion which can be reached is that the voices of global donors and

white agrarian capital have drowned out the voices of landless people. The latter are in fact are not well organised and resourced, unlike for the World Bank and AgriSA, and hence their capacity to lobby the state is almost negligible. This explains the reason for the market-driven redistribution programme of the post-apartheid state, and this programme is consistent with the broader neo-liberal macro-economic agenda of the ANC-led government. In this context, I now discuss the land redistribution programmes more specifically.

Other key stakeholders are state ministries and departments themselves. Land redistribution in South Africa, including both policy formation and policy implementation, involves a range of state ministries and departments though these ministries and departments are mainly not devoted exclusively to land reform. The central department involved in redistribution is the Department of Land Affairs (now called the Land Reform and Rural Development) which has overall responsibility, including in relation to dispensing funds for the purchase of farms on the market and for facilitating the transfer and post-settlement phases of the redistribution programme. But also of some significance to the programme are the following state bodies: Department of Agriculture, Department of Water Affairs and Forestry, Department of Housing, Department of Roads and Transport. All of these departments are expected to play a complementary role vis-à-vis the Department of Land Reform and Rural Development to support small-scale farmers on redistributed land. However, at times, there has been insufficient coordination if not tension between departments. In particular, after Land Reform has facilitated the resettlement of farmers on redistributed farms, the small-scale farmers have sometimes been left 'high and dry' so to speak as Agriculture has failed to follow through with necessary post-settlement support. As well, the setup of South African ministries and departments remains problematic in terms of land redistribution, as the following brief overview of South African agriculture makes clear.

Historically, as indicated previously, South African agriculture has been highly dualistic in character, constituting a well-developed white commercial sector and a large number of small subsistence farms on communal lands (National Department of Agriculture, 2007). The contribution of the commercial agricultural sector to the Gross Domestic Product has decreased in recent years, from 9.12% in 1965 to just 3.2% in 2002, which reflects the importance of the manufacturing and mining sectors but also the growing significance of financial and other services to the South African economy (Vink and Kirsten, 2003). These Gross Domestic Product figures for agriculture however exclude upstream and downstream

linkages to other sectors of the economy, including on the input side (such as fertilisers, seeds and agricultural machinery) and on the output side (notably agro-processing). The extent of agriculture taking place in the former homelands (or communal lands) has decreased considerably in recent years, with a discernible shift in some areas (such as the former Transkei) from field crops to animal husbandry. Additionally, the vast majority of the communal population relies upon non-agricultural sources of income, particularly in the form of social grants (Karumbidza, 2001:8). Land redistribution has created a third group of farmers, namely, African small-scale farmers dispersed spatially amongst white commercial farms. With regard to the institutional structures of the state, land reform falls outside the Department of Agriculture. This separation of land redistribution from agriculture tends to downplay the significance of land redistribution with respect to policy initiatives and strategies around the future of agriculture in South Africa. In this context, I now discuss the land redistribution programmes more specifically.

5.6 LAND REDISTRIBUTION

Land Redistribution since 1994, as indicated, has been market-driven such that market forces tend to regulate the form and extent of redistribution. South Africa's land market has a deep history with well-entrenched institutional arrangements though in the past it has been active within white agriculture only. The market arrangements include a deeds registry system, professional surveyors and property evaluation systems (Lahiff, 2009). Redistribution does of course take place with state assistance in terms of purchasing farms, settling people and providing post-settlement support. This particular land reform programme, unlike restitution and land tenure reform, seeks quite explicitly to alter the racial pattern of land ownership and access in South Africa (Jacobs, Lahiff & Hall, 2003). Any legislation which exists pertinent to land redistribution, like the constitution itself, simply acts as enabling legislation which empowers the state to enact the redistribution programme. The specific details of the land redistribution programme, including the strategies to be pursued, are primarily found in policy documents rather than legislation. As will be seen below, actual redistribution programmes in South Africa have undergone a series of shifts since 1994 but all of them in the end focus on the "provision of grants to assist suitably qualified applicants (according to the criteria specified in the programme) to buy land in rural areas, mainly for agricultural purposes but also for residential purposes ('settlement')" (Lahiff, 2000: 8). Along with the

state ministries and departments, local government plays designated roles in the land redistribution process. Local government has been largely responsible for providing grants and land in urban areas.

In 2007, the Department of Land Affairs reported that a total of 2,299,000 hectares had been re-allocated through purchasing white-owned farms/lands and distributing them through the redistribution programme. An additional 1,897,000 hectares was transferred through sales and transfers of state-owned land to land applicants, Communal Property Associations and private purchasers. This means that, all in all, almost 4.2 million hectares have been transferred; this figure is equivalent to about five per cent of land owned by white farmers at 1994. However, detailed statistics on beneficiaries, the geographical spread of redistribution projects, the type of land acquired, types of financing used (that is, the mix of grants, loans and “own contributions” in terms of the specific programmes noted below) are generally unavailable (Lahiff, 2009: 177). The success of the redistribution programme is normally discussed and debated from a productivist (or purely economic) perspective, in other words, in terms of levels of agricultural productivity. This though is difficult if not impossible to assess with any degree of accuracy. Certainly, the Department of Land Reform and Rural Development does not have or keep national statistics on this.

Three main land redistribution programmes have been pursued and implemented by the ANC government since 1994. The first was the Settlement Land Acquisition Grant (SLAG) which was initiated in 1994 and continued until 1999. It was followed by the Land Redistribution for Agricultural Development (LRAD) which was implemented in 2000 until its official ending in 2010. The Proactive Land Acquisition Strategy (PLAS) was initiated in 2006 and currently it is the main redistribution programme. There are redistributed farms currently existing in terms of all three of these specific programmes.

5.6.1 SLAG

The Settlement Land Acquisition Grant (SLAG), like the ensuing two programmes, was based on a market-assisted’ approach; and this involved a voluntary transaction between the seller and the buyer. Its main objective was to “improve land tenure security through extending property ownership and/or access to land to the historically disadvantaged and the poor” (DLA, 2001:9). The programme specifically targeted the poor and marginalized and, in the context of the existing RDP orientation of the ANC government in the mid-1990s, tended

to have a strong equity thrust though not denying the significance of productivity and livelihoods.

State grants were made available to any household with an income below R1,500 per month, with the grant allowing the eligible person to access a maximum of R16,000 based on the availability of state funds and other factors (DLA, 2001:9). The small size of the household grant compared to the market price of white farms meant that a large number of households would need to come together as one unit to purchase a farm under SLAG. In this regard, there was a general reluctance on the part of white commercial farmers to sub-divide and sell their land for redistribution purposes. SLAG was also made more complicated by the prices being demanded by white farmers for their land. Between 1994 and 2005, land prices on the open land market in fact doubled. Prices dropped in 1996, but this has been explained in terms of the sale of less than average quality land during that year (Cousins and Scoones, 2010: 50). Land quality was one of the factors considered by the state in purchasing land for SLAG projects.

The other criteria used in prioritising SLAG projects involved the “viability and sustainability of projects (defined according to the socio-economic viability of intended land use), fiscal sustainability by the local government authority i.e. municipal government, environmental sustainability, proximity and access to markets and employment, and availability of water and infrastructure” (Cousins and Scoones, 2010: 49). To ensure some degree of cooperative and coordinating activity amongst the SLAG beneficiaries on a particular farm, particularly to ensure proper farm management, the Department of Land Affairs (DLA) relied on a legal framework known as Communal Property Associations (CPAs) which guaranteed certain individual and common rights to the group of beneficiaries (Moseley and McCusker, 2000: 325). CPAs are “a relatively new form of legal entity that allows groups, democratically constituted in terms of a written constitution, to acquire property collectively” (Lahiff, 2003: 26).

The SLAG policy had its successes and failures, including from the perspective of the state. A DLA Quality of Life Survey conducted in 1999 found that 75% of the beneficiaries of SLAG projects fell below the poverty line and, significantly, 31% of the SLAG beneficiaries were female-headed households. Another, independent, study in 2002 confirmed though that the main beneficiaries of SLAG were in fact the poor and marginalised (for example, 61% of household heads were illiterate), such that to expect lower levels of

poverty – particularly so early in the redistribution programme – would be unreasonable (Lahiff, 2007: 182). However, problems existed which seemed to limit the possibilities of improved livelihoods for the poor on redistributed farms. For example, the Department of Land Affairs itself highlighted the “lengthy project cycles, excessive bureaucracy and reliance on outside consultants, over-centralisation of the decision-making process, and low levels of complementary support services” subsequent to settlement, such as basic agricultural machinery/instruments and agricultural training (Moseley and McCusker, 2000: 325).

Also, because of the pooling of grants by a number of households, significant tension and conflict existed between farmers on some SLAG farms, including in relation to the fixed property on the farms and access to grazing land and water. There was also evidence of differentiation taking place between households with elite capturing of crucial farm resources by the more well-off farmers (Cousins and Scoones, 2010: 49). Some beneficiaries in fact preferred to work and reside in the nearest town because of the challenges on farming. Through the SLAG programme, 484 projects were approved, transferring 780,407 hectares to 55,383 people.

5.6.2 LRAD

In 1999, because of the problems attached to SLAG specifically and the slow pace of land redistribution more broadly, Thoko Didiza (former Minister of Agriculture and Land Affairs) was under considerable pressure to advance the cause of redistribution more coherently. Because of this, she “announced a moratorium on all land-redistribution projects until the government could formulate new guidelines that would both accelerate land redistribution and stay within a market-oriented approach”. (Moseley and McCusker, 2000: 323) The DLA, on that basis, completely abandoned the SLAG method and embarked on the Land Redistribution for Agricultural Development (LRAD), with the aim of redistributing five million hectares of land. This shift entailed a movement away from alleviating poverty towards establishing a class of black commercial farmers; in other words, it involved a shift in priority from equity and poverty alleviation to agricultural growth and productivity, or a more productivist view on the rationale for redistribution (Lahiff, 2008: 13). The main criterion for LRAD became commercial viability and emerging black entrepreneurs were encouraged to apply for farm land under LRAD (Cousins and Scoones, 2010:49). Overall, the

objective of LRAD is “to improve land tenure security and to extend property ownership and/or access to productive resources to black South African citizens” (DLA, 2001: 4).

Despite this emphasis, LRAD attempted to accommodate “peri-urban gardens, medium-scale commercial farms, irrigated vegetable plots, and small livestock ranches” while also catering for the “poor, vulnerable, and marginalized groups as well as emerging commercial farmers” (Binswager-Mkhize et al., 2009: 206). In doing so, it incorporates post-settlement support into the grant system. In other words, grants are not simply for land acquisition (as they were under SLAG) but also for land and agricultural development after settlement of the beneficiaries. This was an attempt to rectify the insufficient post-settlement assistance provided under SLAG. In addition, enhanced coordination between state spheres was stressed, such that LRAD was promoted as a joint venture between the DLA, provincial departments of agriculture and local municipalities (Lahiff, 2008: 192). The initiative was aimed at improving integration of state services to ensure a smoother transition from settlement to production with the hope that agricultural productivity under LRAD would show marked improvements over SLAG outcomes.

Eligibility for LRAD is based on the applicant’s own contribution of at least R5,000. The amount of R5,000 allows for the minimum grant of R20,000, with the maximum grant being R100,000 based on a sliding scale of a R5,000 grant for every R1,000 contributed. The applicant, unlike with SLAG, can be an individual such that individuals from the same family can receive a grant. Successful applicants must participate in an agricultural training programme after the acquisition of the grant (DLA, 2001: 5) to enhance the prospects for agricultural production post-settlement, but this training programme has been under-funded. The higher grant offered under LRAD, as well as separate grants for individuals within the same household, minimises the number of beneficiaries on a redistributed farm. In certain cases, there is joint ownership between SLAG beneficiaries and a white farmer under an arrangement called a share-equity scheme. As with SLAG, Communal Property Associations are formed for liaising with the government and other stakeholders. But now the terms and conditions underpinning CPAs do not require land to remain collectively owned or even utilised subsequent to settlement, because of earlier problems under SLAG in relation to post-settlement cooperation between beneficiaries. This implies the possibility of subdivision of LRAD land and an emphasis on household-based production and entrepreneurial-based farming, as part of the broader productivist thrust of LRAD. Linked to this is the fact that

there is no income ceiling for LRAD beneficiaries, thus allowing for entry into farming under LRAD by richer ‘peasants’ and urban-based businesspeople.

The approval of LRAD projects was to become more decentralised when compared to SLAG. Under SLAG, project approval took place at national level but, under LRAD, this was delegated to a Grants Committee existing at provincial level and even at times at district level (Didiza, 2006). District and provincial level review boards are therefore responsible for selecting LRAD projects based on an assessment of primarily commercial promise. In fact, a critical aspect of LRAD is the requirement that applicants must submit an agricultural business plan that indicates the land they want to purchase, the intended agricultural projects, the relevant skills of the beneficiaries and the commercial viability of the intended project. No such plan was required under SLAG. In addition, business consultants are often hired to work with beneficiary groups to draft grant proposals. At times, consultants influence beneficiaries to draft appealing grant proposals (like vegetable farming) yet these may be out of line with the agricultural capacities of the applicants or even not rooted in an understanding of the possible land-usages for the intended farm project (Moseley and McCusker, 2000: 325)

As with SLAG, though, agricultural support programmes for LRAD beneficiaries were to be pursued and implemented by the provincial offices of Land Affairs despite the fact that these offices are widely known to be under-funded and incapacitated (Lahiff, 2008: 176). But a new programme, called the Comprehensive Agricultural Support Programme (CASP), was introduced. This entailed a grant “targeted to existing black farmers and the beneficiaries of land reform, largely intended for the development of infrastructure” (Lahiff, 2008: 177). Such a programme was first hinted at in the White Paper on Agriculture in 1995. It is designed to facilitate the provision of post-settlement support services in order to maximise agricultural production, given the deficiencies of such services in the past under SLAG (Lepheane, 2007:35). Although CASP seems well-funded, having an initial budget of R750 million (for the 2004 to 2006 period), implementation of the programme has not been smooth and its effectiveness is dubious.

Like SLAG, LRAD experienced a slow start as officials were adapting to the new system. But it has accelerated the sheer pace of land transfer for redistribution purposes, though far behind government targets. It is important to reiterate though the productivist foundation of LRAD, as this redistribution programme is aimed mainly at establishing a class

of black commercial farmers. This of course is consistent with a neo-liberal emphasis on growth. At the same time, the neo-liberal agenda inhibits the kind of state support and protection for emerging black farmers that white commercial farmers received under the systems of segregation and apartheid. In fact, the history of neo-liberalism in relation to agriculture in South Africa has been one in which even white commercial farmers, or at least those on the margins of profitability, have gone bankrupt or have moved into other land-usages such as wildlife tourism or hunting. In this context, the prospect for LRAD beneficiaries in terms of agricultural production and market integration remains a challenge.

5.6.3 PLAS

The Proactive Land Acquisition Strategy (PLAS) was introduced as a means of addressing the identified problems within the previous programmes (SLAG and LRAD). The backbone of PLAS is the idea of leasing high potential land to chosen beneficiaries with the option of future purchase. The key objectives, as set out by the Department of Land Affairs at the time of the introduction of PLAS, are to accelerate the land redistribution process; to ensure that land is acquired in nodal areas and other areas of high agricultural potential; to improve the process of identification and selection of beneficiaries; to improve the planning of land for the beneficiaries; and to ensure maximum productivity on the redistributed land after resettlement. PLAS clearly articulates a productivist approach to redistribution, more so than the two previous programmes. For instance, the fact that redistributed land must first be leased prior to ownership is to ensure that agricultural production is taking place at a significant level prior to allowing for ownership; the implication is that the absence of a minimal level of agricultural production leads to the withdrawal of the land from the original beneficiaries.

The programme, though still market-driven, calls for a more interventionist and engaged state in redistribution. It is therefore based on the premise that “there is a need or demand for land, it might either be quantified (through IDPs) or not, but that it is not beneficiary demand driven, but rather state driven” (DLA, 2006: 4). In essence, this means the state targets land and seeks to match identified lands with the needs and aspirations of potential beneficiaries. Thus, unlike SLAG and LRAD, beneficiaries are no longer responsible for identifying potential land for purchase (Stickler, 2010: 6). In addition, the state acquires the land (under state ownership), creates a planning framework for the

redistributed farm, develops the land, and assists the identified beneficiaries through grants and services. The land is leased for a period of three to five years. If beneficiaries manage to farm successfully within that period, the lease may be renewed or the land may be transferred to beneficiaries permanently (Lahiff, 2012).

Some 49% of the total land redistributed in 2007/08 and 85.6% in 2010/11 was acquired under PLAS (DLA, 2008; DRDLR, 2011). From May 2009 to March 2012, 882,238 hectares of land were acquired and redistributed to about 10,500 beneficiaries across South Africa. However, like the earlier programmes, PLAS is not devoid of challenges. For example, leasing the land to beneficiaries for the initial (and possibly extended) period has caused concerns due to reluctance on the part of financial organizations such as banks to issue loans to lessee farmers who do not have security and collateral in fixed property. Additionally, it is argued that it is unrealistic to expect farmers within the limited period granted (three to five years) to demonstrate productivity and profitability (Ranwedzi, 2011).

5.7 CRITICAL OVERVIEW ON LAND REDISTRIBUTION

Many serious challenges remain with regard to bringing about a far-reaching and comprehensive land redistribution programme in South Africa. Foremost amongst these is the very basis of the programme, namely, the fact that it remains market-driven. However, anything beyond market-led reform remains outside the policy preferences and initiatives of the ANC government, despite some radical discourses about land sometimes emerging from the ANC elite. Some of the more specific challenges derive from market-led redistribution but, even if expropriation became a feasible option, there would continue to be serious problems with respect to post-settlement support. The example of fast track land reform in Zimbabwe, which entailed expropriation, clearly illustrates the array of post-settlement problems.

A critical problem for the market-driven redistribution process is the question of land subdivision. Subdividing white commercial farms prior to purchase and settlement is not possible. There is legislation (The Subdivision of Agricultural Land Act of 1970) that presently restricts the subdivision of farms into smaller units and this was inspired, it is argued, by the “danger of blackening of the country side” (Lahiff, 2007: 183). This impossibility means that redistribution beneficiaries pool their resources and regularly obtain farmlands of an inappropriate size which are unsuitable for the intended farm venture and

which they are unable to fully utilise properly. This situation also invariably leads to group-based farming amongst the beneficiaries and a range of tensions over such issues as positions in CPAs, monetary allocations, upkeep of farm and farm-based resources. Subdivision has been promoted by for instance the World Bank but South African state departments (including Land Reform and Agriculture) are favourably disposed to it. This disposition seems to be based on a big-farm model of (commercial) agriculture, rather than a more populist small-farm model. This leads to the fact that applicants for redistributed farms are required to submit agricultural business plans on a whole-farm basis as a significant commercial venture (Lahiff, 2007:183).

Lahiff (2009:179) notes a further three issues which obstruct land redistribution, namely, the suitability of land being offered for sale, the prices being demanded and bureaucratic delays. Market-led reform is at the mercy of landowners as they have absolute discretion in deciding whether (and when) to sell their land, to whom they will sell their farm and also at what price. Currently, unlike even in Zimbabwe before fast track, the South African state does not have the option of first refusal of land put on the market. At times the land available for purchase by the state may be deemed unsuitable for redistribution because of for example geographical location or soil type. Or it simply may be overpriced given the budgetary restrictions on land purchases by the state. Landowners have also expressed concerns about the state's involvement in the redistribution process, arguing that it is marred in red-tape and bureaucratic delays such that the hassle-factor leads to landowners preferring to sell their farms privately and not to the state (Lahiff, 2000: 180). For such reasons, vehement critics of market-led redistribution argue either for expropriation (or at least selective expropriation) or for redistributed land to be purchased by the state at below-market value. The Constitution does indeed allow the state to resort to these methods if need be (Ntsebeza, 2006), but the state has as yet not used such mechanisms. The Department of Rural Development and Land Reform has been exploring alternative methods for the purchase and transfer of land for redistribution, but no significant changes are on the horizon and certainly nothing concrete or specific has so far emerged.

There are also deep concerns about the administrative and logistic capacity of the relevant state departments in pursuing land redistribution. For example, from 1994 to 1997 (during which time SLAG was pursued), only R20 million of a R314 million budget allocated by the state towards land redistribution was utilised. Because of this, subsequent annual

budgets for land redistribution in the late 1990s were in fact slashed to put the budget in line with the state's capacity for implementation redistribution projects. In this sense, the extent of land redistribution became determined by state capacity rather than potential budget allocation, thereby even further minimising land redistribution possibilities. But, even then, problems continued. For example, in the 2005-2006 fiscal year, the redistribution budget was underspent by R150 million (or 21% of the R800 million budget) (Lahiff, 2007:189). These ongoing problems have had implications for all three redistribution programmes, from SLAG to LRAD through to PLAS. The Department of Land Affairs and later the Department of Land Reform has been subjected to heavy criticism for this failure to vigorously drive land redistribution (Coetzee, 2004).

Provincial offices of the central land department have been seemingly overwhelmed and burdened administratively by the number of applicants given departmental resources; this has led to backlogs in processing applications. At times, provincial departments have discouraged new grant applications so that they reduce the backlogs. By February 2004, the total backlog of redistribution projects that had already been approved but had not yet received any funding as a result of bureaucratic delays amounted to R587 million. This was more than double the funding available for purchase during that fiscal year (Hall and Lahiff, 2004), again emphasising mismatches between funds available and state systems and capacities, and that funding is not necessarily the main constraint in explaining the slow pace of redistribution. (Lahiff, 2007: 189) Rather, bureaucratic inefficiencies must be factored into any such analysis.

For redistributed projects that have been completed (i.e. land transfer and settlement has taken place), the threat of failure still looms large. In many cases, this is because of inadequate coordination and cooperation between land reform and agricultural departments, including fuzzy boundaries between their areas of responsibility (Lepheane, 2007: 35). In this respect, both land reform and agricultural departments are, in the end, jointly responsible for managing the land redistribution programme together in a coherent fashion. They may both approve or disapprove specific redistribution project proposals based on their envisaged capacity to supply financial resources and other forms of support. Sometimes they may be at loggerheads over a particular project application or, even if a particular project is agreed upon and is in the process of being implemented, there may not be a clear follow-through to the end (including a deficient or truncated handover from land reform to agriculture with regard

to post-settlement support). At times, the land reform department appears as if it is wiping its hands clean of any further action once beneficiary settlement takes place; yet the relevant agricultural department may not be fully on board at the time of settlement.

Post-settlement support clearly is fundamental to land redistribution beneficiaries. The responsibility for providing different post-settlement services to beneficiaries lies with provincial offices of the central department of agriculture as well as provincial agricultural departments and municipalities. Non-governmental organisations (NGOs) also have been involved in post-settlement support, seeking to fill the significant gaps which exist in state support services. However, reports about post-settlement support show that “there is still no institutionalised alternative to laying the whole burden of training, mentoring and general capacitation on the provincial agricultural departments” (Lahiff, 2007: 185). More specifically, NGOs work in silos and engage with redistributed farms in an uncoordinated and scattered manner, such that there is no substitute for comprehensive support systems driven by the state with NGOs simply as complementing state initiatives. In this regard, a damning report in 2005 by the Minister of Agriculture and Land Affairs stated that 70% of land reform projects under LRAD in Limpopo Province were dysfunctional, with deficient post-settlement support being a major contributing factor to this. Aliber, Masika and Quan (2006), based on evidence from the Eastern Cape Province, note a decline in overall agricultural production (in comparison to levels of production prior to redistribution) though there were modest improvements in the livelihoods of the new owners. Vink and Kirsten (2003) come to similar conclusions.

5.8 CONCLUSION

Undoubtedly, despite ongoing problems and challenges, the post-apartheid state has sought to pursue land reform and specifically land redistribution. State discourse and practice remains trapped within market-driven reform though the state is becoming more interventionist because of past inefficiencies and failures. As indicated, there is also a deepening productivist slant to the redistribution programme which raises doubts about redistribution in terms of its contribution to tackling social equity. A significant array of state entities, in different spheres of government, are involved in some way or other with land redistribution in South Africa; and this division of labour (so to speak) amongst state entities has in large part arisen because of concerted attempts at state decentralisation since the end of apartheid. State restructuring

though is never a coherent and integrated process, such that it is regularly fractured and tension-riddled. Thus, state coherence and capacity with respect to the actioning of land redistribution in South Africa is at times highly problematic and hampers redistribution and its effectiveness. The next chapter seeks to illustrate these points by discussing the Masizakhe project under LRAD in Makana Municipality in the Eastern Cape.

CHAPTER SIX:

STATE DECENTRALIZATION AND LAND REDISTRIBUTION AT MASIZAKHE CPA, MAKANA MUNICIPALITY

6.1 INTRODUCTION

This chapter seeks to illustrate and bring to life the key themes addressed in the preceding chapters with regard to land redistribution in post-apartheid South Africa in the context of state decentralisation before looking at the specific case study (Masizakhe). I first discuss land redistribution in the Eastern Cape Province and Makana Municipality. Thereafter, following a brief overview of the history and location of the farm project and the steps involved in the transfer of land to the beneficiaries, I discuss the challenges faced by the Masizakhe beneficiaries with reference to the decentralisation process.

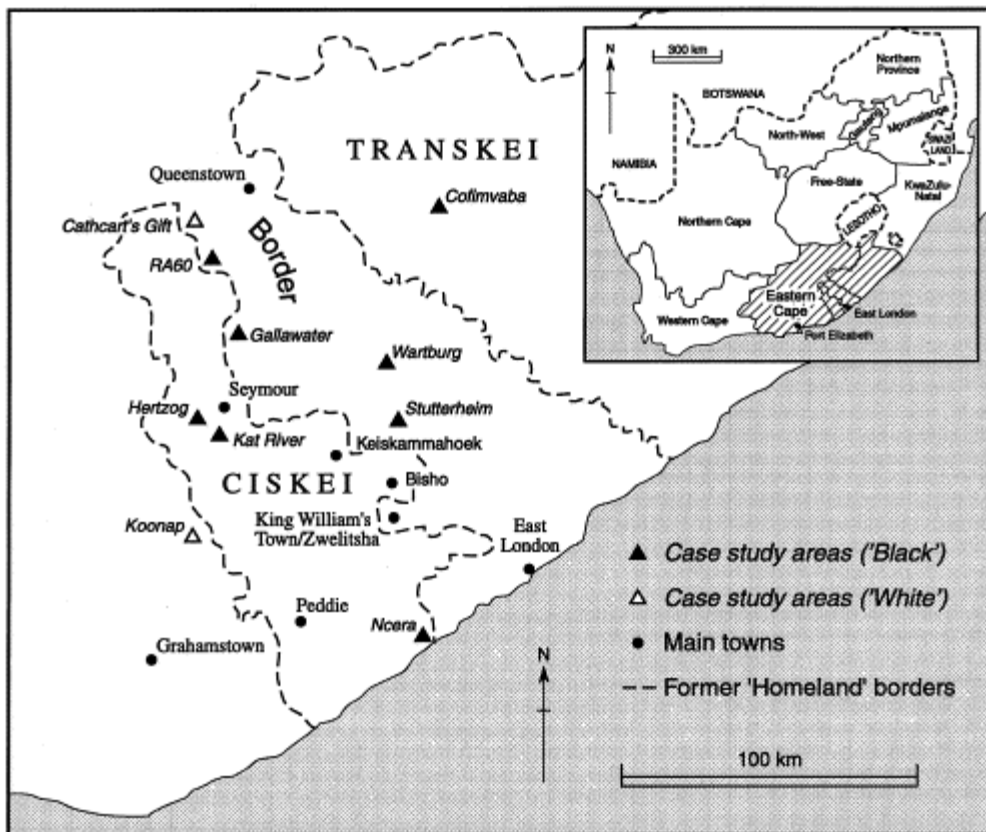
6.2 EASTERN CAPE

The Eastern Cape Province comprises an area of 169,875 kilometres (see Map 6.1) and has a population of 6.3 million. Its population consists of Xhosa-speaking people (who constitute the majority) and Afrikaans, English and Sotho people who constitute the minority. Despite the fact that two former homelands (Ciskei and Transkei) fall within its boundary, the province is said to be South Africa's most potentially productive province agriculturally (ECSECC, 2000:8). Annual rainfall varies between averages of 1,000 mm in mountainous areas, 1300 mm along the lengthy coastline and 625 mm in other areas, and there is also abundant surface water (Du Toit, 2004). The soil is generally fertile and compares favourably with other provinces, and there are significant possibilities for irrigation along its perennial rivers. By the early 2000s, 1,300 dams existed in the province, and about 600 soil conservation schemes covering an area of 2.3 million hectares had been established.

Agricultural activities introduced historically by the white farmers included livestock such as dairy, beef and sheep, as well as crops such as maize, wheat, lucerne, sorghum, horticulture and legumes – some under irrigation and some dry-land cultivation. The specific type of farming varied across the province with cattle and sheep predominant for instance in

the Karoo. Over the past decade, there has been an explosion of game farming in parts of the former white Eastern Cape, for mainly eco-tourism and hunting. This has led to processes of land concentration (as game farms incorporate a number of adjoining farms). Prior to 1994, the province excluded the Transkei and Ciskei homelands. In these homelands, now part of an expanded province, small-scale agricultural pursuits and a diverse range of livelihood activities are pursued, but the social grant system is critical to the vast majority of households. Historically, though, the migrant labour system was critical to the homeland economies in the form of remittances from men working on the mines in Johannesburg and elsewhere.

Map 6.1: Eastern Cape



Source: Nel and Davies, 1999.

Despite any economic potential it may have, the Eastern Cape Province is regularly identified as having the highest incidence of poverty in South Africa according to most socio-economic indicators. Over 50% of its population are classified as living in poverty. In this regard, it is significant to note that the province, proportionally speaking, has one of the

largest rural-based populations nationally; and hence rural poverty is particularly troubling. This rural poverty exists within the former Ciskei and Transkei, but also amongst workers and dwellers on white-owned commercial farms.

Of course, poverty in the region is rooted in the systems of segregation and apartheid and the previous colonial conquest. During the late 1800s, the Cape Colony government demarcated the Ciskei (which was about 800,000 hectares) and the Transkei (which was about 4,280,000 hectares) as Native reserves. From the 1950s the apartheid government introduced 'betterment' or 'villagisation' as a supposedly modernist method of controlling rangeland degradation in these reserves (or communal areas). As indicated previously, through this programme, land-use patterns were divided into residential, arable and common grazing land. This resulted in residents being forcibly moved to new centralised villages from their scattered homesteads and losing access to their traditional fields near homesteads. The Ciskei and Transkei, like other homelands, were also used as 'dumping grounds' for the relocation of other Xhosa-speaking people from white-owned areas. Estimates place the number of people uprooted and relocated between 1960 and 1983 at 401,000 people (Platzky and Walker, 1985). This resulted in heavy overcrowding and chronic poverty due to pressure on the limited land resources. Survival mechanisms included migrant labour to gold mines in the Witwatersrand and the Natal sugar fields.

The amount of potential arable land in the two homelands is sufficient to provide each household with an average of only one hectare, though there is marked differentiation in terms of landholdings and land access, with significant numbers of households effectively landless. In the former Transkei, between 50% and 60% of households have access to arable land while, in Ciskei, the respective figure is between 60% and 70% of households. However, livestock is increasingly more important than crop production in terms of agriculture in these areas. Available evidence suggests that "while agriculture may not be the principle source of livelihood for the great majority of households in the homelands (where most land reform applicants come from), it does provide an important supplementary income for a substantial proportion, albeit with a high degree of differentiation between households" (Lahiff, 2003: 9). Studies in fact indicate that 60% - 80% of income in the former Transkei and Ciskei is sourced from wages (based on full-time or casual labour) with a third of this being derived from migratory remittances. The second most important source of income is grants (notably pensions) which account for about 10%-20% of average household income. Access to land,

such as small plots, forests or communal grazing areas, does however act as an important supplementary household livelihood though there is considerable unevenness across households in this regard.

6.2.1 LAND REDISTRIBUTION IN THE EASTERN CAPE

Estimates in 1990, as apartheid ended, showed that 40% to 50% of households in the two former Bantustans were landless (ECSECC, 2000: 8). At the same time, in 2000, ten million hectares of land (constituting 59% of the land surface in the Eastern Cape province) were in the hands of 6,500 white commercial farmers. Land redistribution – amongst other goals – is designed to reduce landlessness amongst former homeland residents by taking over white-owned land through market mechanisms. By the late 1990s, only 450 redistribution projects had been approved countrywide, involving 3.2 million hectares; 79% of the land approved was situated in Eastern Cape yet only 0.5% of the land approved for redistribution had been transferred by May 1998 (ECSECC, 2000: 8). In relation to the LRAD programme, there are some notable examples. For example, in 2001, ten farmers received ownership of fourteen small farms (about 4,800 hectares) in Beeskraal located in the Cala district. And, in 2002, a R1,9 million community farming project was launched by the Maasdorp-Jurishoek Community Property Association at Balfour involving the purchase of state-owned land and commercial farms for olive and vegetable production.

In terms of addressing landlessness in the former homelands, one key problem exists, namely that of acquiring land which is deemed suitable for resettlement purposes and in convenient locations. Residents in the former Transkei and Ciskei are often located far from white-owned farms because of the spatial legacy of apartheid and (despite their conditions of pronounced poverty) they have deep historical roots in the former homelands. The costs of relocation are borne by the state, and the relevant state departments are at times reluctant to undertake the task of resettlement for this reason; particularly when residents themselves are sometimes hesitant about relocating because of the uncertainties attached to effectively starting their lives over in a new socio-economic setting. In this respect, a number of redistribution projects in the province have been limited to projects within commuting distance between the redistributed farm and the homeland area. This has been further complicated by LRAD terms and conditions that do not allow the issuing of redistribution

grants for production purposes within the former Transkei and Ciskei, as LRAD and redistribution more broadly is based on the purchase of land before resettlement.

Intriguingly though, many projects in the Eastern Cape where settlement has in fact taken place involve the transfer of potentially high quality farms. But these have in the main collapsed, and for the following reasons: rampant corruption, inadequate post-settlement support including insufficient access to necessary facilities and resources, and rivalry among beneficiaries. These include a project near Cala which was a peach project with gravity irrigation established in 1999; projects at Deeside, Drummond, Spes Bona, Ensam, Kanuna, Mt. Hopley and Poplar Grove (which were once sheep and cattle farms in the Queenstown area) and Thornhill, Koffiefontein, Middelploas and Waterval (in the Dordrecht area). In their own specific ways, these projects failed because of state inadequacies in the form of unplanned and rushed transfers. I briefly outline questions pertaining to the state and decentralisation in the Eastern Cape.

The identified needs for land redistribution in the province are centred on residential settlements, municipal commonage and agricultural projects, of which the latter is the focus of this thesis. The provincial office of the Department of Land Reform and Rural Development (PDLRRD), a line office of the national department, has been established for the purpose of leading and facilitating redistribution in the province by processing redistribution applications and allocating grants. Because land redistribution is multi-sectoral (or increasingly is envisaged as such), the PDLRRD has tried to pursue structured coordination with other relevant government offices, including district and local Municipalities, Department of Agriculture (DoA), Department of Water Affairs and Forestry, Department of Public Works, Department of Environmental Affairs and Tourism, the Provincial Treasury and the Department of Economic Affairs. Officially, it is also supposed to liaise with other stakeholders, including existing civil society groups which are involved in promoting reform of the land sector in South Africa. In conjunction with municipalities and other state departments, it therefore provides direct funding for redistribution projects, facilitates the planning of resettlement farms (including housing and schools) and seeks to install infrastructure including roads and water.

Like elsewhere, redistribution projects in the Eastern Cape Province focus mainly on people pooling their grants and other resources in order to purchase white-owned commercial farms. These projects result in the creation of CPAs which serves as the representative for the

farmers under the grant. Land redistribution in the province however faces many challenges which have inhibited the process of redistribution and its success. These challenges include “limited budgets, lack of policy direction in key areas, cumbersome internal procedures, inadequate co-operation between and within the different spheres of government (national, provincial and local), and constraints imposed by the national land reform policy itself” (James 2007: 23). These problems all relate to questions of state capacity and state inefficiencies thereby indicating that, while decentralisation may bring the process closer to the ground so to speak, it leads to a complex array of state bodies in different spheres of government which do not necessarily act in unison or a coordinated fashion.

Even though decentralisation is part and parcel of the redistribution process, it seems that centralisation still haunts the redistribution programmes in terms of decision-making. Policy changes, including decisions pertaining to the specific types of programmes (such as LRAD) to be implemented, continue to be made at central state level without significant inputs from lower tiers of the state. Provincial and local state institutions in the Eastern Cape have to work within the broad parameters set by the central state, though they try to implement redistribution in the light of their own institutional capacities. Further, despite any rhetoric to the contrary, civil society groups, local community members and even traditional authorities (in the former Ciskei and Transkei) are not properly integrated into the redistribution process. For example, in the case of the Lambasi Farm project, the central government effectively cherry-picked representatives of the local community to form a management structure which was toothless and unable to significantly influence the course of events on the project (Lahiff, 2003: 42).

In other projects, such as Magwa and Mkambati, the local and district municipalities have in fact been sidelined (at least in part) from the redistribution process due to on-the-ground political disputes involving local leaders. In these cases, the OR Tambo District Municipality and Ingquza Local Municipality continued to provide services in the area (such as roads and water) but power struggles have inhibited their more direct involvement on the redistributed farms. In this respect, decentralisation has seemingly gone beyond what was officially intended (to the communities themselves), as power dynamics at local level undercut the official decentralisation process which focuses on the role of municipalities. In other words, this more fundamental decentralisation took place in spite of, and not because of, the state’s formal decentralisation initiative.

Many communities in the Eastern Cape have sought to organise themselves and their resources in a manner which allows them to contribute to the success of land redistribution projects, such as at Gasela. In doing so, they seek to hold government accountable and at times have assisted in the development of municipal-based Land Reform and Settlement Plans – including for local municipalities falling under Amatole District Municipality. In cases such as these, it seems that the DRLRD becomes more receptive and responsive in providing technical and social services. In most of the Eastern Cape, however, communities have not reached this level of organization and unity. Rivalries often arise within communities.

6.3 MAKANA MUNICIPALITY

Makana Municipality, as a local municipality, is located in the Cacadu District Municipality in Eastern Cape. It covers an area of 422,200 hectares of which 200,000 hectares is suitable for some type of agriculture. Its climate is characterised by extreme temperature variations with mean annual rainfall being 550 mm. In terms of agricultural-ecological regions and farming activities, the municipality can be divided into two areas. One area is called Upper Albany (which is two-thirds of the area) and is located north of the main town of Grahamstown. This area is un-suitable for dry-land crop production (with less than 400 mm rainfall per year) such that irrigation is required for field crops. Because of this, most farming ventures entail either livestock or game farming, or a combination of both. The second area, where average rainfall per year is 600 mm, is called Lower Albany and it is suitable for the production of maize, wheat, chicory and pineapples. Additionally, vegetables and citrus crops are grown using mechanised irrigation. In 2008, about 2,595 hectares of land in Lower Albany were cultivated with 1,147 hectares of this involving field crops (maize and wheat predominantly). Citrus fruits and vegetables were cultivated over a total of 149 hectares while pineapples covered an area of 937 hectares (Antrobus and Antrobus, 2008).

The Agricultural Census of 2002 shows that Makana Municipality had 165 commercial farms. Antrobus and Antrobus (2008) separate commercial farming incomes into four categories: livestock and animal products, field crops, horticulture, and other activities such as honey production, aquaculture, forestry products and wildlife tourism. In 2008, livestock farming and animal products (including dairy production, wool, beef cattle, ostriches, goats, mohair, and game sales made up 78% of total gross farming income, while

the contribution of field crops was only 9%. Commercial agriculture in Makana tends to be outward focused and, in this sense, does not contribute significant to the local Makana economy. Inputs for agriculture flow into Makana and outputs out of Makana – not only to other parts of South Africa but overseas (such as citrus). In addition to commercial farms, there is significant small-scale agriculture (or urban agriculture) taking place within town limits and in the municipal commonages of Grahamstown, Alicedale and Riebeeck East. Domestic animal rearing is also common in the urban areas of Makana, including cattle, goats, chickens and pigs can be found kraaled in the yards of owners.

The large-scale emergence of game farms through considerable parts of Makana Municipality is a particular cause for concern. Through this conversion of stock farming to game farming and the resulting concentration of farm sizes, less land becomes available for redistribution. Of significance is that there is considerable foreign purchase of farms for conversion to game, such as the massive Shamwari Game Reserve owned with majority shares by the Dubai Tourist Corporation. With such foreign investment, the prices of land in the Makana Municipality and surrounding local municipalities have increased almost exponentially and this further inhibits the capacity of the state to engage in land redistribution because of the market-driven basis of the transaction underpinning redistribution and resettlement. There are also concerns that many farm workers and dwellers have been displaced or outright evicted from farms at the time of conversion and, as a result, the number of landless in the municipal area is increasing.

Farmers, once on redistributed farms in Makana, face similar problems faced by farmers in other districts of the province as well as nationally. These problems have been articulated by the Makana Farmers Association which represents emergent and small-scale farmers (Antrobus and Antrobus, 2008). The issues the association raised were mainly about mentoring arising from insufficient agricultural knowledge to which is connected deficiencies in agricultural extension services, as well as failure to access markets for goods produced. Agricultural extension officers were conspicuous by their absence, leading the association to conclude they did not even exist. This was part of a broader problem with insufficient post-settlement support. The association noted that due to inadequate skills pertaining to farm management and marketing, agricultural production on land transferred through land reform only extended as far as surrounding communities in terms of sales; and this invariably led to problems with overproduction (relative to sales) and hence wasted crops, and to the decline in

selling prices because of distress sales. Members of the association also highlighted inadequate infrastructure on redistributed farms, not only with regard to agricultural infrastructure but also in relation to social amenities such as schools. Children on these farms were forced to travel long distances to primary schools and, further, the absence of nearby secondary schools meant that children – after primary school – moved to the nearest towns to continue with their education. This entailed extra costs for the farmers. The association of farmers concluded that becoming commercial farmers on redistributed farms was near impossible given the conditions of their existence (Antrobus and Antrobus, 2008).

Community Property Associations on redistributed farms in Makana are deeply concerned about these trends and they have linked up at times with farm workers and dwellers in requesting for central state and municipal interventions. These marginalised groups (resettled farmers and farm workers/dwellers) have advocated for a “different approach to agrarian transformation and rural labour market restructuring” (Antrobus and Antrobus, 2008: 22). This approach would require inter-departmental cooperation within the state (in the different spheres of government) with the express intent to promote “people’s socio-economic rights... provide farm workers, dwellers and small-scale farmers with the necessary environment to be the leading agents and drivers of developmental processes” (Antrobus and Antrobus, 2008: 22). In pursuing this agenda, they have been supported by a number of non-governmental organisations, such as the East Cape Agricultural Research Project based in Grahamstown. In recent years, two marches have taken place in Grahamstown after which small-scale farmers and workers/dwellers presented a list of demands around land to the Makana Municipality.

The kinds of problems raised by these groups has been repeatedly noted and recognised by the state, but without any meaningful change in state policy and programmes around land. Recently, for example, an Eastern Cape Member of the Executive Council (Zoleka Capa) addressed some of these issues, in the “Province of the Eastern Cape Rural Development and Agrarian Reform Policy Speech for 2012/13”. In this speech, she acknowledged the prevailing problems of poverty, inequality and underdevelopment and pinpointed concerns around the “supply of bulk water for agriculture and domestic purposes, access to and ownership of land, agricultural mechanization and production inputs, marketing facilities, access to basic social services, electricity, roads, and railway network infrastructure” (Capa, 2012). These of course are problems pertinent to agriculture broadly in

Makana and the Eastern Cape, but they have particular resonance for land redistribution farms. The MEC went on to speak about a budget of R1,6 billion for a Rural Development Agency (established in April 2012) which would complement the Comprehensive Agricultural Support Programme (CASP). Amongst other priorities, the work of the agency in relation to farmer support and development “will concentrate on food security initiatives which will be coordinated across all sector departments, municipalities, NGO's and private sector into an integrated food security programme” (Capa, 2012). The effects of this initiative are still to materialise but there does not appear to be anything particular new in the work of the agency and its priority targets.

In this context, having discussed the Eastern Cape broadly and Makana Municipality specifically, I now examine the particular case study in the light of land redistribution and state decentralisation in post-apartheid South Africa.

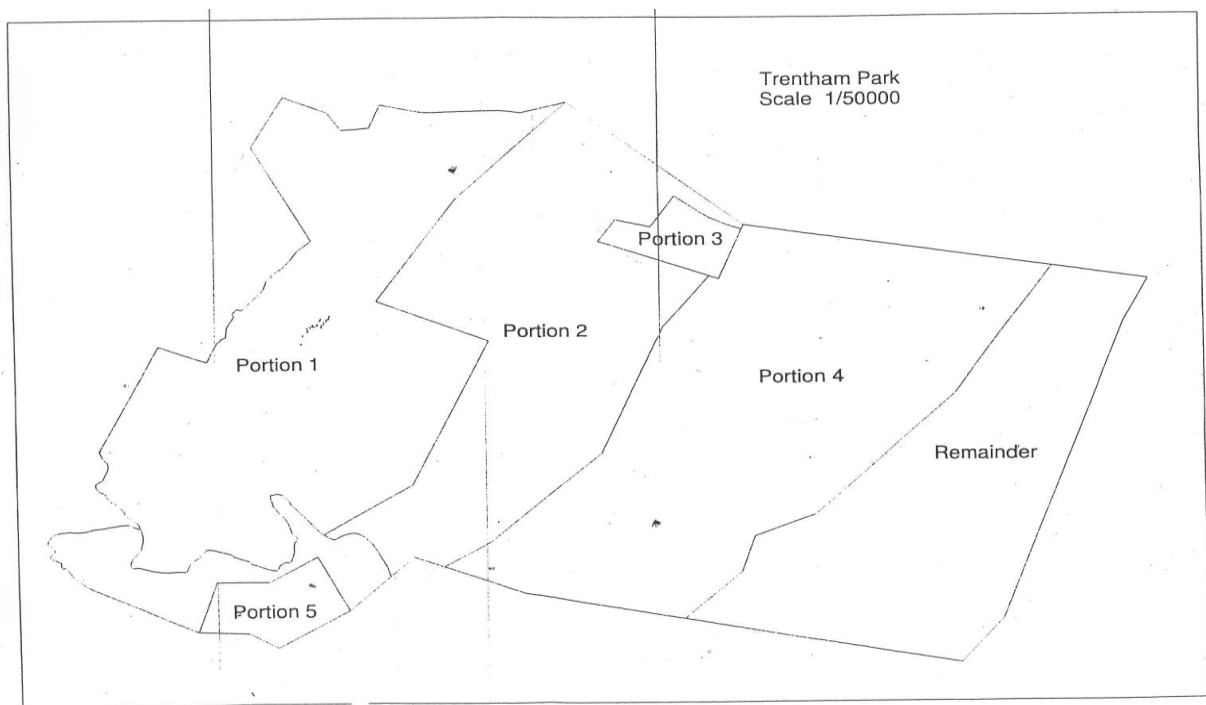
6.4 TRENTHAM PARK FARM

In early 2003, Mr G Long, a farmer at Trentham Park Farm in Manley Flats (about fifteen kilometres outside Grahamstown and off the main road to the coastal town of Port Alfred) approached the East Cape Agricultural Research Project (ECARP), a local NGO, with the prospect of selling his farm. The farm size is in excess of 2,500 hectares and was being used by Mr Long for extensive beef cattle grazing. It consisted of four separate farming units (or separate properties as per the title deeds) which had been purchased and consolidated by Mr Long into one farming or business operation. Each property though still retained all necessary agricultural infrastructures so that each unit was potentially viable as a distinct farming operation run separately from the others. Due to the sheer cost of land acquisition (for 2,500 hectares) at market prices and because of the significant scale of the farming operation, it was unfeasible and impractical for one group of potential beneficiaries to purchase the entire farm as it currently existed through the prevailing programme of LRAD. ECARP therefore, in consultation with the Port Elizabeth Land Reform office and the local office of the Department of Agriculture, devised a proposal for the subdivision of Trentham Park into four economically-viable land parcels along the lines of the original four farms subsequently consolidated by the white farmer.

The proposal was that Trentham Park Farm would be disposed of by means of LRAD grant funding to 136 beneficiaries comprising four distinct groups. Considering the

implications that often arise from land redistribution for farm workers and dwellers on farms to be redistributed, the proposal focused on these groups. Thus the proposal served to address the unique land needs of evicted and/or unemployed farm workers (and dwellers) who would otherwise leave the redistributed farm and move to Rini Township in Grahamstown due to the prospects of employment and the availability of commonage land there (as at times farm workers may be allowed to retain some livestock on white-owned farms).

Map 6.2: Trentham Park Farm



Source: Eastern Cape Research Project (ECARP).

Group composition was not formulated to cover the purchase price of the farm but to accommodate existing members of established groups. This means that the number of individuals in each CPA was decided in terms of the number of people already working on the farm. No external people who had never worked on the farm were brought in to increase the number of applicants, and thereby increase the amount of money to be received through the grant. All the applicants for land under this LRAD project, as mentioned in the proposal (which formed the basis for the actual application), were farm workers with hands-on knowledge and experience of farming (as agricultural labourers) but without more sophisticated farming skills as required in commercial agriculture. They thus did not have

capital, skills or assets to commit to capital-intensive farming operations and would have had to rely on small-scale agricultural production to support themselves and their families. Their proposal entailed first and foremost a food safety net project which had been formulated according to their needs, levels of skill and financial resources.

The households were to be divided into four CPAs based on the four subdivided farmlands: Masimbabane which has ten families (33 individuals); Masizakhe which has ten families (40 individuals); Kamvalethu with ten families (36 individuals) and Mlanjeni with eight families (27 individuals) (See Map 6.2). But only the applicants working and staying on Trentham Farm would remain on the farm after redistribution. Others, who worked on the land but lived in off-farm settlements, would commute to the property for farming purposes. Trentham Park Farm had 120 hectares of arable land; 180 hectares of sweet veld grazing; and 2,408 hectares of mountainous sour veldt vegetation. It was proposed that each household in each of the four groups would have access to individual arable plots and communally-managed grazing land. The specific size of arable land granted to any household would be determined by the number of applicants within the household. Each CPA would manage and use a communal piece of grazing land determined by their group size and land needs. Each household would be represented on the respective CPA committee and the chairpersonship would rotate amongst committee members on a monthly basis.

On 9 July 2003, the proposal received in principle approval at district municipal level (the Cacadu District Municipality) by the Cacadu Land Information Screening Committee and R20,000 was approved for the appointment of a land surveyor through the Surveyor Generals Office in Cape Town. The land surveyor was tasked with drafting a sub-division proposal. According to the surveyor, the farm had to be formally consolidated into one unit (with one title deed) before the sub-division proposal could be implemented. The seller however was only willing to allow this process to be initiated and undertaken once the deed of sale was signed. And the deed of sale could only be finalised once the then Department of Land Affairs approved funding to purchase the property. The Department of Land Affairs would be responsible for the sub-division costs as this land division was required in order to meet the ends of the project proposal. Although presented as one application, if and when approved, the land would be transferred and registered in the names of four separate Communal Property Associations, and hence sub-division was critical.

An independent valuator undertook a market valuation of the farm in August 2003 and reported it to be worth R2,500,000 at current market prices. Divided according to the four units, Masibambane was valued at R608,014, Masizakhe was valued at R725,438, Kamvalethu at R658,223 and Mlanjeni at R508,326. These amounts would be paid for through a contribution of R20,000 from each applicant once the approval of the LRAD grant was finalised. The entire farm would be registered provisionally in the name of the Trentham Park Provisional CPA which was formed in June 2004; once subdivision took place, the four CPAs would be formed. This arrangement would secure the purchase of the property while allowing the beneficiaries access to the land while the sub-division plan was being implemented. Also, the Department of Agriculture would be able to commence the provision of infrastructure required by the four CPAs. Below I focus specifically on one of the four farm units, namely, Masizakhe.

6.5 MASIZAKHE FARMERS

This section examines Masizakhe farmers and their CPA in relation to receiving the farm unit and obtaining support from government offices. This CPA was formed and registered on the 30 August 2006. As indicated earlier, it had 40 beneficiaries from 10 households. Eight of the ten households were formerly employed by the seller (Mr Long) and had permanent accommodation on the portion of Trentham Park Farm that they are proposing to purchase. The other two households resided in Grahamstown but worked on the farm through commuting. In terms of gender, there were nineteen females and twenty one males. None of the beneficiaries had been recipients of a SLAG grant.

The Masizakhe CPA formulated short-term goals to be achieved in 1-2 years and long-term goals to be achieved in 5-10 years. Their short-term goals (which seemed quite ambitious) were to acquire and secure land ownership mainly for agricultural production and long-term livelihood security, to eliminate unemployment and improve the standard of living of the households, to alleviate poverty and enhance food security through the best use of sustainable agro-ecological farming methods, and to earn a reasonable net income from available resources through selecting enterprises with highest gross margin per unit of land. The long-term objectives were to maximize profit from livestock and crop enterprises, to improve the status of the farm business and maximize net farm income through alternative uses of available resources in order to ensure long-term and sustained productivity, and to

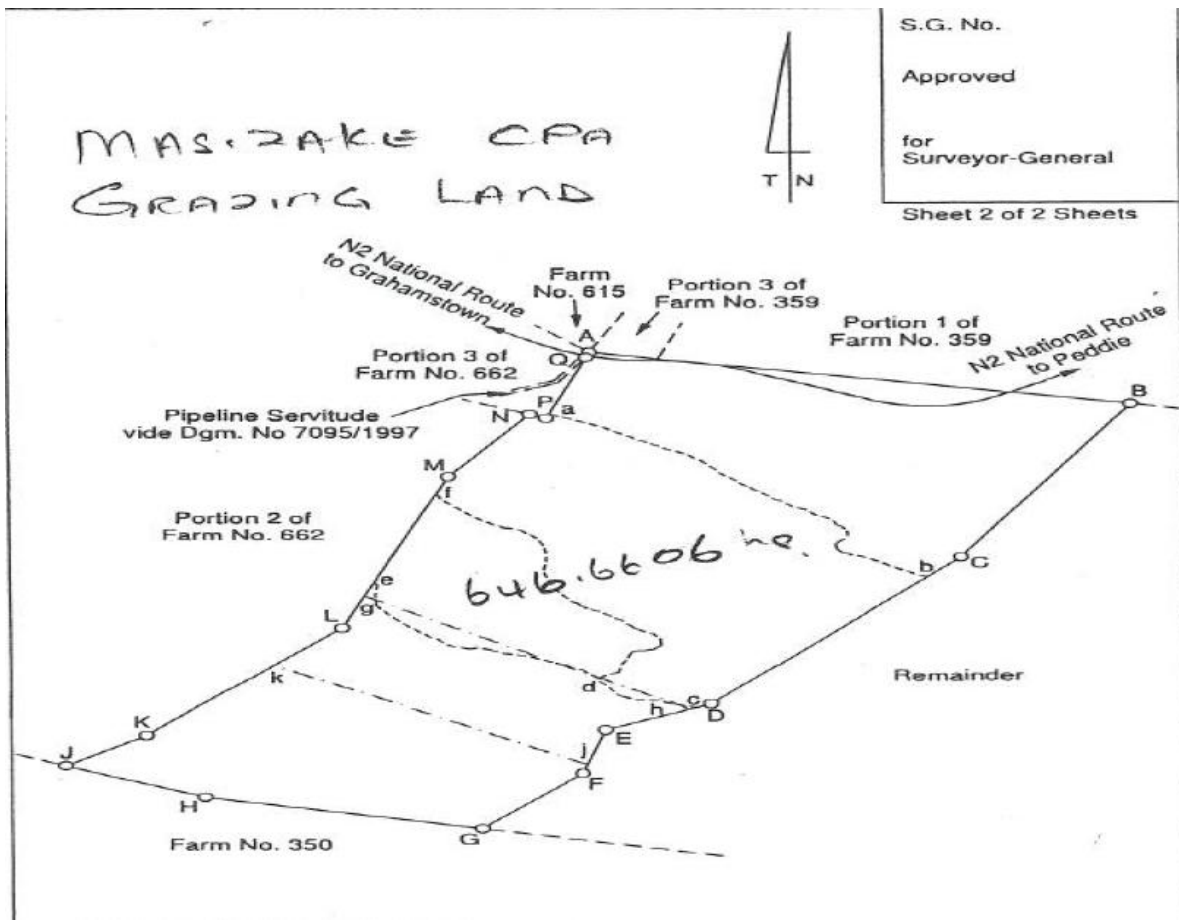
develop the land into a commercially-viable and sustainable farming unit that would ensure food production for both subsistence and for market sales.

The Masizakhe Farmers CPA purchased portions 4 and 5 of Trentham Park. The total area allocated was 692.1782 hectares and this comprised of 45.5169 hectares of arable land and 646.6606 hectares of grazing land (including 52.94 hectares of sweet veld and 593.7206 hectares of sour veld). The soils on the portions acquired are deep cultivated red clay-loam soils which need special cultivation through animal draft power; this is necessary in order to protect the parent material of the soil from being damaged by machinery-based cultivation. Each individual household was allocated a 1.1029 hectare piece of arable land sufficient to produce vegetables for household consumption and/or to engage in farm chicken and pig projects. On this same piece of land, the beneficiary household would erect its homestead as well as poultry and pig sheds if necessary.

Presently fifteen farmers from four households, who have always worked and lived on the farm, stay at Masizakhe and use the land for farming purposes while the rest of the households live in Grahamstown and commute to the farm. Five households out of the households based in Grahamstown have erected temporary mud structures on the farm but only two households stay in their mud houses. This has resulted in the Grahamstown households being less involved in the farming with some being completely uninvolved due to a variety of reasons such as lack of interest, transport, time and resources.

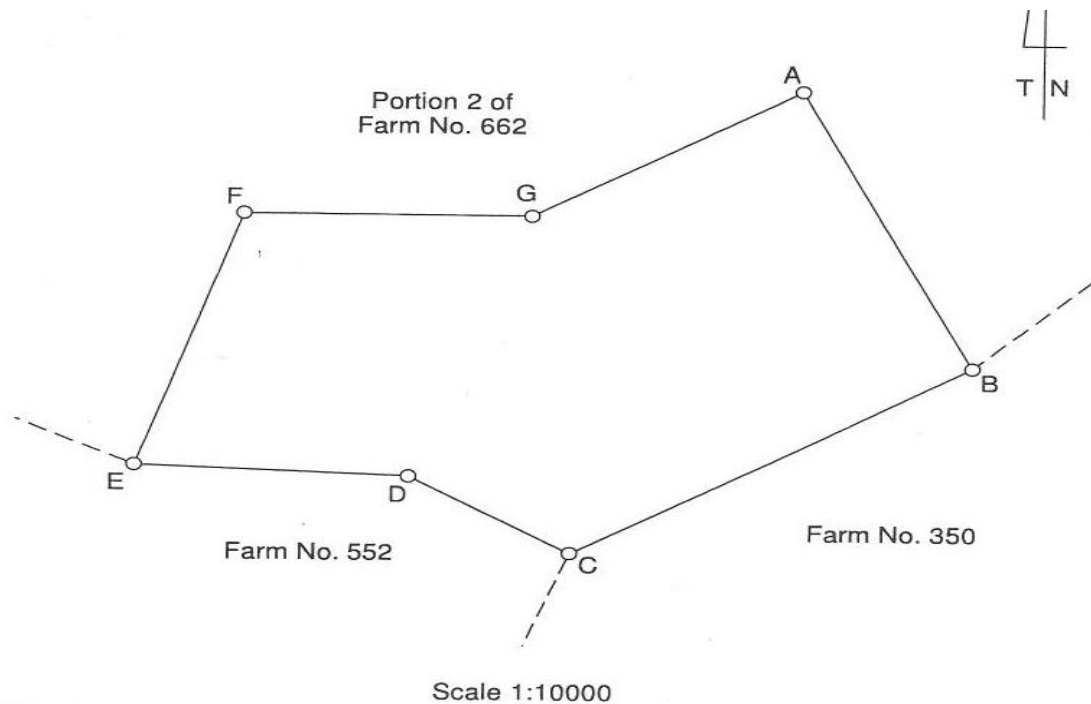
The Masizakhe farmers are supplied with water pumped from one solar pump which is serviced by an Eskom power point. It has the capacity to deliver 3,000 litres per day. It pumps water to two 500 litre water tanks and supplies water for domestic use. The Blaauw Krans and Middle Poplar rivers run along the northern section of Portion 5 (see Map 6.4) although these are not suitable for human consumption. Portion 4 (see Map 6.3) is provided with water by numerous fountains and streams which have proven to supply water even in times of drought. There is also a fixed or immovable irrigation system. The members of Masizakhe farmers CPA share certain infrastructure with Masibambane and Mlanjeni Farmers CPAs in terms of an agreement negotiated by ECARP. They are currently sharing the main farmhouse that was vandalized before the transfer and needs renovation. The Masizakhe farmers share the dipping and livestock facilities with Kamvalethu CPA as these are closer than other facilities on the other units.

Map 6.3: Portion 4 of Trentham Park



Source: ECARP Files.

Map 6.4: Portion 5 of Trentham Park



Source: ECARP files.

In their proposed land use, the Masizakhe group intended to farm cattle, goats, maize and vegetables on a food-safety net basis and to hopefully even initiate cattle, goat and maize farming on a communal basis. The CPA planned to keep a herd of good quality Nguni cattle. Any remaining funds would be used to purchase one bull and 40 breeding cows (one per beneficiary). If necessary, weaners would be sold to prevent overgrazing, as the carrying capacity of the property was 200 livestock units. The group planned to auction cattle at abattoirs in Port Elizabeth and to sell to the local community as well. In relation to goats, a flock of 250-280 Boer goats would be kept on the identified communal grazing land on portion 5. It was expected that there would be a ready market for goats in the Makana/Ndlambe area where goats hold traditional value for local communities. The CPA has been advised to purchase five rams and three ewe lambs per individual beneficiary to establish the initial herd. They planned to produce yellow maize for household consumption, to feed their domestic stock (and fowls) and for informal sales locally. The CPA planned to engage in communal farming on large tracts of land on the portion while they engaged in individual farming on smaller personal pieces of land. It was estimated that 4 tons of maize per hectare could be realised due to the presence on the farm of irrigation equipment. As a

means of supplementary income, families would generate income through the cutting and selling of black wattle which exists in abundance on the farm. Wattle is used to manufacture brooms, baskets and floor mats. However, to date, the targets discussed in the proposal have not been achieved due to reasons discussed below.

Currently, Masizakhe members are engaging in a holistic integrated farming approach whereby they farm with different varieties of vegetables, field crops as well as livestock in the form of cattle, goats and chickens. The livestock is fed entirely on a free range system. They engage in low-cost organic farming techniques which utilize natural resources available on the farm, thereby seeking to sustain soil fertility and good quality yields. Organic fertilizers are used to increase the organic matter in the soil, and they practice inter-cropping, crop rotation and the planting of leguminous crops (which supply the soil with nitrogen). They sell their crop produce to neighbouring farms, Grahamstown, pension points (where grant system recipients receive their pensions) and along the N2 highway which bypasses Grahamstown. The livestock is sold in rural areas in Peddie (in the former Ciskei) and in the Grahamstown black township of Rini. Farmers expressed their wish to farm sweet potatoes (on between 0.2-0.5 hectares). Sweet potatoes grow well in the dry warm climatic conditions and they maintain long-term fertility and biological activities of the soil. They also wished to plant herbs (0.2 hectares) on a small-scale basis such as coriander, rocket, parsley and sweet basil as there is a regular outlet for these herbs in Grahamstown.

As part of the process of receiving the LRAD grant and acquiring the land, Masizakhe farmers submitted a business plan based on the resources and skills-set at their disposal, and this had been approved. Given that members of the Masizakhe CPA in the main had previously worked there as farm workers, experience in crop and cattle farming and knowledge of the farming area was not in short supply. However, since 2003, only minimal progress has been made in terms of achieving the short-term and long-term goals originally set by the CPA. And other challenges have also emerged. Discussions with four members of the Masizakhe CPA revealed a number of relevant themes pertinent to land redistribution at Masizakhe.

All four of these members of the Masizakhe CPA were familiar with farming as they were previously farm workers before applying for land. Two members of the CPA grew up on the farms across the road from Trentham Park where they learned how to farm. As one member stated, *“I decided I wanted to have my own land because we had been working for a*

white man. Since we got the skills we decided to apply". When asked how they learned about the land redistribution programme, they said they "*heard from the radio*" and thereafter received further information during meetings at the Grahamstown town hall to which government officials invited people who wanted to apply for land. They were assisted with the transfer process in large part by ECARP which was involved throughout the process, from the actual preparing the actual application form through to facilitation of funds to the beneficiaries.

Clearly, ECARP as an NGO played a critical role in ensuring the transfer of Trentham Park Farm to land redistribution beneficiaries. In fact, it is highly unlikely that the transfer would have taken place without the active and ongoing work by ECARP. In this regard, ECARP complemented the work of local state structures and, in fact, felt it necessary to engage with the process because of state incapacities within the Makana area. The effectiveness of state decentralisation in initiating land redistribution projects was shown wanting in the case of Trentham Park but, at the same time, if decentralisation arrangements had not already been put in place then quite likely ECARP would have been marginalised from the process altogether.

The Masizakhe CPA, as indicated, received a portion of Trentham Park. The CPA members, although grateful for receiving land, were clearly struggling with farming and their actual agricultural production falls far short of the short- and long-term goals. Besides ECARP, which continues to assist the farmers, the following state institutions are expected to assist the Masizakhe farmers as implementing agents: DRDLR (Dept. of Rural Development and Land Reform), the Department of Agriculture and Makana Municipality. But they claimed that post-settlement assistance from the state had been exceedingly limited and it was granted only after a long period involving complicated application processes, and consultation and negotiation. For instance, they only had one tractor and this tractor served the entire farm, and hence was used by all four CPAs. At the beginning of agricultural operations, they had in fact to hire a tractor from a place called Wesley in Peddie District. Much of the infrastructure on the farm existed at the time of resettlement (including an old house, a dam and the road network), and none of this has been maintained or repaired subsequently yet the infrastructure needs urgent servicing. There also is no easy access to clean drinking water and now no electricity on the farm. The pump at the local dam was used previously to supply water for the crops but, because of the absence of electricity, which has

been disconnected due to damaged poles and cables, it is no longer used. The farmers therefore have to rely on – often erratic – rainfall to water their crops. This has led to agricultural seasons during which crop yields are adversely affected because of moisture stress.

According to CPA members, the overall involvement of government in the farming activities at Masizakhe is severely wanting. CPA members therefore said that government officials hardly had been involved in supporting farming operations since the beneficiaries received the land. The Masizakhe CPA therefore reported that the land redistribution process had been very difficult due to lack of government support. They had reached out to various state departments for assistance with infrastructural and financial assistance yet feedback has been relatively non-existent. Assistance, as mentioned, did come in the form of a tractor after subjecting government to considerable pressure. Land Reform officials, they claimed, last visited the farm during the 2008/2009 agricultural season: *“We invited the Minister of Land Affairs and we met because he doesn’t live too far”*. But no formal visits of any substance have been made since: *“They only come, take pictures, write notes and then leave.”*

The Agricultural Officer of the Makana Municipality (see discussion of institutional arrangement below) tends to provide a contrasting picture of the beneficiary-state interface, though not in specific relation to Masizakhe. She claims that farm beneficiaries, based on her experience, are very diverse in the expectations they place on the state in providing assistance. On the one hand, she spoke of many land redistribution beneficiaries who work very hard with the little resources they have in trying to improve their livelihoods. She said *“even when the government doesn’t have money, they [the farmers] still manage to farm something, even if it’s a little bit... Some of the beneficiaries under the CPAs have put their resources together to improve roads and infrastructure on their farms, although it is not a substantial improvement since they are poor, it is something”*.

On the other hand, and this seems to be the dominant trend from her perspective, she spoke of land beneficiaries in Makana who are *“politically minded”*: *“They demand a lot from the government... They depend on the municipality for everything, they want the tractors, the diesel and money for repairs. We are not a farming institution but people come in demanding things forgetting that we are only meant to facilitate.”* She also added that *“sometimes the people don’t want to involve themselves in the meetings and discussions. They just want to see things already there. Most of them [beneficiaries] do not care about more important*

things such as where they can get training... rather they sit at home and wait.” Effectively, she is arguing that redistribution beneficiaries quite often place unrealistic demands on the municipality and (in doing so) they fail to understand the proper role of the municipality in the redistribution process. As the Agricultural officer said, *“when you are a farmer, you have to draw the line somewhere...If you are selling your livestock, or farming, you should be able to buy a tractor or second hand fridge, or improve infrastructure on your farm. We [the municipality] should only assist with things that are too much for them to do.”* In the end, the form and extent of municipal involvement – of course within a certain boundary of possibility – in land redistribution projects is negotiated at farm/municipal level.

It seems that Makana municipality, from the perspective specifically of Masizakhe farmers, is not particularly active vis-à-vis the farm project. When asked about basic service delivery for Trentham Park, the Masizakhe farmers indicated that they had approached the local municipality concerning the installation of electricity, providing water and fixing the roads but they were told that government did not provide such services as Trentham Park is considered as private land (owned now under the redistribution programme by the CPAs). In other words, municipal responsibility ends at the entrance to the farm and service problems internal to farm boundaries are the responsibility of the owner and at the cost to the owner. ECARP’s intervention in trying to secure municipal services proved futile. In bringing to the fore the significance of post-settlement support in relation to infrastructure and direct agricultural operations, the CPA members stress that *“if we were given the land with equipment and services, we would be far by now”*; in other words, agricultural production would have at least taken off. In this regard, the key issue appears to pertain to the pump. They reported that *“government still does nothing to help. Even though the farmers plough the land, the harvest dies because we don’t have the implements to help the crop. There is enough water in the dam but we don’t have a pump. We need a diesel pump so that we can help our crops”*.

Masizakhe CPA members emphasised that attempts on many occasions to approach the Department of Agriculture land officer, to receive proper agricultural support by the state, have proven to be absolutely of no value: *“The agriculture officer takes one person out of the CPA group and has a closed discussion and ... [the CPA members] then end up getting split into two groups”*. The interviewed CPA members believe that the reason for this tactic by the officer lies behind the fact that some members of the CPA live in the township in

Grahamstown while other members (the ones interviewed) live on the farm: *“The people in the township have their own businesses such as taxis so they have different needs to those on the farms so this causes the needs of the farm dwellers [those living at Masizakhe] not to be addressed.”* The overarching effect of this trend is a growing division (those who live in town and those who live on the farm) within the CPA fuelled by the agricultural officer’s tendency of meeting with individual members of the CPA who represent different interests within it. Important needs and concerns are therefore not addressed because of this. In terms of enhancing agricultural productivity at Masizakhe, local municipal government officials have encouraged Masizakhe CPA members to arrange for mentors. Mentoring arrangements are now incorporated into the land redistribution programme, with specific reference to white mentors. The Masizakhe CPA though objects to the mentoring programme. They highlight that

Other CPAs have a white man [mentor] working with them and the government supports them with equipment. Government tells us to get a mentor but we refuse because we have our own skills and brains. With the other CPAs, they used to work for him on his land and now they are in a partnership. The problem is that the white man is fully in charge and the farmers are just working. He does all the planning and tells them what to do while he’s sitting. They even call him baas.

From the perspective of the Masizakhe CPA, the mentoring arrangement equates ‘whiteness’ with ‘efficiency’ and has racist connotations. In this way, state centralisation may simply be replaced by a hierarchal arrangement between the white mentor and the redistribution farmers in which the former makes the decisions and the latter execute the decisions. Given their history as labourers on a white farm, Masizakhe farmers are particularly sensitive to the problems emanating from this.

Like other local municipalities in South Africa, Makana Municipality has a Local Economic Development (LED) programme committed to co-ordinating all existing resources of government, business, civil society and communities in striving for the development of the local Makana economy. The LED is mandated according to the Integrated Development Plans (IDP) of the Makana Municipality. The LED department at Makana attends IDP and district municipality meetings and seminars with other LED departments from neighbouring local municipalities. These are usually held in Port Elizabeth where they discuss project support mechanisms, set targets and discuss the means to achieve targets. The Makana

Municipality LED department plays a major role in formulating the IDPs for the municipality. Agricultural development, in the case of Makana, is reasonably significant given that the municipality incorporates diverse rural spaces. For this reason, there is an agricultural officer within the municipality who is expected to spearhead LED with regard to agriculture, and who is supposed to be sensitive to the linkages between land redistribution and state decentralisation (down to local municipal level).

The Agricultural officer at Makana notes that land reform forms a noticeable part of the municipal budget and thus, by necessity, it has to coordinate its redistribution activities with other state spheres or tiers. She argues however that the municipality, despite decentralisation, does not spearhead redistribution and that the municipality simply acts a junior state department in this regard: *“We cannot commit to being in full control of the process because we are not the ones who are supposed to be providing [land]; we supply assistance where we can and help to facilitate.”*. She emphasises that the municipality’s key function is that of facilitation: *“The main duties of our office is to facilitate”*. By facilitation, she refers specifically to assisting potential farmers with applying for land. Her office acquires the forms from the Department of Agriculture based in Port Elizabeth and distributes them to potential applicants; they then sit with the applicants and assist them in filling out the application forms. In this respect, she states that *“the LED office holds working sessions in September and October where people are given information on how to apply for land and how to fill in the application forms”*. The Agricultural Officer highlights that it takes time for applications for redistribution to be completed and approved so her office also acts as a go-between, keeping the applicants updated on the status of their applications. She is also responsible for attending district municipal level meetings where she has to motivate why certain redistribution projects should be supported. In the case of Masizakhe, though, ECARP effectively replaced the Makana municipality in driving the application process.

With regard to farm beneficiaries and budgetary allocations for redistribution, the Makana Municipality under the LED office performs the role of assisting farmers post-settlement but within the context of budgetary constraints. The Agricultural Officer stated that

We make sure that they [farmers] don’t just get land without support. Sometimes the municipality receives money from the government and it uses this money to help the farmers... Some farm owners, who sell their land, especially those who sold to the

LRAD programme, usually sell the land without infrastructure or equipment on the land... and programmes end up not being viable.

The absence of necessary infrastructure on former commercial farms, particularly given that they were never designed for small-scale farming in the first place, means that the municipality's efforts in providing post-settlement support does not go very far. Certainly, this is the ongoing experience of farmers at Masizakhe. Indeed, the assistance provided by the municipality seems very minimalist. For instance, the LED office sends groups of about 8-10 beneficiaries to the Eastern Cape Development Corporation for skills development; but this did not happen with regard to Masizakhe, with ECARP rather providing a range of training and skills. The Makana Municipality sees the Department of Agriculture at provincial level as primarily responsible for post-settlement support.

In this respect, relations between the Makana Municipality and other spheres of government with respect to land redistribution are problematic. This is of great significance, given that the prevailing literature indicates that land redistribution around the country has been hampered due to an unclear division of duties and responsibilities between various state levels and state departments, leading to problems of coordination and confusion to the detriment of land beneficiaries. As indicated by the municipal agricultural officer,

In some cases, some people do not deal with the municipality but go straight to the Department of Land Affairs. However, in cases where beneficiaries deal with the LED office, the LED office often experiences challenges when dealing with other departments in order to implement the programme. Communication channels are usually difficult and requests for assistance usually take a long time to be addressed due to lengthy bureaucratic procedures.

One example given by the LED agricultural officer (though not related only to re-distributed farms) is that of the road system and marketing crops; this provides a sense of the more general problem.

The LED office has requested that the Department of Roads repair farm roads to allow farmers to transport their crops more readily, but the Department of Roads either takes an unacceptably long time to do so or refuses outright to do so. Again, the argument raised is that of private property: the gravel or dirt roads on farms or off the main public road and highway system and are not meant to be serviced by the Department of Roads. Likewise, the agricultural officer claims that sometimes the LED approaches the Department of

Infrastructure Development to request repairs to infrastructure on farms (such as dams) but this request is more often than not simply ignored. In this sense, the Makana Municipality argues that decentralisation is not necessarily to the advantage of redistributed farm beneficiaries, as even the municipality as the local development agents finds its hands tied so to speak.

6.6 CONCLUSION

The Eastern Cape is deemed to have high agriculture potential yet this region, with the highest incidence of poverty, has witnessed low production levels amongst small-scale farmers coupled with commercial farmers moving away from crop production to game farming. Where settlement has taken place through one of the three redistribution programmes, farms and farming projects have at times collapsed due to a variety of reasons including mismanagement, absence of resources and inadequate post-settlement support.

The fieldwork for this study focused on the Masizakhe CPA which owns two of the five sub-sections on Trentham farm, located 15km from Grahamstown in Manley Flats. Officially formed in August 2006 under the LRAD programme, the Masizakhe CPA has experienced similar problems to other redistributed farms in terms of post-settlement agricultural practice and livelihoods. Although they had many and indeed ambitious plans and projects set out in their proposal for land, they have witnessed setbacks, challenges and barriers for a variety of reasons such as lack of support, equipment, financial resources and training along with some degree of internal strife.

In examining the lives and livelihoods of the Masizakhe farmers, this chapter raised themes directly pertinent to the main thrust of the thesis, namely, state decentralisation and land redistribution. In so doing, I brought to the fore a number of key issues, notably dependency of farmers on government, the lack of progressive intra-governmental relations, budget constraints and the limited capacity of the different tiers of the state in facilitating meaningful land redistribution and resettlement. The purpose of the concluding chapter of the thesis is to revisit such themes and to frame them within the broader debates about land redistribution and state decentralisation as presented in the preceding chapters.

CHAPTER SEVEN:

CONCLUSION

7.1 INTRODUCTION

The thesis sought to understand the relationship between state decentralization and land redistribution in South Africa and illustrated the on-the-ground realities of this relationship by reference to Masizakhe CPA in the Eastern Cape. It did so in the context of broader debates globally about state decentralisation and land redistribution and the interconnections between these two processes. Both state decentralisation and land redistribution take on different forms and they have been implemented to different degrees, and often unevenly. But certainly, over the past two or three decades (and this incorporates the post-apartheid period) there has been a predominance of neo-liberal discourse and restructuring with regard to both decentralisation and redistribution. Despite the neo-liberal thrust of decentralisation and redistribution, in the case of South Africa, these dual processes have been conceptualised by the post-apartheid state as fundamental to democratising state and society and therefore to democratising the previously racialised state and nation. At the same time, state decentralisation and land redistribution are fraught with difficulties and challenges such that the realities on the ground are often far removed from state intention, discourse and policy. In this concluding chapter, I first summarise key themes pertinent to decentralisation and redistribution before providing an overall synthesis of the thesis.

7.2 DECENTRALIZATION

Decentralization has been marked by a vast array of challenges and barriers across the international spectrum. Given the diverse histories, cultures and politico-administrative systems in each country, decentralization has been applied in a way that seeks to accommodate the specificities of each and every nation-state. Certainly, some nations have been more successful than others in ensuring genuine decentralisation involving the deepening of democratic processes to local levels and at the same facilitating administrative and logistical efficiencies for purposes of socio-economic development. In the case of Africa, the prevailing literature – though at times it seems to be Euro-centric – rightly speaks about

decentralisation in a critical manner, including making reference to systemic corruption and elite capture, political strife and instability, ongoing poverty and inequalities, and the absence of resources (notably financial) and expertise at lower state tiers (or spheres). Often local state structures are burdened with responsibilities but they have an insufficient resource base to carry out their delegated functions, or sometimes the central state becomes tentative about delegating functions in an attempt to retain a key grip on state powers (or even centralises power in the national state executive while decentralising certain functions to sub-national state units). Invariably, built into processes of state decentralisation, are power struggles between and within state spheres and the outcome of these struggles fundamentally impacts on the form of decentralisation taking place.

Even before the end of apartheid, in the transition period from 1990 to 1994, state restructuring was hotly debated in policy circles in South Africa. The new post-apartheid state had to fundamentally reform the racial-apartheid state so that it would not remain intact and act as a barrier to social transformation while, simultaneously, it had to undo the legacy of racially-based local authorities to make them inclusive of the black population. This was being thought about, conceptualised, proposed and implemented under the influence of neo-liberal restructuring globally and pressures on the post-apartheid state to align itself with neo-liberalisation. State decentralisation along non-racial lines, as part of broader state restructuring, took place in this heated context. The decentralisation which occurred defined the structure, capacity, jurisdictions, powers and responsibilities of each level (or sphere) of government, as well as the relationships between government tiers, from national to local municipality level. Although arguably implemented successfully (at least comparatively), the South African decentralized state system continues to face problems. These include local municipality problems in relation to service delivery and participatory democracy (manifested in 'service delivery' protests) and issues related to confusion, cooperation and coordination between state bodies within the same state tier and between tiers. These challenges invariably animate in some way the land redistribution process in South Africa and failures of it.

7.3 LAND REDISTRIBUTION

Land reform of different kinds has been pursued with different levels of vigour in post-colonial societies as land was a critical issue during anti-colonial struggles. Land

redistribution in particular, as a type of land reform, has been a major political, economic and social issue around the globe for decades. This is because of massive imbalances in terms of land ownership, control, possession, access and usage. These land imbalances arose under colonial capitalism and processes of accumulation through dispossession, and they often took on an ethnic or racial character. Such dispossession was particularly prevalent in settler colonies in Africa and elsewhere, including (in the case of Africa) Zimbabwe, Namibia and South Africa. Programmes of land redistribution currently are heavily influenced by neo-liberal methodologies, though in the past there have been examples of compulsory acquisition and Zimbabwe is a current example of this under fast track reform. Market-led land redistribution has been heavily criticised for its failure to bring about fundamental restructuring of agrarian relations such that compulsory acquisition of a selective kind is often available to (and sometimes used by) post-colonial states. At the same time, and irrespective of the method of acquiring land for redistribution, post-settlement support for land beneficiaries has been found wanting in many instances.

Though the struggle against apartheid was in large part an urban-based struggle, the South African countryside at the end of apartheid had all the typical features of a colonial settler society. There were vast tracts of white commercial agricultural land (heavily supported and subsidised historically by the racialised state) while the rural home of the black population was relegated to small reserves or homelands eventually divided on an ethnic basis. This entailed massive land dispossession with the emergence of South African capitalism (dating back centuries) and the converting of black peasant farmers into a cheap black labour force to serve the white economy. In addition to seeking to address land tenure reform and restitution claims, the post-apartheid state has tried to overcome the large-scale land imbalances through land redistribution. Land redistribution has been formalised through the constitution and policy initiatives and has become embedded in a number of specific programmes over the years, namely, in order of emergence, SLAG, LRAD and PLAS. In relying exclusively on market-led land redistribution, the state has constantly fallen behind its own limited targets and it has increasingly shifted to a more productivist conception of land redistribution with an emphasis on productivity, efficiency, competition and profitability. Even the state itself has admitted significant failures with regard to redistribution, including the incapacity of land beneficiaries to become productive agriculturally.

Of critical significance to the land redistribution process has been the roles and functions of different spheres of government, particularly in relation to post-settlement support on redistributed farms. It is in this regard that the relationship between state decentralisation and land redistribution becomes especially relevant. Though significant decentralisation has been integrated into processes of land redistribution, this decentralisation has often hampered state capacity and coordination in pursuing specific land redistribution projects to their logical conclusion. For instance, there are problems of building cooperation and mutual assistance between land and agricultural ministries/departments within the South African state, and there is marked un-clarity and inefficiencies with respect to the functions of local municipalities vis-à-vis redistributed farms. These problems became apparent in the study of Masizakhe.

7.4 SYNTHESIS

Given that state decentralization and land redistribution are inherently linked (at least in the case of post-apartheid South Africa), the thesis focused on the impact that government decentralization has on the land redistribution process in South Africa. Based on the premise that decentralization makes the state more accessible, responsive, efficient and democratic, and thus more in touch with local communities, I sought to examine this claim with specific relation to land redistribution in the case of the Masizakhe CPA in the Eastern Cape. I examined the entire process of this land redistribution project, from the point of application for the farm (Trentham farm or part thereof) to the land transfer to present-day post-settlement support. I make no claim that Masizakhe is in any way representative of LRAD projects specifically or land reform programmes broadly either in the Eastern Cape or South Africa as a whole. The case of Masizakhe is used rather to illustrate the intertwined processes of state decentralisation and land redistribution; in other words, it is used to ‘represent’ (and bring to the fore) these intertwined processes in order to deepen our understanding of these processes under concrete conditions. But how these processes work themselves out is contingent ultimately on the specificities of each land redistribution project.

The study of Masizakhe is revealing with regard to state decentralisation and land redistribution. The following points are particularly poignant. First of all, from the perspective of the new farmers at Masizakhe, there was a lack of concerted involvement by the local municipality and agricultural offices post-settlement. Once they had successfully

acquired the land, with the help primarily of an NGO (ECARP) and not the state, they felt stranded and abandoned with limited access to financial or other resources. They pointed to debilitated farm houses, electric poles and roads as problems which impacted deeply on their daily existence on the farm, and they received no state support in overcoming these challenges. They emphasised the fact that they had approached local and provincial government countless times in a bid to secure direct agricultural assistance (including with regard to agricultural inputs and training) but this was to no avail. Again, ECARP tried to step in where the state would or could not. Generally speaking, then the state was conspicuous by its absence.

Secondly, though, these state deficiencies should not be surprising. Three points here are worth considering: jurisdiction, incapacity and inefficiency. With regard to jurisdiction, redistributed land under the LRAD redistribution programme is not state land; LRAD converts white-owned freehold title to CPA-owned land, with the state simply facilitating the purchase and transfer of the land. The local municipality therefore acts in relation to SLAG land like it does any other privately-held land in that service delivery stops at the gate or entrance to the farm property. If it was deemed state land, the situation may be vastly different. With respect to incapacity, the local (Makana) municipality – in terms of its role as a development agent as articulated in its IDPs – does have a function to perform with regard to agricultural support for LRAD beneficiaries like Masizakhe. But the municipality can only act according to the resources at its disposal and municipal incapacity (lack of funding and other resources) inhibits the municipality in providing such support to Masizakhe. Municipal efforts to assist Masizakhe and other farmers involved scrapping together resources from ‘here and there’ in an almost hit-and-miss endeavour. Thus there is unevenness between the decentralisation of responsibilities around land redistribution to local state level and the financial capacities of local municipalities in undertaking such responsibilities.

Lastly, the question of bureaucratic inefficiencies comes into play, particularly relations between state spheres. Bureaucratic protocols and processes slowed down the application process and land transfer at Masizakhe but, more importantly, there is an array of state bodies involved in post-settlement support and this at times is marked by confusion over roles. In the case of the Masizakhe CPA, most of their requests for assistance have had to be channelled to different ministries (such as those dealing with housing or water) and, in the case of direct agricultural support and assistance, un-clarity rightly exists amongst the

Masizakhe farmers with respect to the respective functions of the agricultural office within the Makana Municipality and the agricultural office that exists at provincial level. The Masizakhe farmers, because of this, feel that they are caught up in bureaucratic overkill or a bureaucratic maze. However, the Makana Municipality claims that new farmers are over-reliant on the state by refusing to stand on their own feet (leading to a culture of dependency), and are placing demands on the state which go far beyond the prescribed mandates of the state.

Hence, state decentralisation with regard to the land redistribution project at Masizakhe has been problematic and Masizakhe, without doubt, can be considered as one of the many failed land redistribution projects nationally. This is not a critique of decentralisation *per se* but rather involves specific criticisms about the particular form which state decentralisation has taken in post-apartheid South Africa, at least in relation to how decentralisation has played itself out with specific reference to Masizakhe. State decentralisation is in fact critical to successful land redistribution but the state continues to frame land redistribution in terms of a broad macro-economic strategy with a pronounced neo-liberal trajectory. Despite public conflict between white agriculture and the post-apartheid state over specific issues, the state continues to work quite closely with white agriculture and is unwilling to sacrifice commercial agriculture on the altar of historical redress. In this sense, land (and agriculture) remains highly centralised with small-scale farmers (as well as farm workers and tenants) in large part marginalised from policy formulation processes. The continuance of a willing seller-willing buyer land redistribution methodology is testimony to this. The neo-liberal agenda also complicates the functioning of decentralised state structures, notably local municipalities. Though municipalities receive significant financial transfers from the national treasury, they are still bound by cost recovery measures which invariably compromise their work and make it difficult to offer support to land beneficiaries who are dispersed throughout rural areas within municipal boundaries. In this respect, Makana Municipality faces similar challenges as other municipalities both in the Eastern Cape and in other provinces. In the end, it is the new farmers like the ones at Masizakhe who suffer as they struggle to establish themselves on an independent agricultural footing.

To counter this, more radical restructuring of the political economy of South Africa would be needed, as land redistribution in its current form is part of a broader nation-state

building project in post-apartheid South Africa. This would likely entail a break with the neo-liberal model of land redistribution and the implementation of selective expropriation within certain spatially-delimited areas to allow for economies of scale amongst new farmers themselves and in post-settlement support by the state. But it would also entail more pronounced decentralisation which moved beyond the state itself and became embedded more fundamentally in the relation between state and society, such that a populist and bottom-driven process of land redistribution could arise on the basis of an active rural citizenry. This of course could set off a channel of events which the post-apartheid state under the ANC would consider too ghastly to contemplate.

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APPENDICES

Appendix I

Interview Structure / Schedule

Title: Government Decentralization and Land Redistribution in Makana Municipality: A case study of the Masizhake CPA.

Date: 16 November 2012

Venue: Trentham Park Farm

Time: 8:00 a.m.-10:00 a.m.

Introduction: (5-10 minutes)

The interviewer will discuss the purpose of the study with the interviewee(s), which is the effect of government decentralization on land redistribution.

Preliminary Questions: (5 minutes)

The interviewer will introduce themselves and ask the interviewee(s) general questions about themselves. An ice-breaker question or two will assist with settling them in and relax the participant for example, a question relating to the weather.

Conduct of interview / Main questions: (90 minutes; 10 minutes per question and an extra 5 minutes if necessary)

1. Please describe your background with regard to farming.
 - How long you have been farming and where you worked.
2. How did the Masizakhe CPA come about?
 - Describe the nature of the relationship among the members of the CPA
 - When the CPA members decided to come together and form the CPA
3. Please give a detailed description of how and when you applied for land?
 - What are the reasons for your decision to apply for land?

- How long the process took.
4. Describe the challenges and barriers faced in applying for land.
 5. Which government departments have helped you with overcoming barriers and challenges?
 - Which support facilities are you aware of and have you used to overcome challenges and barriers?
 6. Since the time when you received the land, can you describe your farming experience as being relatively successful?
 - If not, what have been the major issues with your post-settlement farming experience?
 7. Which Government departments or Organizations have assisted you in overcoming these issues?
 - In what capacity have they acted?
 8. In terms of availability and accessibility, what has been your experience with the local Makana Municipality office that deals with Agriculture?
 9. What, in your opinion, needs to be done (by government, organizations and the farmers themselves) to make the land redistribution process successful?

Is there anything else you wish to add?

Conclusion: (5 minutes)

This entails a debriefing session, asking the participant if there is anything else they would like to add and asking are they happy with the interview. The interviewer can answer any questions in this section and ensure the participant understands the purpose of the study and what will happen with the findings.

Thank you for your time and participation.

Appendix II

Interview Structure / Schedule

Title: Government Decentralization and Land Redistribution in Makana Municipality: A case study of the Masizake CPA.

Date: 23 November 2012

Venue: Makana Municipality (Local Economic Development Office)

Time: 10.00-11.20 a.m.

Introduction: (5-10 minutes)

The interviewer will discuss the purpose of the study with the interviewee, which is the effect of government decentralization on land redistribution.

Preliminary Questions: (5 minutes)

The interviewer will introduce themselves and ask the interviewee general questions about themselves. An ice-breaker question or two will assist with settling them in and relax the participant for example, a question relating to the weather.

Conduct of interview / Main questions: (80 minutes; 10 minutes per question and an extra 10 minutes if necessary)

1. What role does your department play with regard to land redistribution?

- What is your role as Agriculture Officer?

2. What is your department's mandate?

-Where do you get it from?

3. Which other departments do you work with?

-What is the nature of your relationship with these other departments?

-What roles do they play in the land redistribution process?

4. Do you experience any barriers to assisting farmers with applying for land and with post-settlement support?

-If yes, can you elaborate please and tell me about these barriers.

5. Do land beneficiaries (with reference to the Masizhake CPA) have a role in the success of redistribution?

-If so, what is it?

6. In your experience, what barriers do land beneficiaries face in becoming successful farmers?

-What is your role in assisting them to overcome these barriers?

Is there anything else you wish to add?

Conclusion: (5 minutes)

This entails a debriefing session, asking the participant if there is anything else they would like to add and asking are they happy with the interview. The interviewer can answer any questions in this section and ensure the participant understands the purpose of the study and what will happen with the findings.

Thank you for your time and participation.