

Rural and Agrarian Development Discourse in a Post-apartheid South Africa: An Agro-ecological Challenge

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ABSTRACT This study examines the impact of rural and agrarian development discourse in a post-apartheid South Africa. Although the African National Congress (ANC) led government introduced the land reform programme almost two decades ago, pointers are that the process has not yield the desired results. Despite the ANC's enormous rural development efforts, land reform programme elicited criticisms by some land claimants, land owners and to a certain extent scholars calling for its total abandonment. Its relevance in attempts to fast-track sustainability for rural and agrarian development has been questioned. Land reform programme is one of the most important rural development strategies employed by the ANC's government. This study interrogates the perceived laxity in the implementation of the land reform programme by the ANC's government despite having policies in place to fast-track the process. Initially when the programme started, it was aimed at poverty alleviation and the creating employment. Therefore, this study shows that there are challenges confronting the land reform programme in South Africa. Furthermore, the study argues that the land reform question is not only a rural and agrarian issue, but a critical social concern of the black South Africans.

INTRODUCTION

The issue of land reform in a post-apartheid South Africa is a contested terrain. Despite the country's endowment with a wealth of natural assets, a large proportion of the South African population live in poverty. This poverty is concentrated, not exclusively, to rural areas, especially among Africans as a direct result of the apartheid policies of the previous government. When the African National Congress (ANC) led government took over power in South Africa after the April 1994 general elections, it was faced with a mammoth task of redressing the imbalances of land inequalities in the country.

The above was endorsed by the organization's statement issued in 1994 which indicated the following (ANC 1994: 5): 'No political democracy can survive and flourish if the majority of its people remain in poverty, without land, without their basic needs being met and without tangible prospects for a better life. Attacking poverty and land deprivation will, therefore, be the first priority of the democratic Government'. The above statement suggests that the land reform programme was viewed as genuinely powerful aspect for rural and agrarian development, particularly in social and cultural life of the rural communities. This programme was introduced with an aim of fast-tracking land redistribution

and restitution to the dispossessed majority of South Africans. Hall and Ntsebeza (2007: 8) argues that although from the dispossessed communities' side a demand for land appears as an economic asset, ownership of land in South Africa also represents a source of identity and a symbol of citizenship.

This study discusses three critical and inter-related themes underpinning the land reform policy in a democratic South Africa. First, a brief outline of the land reform programme is presented, inclusive of its sub-programmes, namely, land restitution; land redistribution; and land tenure. Secondly, an evaluation of the land reform programme will be discussed against the backdrop of rural and agrarian development. Thirdly, suggestions and recommendations are made for the future effective implementation of the land reform programme. Prior to the 2009 general elections in South Africa, the ANC decided to make 'rural development, food security and land reform' one of its five priorities and listed in its election manifesto (Hall and Aliber 2010: 3). Since then expectations have been high that a miserably failing land reform programme would receive an injection of bold new thinking; an expanded budget; increased capacity and more effective integration with other government programmes. It is therefore; against this background the study scrutinizes an ecological im-

pact of this ineffectiveness of the land reform programme to the rural communities.

It is argued in this study that agriculture, small farms, the non-farm rural economy, all these are concerned with livelihood. Rural development had to be about all the various assets rural people access, and about the structures and processes which mediate how these assets are to be transformed into income and other desired outcomes (Ashley and Maxwell 2001: 411). Furthermore, vast incongruities and or inequalities between better resourced urban communities and neglected rural areas impinge on the provision of and access to land. The result of this is poverty. This study is grounded in a distributive paradigm that views the land reform programmes as proper tools for the distribution of social benefits and burdens among members of the rural communities; traverse the positive and negative features of rural development.

Purpose of the Study

The study was designed to do the following: establish the impact of the ANC's land programme in the advancement of rural and agrarian development in a post-apartheid South Africa; what challenges are experienced by the ANC in its endeavour to redress the past imbalances of land inequalities in South Africa. The study tries to answer the following questions: What are the impediments to successful a rural reform implementation in South Africa? If rural development is critical for the ruling party in terms of addressing poverty alleviation, why the latter persist and funding becoming a problem? Is the question of changes in rural areas taken into consideration, particularly with respect to demography, diversification, and the strengthening links with urban areas? What are the key issues for land reform programme leading to sustainable rural and agrarian development?

Literature Review

Although the land reform question is a contested terrain in South Africa, few books, chapters in books and journal articles have been published on the subject. Without doubt, rural and agrarian development through programmes such as the land reform can play a crucial role in poverty alleviation and minimise the unemployment rate. Subsequently, this could contribute to

economic growth and economic development. Few scholars have pointed out some of the positive impacts of the land reform on rural and agrarian development (Beinstein 2007; Cousins 2002; Van Zyl et al. 1996). Byres explained that 'industrial growth has been a crucial means by which rural poverty has been reduced and eradicated historically and that the historical role of capitalist industrialisation... has been the means by which massive rural poverty has been eradicated in the past' (Byres 2004: 41). This assertion by Byres indicated the importance of other economic variables for the success of land reform and sustainable rural development. Drawing from such observations, it became clear that the question of land reform by the ANC's government was a crucial matter to be handled with care.

According to Douwe et al. (2000: 391-392), critical theory integrates the value of land reform into the practice of rural development. Many scientists find it difficult to come to grips with the new model of rural development that emerged slowly but persistently in both policy and practice. The modernization paradigm that once dominated policy, practice and theory is being replaced by a new rural development paradigm. In order to understand this rural development paradigm, it is important to define the term rural development. As is the case with many social concepts, rural development has varied and complex definitions. Among these, there exist common threads that hold the concept together, and give it shape and identity.

Furthermore, Bernstein (2007: 27) argues that rural development and land reform should address the aspects of the redistribution of land to those dispossessed off their lands. This unevenness caused contradictions. The notion of rural development has emerged through socio-political struggle and debate (Clark et al. 1997; Nooy 1997). To some observers rural development is no more than an addition to the existing pattern of agriculture and rural life. Others anticipate that both will undergo major reconstruction. Furthermore, rural development should be recognised as a multi-level process rooted in historical traditions. Internationally trends show that wide disparities in access to land continue to plague rural areas. However, despite all efforts deployed by countries around the world and the vigorous mobilisation on international

communities, rural people still lag far behind in land reforms and are particularly hard hit by poverty and hunger.

At the later stages, rural development and agrarian development implied the creation of new products and services and the associated development of new markets. It also concerned the development of new forms of cost reduction through the elaboration of new technological trajectories, and the production and reproduction of specific, associated knowledge bases. Rural development is also concerned with the reconfiguration of rural resources. Land, labour, nature, eco-systems, animals, plants, networks, market partners, and town-countryside relations, all have to be reshaped and recombined.

The question of how to obtain land from freehold landowners dominated the discussions in both the National Conference on Land Reform and the Land Question in 1991 and the People's Land Conference in 1994 (Werner and Odendaal 2010: 3).

RESEARCH METHODOLOGY

To explore how land reform programme impacted on rural and agrarian development for poverty reduction and job creation objectives, the study will follow both qualitative and quantitative approaches. This will include an interpretation of observations for the purpose of discovering underlying meanings and patterns of relationships between the ANC's policies on rural and agrarian development and the implementation thereof. These approaches will help in providing an in-depth understanding of the land programme. The inferences are drawn deductively, and begin, as a starting point, by outlining the passing of the Land Acts and their implementation in the post-apartheid South Africa. Therefore, the output of this study emanated from the scrutiny of existing land reform legislation and policies that were undertaken in relation to land reform programme. It is clear from this study that a central issue is the viability of land reform programme in the livelihoods of the rurally based South Africans. In addition, the slow pace of land redistribution and restitution, and their relative ineffectiveness will be examined. In order to achieve this, guiding questions which included whether beneficiaries were able to use land productively, whether they were able to achieve food security, and what was the im-

pact of land distribution, land redistribution and land tenure on the processes of rural development.

The methods of data collection include documents which will take the form of scholarly journals, historical records, publications by the Department of Land Affairs and other stakeholders, and books written by authors and scholars in the field of the research under discussion.

A BRIEF HISTORICAL BACKGROUND TO THE LAND QUESTION IN SOUTH AFRICA

The question of land dispossession of the African people in South Africa has a long history. It started with the Dutch as well as the British settlers. European settlement began around the Cape of Good Hope in the 1650s and progressed northwards and eastwards over a period of 300 years. By the 20th century, most of the minority white settler population, with the African majority confined to just 13% of the territory, the 'native reserves', later known as African Homelands or Bantustans. Cousins and Scoones (2009: 2) contends that due to colonialism, a highly dualistic and racially divided agrarian structures emerged, comprising 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.

The year 2013 will mark a centenary since the 1913 Land Act was passed in South Africa. In early 20th century South Africa, politics and race were also intertwined. The outcome also yielded increased segregation in the country. The best example was the debate over the passage of one of the most important segregation laws of the century, Act Number 27 of 1913, the Natives Land Act, which the Parliament passed less than three years after the formation of the Union of South Africa. The Act, repealed only in 1991, was so important because it was the first major piece of legislation that would later compromise the legal structure of apartheid (Feinberg and Horn 2009: 41-60; Feinberg 2006: 119-144). Despite increasing the size of land for African occupation in terms of the Land Act of 1936, there was chronic shortage of land in the reserves. As a result, the African people were gradually converted from once successful farmers prior to the discovery of minerals, particularly

gold in the 1860s, to poorly paid wage labourers (Meredith 2007: 8-13).

At the end of apartheid in 1990, approximately 82 million hectares of commercial farmland (86% of total agricultural land, or 68% of the total surface area) was in the hands of the white minority (10.9% of the population), and concentrated in the hands of approximately 60 000 owners (Levin and Weinar 1991: 92). Over 13 million Africans, the majority of them poverty-stricken, remained crowded into the former homelands, where rights to land were generally unclear or contested and the system of land administration was in disarray (Lahiff 2000: 45-69). This meant that African farming would only be allowed in the homelands, comprising of 8% of all land at the time. The appalling evils of apartheid certainly contributed to excluding a lot of people from land holding benefits, but most of them were already, or would in any event have ended up being, excluded through the processes. The issue of land is a critical one in post-apartheid South Africa because of historically skewed land reform patterns. (Lahiff and Rugege 2002: 15-16).

In order to address the question of rural and agrarian development in South Africa, the ANC's government passed major legislation between 1994 and 1996. Those legislations included: Restitution of Land Rights Act, 22 of 1994; Provision of Land and Assistance Act, 126 of 1993 (amended in 1994); Extension of Security of Tenure Act, 62 of 1997; Land Reform (Labour Tenants) Act, 3 of 1996; and the Communal Property Associations Act, 28 of 1996. The debate around land reform in South Africa, prior to and following the transition to democracy, had included a variety of demands and objectives, for example, the return of land to those who were unfairly dispossessed, the redressing of the extreme racial imbalance in landholding and the alleviation of poverty in rural areas (Didiza 2006: 5). According to Lahiff (2008: 1), debates around land reform since 1994 were dominated by the extent of land redistribution from White to African owners (or occupiers), usually expressed as a proportion of the total area of agricultural land owned by White people at the end of apartheid.

During the 1993 constitutional negotiations for democracy in South Africa, the property clause of the Bill of Rights became a bone of contention right from the outset and a constitutional strategy providing for the restoration of

rights in land to persons who had been dispossessed of such rights as a result of racially discriminatory policies were intensely negotiated. The Constitution of the Republic of South Africa, Act No. 108 of 1996.

The land question persisted until the ANC's Polokwane Conference in December 2007. One of the resolutions of this conference was to fast-track issues of rural development, land reform, and agrarian change. Although the resolution had a progressive statement on democratizing the allocation of communal land to empower rural people, it was silent on the ANC's approach to the Communal Land Rights Act (CLARA) legislation, which had to entrench traditional leaders power over land, and the privatization of communally held land. In December 2012, the ANC holds its 53rd National Elective Conference. As it was the case during the Polokwane Conference, it is expected that during the policy debates in the commissions of the conference, the question of land redistribution and restitution will dominate the policy proceedings. The ANC will take stock of the achievements made since 1994.

Lamenting on the slow pace of land reform in South Africa, in March 2010 the Minister of Rural Development and Land Affairs, Gugile Nkwinti stated that food security and economic growth were being undermined by the collapse of more than 90% of the farms that the ANC's government had bought for restitution or redistribution to victims of apartheid (Atkinson 2010: 364).

DISCUSSION

Unpacking the Land Reform Sub-programmes

As previously indicated in this study, the land reform programme has the following sub-programmes which need further explanation in order to under the roll-out and implementation of the land reform:

Land Restitution

Land Restitution effected to the constitutional provision that people unfairly dispossessed after 1913 were entitled to restitution of that property. The process aimed at restoring land to the dispossessed with concerns to minimize disrupt-

tion to agricultural production and political instability. According to Fabbriani (2007), two restrictions on the entitlement in the Restitution Act should be noted. Firstly, claims for restitution were to be lodged with the Commission on Restitution of Land Rights by 31 December 1998. Secondly, although Section 25(7) of the Constitution was silent about this, the Act excludes claims for restitution if just equitable compensation 'as contemplated' in Section 25(9) of the Constitution was paid upon dispossession.

Interestingly, in 1996, the Land and Agriculture Policy Centre (LAPC) conducted a national survey which found that 67% of respondents wanted land they could live on and use for production, but about 48% wanted one hectare or less (Marcus et al. 1996: 17). By 1998, after 3 years of implementing the restitution process and finalizing a mere 41 claims, the Chief Land Claims Commissioner and Regional Commissioners called for a review of the restitution process. It had become clear that there were a number of policy and implementation frameworks that hindered the delivery process. The review addressed various issues which included the duplication of functions between the DLA and the Commission; unclear lines of accountability; and a dualistic approach to policy and procedures resulting in confusion with regard to policy issues.

Figure 1 indicates that the rural claims comprised about 19% of the valid claims. Though these appear to be small in number they constituted large communities with many beneficiaries as well as vast tracts of land. President Thabo Mbeki gave a directive in February 2002 that all claims were to be finalized by the end of 2005. Therefore, the Land Claims Commission needed to settle 21 000 claims per year to make the deadline of 2005. However, in February 2005, Mbeki extended the date for finalization of all claims to 2007/2008. Out of the 79 969 claims lodged, 10 966 were still outstanding by the end of December 2005. It is clear from the Figure 1 (Designed by the authors) that rural claims took longer to settle than urban claims and the Land Claims Commission had to contend with the following: assisting claimants to structure their various affidavits such as for property descriptions, rightful descendants, document oral evidence, etc; come with dispute resolutions and mediation; and negotiating land prices with land owners (Didiza 2006: 14).

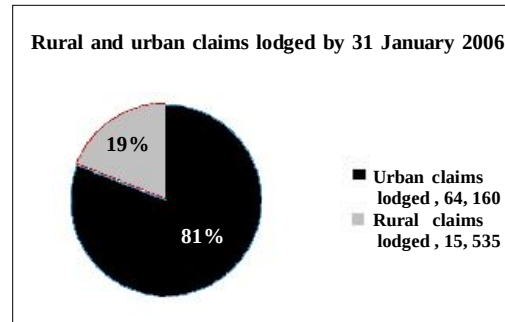


Fig. 1. Total number of urban and rural claims lodged by 31 January 2006

The approach to restitution required an injection of capital to ensure sustainable settlements. However, there were challenges linked to financial compensation and included the following: Non-disclosure by claimants leading to exclusion of the rightful descendants. In most cases such a situation led to family disputes. Inadequate or conflicting claimants' personal details delayed payments. Sometimes there were fraudulent claims or misrepresentation by some family members. Institutional issues needed to be addressed. These included staff retention strategies and more streamlined procurement processes.

Land Redistribution

The ANC's government approach to land redistribution involved a single, yet flexible redistribution mechanism to embrace a very wide range of land reform beneficiaries, including the very poor, labour tenants, farm workers, women, individuals and new entrants into agriculture. The mechanism could be adapted to continuous conditions. This depended largely upon voluntary transactions between willing-buyers and willing-sellers. The challenge for the ANC's government has been to devise and implement a programme that could respond even-handedly to each segment of the land market in order to provide access to the range of clients seeking to obtain land: from the poorest, especially female-headed, single-parent families to emergent black entrepreneurs (Fabbriani 2007: 16).

Section 25(5) of the Constitution of the Republic of South Africa, Act No. 106 of 1996, stipulates a socio-economic right, requiring the state to implement measures aimed at achieving land

redistribution. Therefore, the land redistribution programme was to address the divide between the 87% of the land dominated by white commercial farming and the 13% in the former homelands. It was also to ease congestion in the communal areas and diversify the ownership structure of commercial farmland. A pilot project was started between 1995 and 1999 which aimed at benefiting poor households who could receive state grants of R 16 000 per household to enable them to buy land and have a little start-up capital (Hall 2007: 87).

A new policy, Land Redistribution for Agricultural Development (LRAD), was launched in 2001 with the goal of establishing a class of African commercial farmers and since then has emerged as the primary means by which people were able to acquire land. The LRAD offered grants on a sliding scale from R 20 000 to R 100 000, depending on the level of cash or loans (Hall 2007: 90). However, it should be noted that since LRAD was for agricultural use only and gave priority to commercial farming, an alternative was needed to respond to the demands of those who were not in a position to invest in, or sustain the risks associated with, commercial enterprises, or whose interest was to get land for residential or other non-agricultural purposes (Hall 2007: 91; Mapadimeng 2003: 20-41).

With regard to private land, there was no spatial targeting directed from the national level. District and provincial offices made decisions as to where resources should be prioritized. The land redistribution process also provided grants to municipalities to purchase commonage land to make available for public use, primarily to poor livestock owners. From 1 May 2009 to 31 May 2012 the following statistics of hectares were acquired by respective provinces: Eastern Cape (132 849); Free State (71 428); Gauteng (7 683); KwaZulu-Natal (72 936); Limpopo (40 512); Mpumalanga (100 933); Northern Cape (350 869); North West (73 977); and Western Cape (31 051). The sustainability of land reform programmes has been subjected to critical analysis both within government circles and in the wider community (Department of Rural Development and Land Reform 2012: 22).

Land Tenure

Land Tenure reform was intended and directed towards two distinct objectives. The first was

to address the state of land administration in the communal areas of the former homelands by way of the Communal Land Rights Act of 2004. The communal areas made up most of the land in the former homelands and consisted of land falling under a variety of colonial and apartheid proclamations, and the land successfully owned by the South Africa Native Trust, South African Bantu Trust and South African Development Trust (SADT). The homeland areas and SADT land amounted to approximately 17 million hectares, including Ingonyama Trust land in KwaZulu-Natal, as well as the 'self-governing territories' of KwaZulu, Gazankulu, Lebowa, KaNgwane, KwaNdebele and Qwaqwa as well as the former 'independent' TBVC states Transkei, Bophuthatswana, Venda and Ciskei. These communal areas were homes to nearly third of all South Africans and the site the deepest concentrations of poverty in the country. The second objective was to strengthen the security of tenure of farm dwellers living on commercial farms. Most farm dwellers had access to residential land only, but minority were labour tenants who also had access to grazing land for their own livestock or to arable land for cultivation, in return for which they were required to provide unpaid labour to the landowner (Didiza 2006: 7).

In the main, the land tenure was introduced to give people, especially farm workers and labour tenants' security of tenure over houses and land where they work and stay. The following laws were introduced for this purpose: *Land Reform Act 3 of 1996*: Protecting the rights of labour tenants who live and grow crops or graze livestock on farms. They could not be evicted without a court order, nor if they were over 65 years old; *Extension of Security of Tenure Act 62 of 1997*: This protected the tenure of farm workers and people living in rural areas, including their rights to live on the land and the guidelines for other rights such as receiving visitors, access to water, health, education and so forth. The Act also spelt out the rights of owners, protecting them against arbitrary evictions; *Prevention of Illegal Occupation of Land Act of 1998*: This Act put in place procedures for the eviction and prohibition of illegal occupants.

Some Main Key Issues for Sustainable Rural and Agrarian Development

Ashley and Maxwell (2001: 395-425) address the below mentioned key issues on a global

scale. Therefore, this study attempts to show how these issues impacted to the rural and agrarian underdevelopment in some part of the country.

Agriculture as an Engine for Rural Development

In rural development discourse and rhetoric, strengthening the rural economy is often associated with the continual introduction of new, non-agricultural enterprises. It is argued in this study that agriculture is the best way to reduce rural poverty. Although the researchers agree in this study that rural development processes can involve many different actors, the researchers reject the notion that rural development can only proceed through the 'expropriation' of agriculture. Rural development can be constructed very effectively using the innovativeness and entrepreneurial skills present in the agricultural sector itself. There are reasons as to why agricultural growth might be expected to reduce poverty, at farm level, in the rural economy, and nationally. The effects are direct and indirect, short- and long-term, and of a general and equilibrium nature. For example, agricultural growth may lower food prices and thus provide cheaper wage goods which stimulate industrial growth. However, if the economy is open to national and international trade, prices will not fall below national and international levels and the benefit may not materialize. Therefore, the above theory suggests that to alleviate this problem, for the poor, extra farms jobs and higher wages may be the single most obvious benefit for agricultural growth, followed by the impact of additional spending in the rural economy (Ashley and Maxwell: 2001: 402).

Revival of Small Farms Decays

According to Hall and Aliber (2010: 3), 'small-scale farmers in South Africa have been subject to years of official neglect, and despite numerous policies and programmes that proclaim the opposite. In particular, dismantling Bantustan agricultural development corporations in the 1990s left a vacuum in production and marketing support for the now-estimated 200 000 commercially-oriented smallholder farmers and 2.5 million households practicing agriculture mainly for subsistence purposes'.

The Comprehensive Agricultural Support Programme (CASP) which was launched in 2004

became the largest form of agricultural support and the most significant capital budget line potentially available to small-scale Black farmers. In order to avoid the further small farms decays, CASP became important because it assisted the government in identifying the cost drivers and the spending pressures within the agricultural sector. Through this Intergovernmental Fiscal Review Process (IFRP), assessment of the agricultural budget and key deliverables were identified as well as some of the constraints that hindered service delivery. On further analysis, the IFRP made key observation, that there was insufficient provision made for support within the agricultural budget. In addressing this shortfall within the budget, a number of strategies were identified. This included the introduction of CASP, which was prioritized by the joint committee for implementation during 2004 (Department of Agriculture: Comprehensive Agricultural Support Programme 2003-2005: 6).

In order to achieve the above and as part of the implementation plan, CASP had six pillars of support services. The first pillar for on and off farm infrastructure was identified as a critical intervention for effective service delivery.

Factors Contributing to the Ineffectiveness of the Land Reform Programme

Rungasamy (2011: 9) argues that land reform in South Africa, whether taking place through the land restitution or land redistribution, had posed tremendous challenges to both past and present governments, not only in terms of the way the land was redistributed but more importantly the manner the claims were dealt with from inception, until settlement and post transfer. The manner in which it was implemented had been received with a great deal of criticism both by the broader civil society and the land reform beneficiaries themselves. In its attempts to return land to the dispossessed majority of the black people in South Africa, since its 18 years of governance, the ANC came up with different implementation strategies and approaches. However, the following were identified as some of those strategies and approaches, but which had minimal success rates:

The Willing-Buyer, Willing-Seller (WBWS) Approach

The government had to identify land to be purchased. In most cases the land which the

government earmarked was to be used for different purposes, including, the building new residential areas and allocating it for agrarian purposes. With the latter, the government envisaged the creation of sustainable rural and agrarian development whereby food production would be maximized and job opportunities created.

The WBWS approach placed voluntary land transactions at market price at the centre of redistribution policy leaving key strategic decisions unresolved. In most cases when the government made offers to purchase land, the land owners would charge exorbitant sums of money which were not comparable to the land sold. They knew that the government was committed to purchase for restitution claimants. For example, in Mpumalanga Province (where the prices ranged between R 23 000 per hectare to R 45 000 per hectare) the government had to negotiate exceptionally high land prices (Didiza 2006: 14). This came as a result of no measure put in place to regulate the land prices and transactions. In addition, negotiations were sometimes protracted unnecessarily by unwilling sellers who would question the validity of the claim. The purchase of land by foreigners, particularly in the Western Cape and Mpumalanga had also contributed to increased land prices, resulting in a series of distortions of the land market.

In order to curb this problem, market-based land reform policies were needed. Ironically, where landowners showed the willingness to sell, the main problem with the WBWS approach was a contradiction between three main elements, namely, the grant structure; the cost of the land; and the limits on group size. According to Hall (2007: 88) under this policy, the state could purchase land at market price from 'willing sellers'. The land purchased had to be restored to the previously dispossessed, through the land restitution programme. In 1994 when the ANC government took over power, it had anticipated to transfer about 30% of agricultural land within five years. Sadly, after 1999, only 1% of the land had been transferred.

Despite the above recorded shortcomings, in 2011 the ANC's government rekindled the question of land reform by introducing *The Green Paper on Land Reform*. Government Gazette No. 34656 of 30 September 2011, *The Green Paper on Land Reform 2011*, bridged the gap between fiction and non-fiction in the National Democratic Revolution (NDR's) ideological struggle for South Africa, suddenly making it a

hard reality. Although the Green Paper at first glance seemed to apply to agriculture, it is clear from the wording that it paves the way for radical nationalization at virtually every level of South African society. For this reason, civil society now has to work boldly on an antithesis to the NDR and the direction of impulsive failure with a land policy. This Green Paper is in all respects the pinnacle of the disastrous agricultural policy of the past two decades and forces South Africans to take a stance against large-scale failure.

The Delays in the Expropriation of Land

In her writings, Hall did not query the fact that Section 25(1) protected existing property rights (2004: 5). Her point was that although the land reform policy was based on a willing-buyer, willing-seller condition, the state could expropriate land. She argued that a far-reaching land reform was possible within the existing constitutional framework. According to her, while protecting rights, the constitution also explicitly empowered the state to expropriate property and specifies that property may be expropriated in the public interest, including the nation's commitment to land reform (2004: 6).

Unrealistic Expectations from the Claimants by the Land Commissions

In order to be entitled to restitution, the criteria set down in Section 2 of the Restitution Act had to be met. The Act stipulated:

- A person shall be entitled to restitution of a right in land if: he or she is a person dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices; or it is a deceased estate dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices; or he or she is the direct descendant of a person referred to here above; is a community or part of a community dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory law as or practices; and the claim for such restitution was lodged not later than 31 December 1998.

CONCLUSION

The study showed that the case for agriculture-led poverty reduction rests heavily on the

productive efficiency of farms and on their contribution to local economies, especially by virtue of demand for services. The future viability of land reforms should cater for technological complexity, greater connectedness to markets, and the globalization of commodity chains.

The following were the challenges faced by the ANC's government in the promotion of rural and agrarian development: high cost of financing of the entire programmes; resistance by some landowners; high demand for LRAD; finalization of State land disposal processes; and the demand for land for housing versus agricultural land. It has been argued in this article that in terms of the objectives of land reform as captured in the *White Paper on South African Land Policy*, land reform is not only measurable in terms of equity in respect of access to land but also on alleviation of poverty and improvement of the overall quality of life of the beneficiaries in a sustainable manner. Furthermore, if a land reform programme is well designed and managed, it can have a large impact on equality as well as productivity.

RECOMMENDATIONS

It was clear from the above that in some cases the land claimants could not meet the requirements to make some claims. Sometimes this was due to lack of proper documentations such as the Identity Documents (IDs), birth certificates, death certificates etc to justify the claims. This complicated the matters in as far as the claims were concerned. To date the question of land reform is still problematic for the ANC's government. To ensure that there are strategies in place for improved livelihoods based on the needs of the land reform for rural and agrarian beneficiaries, better access to markets and financial assistance is required. In most land reform projects, beneficiaries have not benefitted from the land reform programme in terms of improved livelihoods. This has been attributed to poor support in terms of preparing of business plans, lack of access to markets and credit. It is therefore proposed that if land reform programmes are rolled out, consideration should be given to individual and household needs and small scale farming in an effort to alleviate poverty and strengthen food security. The above observation was endorsed by other researcher that beneficiaries of the land reform programme should

be encouraged to take ownership of their projects.

It was interesting to note that when Minister Nkwinti delivered his budget vote speech on Wednesday 16 May 2012, he committed R2,7 billion to help increase South African's access to agricultural land. Strategic support would be provided to 416 emerging farmers through the Recapitalisation and Development Programme (RECAP) in addition to the existing 595 farms currently being supported at a cost of R1,2 billion.

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