

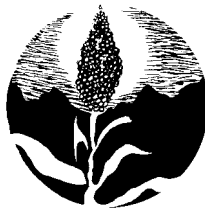
Land in South Africa:

Gift for All or Commodity for a Few?

Occasional Paper No. 1

June 2004

This report was written by Graham Philpott of Church Land Programme and Mark Butler of Critical Resource. It is intended as a discussion document for churches in Southern Africa.



Copyright © 2005 Church Land Programme

“The key question to be asked is whether the poor can reclaim their land and successfully hold on to it under the present dispensation and climate. This question is related to the current theological peace with the commodification of land” (Molefe Tsele 1999: 44).

“It feels like we are part of an assembly line, but it is wrongly designed and delivering a compromised product” (DLA official).

“The land question remains a clear barometer of the continuing struggle for justice and development in post-apartheid South Africa” (Itumeleng Mosala).

1. Introduction

As we approach the end of the first decade of democratic rule, we have the opportunity and the responsibility to review the actual implementation of government’s land reform programme. We must ask honestly *if* it is on track, and *where* it is going. If the evidence suggests that the direction is correct but its implementation is slow and faulty, then we must urge greater speed and efficiency. If, however, the evidence suggests that the direction itself is inappropriate and that the impacts the land reform programme is having are in themselves questionable, then we must urge a fundamental review of the package as a whole. If land reform is going in the wrong direction, then speeding it up can only result in getting to the wrong destination quicker.

This paper¹ offers a brief review of key biblical themes that provide the moral and theological basis for our perspectives on the land question. It then considers the history and current status of the land issue in South Africa. After locating current land reform programmes in a broader context of agricultural restructuring and the national political-economy, we return to an assessment government’s land reform programme in the light of Christian theological imperatives. On this basis, we point to the necessary roles of the church and of the state – and to the necessity of a fundamentally new and different agrarian reform for South Africa.

¹ This paper is summarised from a fuller research paper, with the same title, which is available from the Church Land Programme.



2. Land and the Bible

The Bible does not provide a blueprint for solving South Africa's land question. Nonetheless, it does speak clearly of God's intention and human responsibilities in relation to land. Nothing could be further from the biblical view than a view of land that regards land principally as a commodity to be bought and sold, mortgaged and lost to money-lenders, or as a resource to be exploited and plundered for profit. It becomes clear² that a biblical view of the land question starts with the story of Creation and ends in cosmic reconciliation and the reign of God.

²In the fuller report from CLP, Section 2: 'Articles of Faith: Theological perspectives on land' discusses key biblical themes (of alienation and reconciliation; 'The earth is the Lord's'; Jubilee; Land as promise and gift; and Jesus' announcement of the good news of the kingdom – Jubilee and shalom).

- Land is a gift from God, to be equitably shared for the benefit of all humanity.
- Land is the 'locus of life', the place where life is lived and celebrated, the place that gives life and identity.
- There is a critical social function of land. 'Ownership' of land is never absolute because this social function of land is paramount.
- We must acknowledge the propensity for commodification, accumulation and profit, leading to the exclusion of the poor and the denial of their rights in land. Our interventions must be to work against this and ensure redress.
- The Jubilee tradition affirms the redistributive nature of God's commitment to the poor, seeking to ensure just and equitable access to land and resources.
- Human work on the land should express the dignity of human labour and the joy of participation and co-operation because it is a privilege to be co-creators with God in the unfolding story of creation.
- It is judged as contrary to God's will where our working of the land strips the earth of fertility and robs future generations of its benefits.

We cannot but be troubled by the contrasts and contradictions between this biblical approach and an analysis of the current state of land reform in South Africa.

3. The history of land in South Africa

Any assessment of South Africa's post-apartheid land reform programme must begin with some understanding of the history that preceded it. The basic outline of how colonialism and apartheid created a grossly unjust, racially-based system of land access is well known. Nonetheless, in order to review progress in the post-apartheid period, it remains important to remind ourselves of the main historical features and processes that constituted the apartheid land legacy. Only with an awareness of its key features can one ask whether land reform is tackling the current problems appropriately and effectively.

The arrival, settlement and expansion of European people and interests in South Africa was pivotal in the country's modern history, with important implications for the land question. Earliest sustained contact between Europeans and indigenous South Africans produced some conflict over land and resources, but this was relatively contained (certainly compared to what was to come later) since the initial intention of European settlement at the Cape was limited to supplying passing ships with fresh produce and the like. However, as the overall size and agricultural and broader interests of the European community grew, so the scope for conflict escalated. Suffice to say, the superior fire power of the colonial powers ultimately led to massive disenfranchisement of indigenous people and their alienation from land.

Later, the discovery of minerals, like diamonds and gold, triggered significant industrial development – and with it came the 'need' for (cheap) labour. The formalisation of land-theft (through notorious laws like the 1913 Land Act, which set aside 7% of the country for 'Native Reserves', and the later Native Trust and Land Act of 1936) and the restriction of Africans to 'locations' and 'reserves', as well as the systematic destruction of independent African agricultural production were designed to force Africans into wage labour on the scale demanded by industry, whilst simultaneously containing the social costs of re-producing labour and politically excluding Africans from participation as citizens in the broader South African economy and society.

Towards the close of the colonial period, the general characteristics were that Africans, by far the majority of the population, were restricted to 13% of the land and stripped also of their human, social, political and economic rights whilst simultaneously compelled to supply labour at exploitative rates to the South African economy.



Building on pre-existing systems, practices and fault-lines in South Africa, apartheid infused every aspect of life with the destructive imperatives of racist exploitation. Under the National Party, who assumed power in 1948, racial segregation was recast as ‘separate development’ and in this ideology, the ‘reserves’ occupied a central place. The ideological claim was that African reserves would be the basis for the gradual development of tribally/ethnically defined independent countries. Introducing the 1959 Promotion of Bantu Self-government Act, the responsible Minister said he was offering the African “the possibility of bringing to fullest fruition his personal and national ideals within his own ethnic sphere... We grant to the Bantu what we demand for ourselves” (de Wet Nel quoted in Harley and Fotheringham 1999: 31).

It is clear that the reserves never offered this potential – and that Nationalists making claims to the contrary were cynically well aware that this was so. The ‘separate development’ myth was essentially an elaborate racist scam to deny rights to black South Africans (the majority of the population) and ensure they had no access to substantial and independent livelihoods resources - whilst exploiting their labour power in the white South African industrial and agricultural economy.

Nonetheless, the Nationalists were in power and the bizarre apartheid grand plan was rolled out with real consequences for the people. One of the major interventions required was to ‘consolidate’ the existing reserves into ‘bantustans’, which would ultimately be the basis for the development of African nation states, independent of South Africa. ‘Consolidation’ demanded massive upheaval, removals, and the re-drawing of boundaries³.

³ “Between 1960 and 1983 over 3.5 million people were forcibly moved. They were moved under different laws, under different circumstances, but all as part of the same political plan – to create entirely separate (and ultimately ‘independent’) ‘states’ for African people” (Harley and Fotheringham 1999: 36).

Life for Africans in the ‘reserves’ or ‘bantustans’ became increasingly intolerable. But life for African workers and tenants on white-owned commercial farms was notoriously grim too – they were paid super-exploitative wages, doing hard physical labour, denied elementary human and political rights, and employed by white farmers whose authoritarian and brutal ‘management style’ was unchecked by law enforcement or public accountability. Appalling as these conditions were, their persistence was not surprising given that one of the key ingredients in the apartheid recipe was securing the political support of white Afrikaner farmers, whose activities were also massively subsidised and supported by the state machinery.

As is now widely recognised, apartheid was not ultimately a sustainable system – its diplomatic costs were huge (witness the growing isolation and pariah status of the apartheid government); its political contradictions made it socially deeply unstable (witness the massive and heroic national resistance struggles); and its economic distortions were fundamentally disabling.

Although this paper will describe the period of negotiated transition from apartheid to democracy, it should be remembered that the formal period of negotiations to map out how apartheid was going to end was preceded by various reforms led by the apartheid government in response to these sorts of internal contradictions. Before closing the chapter on the history of apartheid, it is vital to be aware of some of the main ingredients of apartheid-era reformism with regard to questions of land and agriculture⁴.

⁴The author is indebted to Stephen Greenberg for permission to use his 2002 paper, which is drawn on substantially in the discussion that follows.

The global economy was fundamentally shaken up by the oil crisis of the early 1970s. In South Africa, the crisis revealed serious structural weaknesses in the agricultural economy and, together with increased levels of political resistance, prompted the state to explore partial restructuring and reform. This exploration was undertaken in the context of:

- a global shift to market liberalisation;
- a strong de-regulatory impulse; and
- the re-definition of the role of the state away from direct economic activity.

In apartheid South Africa there were important limits to the extent to which reforms could be undertaken as the state lacked political legitimacy and continued to rely on repression to contain political and social instability.

The agricultural economy had been shaped by decades of substantial state intervention in both production and marketing to support white agriculture – for both economic and political reasons. Commercial agriculture was characterised on the one hand by a general backwardness with inefficiencies and an over-reliance on state support and subsidies and, on the other hand, by processes that were tending to consolidate land into fewer larger units and a growing fusion of capital into agri-business which linked upstream and downstream activities with production.

Although productivity rose (as a result of state support for technological improvements and so on), these strategies also led to overcapitalisation and overproduction, accompanied by rising land prices and growing levels of farm debt. In addition, and in line with a general approach favouring import-substitution at the time, the focus was on national food security, which translated into significant costs to consumers and also encouraged environmentally and economically unsustainable farming. By the late 1970s, the agricultural sector was coming up against its structural limits as international terms of trade declined, debt levels rose, profitability declined, and interest rates rose.



These processes accelerated a widening gap between a numerically small productive core and a numerically large unproductive periphery of white farmers. Increasingly, that productive core was associated with corporate farm ownership, linkages with agri-business, and production for export. The unproductive periphery consisted in the main of individual white farmers who owned their land and relied heavily on state subsidies to survive. Not surprisingly, the sector was especially vulnerable to the effects of the recession that hit in the 1980s.

These pressures saw the state at this time moving further towards a more free-market approach – but these moves were cautious and incomplete since it would have been political suicide to withdraw state support to the white farming sector. Nonetheless, state support was now linked to increasing competitiveness and lower levels of reliance on the state in the long term. The approach was designed to improve efficiency and viability in the sector, and it helped many white farmers make the transition to a deregulated agricultural economy. These shifts were accompanied by the partial removal of racially based laws affecting movement and land ownership from the late-1980s onward. In 1991, the National Party government released its White Paper on Land Reform (which rejected the notion of restitution but opened up limited redistribution through market-based mechanisms), and later that year promulgated the Abolition of Racially Based Land Measures Act (which repealed the 1913 and 1936 Land Acts among others and created the Advisory Commission on Land Allocation (ACLA) to hear claims by communities that had been moved) (Harley and Fotheringham 1999: 116).

Government policy increasingly focussed on the productive core in agriculture and agri-business sectors with value-added activities – especially those with an export orientation. And notwithstanding the political influence of white farmers, broader economic changes forced the pace of restructuring resulting in the partial deregulation of agricultural control schemes, more market-based pricing schemes, and the corporatisation of agricultural co-operatives. In the early 1990s there were further reductions in the levels of state support to white farmers, subsidies continued to be reduced, and markets were liberalised.

These later reforms reflect the already growing power of arguments for a market-oriented approach favoured by dominant fractions of capital. This so-called ‘neoliberal’ view insists that restructuring requires deregulation, privatisation and the withdrawal of the state from the spheres of production and reproduction. The reforms also sought to accelerate class differentiation within the African population and to create a black middle class as a conservative buffer against the demands of the majority. Ultimately the apartheid state lacked the political credibility to secure sufficient hegemony to push the entire agenda through – which in turn suggests the necessity of negotiations with popular movements like the African National Congress.

4. Transition to democracy

Through a process of political liberalisation and intense negotiations, the basic framework for post-apartheid governance was hammered out between a range of players (but especially the establishment order represented by the National Party and the liberation movement led by the ANC). The discussion that follows is not intended as a comprehensive account or analysis of this fascinating period of South African history. Rather the intention is simply to identify key developments that shaped the country's approach to the land question under a democratic dispensation.

4.1 *From resistance to governance – from revolutionary change to evolutionary continuities*

Given the leading role that the ANC played, some attention must be given to the evolution of its policy approach to land in particular, in the context of the various pressures and commitments that framed that party's positioning through the negotiations process.

Resistance to the infamous Land Acts of 1913 featured strongly in the formative years of what was to become the African National Congress (ANC), although the organisation's approach to the land question has not remained static.

The historic Freedom Charter, adopted by the 'Congress of the People' in 1955 and which became the outstanding statement of policy for the ANC over the subsequent decades, addressed the land question in the following terms:

- The land shall be shared among those who work it;
- Restrictions of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it to banish famine and land hunger;
- The state shall help the peasants with implements, seed, tractors and dams to save the soil and assist the tillers;
- Freedom of movement shall be guaranteed to all who work on the land;
- All shall have the right to occupy land wherever they choose; and
- People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished.



Hardly a detailed programme and ideologically ambiguous, the basic principles nonetheless clearly imply that an ANC-led government would be strongly interventionist in addressing the land question with particular emphases on:

- radical redistribution to achieve genuine sharing of land on a non-racial basis, and with the clear intention that such a re-division of land would not be to the benefit of those who would profit from it, but to those who work it; and
- significant and prioritised developmental assistance to the poor on the land, flowing from a clear understanding that a narrow redistribution of land is in itself insufficient, but must be integrated with a range of other state-supplied inputs and measures.

By the time the ANC was negotiating the shape of post-apartheid South Africa in the early 1990s however, there is a discernible shift away from the broadly statist and social democratic outlook indicated in the Freedom Charter. Notwithstanding continued rhetorical commitment to the ‘landless poor’, the ANC’s 1992 policy on land is notable for its deference to a “viable and sustainable economic development programme” (ANC 1992), which also meant that “The programme of redistribution of agricultural land must be accompanied by measures which will ensure that the land will be productively used” (ANC 1992). As a whole though, the policy position was a mixed bag still retaining remnant commitments to a more interventionist approach - for example that:

- Affirmative action within a redistribution programme should especially benefit “the landless, rural poor and women who have been deprived of rights to land through patriarchal systems of land allocation and tenure”;
- “The state will play a key role in the acquisition and allocation of land and should therefore have the power to acquire land in a variety of ways, including expropriation”;
- “Immediate attention shall be given to legislation imposing a ceiling on land ownership and multiple ownership of farms, as in the case where one owner has many farms”;
- “Other land to be made available for redistribution in the towns, countryside and bantustans should include:
 - Land held for speculation;
 - Under-utilised land or unused land with a productive potential;
 - Land which is being degraded;
 - Hopelessly indebted land”;

- “[L]and acquired through nepotism and corruption will also be available for redistribution” (ANC 1992).

The negotiations process secured for the ANC their core demand of ‘one person - one vote’ in a unitary South Africa – but compromises were made on many other issues. In particular, strongly redistributionist policies were abandoned to secure broader agreement (especially with capital) on political democratisation. Greenberg (2002) notes some of the various explanations offered for the ANC’s shift to a broadly neo-liberal approach to economic development policy when it came to power.

Firstly,

“the undermining of the ANC’s working class support base through systematic violence in the late 1980s and early 1990s led to the delinking of the ANC leadership – both politically and organisationally - from its base. Whereas political violence claimed the lives of 5 500 people between 1984 and 1989, it left 13 500 people dead between 1990 and 1993 (Wood, 2000; 185). This violence played a role in disorganising the base of the liberation movement and preventing it from forcefully articulating its own demands or challenging the neo-liberal drift (Lehulere, 1997; 79-80)” (Greenberg 2002).

Secondly, there was a strong and sustained ideological assault on the ANC leadership in favour of neo-liberalism. Coupled with the weakness of the Communist Party element of the Congress Alliance after the collapse of Soviet-style ‘socialism’ and the retreat of Western social democracy, the liberal democratic strand within the ANC was strengthened. “Since the ANC’s historical vision was procedural democracy plus economic egalitarianism, it was not a fundamental contradiction to water down the latter and reformulate it in neo-liberal terms” (Greenberg 2002). Certainly by 1996, on the broad economic front, the ANC government’s economic policy “had acquired an overt class character, and was unabashedly to service the respective prerogatives of national and international capital and the aspirations of the emerging black bourgeoisie” (Marais 1998: 147).

With respect to land policy itself, these same pressures and outcomes are discernible, and interventions by the World Bank were particularly influential. Consistent with the Bank’s broadly neo-liberal stance, their proposals for rural restructuring in South Africa advocated political and economic liberalisation in a ‘framework of minimum controls with a large role for the private sector’ (World Bank 1993. “Options for Land Reform and Rural Restructuring in South Africa”, quoted in Greenberg 2002). These arguments strengthened processes within government to carry through the agricultural reform process initiated in the 1980s under apartheid to abolish subsidies, remove regulations and liberalise markets.



On its accession to power, the ANC adopted this broad approach to rural reform. Greenberg (2002) asserts that their main goals were to retain the core of productive white farmers and to build and extend the black commercial farming class – and that they were prepared to accommodate these aims within a market-driven economy. To meet these goals, stability in rural areas became a critical concern.

As pointed out above, the principled core of the ANC's mission was full and equal political rights – economic options were not a matter of such principle and could be 'pragmatically' selected from the available options. This selection would therefore inevitably reflect something of the prevailing balance of forces at a particular juncture. In addition to the factors noted earlier (e.g. the weakness and confusion of the left in the wake of the Soviet collapse) it is also the case that:

- alternate and more radical redistributive options were weakly articulated; and
- the social structure in rural areas (both commercial farming and communal areas) was such that the masses faced powerful controlling structures (e.g. white farmers, commandos, *amakhozi*) limiting their capacity to articulate and press radical programmes of transformation (and note that these encumbrances limited the rural 'voice' in politics generally and also within the liberation movement).

With the imminent prospect of being the ruling party, and having accepted the narrower political character of the transition, the ANC had a real concern with stability. Shying away from more radical land redistribution policies that might engender instability and disrupt agricultural production fitted this objective too.

Accordingly, the path that was settled on did not reverse the processes that already characterised the rural economy – in fact, once in power, the ANC "went further than the World Bank or other committees had recommended and followed a path of complete liberalisation and deregulation in agriculture" (Greenberg 2002).

The Marketing of Agricultural Products Act of 1996 completed the deregulation of agriculture with the closure of the marketing boards and ending statutory export monopolies. Also in 1996, the Growth, Employment And Redistribution (GEAR) macro-economic strategy was adopted. GEAR had two effects on the agricultural sector:

- it contributed to a decline in the agricultural budget in real terms; and
- it emphasised and consolidated an outward-oriented and competitive approach through a focus on global competitiveness.

The changes associated with market liberalisation, export orientation, and rolling back state support for farmers

“have shifted the balance of forces in agriculture away from grain farmers in particular and towards farmers and corporations in the wealthier, export-oriented sectors. This in turn has meant a consolidation of control in the hands of a different fraction of agrarian elite, rather than the decentralisation of power and a significant redistribution of productive resources to the dispossessed majority of the rural population” (Greenberg 2002).

4.2 *A slow train coming: The nature of the problem*

Few observers think that delivery of land reform in democratic South Africa has been entirely satisfactory: targets for redistribution and restitution have not been met (and tenure reform – the third ‘leg’ of government’s land reform package – does not have a policy in place); budgets have been derisively low and then under-spent anyway; institutional capacity for delivery has not been built and sustained (especially given the reported haemorrhaging of relatively experienced DLA staff after the accession of Minister Didiza); and so on. Critics conventionally focus on the slow pace and poor quality of implementation of land reform, and argue that ‘if we are to avoid a Zimbabwe-scenario’ then implementation must be speeded up.

Instead of designing a land reform programme targeted at the mass of the rural poor, government has described its approach as ‘demand-led’. What this has turned out to mean is a narrow interpretation that government will only respond to demands that are made by land claimants through the bureaucratic and legalistic systems government has put in place. This has significant negative consequences.

In the first instance, it has allowed government to avoid taking responsibility for implementing a thoroughgoing and coherent national plan of transformation. Instead, implementation of land reform in practice is made up of a number of piece-meal ‘projects’ driven by a very limited number of applicants (especially when compared to the huge numbers of rural poor who should legitimately be the targets of land reform).

Secondly, this narrow interpretation of the demand-led approach is used to justify government’s *de facto* refusal to intervene and make substantial land available for real reform – government argues that it cannot be a major player in acquiring land (for example through expropriation) for a properly planned process of land



redistribution because this would amount to a supply-driven approach involving the state too directly in areas of the economy which should best be left to the 'market'.

All of these factors mean that land reform cannot be planned as a comprehensive programme of transformation. Certainly there is no effort to reorganise the rural economy on the basis of more egalitarian ownership patterns (Greenberg 2002).

These problems are compounded by an undue deference to 'market principles' – even where they clearly frustrate the prospect of transformation. Land reform is subject to Constitutional provisions which under-write the privileged position of property ownership, as well as a policy commitment to the 'willing seller – willing buyer' approach. Not only must those who want to 'benefit' make their way through the bureaucratic maze, but they must also follow a bargaining process with current landowners to negotiate the sale of the particular land at market-related prices.

The underlying principles are profound (and disquieting): in the first instance, existing land owners (i.e. generally white farmers) effectively hold key aspects of the whole land reform process to ransom since they have to be 'willing sellers' before a particular claim can move forward. Furthermore, perhaps a more important consequence is the legitimisation of current forms (freehold title) and patterns (large-scale commercial farms) of land ownership. Obviously this model stands in stark contrast to a determined, state-led land reform process where the state actively identifies categories of potential beneficiaries (especially the rural poor), actively identifies appropriate tracts of land to be acquired on their behalf, and actively promotes and enables alternative forms of appropriate and sustainable development for the poor on the land.

Notwithstanding these types of limitations, there is evidence to suggest that during the first phase of post-apartheid land reform, women and the poor were proportionately significant beneficiaries of what reform was actually delivered. In the second and current phase, however, even this modest advance appears under threat.

New policy directions are designed to reverse this prioritisation of the poor, and instead ensure that what limited state support is available for land reform beneficiaries is channelled to the relatively better off. For claimants to receive state subsidies for land reform the qualification is no longer an income ceiling but a minimum 'own contribution' – in other words, previously applicants had to be 'income poor' to access a grant to assist in the purchase of land, now applicants must be able to contribute their own capital to access this support – and the more they can contribute, the more support they will qualify for on a sliding

scale. Clearly the intention is to prioritise better-off claimants – and, given the very small overall land reform budget from which state support is drawn, this shift inevitably happens at the expense of the really poor. Thus, the ‘successful’ implementation of government’s land reform programme will actually achieve the establishment of a small class of black commercial farmers – and leave the basic structure of the agrarian economy intact.

4.3 Land reform in the context of agrarian restructuring

It becomes clear that ‘failures’ in the land reform programmes then are not simply the result of a lack of political will or of faulty implementation. Notwithstanding the complex and contradictory elements that make up the public face of policy, it is nonetheless possible (and necessary) to identify an underlying rationale that reveals the actual priorities and fundamental intentions of government policy. It is now apparent that government’s real interest in land reform is:

- very limited anyway (witness the size of the land reform budget relative to the national budget); and
- not informed by a vision of fundamental transformation that would secure land access as the basis for meaningful, dignified, sustainable livelihoods for the majority.

The key to understanding why this is so becomes apparent when land reform is analysed in the context of agricultural restructuring⁵ and government’s broader macro-economic framework. It is also clear that even if this land reform package were well-resourced and speedily implemented, it would not fundamentally transform the basic social and economic structures which define the South African countryside and which lock the poor majority of rural people into a life of poverty, marginalisation, serfdom and insecurity. Instead, the most substantial rural reforms have been those linked to restructuring the commercial agricultural sector (and which have had little benefit for the majority of people in rural areas).

⁵ Much of the following section draws substantially on Greenberg’s work (2002).

Land reform itself is both subordinate and relatively marginal to the bigger project of agricultural restructuring.

In so far as land reform does contribute, the main aims are to achieve stability in rural areas, contain political destabilising factors, and consolidate the land market. Were it not for these political and social considerations, and from a purely economic perspective, land reform would have little to contribute to neo-liberal agricultural restructuring.



But among the mass of the people, a sense of historical injustice persists - as does the expectation for redress. In the light of this reality, even white farmers recognise that the broader interests of commercial agriculture require a certain amount of land to be transferred to black ownership and the establishment of a black commercial farming class. This is the core substance of organised agriculture's reform proposals.

The alignment of the state with the interests of commercial agriculture was signalled in 2001 when government enthusiastically accepted the 'Strategic Plan for South African Agriculture' drawn up jointly by organised commercial agriculture, AgriSA and the National African Farmers Union (NAFU)⁶. LRAD in particular has highlighted government's desire to use land reform in the interests of commercial agriculture by supporting the growth of a black commercial farming class:

“[B]lack farmers are to become commercial and integrated into existing networks of production and distribution. As such the process of land reform is being designed to ensure that no real threat is posed to the core interests of export-oriented agri-business. This is very much in line with the neo-liberal approach adopted by the government, including the general idea that the state should take a back seat to private capital wherever possible” (Greenberg 2002).

Even though the foundations of the agricultural economy are not shaken (indeed they are strengthened), government can claim that its land reform policies will 'deracialise' land ownership patterns and advance 'black economic empowerment'. But the route to deracialising land ownership favoured by government will not provide the majority with access to a piece of land they can call their own – instead it is consistent with ongoing consolidation of land-holdings. This is reflected in government land reform policy. For example, it is evident in LRAD's insistence on redistribution being subject to conditions of 'economic viability' in commercial agricultural terms; it is evident in recent proposals for tenure reform of communal land which open the door to placing communal land onto the market; and it is also evident in government's dealing with the huge agricultural debt accumulated by white commercial farmers where the approach taken aims first to secure the integrity of the land market rather than using indebtedness as a basis for redistributing land.

“If one accepts that agricultural restructuring in South Africa has aimed to restore profitability to the sector, it becomes easier to locate land reform in this process. Economies of scale are central to neo-liberal development, and this requires a consolidation of land holdings and economic power rather than the sub-division of land or decentralisation of power” (Greenberg 2002).

⁶ “Thabo Mbeki praised the plan as being ‘a product of an agriculture Codesa, which did not take very long. This shows a new patriotism among us as South Africans’ (Mothibeli, 2001; 2). The speed and ‘patriotism’ may reflect the fact that no trade unions, workers’ representatives or non-farming rural organisations were part of the core team that drew up the document. It purely represents the interests of commercial farmers, and indicates the extent to which commercial agriculture has managed to reclaim policy-making influence in post-apartheid South Africa” (Greenberg 2002).

The effective privatisation of state land, through the proposed Communal Land Rights Bill, as well as the commitment to fast-track the release of state-owned land for LRAD beneficiaries, not only contributes to consolidation of the land market, and not only opens up more area for potential investment and commercial undertakings – it also

“allows for the redistribution of some land without white landowners having to give up any of the land under their control unless they choose. Leaving land redistribution to the market means ceding control of land reform to those who currently own the land. Land redistribution is subordinated to the imperatives of agricultural production for the market” (Greenberg 2002).

The pervasive protection of private property, the deference to market-based approaches and the commitment to a slow and orderly pace of reform favouring black commercial farmers, which are key characteristics of land reform, indicate the desire to simultaneously restructure agriculture and release some political pressure - whilst not disrupting profit accumulation and stabilising the rural economy.



5. Land reform in South Africa

⁷ See especially Section 3.3 'Land reform in the democratic era' in the fuller CLP report for a more detailed review of the evolution and implementation of land reform policies.

Based on a careful review of the implementation and policies of post-apartheid land reform⁷, it is possible to summarise key characteristics of its three components – namely: land redistribution; restitution, and tenure reform.

5.1 Land redistribution

The emerging priorities within land redistribution graphically illustrate the subordination of land reform to this overarching model. The clear and overriding intention is to end the almost exclusively white racial character of the commercial land owning class, by implementing measures to support and grow a black commercial agricultural class.

While this may produce a de-racialised commercial agricultural sector, it will not redistribute the land to the people on an equitable basis, and nor will it transform the relation of the rural poor and agricultural workers to the land.

5.2 Land restitution

Given South Africa's history and the comprehensive manner by which blacks were robbed of land, restitution could – and should – have been a dramatic and healing intervention. In practice, restitution has had a negligible impact on overall patterns of land ownership. Paying cash compensation to a growing proportion of land claimants may appear to be 'speeding up' the settlement of land claims, but it does not address the underlying scars and, in the long run, it may even compound the hurts of the past.

With inadequate and inappropriate state support and flawed development planning processes, too many of those restitution projects that *do* involve the actual transfer of land, are destined to become rural slums with no developmental prospects and where 'communities' have no cohesion or vitality.

5.3 Tenure reform

Tenure reform has been a weak, tentative and piece-meal affair. Even its most progressive moments (e.g. laws to protect farm workers from eviction) have proven less than effective against the powerful market forces of the dominant

agricultural economy and, in any case, can do no more than defend the existing situation in which black farm workers and labour tenants found themselves at the end of apartheid.

In attempting to deal with the challenge of tenure reform in 'communal areas' and former 'bantustans', draft government policy promises security through land title and ownership. The more likely result of this approach will be to weaken access to land that many poor people in these areas still retain, because it will place formerly common land onto the open market to be bought, sold and leveraged against raising debt. Inevitably these processes favour the better off and the money-lenders, and not the poor.



6. Conclusion

Land reform in South Africa has been effectively subordinated to an economic development model that will not ultimately transform land and agriculture along biblical, ethical lines.

Under enormous pressure from powerful economic interests and ideologies – globally and within the country – the real priorities of land and agricultural reform are being directed away from the interests of the poor. Restructuring of the agricultural economy, through dramatic de-regulation and market liberalisation, serves the interests of the corporate and agri-industrial elite. It will favour commercial farming sectors that can ‘cut it’ in brutal global, competitive markets through exports, efficiencies, mechanisation and the like. It will result in continuing concentration of power and land ownership (especially corporate ownership) and the displacement of both farm labour as well as household (let alone national) food security. It fits with, and reinforces, agricultural production technologies and methods that are resource intensive and ecologically exploitative, and which re-produce the subordination of the farmer to the (global) power of the agri-industry.

For these reasons we are not convinced by repeated calls to simply ‘speed up’ land reform without asking where it is headed. The gulf between an agrarian reform that is in line with biblical morality, and government’s market-oriented land reform is too big to ignore in good conscience. As we have done in the past, the Christian church in South Africa assumes a prophetic role and speaks for the interests of the poor. We take this opportunity to speak urgently now to those in power in the hope that our concerns will find a receptive and open hearing.

It is not too late – we have it in our grasp to right the wrongs of the past and establish right relations of equity, justice and dignity. As a result of the struggles of so many, South Africans have this historic responsibility and opportunity in this democratic era. But if we allow the opportunity to be taken away by giving space to forces of accumulation and profit then, like Israel of old, we will be harshly judged and the promised land will recede again from our horizon.

7. An alternative agrarian reform

It is not our task here to detail an alternative to the current policies of land and agricultural reform. However we can signal some of the key features and implications of an agrarian reform

- which prioritises the interests of the poor rather than those of the powerful;
- where the state fulfils its public responsibilities and defends the weak, rather than relying on 'free market' forces to allocate power and resources;
- where access to, and use of, the land primarily and immediately feeds our people, nurtures the natural environment, and provides dignified livelihoods to all; and
- which fosters relations between people that reflect the innate value of each and encourages mutual support and co-operation, rather than exploitation, immiseration and competition over resources.

It is frequently argued that solving the land question requires reforms that extend beyond a narrow focus on land itself (although they must include strictly land-based measures). What is required is an 'agrarian reform'. It is certainly true (and will be argued so below) that redistribution of land alone will not secure sustainable transformation of the inequalities and poverty that persist in South Africa. But this should not lead us to assume that land reforms are currently not linked to a broader agrarian reform. Indeed we have argued above that the underlying intentions and manifest trajectories of government's land reform can be understood precisely and only through an understanding of how they relate to broader processes of agricultural restructuring - which are in turn related to an overarching macro-economic model of development.

Arguments for an alternative agrarian reform therefore, are not simply about adjusting the policies and mechanisms of land reform. They unavoidably challenge prevailing government assumptions about the priorities and options for development itself, as well as the role and responsibilities of the state in the larger development project. At this broad level, an alternative agrarian reform presumes a fundamental shift away from central tenets of the 'Washington consensus' which have so powerfully re-shaped the 'acceptable' role of the state.

An alternative agrarian reform is not possible while the state understands its primary responsibility/ies only in relation to securing conditions for capital accumulation and profit-making, and then leaving 'the market' to distribute the benefits. Nor can real alternatives be secured where state support is only justified



for export-oriented and commercially successful elites. Given that market-forces tend to exclude and impoverish the poor, government needs to embrace and nurture a much wider set of livelihoods strategies than those defined by the large-scale commercial farming (and agri-industrial) sector, and government needs to deploy a much wider range of policies, instruments and supportive measures than those offered within a market-oriented approach.

Even so, the starting point for an alternative agrarian reform must be the redistribution of the land. By this we do not mean simply changing the racial character of the class of landowners and commercial farmers. Redistribution means first and foremost breaking up the concentration of land-ownership in the hands of a minority. It is painfully obvious that market forces and the 'willing seller - willing buyer' approach to redistribution are not the means to this end – indeed they are far more likely to secure ongoing land consolidation. Therefore government must intervene to transform patterns of land ownership and effect egalitarian access by the majority. A determined and well-planned public programme of land acquisition for these purposes will also help to overcome the developmental problems that currently arise within the demand-led approach that government has adopted, which is creating 'redistribution projects' with no hope of sustainable livelihoods because they are often inherently unviable. A shift towards a 'supply-led' redistributive model creates the possibility of targeted acquisitions of appropriate land at sufficient scale, whose future developmental use/s can be determined in relation to actual livelihoods needs and can be properly planned for and resourced.

Government may also need to consider whether a cap on the extent of individual land-ownership is not necessary to achieve a fairer distribution of access to land – and to protect that equity in the long run. Although we continue here to speak of egalitarian *ownership*, it should be noted that private ownership (free hold title) of land might not be the most appropriate tenure form. The commodification of land through ownership makes continuing access to it (and productive use of it) dependent on ones relative power in the market place. Poor land owners are vulnerable to losing their land in the long run, while wealthier players are more likely to consolidate and expand their holdings. Left unchecked, these processes will undermine any redistributive gains made previously.

As discussed, however, even a thoroughgoing redistribution of land is only a 'necessary but not sufficient' condition for sustainable transformation in the countryside. If the human and developmental potential of the intended beneficiaries is to be facilitated, then a wide and flexible range of supports are additionally required. These would range from (but are not limited to) certain basic requirements that should be regarded as public goods and human rights

– for example the sufficient provision of potable water, sustainable energy, and appropriate education – to accessing skills-training, markets and physical or capital inputs that are particularly relevant to local people’s preferred livelihoods strategies. It should be noted that this does not simply imply a more widespread distribution of existing government agricultural support – it requires, *in addition*, its fundamental re-orientation. The approach to rural support measures will need to question the current dominant orthodoxies that, in the first instance, assume all rural people to be farmers (actual or potential) and, second, that count as successful only that farming that is defined within a model of large-scale commercial mono-cultures which are integrated into global commodity markets and production networks. Instead, support for land-based livelihoods should be derived from models for development that are sustainable, and that promise to deliver viable local communities, markets and economies, as well as food security and dignified livelihoods at local and household levels

