

**EXPERIENCES OF THE LAND REDISTRIBUTION FOR
AGRICULTURAL DEVELOPMENT (LRAD) PROGRAM IN THE
NGQUSHWA LOCAL MUNICIPAL AREA OF THE PROVINCE
OF THE EASTERN CAPE, 2006 - 2010.**

by

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A mini-dissertation submitted in partial fulfilment of the requirements for the Master of Philosophy degree in Environmental Studies, University of Fort Hare

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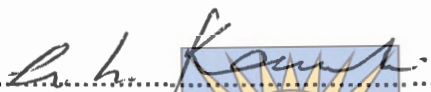
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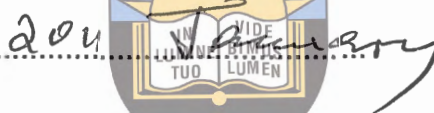
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DECLARATION

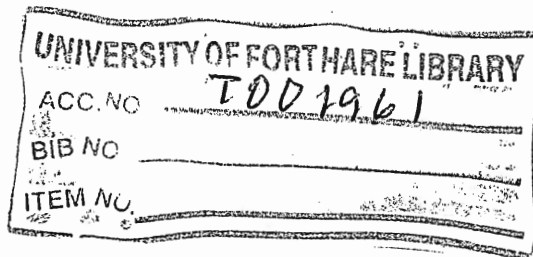
I, Nqaba Albert Kambi hereby declare that this dissertation entitled "Experiences of the Land Redistribution for Agricultural Development (LRAD) program in the Ngqushwa Local Municipal area of the Province of the Eastern Cape, 2006-2010" is the result of my own endeavour, except where stated, and that it has not been submitted towards a degree certificate at any other university other than the University of Fort Hare.

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ABSTRACT

It has been emphasised in the literature on South African land reform that the Land Redistribution for Agricultural Development (LRAD) system does not benefit poor farmers. This study also argues that the LRAD system is a conceptual framework for the establishment of commercial agriculture on redistributed land that excludes agriculture at a subsistence level. Thus, the LRAD system requires subsistence farmers to upgrade themselves to commercial status immediately upon entering the system. Although the system provides for the establishment of group projects by subsistence farmers under a communal property association (CPA) or trust, the farmers still do not amass enough agricultural resources, financial and otherwise, for competitive enterprise at commercial level.

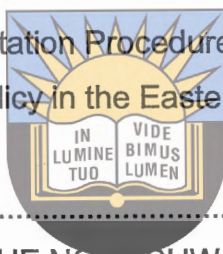
International and South African land reform literature has criticised group production in agriculture as a non-viable option. But the LRAD system imposes collective production on subsistence farmers by insisting on the formation of trusts and the construction of group project plans or group business plans when these farmers join the system. Along with group production the LRAD system imposes collective ownership of the agricultural resources in a project, including land and agricultural products. However, negative group dynamics such as lack of commitment to the project by some members have often led to the failure of projects.

The literature on agricultural land reform has also highlighted that resource poor subsistence farmers require government support in the form of extension and veterinary services, agricultural infrastructural development and maintenance as well as access to agricultural financial resources. The lack of post settlement government support to LRAD system beneficiaries, a phenomenon that has been widely expressed in land reform writings, is also evident in the struggles of subsistence farmers in the two Ngqushwa LRAD projects that are studied in this research.

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LIST OF ABBREVIATIONS

- ADM - Amathole District Municipality
ANC - African National Congress
CPA - Communal Property Association
DLA - Department of Land Affairs
DOA - Department of Agriculture
LARP - Land and Agrarian Reform Project
LRAD - Land Redistribution for Agricultural Development
NLM - Ngqushwa Local Municipality
PLAS - Proactive Land Acquisition Strategy
SAHRC - South African Human Rights Commission
SLAG - Settlement/Land Acquisition Grant



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CHAPTER I

LITERATURE REVIEW AND RESEARCH PURPOSE

Introduction

This research subject is in the field of environmental studies, particularly on aspects related to post-apartheid South African land reform in the Ngqushwa Local Municipal (NLM) area of the Eastern Cape Province. It investigates the implementation of the Land Redistribution for Agricultural Development (LRAD) program and its effect on subsistence farming in this particular area.

LRAD is part of a broader South African land reform program. Overall, the post-apartheid land reform program has three main components:

- firstly, the land restitution program, a legislative process set by a 1994 Land Restitution Act to compensate those who were dispossessed of their land rights since 1913;
- secondly, there is the tenure reform program that is directed at addressing insecure tenure and informal land rights;
- thirdly is the land redistribution program which is aimed at providing black (African, Coloured or Indian) South African citizens with access to land for residential and productive purposes.

LRAD, which falls under the third program, has two parts: one is aimed at transferring agricultural land to specific black individuals or groups. This research focuses mainly on this part. The other deals with commonage

projects, and aims to improve people's access to municipal and tribal land, primarily for grazing purposes (Department of Land Affairs (DLA) LRAD document, 2000). The latter is only focused on in part by this study.

In the last twelve years or so, the land reform program in Ngqushwa has concentrated on the revival of old irrigation and pineapple schemes, the redistribution of state-land to old communal settlements and groups of families and the amalgamation of game reserves on the Fish river with the Double Drift reserve of the former Ciskei. It has also focused on the upgrading of tenure/ownership rights to individuals who previously leased Ciskei homeland farms. These are discussed in more detail in chapter 3.



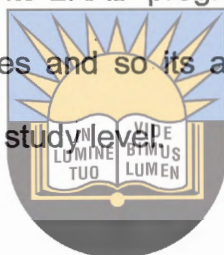
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This introductory chapter firstly provides a theoretical framework that introduces key philosophies and concepts that underpin the study. The chapter also offers a literature review on land and agrarian reform on post-independence Africa, a number of other international countries and in post-1994 South Africa. From this literature review, gaps have been identified for this study. These provide the backbone for the aim and objectives of this research. The key questions raised seek to provide answers to the objectives of the research. The chapter also introduces the adopted research methods or techniques and identifies the research location.

Conceptual Framework

This section discusses first the social justice framework, as outlined by Smith (1995), and follows this with a brief discussion of the livelihoods framework offered by Hall (2007). The LRAD, the key program to be studied, can be examined within a social justice and resource distribution framework, as explained in the discussion below. The African National Congress (ANC) led government envisaged that its LRAD program would improve the livelihoods of the new land beneficiaries and so its analysis is proposed by way of a study of its impact at a case study level.



Groenewald (2004) emphasised that the primary objectives of post-apartheid land reform are equity and productivity. Immediately after 1994, the Redistribution and Development Programme (RDP) and the Settlement/Land Acquisition Grants (SLAG), underpinned the land redistribution program. These were driven primarily by imperatives of demand, equity and poverty alleviation. However, the LRAD, introduced in the early 2000s, sought to establish black commercial farmers. It had an economic and productivity emphasis, a narrow equity scope, and basically excluded the poor (Wotshela, 2009; Lahiff, 2007).

The replacement of SLAG with LRAD represented a shift in the post-apartheid South African government's land reform program from an emphasis on poverty reduction in the years immediately after 1994 to economic growth

beyond 1999 (Lahiff, 2007). At the inception of democracy the ANC-led government envisaged redistributing 30% of agricultural land within the first five years of its reign, a target that was ambitious to say the least (Walker, 2004). In the context of this research, land redistribution is seen not only as an aspect of agrarian re-dress, but also as a human rights issue and so access to land is looked at in association with other social services (Wotshela, 2009). As mentioned, the research is grounded in a theoretical framework of social justice and resource redistribution which has captured the interest of political philosophers, social scientists, humanists and geographers in the last three decades or so (Smith, 1995).



Social justice hinges on a notion of social arrangements and supports advocacy against unequal relations between people. Smith, (1995) who has written prolifically on redistribution and social justice after apartheid, appropriately explored this theory with regard to transformation challenges in a democratic South Africa. In outlining his theory on the opportunities and constraints of redistribution in the post-apartheid era, he provided a backdrop on racial inequality under apartheid, emphasizing this as the key element to address for social justice to be attained in the current era.

Smith (1995) underpinned his discussion of redistribution and social justice in South Africa after apartheid with the argument that political egalitarianism, associated with equity objectives, provides an appropriate universal framework to guide thinking about social justice but that its application

required attention to the particular inheritance of apartheid. He argued that racial identity is one of those differences over which people have no control, while racial inequalities in life chances, as such, are indicative of social injustice. He, also emphasised that government legislation and policies under colonial and apartheid South Africa, combined to produce a racially skewed land ownership pattern in favour of whites (Smith, 1995). The status quo had a negative impact on land-based livelihoods of black South Africans.

The sustainable livelihoods framework is founded on a notion of policy interventions that not only improve livelihoods, but also result in enduring or further improving livelihoods. The framework, which has widespread use internationally, in academia and structures of society, constitutes a relevant basis for developing indicators of livelihood impacts, particularly for land reform (Hall, 2007). Livelihoods are conceived of as having six interdependent asset dimensions. These are political, human (education and skills), social (relationships and networks), natural (land and water), financial (money and loans) and physical (infrastructure and assets) capital. The LRAD policy, which is the focus of this study, is considered to be central to the political capital.

According to Hall (2007), South African literature on land reform presents sustainable livelihoods as having outcomes or indicators that include more income from marketed produce and more egalitarian distribution of income. In addition, there should be improved access to clean drinking water, sanitation, electricity and housing as well as improved nutritional status. Thus an

improvement in land-based livelihoods should result in a better quality of life.

Land Reform in Southern Africa and Internationally

Writings on land reform generally have been associated with agrarian redress, redistribution of resources and political economies throughout the world. This section discusses land reform in various African and other countries and it revisits the discussion on land reform in South Africa as is indicated in the introduction.



Land Reform in Post-independence Zimbabwe

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The literature on Zimbabwean land reform indicates that this process has been embroiled in the country's politics, from its independence in 1981 (Mbaya, 2005; Moyo, 2000). It categorises Zimbabwe's land reform into two distinct phases. Firstly, the period immediately after 1981, in which a compromised post-independence government embarked on a market-driven land reform program. Secondly, the literature looks at the period followed by the Fast Track Land Reform Programme (FTP) that characterised state and local leaders' expropriation of farmland from the year 2000 onwards.

Mbaya (2005) presented land reform in Zimbabwe for the period of the 1980s, the 1990s and the early 2000s. She emphasised that in the 1980s the main thrust of land reform in that country was land redistribution, which

comprised planning, land acquisition, resettlement of beneficiaries and post-settlement support. It was a market-based, willing buyer- willing seller model of land reform. She stresses that the Zimbabwean government launched the Land Reform and Resettlement Programme (LRRP2) in 1997 and that it soon gave way to the FTP in the early 2000s largely because of political pressure and forceful land occupations. The LRRP2 and the FTP were characterised by the redistribution of land that was acquired at government controlled prices in a state-led land reform process (Moyo, 2000).



Hitchcock and Nkwe (1986) write a seminal article that provides insight into land reform in Botswana. It indirectly sheds light on the challenges facing land reform in post-1994 South Africa in its discussion of agrarian land reform efforts in rural Botswana. The discussion revealed similarities between Botswana and South Africa in the use of land for livestock breeding, in particular its division into commercial and communal agricultural land areas. In Botswana the rezoning of rural agricultural areas was driven by government constituted land boards, to which the land allocation powers of chiefs were ceded (Hitchcock and Nkwe, 1986).

Hitchcock and Nkwe (1986) emphasised that one of the major objectives of Botswana's policy for grazing land was to promote greater equality of incomes in rural areas and thus to reduce the increasing economic gap between rich

and poor livestock owners. In order to achieve that objective, grazing land in Botswana was divided into commercial and communal grazing land. Commercial grazing land was divided into private farms accommodating wealthy farmers with large livestock: most of these were relocated from communal areas. Conversely, much of the communal land was allocated to poor livestock farmers. The commercial farmers made lease payments to the government, which were used to develop and maintain communal land and associated infrastructure. Hitchcock and Nkwe (1986) note that stock limitations were imposed on communal land.



The rezoning of land into commercial and communal affected much of Botswana's land surface area. Importantly, commercial land took up a smaller percentage, about 11 percent, whilst communal land occupied a larger percentage, approximately 32 percent. The land reform process had its challenges. In some instances zoning surveys were done without determining land-use on the ground. At times certain areas of the country, transformed into commercial land, were found to be already populated by people with or without livestock. It was also necessary in some areas to rezone private farms when there was conflict over land-use among occupiers of the land (Hitchcock and Nkwe, 1986).

Land Reform in Post-independence Namibia

Garcia (2004) discussed commercial and communal agriculture in Namibia

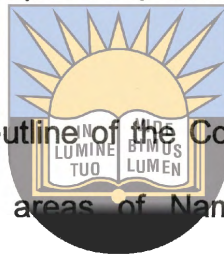
from a socio-political perspective. He pointed out that the social conception of agriculture should inform the politically driven land reform policies in that country. Garcia (2004) also noted that from a social perspective, Namibia's agrarian sector reflects the country's general economic conditions. At the time it was characterised by a marked duality between its commercial and communal sub-sectors in terms of unequal capabilities and economic activity as well as divergent conceptions of agriculture and livestock production.



Commercial agriculture was noted to be characterised by a heavily capitalised farming system, mainly oriented towards livestock production for internal and foreign markets. In the communal system African farmers kept as large a herd as possible with the aim of contributing to maintaining and eventually increasing the social and economic status of the family. They also observed traditional responsibilities at weddings, funerals and other social events. Furthermore, livestock constituted a sort of traditional social security and saving system. Thus Garcia (2004) emphasised that when politicians formulate and implement land reform policies they should take into account the social and economic impact of the policies.

In his outline, Garcia (2004) highlighted that Namibia's political land reform process had a two-pronged approach: commercial and communal. On the commercial front, land reform was based on a 1990 Land Reform Act which provided for the acquisition of land by the state for resettlement purposes, the establishment of a land tax and the expropriation of land. The acquisition of

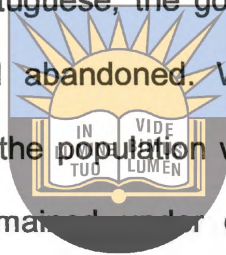
land followed a willing seller-willing buyer principle, whereby commercial farmers offered land for sale to the government for purchase. The land tax penalised unproductive farmers, thus forcing them to sell their land to the state which made more land available for resettlement. As mentioned, the Land Reform Act also empowered the government to expropriate land in the public interest subject to payment of just compensation. Nevertheless, throughout the 1990s and early 2000s the Namibian government rarely applied the land tax and expropriation provisions of the Land Reform Act.



Garcia also provided an outline of the Communal Land Act, which had an impact on the communal areas of Namibia. He emphasised that the Communal Land Act provided for the constitution of land boards in a similar manner to Botswana's Tribal Land Act of 1970. These land boards took over land management and allocation in communal areas from traditional authorities with the aim of democratising land transfers. The Namibian government undertook the resettlement of poorer farmers within a collective communal productive framework. Garcia maintains that regardless of the government's post-settlement support for collective resettlement, collective resettlement projects showed major deficiencies from a production perspective. It also undertook the individual resettlement of wealthier farmers from communal areas to farms subdivided for farming purposes.

Land Reform in Angola after its Liberation

David (2005) reported that land and agrarian reform had not yet essentially taken place in Angola. He highlights that after the civil war, the Angolan government and civil society, including non-governmental organisations (NGOs) and consultants formulated the country's Land Bill for rural and agricultural development to address and combat poverty and hunger. After independence from the Portuguese, the government nationalised the farms which the Portuguese had abandoned. When civil war broke out after independence, one-third of the population were displaced and only about 3 percent of arable land remained under cultivation. Landmines were an obstacle to agricultural development and these restricted people's ability to cultivate land.



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David (2005) emphasised the difficulties Angola faced regarding land and agrarian reform. The Angolan government was occupied with its resettlement programme for returnee families, ex-soldiers, internally displaced families and refugees coming from neighbouring countries. With the assistance of NGOs and organisations such as the United Nations (UN), the Angolan government was getting these people involved in subsistence farming, by providing them with seeds, working tools and land to start agricultural activities for their livelihoods. These agricultural programmes led to a reduction of the population in need of food aid every month (David, 2005).

David (2005) further pointed out that there is not much information on commercial farming in Angola due to lack of research on the subject. He notes that before Angolan independence the Portuguese successfully practiced small and large scale commercial farming. As a result, that country achieved surplus production and was a net agricultural exporter. After independence, Angolan agriculture collapsed when the Portuguese abandoned their farms - a situation, exacerbated by the civil war that broke out and dragged on for about three decades. As a result of the civil war, most agricultural infrastructure, including irrigation systems, energy and roads were destroyed. Angolan commercial farmers faced challenges with regard to access to finance capital and credit as well as support in the form of technical assistance, training and infrastructural support. David recommended a bottom-up approach to land reform in Angola that should involve government, civil society, the private sector and landless and vulnerable people.

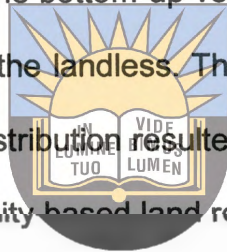


This sketch of land reform policies in southern African countries reflects glaring challenges regarding aspects of production and maintenance of commercial farming. It also reveals problems associated with the sustenance of subsistence farming and rural livelihoods and the complexities of land policies and governance to foster settlements.

Land Reform in East Asia and Brazil after Independence

In other parts of the world, especially in Asia and Brazil, writers such as

Boyce, Rosset and Stanton (2005) stressed the positive impact of land reform that favours the poor. These writers isolated certain characteristics of the pro-poor land reform that had resulted in improved agrarian production. For them whether land reform was top-down as in China, Japan, South Korea and Taiwan, or bottom-up, as it was in Brazil, it could address the need of the poor for agricultural land and contribute to economic growth. The top-down land reform in East Asia was state-led, egalitarian and characterised by expropriation of land, while the bottom-up version of land reform in Brazil was led by mass movements of the landless. They pointed out that expropriation of land in state-led land redistribution resulted in a higher rate of land transfer to the poor than did community based land reform (Boyce et al, 2005).



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These writers stressed the non-viability of collective production, usually imposed on groups of poor farmers, as in China and Brazil. They recommended the formation and use of farmer cooperatives, such as marketing cooperatives, whose services would be made accessible to individual farmers. They also emphasised that small commercial farms, suited to the poor, had certain advantages as compared to large commercial farms. In their study of crop farming, they explained that small farms were more productive than large ones, had more environmentally friendly applications and promoted agricultural biodiversity. Boyce et al (2005) concluded that land reform in the East Asian countries and in Brazil reduced rural poverty by affording poor households an opportunity to feed themselves and to generate income from agriculture. This seems to contrast with the experiences of the

Southern African countries outlined earlier.

Land Reform in Post Apartheid South Africa

Influences on Land Reform in South Africa

Walker's (2005) examination of South Africa's political transition highlights the change as negotiated rather than revolutionary and this did shape the future of land reform. The negotiated political transition led to democracy and market-oriented land reform in South Africa. Thus, the process of land reform and the redistribution of land in South Africa were founded on the willing buyer - willing seller principle and on market forces, rather than on expropriation. Zimbabwe, under the leadership of President Robert Mugabe, had embarked on land reform in much the same manner in its initial years of independence, during the early 1980s.

Walker (2005) noted that the parties who played a pivotal role in the negotiations included the World Bank, the National Party (NP) and the ANC. The World Bank offered policy advice on land reform and agricultural land redistribution to the ANC. It advocated a market-based land reform and agricultural land redistribution model. The World Bank further projected that 30% of agricultural land could be transferred to blacks within the first five years of democracy, a figure which the ANC adopted as a target. At this stage the NP also insisted on the protection of property rights and payment of just

compensation for land acquired. Consequently, a compromise property rights clause that protected land rights but which also provided for expropriation of land for the purposes of redistribution was included in the post-1994 Constitution of the ANC-led government (see also chapter 3).

According to Rosario-Malonzo (2005), the World Bank prescribed to Third World countries that the communal tenure system be abandoned in favour of freehold title and sub-division of the commons. The World Bank further encouraged the marketing of land and the pricing of land at prevailing market prices in place of state-led land redistribution and the promotion of land sales markets to enhance land transfers. It discouraged the expropriation of private land in favour of voluntary and direct land transactions between willing buyers and sellers in a demand-driven system of land transfer. The World Bank recommended self-selection of beneficiaries and production of business plans to ensure continued productivity on the transferred land.

Rosario-Malonzo (2005) further stressed that these prescriptive measures were intended to do away with customary communal tenure and commonages considered to be incompatible with the World Bank's imposition of export-oriented agriculture and the cash crops system. These World Bank measures were aimed at promoting private land ownership and marketing of land since the land sales were used to generate government revenues, the bulk of which was paid to international creditors (Rosario-Malonzo, 2005). Apart from the international inputs of the World Bank, there were community-

based influences on land reform in post-apartheid South Africa.

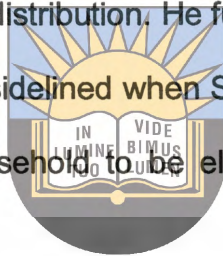
Wotshela (2009) emphasised the importance of local politics, triggered during the insurrectional phase and the dying years of apartheid, in the early 1990s, as constituting one impetus to an elaborate post-apartheid land reform program. These were reflected in massive invasions of land and the spread of 'informal or shack settlements' in the Eastern Cape Province, where he conducted his research. He stressed that the DLA was pressurised into recognising such informal settlements.



Elsewhere, in KwaZulu-Natal (KZN), a similar process took place in the same period, between 1990 and 1993, where the Roosboom community sought restitution of its land (Xulu and Maharaj, 2004). Xulu and Maharaj (2004) reported that the Roosboom community joined 39 other communities from various parts of the country, including the Eastern Cape Province, in an attempt to seek restitution for land lost to the apartheid government. The communities occupied their former lands when faced with delays in the restitution process. Land occupations exposed the shortcomings of the apartheid government's land reform policies and brought about a political crisis that forced the apartheid government to succumb to the demands of the 'illegal occupants' of the lands. Nevertheless, as Xulu and Maharaj (2004) have noted, only the Roosboom community, along with a few others had their land restored to them.

Introduction of Land Reform for Agricultural Development

Lahiff (2007) points out that the land reform program of the new democratic ANC government initially sought to assist poor households to acquire land through the market. He emphasised that the government put SLAG in place as its mechanism for implementing its broad land reform programme, which included agricultural land redistribution. He further highlights that the relatively better off households were sidelined when SLAG placed a maximum monthly income of R1 500 per household to be eligible for to the agricultural land acquisition grant.



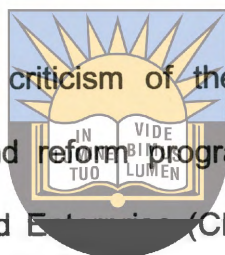
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Lahiff (2007) noted that in the year 2000 the state replaced SLAG with LRAD as an agricultural land redistribution mechanism. He emphasised that the LRAD programme, under the Growth, Employment and Redistribution (GEAR) economic policy, aimed to produce black individual commercial farmers. He further observed that with the removal of the income ceiling and introduction of a variable own contribution as a requirement for eligibility to the LRAD grant, the grant was made accessible to both the poor and the not so poor.

Wegerif (2004) also discusses the weaknesses of SLAG that led to its replacement by LRAD. These included the failure of SLAG to produce individual black commercial farmers and its inability to limit the number of

households on each transferred farming unit. He further argued that SLAG failed to realise land reform objectives, notably the 30% target, as less than 1% of agricultural land was redistributed between the years 1994 and 2000. In addition he stressed that SLAG had not been market-friendly, whilst LRAD market-based land reform.

Criticisms of LRAD and Land Reform



In South African literature criticism of the ANC-led government's LRAD system and its broader land reform program has not been wanting. The Centre for Development and Enterprise (CDE) (2005), a non-governmental organisation periodically publishes reports in its 'CDE Research: Policy in the Making' publication. The publication serves as the CDE's vehicle for disseminating research findings and policy recommendations on crucial national challenges. It concluded in its research report on land reform in South Africa for the twenty first century that the deracialisation of commercial agricultural land is essential but would not benefit primarily poor black South Africans. Rather, the benefits will mainly accrue to a small number of relatively better off black landowners and potential farmers.

Lahiff (2007) asserted that the poor and their needs were left behind in the process of land reform, and that the poorest were effectively excluded from it when the pro-poor SLAG was replaced with LRAD. Similarly, Wotshela (2009) argued that LRAD was not meant to serve poor households, but those with

resources in the communal areas of the former homelands. Hall (2004) emphasised that the result of replacing SLAG with LRAD was that emerging black commercial farmers, who had their own resources to invest, now competed with the mass of the rural poor who struggled to produce the own contribution LRAD requires for preferential access to agricultural land redistribution benefits. These facts were confirmed by the only 4.4% transfer of land under LRAD, in the 2002/2003 financial year, to the poor (Rugege, 2004).

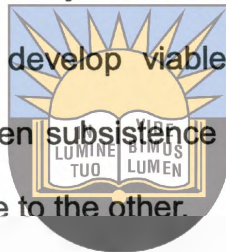


Furthermore, this caused Lahiff (2007) to suggest that a simultaneous implementation of both programmes, with each directed at a particular target group - SLAG for the poor, LRAD for emergent and commercial farmers - would have been a more pragmatic approach to land reform. Rugege (2004) observed that equitable redistribution of the agricultural land resource and wealth generated from it would only be achieved when it was accessible to both poor and better off as well as to all racial groups.

In a study done in Limpopo, Wegerif (2004) concluded that most of the transfers of ownership of farms had done nothing to change the racial inequalities or structure of the agricultural sector in post apartheid South Africa. He reasoned that almost all of the land transferred in Limpopo under LRAD had been bought by the apartheid regime for incorporation into the former homeland and, by now was already not white-owned. Furthermore, he believed that LRAD fared no better than SLAG in the implementation of land

reform in Limpopo. He based his conviction on the finding that the number of hectares of land redistributed through SLAG and LRAD, in their relative histories, indicated more SLAG household beneficiaries than individual LRAD beneficiaries from agricultural land transference.

As to the beneficial effects of LRAD, Wegerif (2004) concluded that LRAD had not brought about any change in the existing farming operations of former leaseholders and had created no new jobs. Also, poor small-scale farmers had not received sufficient land to develop viable future commercial enterprises. Furthermore, the gap between subsistence and commercial farming was too great for graduation from one to the other.



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The South African Human Rights Commission (SAHRC) (2004) and Hall (2004) levelled criticism against the LRAD program for its willing seller-willing buyer principle and market-based approach to land redistribution. The SAHRC recommended that the ANC government revisit its land redistribution policy since its market-based concept of land reform favoured resourced farmers, not the landless poor who do not have a resource base with which to enter redistributive land reform programs. Lahiff (2008) noted that although government politicians lamented the restrictive impact of the voluntary sale of land in land reform, no steps had been taken by the ANC government to review or remove it.

Hall (2004) observed that many white landowners were unwilling to make

their land available for redistribution or asked exorbitant prices for it. Moreover, she cited racism with some white landowners who had in some instances refused to sell their lands to blacks, as one of the obstacles to market-assisted land redistribution. This prompted her to surmise that the government appeared to have little political will to use expropriation to redistribute land. She stressed the reality of inhibition of land redistribution due to escalating land market prices and the fact that land prices had not been matched with concomitant increases in LRAD land grants. Hall (2004) pointed out that there has been no increment in the grant structure of LRAD since its inception.



In the same vein Walker (2005) made the critical point that the annual budget of the DLA, responsible for the implementation of the LRAD programme, remained below 1% of the national budget for the ten years from 1994 to 2004. In that period, it amounted to approximately 40% of what the World Bank had recommended for the transfer of 30% of land over five years. Another significant point Hall (2004, p. 816) made was that since 1994 the ANC-led government had "not prioritised land reform in terms of overall economic objectives, national budgets or public staffing levels". Essentially, Hall (2004) regards the inability of the ANC-led government to transfer even 3.4% of the country's farmland to black ownership over the ten year period as a failure in land reform policy. More fundamentally, she saw it as a failure to transform the very nature of society and to address the social justice objectives of post apartheid land redistribution.

On the same issue, a report of the SAHRC (SAHRC, 2004) emphasised that the very slow pace of land reform infringed on the constitutional right to land ownership of landless people. It stressed that the government was obliged in terms of the constitution to take steps to redress past racial discrimination and imbalances regarding land ownership. The report outlined two sets of challenges to the pace of land reform.

The first set of challenges relates to the availability and marketing of land. The SAHRC's report noted that there was a scarcity of viable commercial agricultural land in South Africa and that only a small fraction of commercial agricultural land was in the possession of the state. The SAHRC highlighted that land in South Africa was expensive and buyers, including the state, could not afford to purchase land. Furthermore, owners of commercial agricultural land were not willing to sell their land and in some instances they tended to overprice their land. In addition, there were budget inadequacies resulting in some provinces having already committed their budgets for the coming years, thus being unable to process further LRAD applications.

The second set of challenges concerns post-settlement support and integration of LRAD with other developments. The SAHRC's report (SAHRC, 2004) stressed that there was often inadequate post transfer support and no centralised integrated institution that coordinates the services needed by beneficiaries of land reform programs, since land reform cannot happen in isolation from other socio-economic rights.

Along the same lines, Lahiff (2008) attributed the dysfunctional state of land reform projects to lack of post-settlement support by the government. He stressed that beneficiaries of land reform experienced problems accessing a range of services including agricultural extension advice, training, veterinary services as well as credit and markets for input and produce. He pointed out that poor beneficiaries would not be able to pay for private agricultural services either. He noted that in response to the post-transfer support problems, the government introduced the Comprehensive Agricultural Support Programme (CASP) and formed the Micro Agricultural Finance Institute of South Africa (MAFISA) with the purpose of providing small loans to farmers. Furthermore, the government set up the Settlement and Implementation Support (SIS) Strategy for land and agrarian reform in South Africa with the provision of project-based training and learning as one of its key elements.



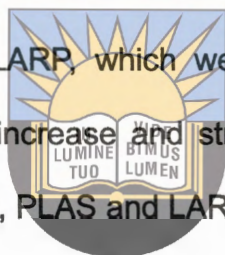
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Introduction of Proactive Land Acquisition Strategy and Land and Agrarian Reform Project

The SAHRC (2004) in its report recommended, that the government adopt and implement the Proactive Land Acquisition Strategy (PLAS) to speed up the pace of land reform. It also advised the government to increase its land reform budget. Lahiff (2008) reported that the implementation of PLAS resulted in faster paced land reform and that land reform budgets increased in the years 2006/2007 and 2008/2009 when PLAS was introduced.

Nevertheless, the increases were rendered inadequate by the high prices of land as noted by the SAHRC.

Lahiff (2008) emphasised that PLAS and LARP were supply-led approaches to land reform that responded to the objectives of the Accelerated and Shared Growth Initiative for South Africa (ASGISA) economic policy framework and provided an alternative to the demand-led LRAD system. He stressed that criticism of the slow pace of land redistribution under LRAD led to the introduction of PLAS and LARP, which were intended to accelerate land redistribution as well as to increase and strengthen the involvement of the state in land reform. Even so, PLAS and LARP did not replace LRAD.



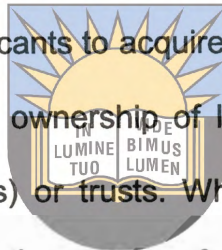
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Lahiff (2008) also noted that the willing buyer-willing seller principle and reliance on the market remained unchanged under the PLAS and LARP strategies, whilst the state was put in a stronger position to drive the process of land acquisition through the introduction of these two strategies. He pointed out that the PLAS strategy, which was adopted as official policy in 2006, had a wide target group consisting of blacks and claimed to be pro-poor whilst it was not. Under this approach, the state bought land directly from owners rather than issuing grants to applicants to buy land. The state became the 'willing buyer' of land for redistribution, by actively using market opportunities where they arose and, in some instances, approaching landowners to sell. This state-owned land was then allocated on a leasehold basis for three to five years, following which the lessee was allowed an option to purchase

(Lahiff, 2008).

Lahiff (2008) also cites collective land ownership and production by the poor, inadequate post-settlement and long term support for the poor, and what he termed top down approach to land reform as challenges experienced by poor land reform beneficiaries. He emphasised that land reform projects under any system LRAD, PLAS, LARP including the initial SLAG, involved groups for the poor. Typical farm prices left the poor with little choice but to join up with other grant applicants to acquire farmland. The prohibition of land subdivision led to collective ownership of land and formation of communal property associations (CPAs) or trusts. Whilst collective ownership of land may be traditionally African, the state's refusal to subdivide agricultural units of land drove the process of collective production and land ownership, not tradition. Groups got involved in some form of collective production since they had to produce and implement a project or business plan suited to a large farming unit (Lahiff, 2008).



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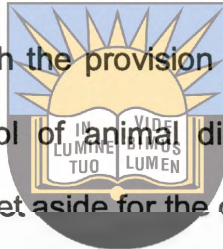
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An Alternative Access Route to LRAD

Atkinson and Buscher (2006) argued for the use of municipal commonage land as a starting point for poor and emergent farmers who aspired to become commercial farmers as individuals or small groups. In their study of commonage farmers in Philippolis in the Free State Province of South Africa, they established that these commonage farmers displayed commitment in

their farming activities, yet as individuals they could not qualify for LRAD grants that would assist them to graduate to commercial farming status.

Atkinson and Buscher (2006) discuss a framework that was drafted by the Free State Department of Agriculture for commonage use that would lead to admission to LRAD. The framework acknowledges three categories of farmers. The first category of farmers, were new subsistence farmers. These were allowed a maximum number of 5 cattle or 30 sheep or 30 goats. The municipality would assist with the provision of bulls and rams, drought relief programmes and the control of animal diseases. At least 50 percent of commonage land would be set aside for the category 1 farmers.



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The second category of farmers would share a piece of land to a maximum of four farmers. The maximum number of animals would be 15 cattle or 90 sheep or 90 goats. A farmer would be required to progress to category 3 after five years.

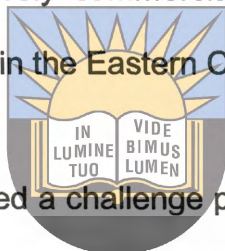
The third category of farmers would each be allocated their own rented piece of land. The maximum number of animals a farmer could have would be 30 cattle or 180 sheep or 180 goats. The farmer must apply for an LRAD grant after three years in this category. The Department of Agriculture would assist in the application.

Land Reform in the Eastern Cape

The Eastern Cape province has received special attention as to land redistribution process, particularly from Lahiff (2005) and Wotshela (2009). Lahiff (2005) emphasised that land redistribution in the Eastern Cape was, the same as elsewhere in South Africa, in terms of the challenges that were experienced. Lahiff (2005) and Wotshela (2009) noted that the rate of land redistribution in the province was very low. Lahiff (2005) noted that the land redistribution rate was at 1.4 percent of white farms from 1994 to 2003, while Wotshela (2009) noted that only 222 000 ha of agricultural land in the province had been redistributed in the period from 1995 to 2005. This amounted to 2.22 percent of the total agricultural land held by white farmers in 1994, which Lahiff (2005) estimated at 10 million ha. In comparison, the land area of the Eastern Cape is approximately 16,9 million ha. Wotshela (2009) noted that Chris Hani District Municipality was leading the redistribution figures for the period from 1995 to 2005. It was followed by Ukhahlamba, Cacadu Municipal Districts and Amathole, where Ngqushwa, the research location is found.

Lahiff (2005) also stressed that projects stalled due to lack of agricultural extension support for farmers, a situation that was exacerbated by the collapse of homeland-era agricultural services that, as a result, could not cater for rural subsistence farmers. He also pointed out that better off farmers acquired agricultural land before and during the LRAD implementation. The

Eastern Cape Department of Agriculture accomplished this by disposing of state land in the former homelands, outside of the government's land reform programme, ostensibly to protect the economic value of these commercial farms. This fact is borne out by the audit list of emerging farmers in Ngqushwa Municipal District, obtainable in 2008. The list shows that there were 51 emerging farmers in Ngqushwa but only 2 of these farmers acquired land through the government's LRAD program. Hence he observed that the LRAD programme's excessively commercial orientation cast doubts on its ability to reach the very poor in the Eastern Cape province.

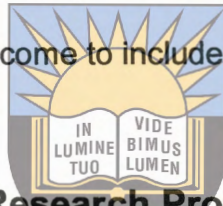


Lahiff (2005) also highlighted a challenge peculiar to the Eastern Cape, that the white farms targeted for redistribution were situated far from the former homelands where the rural population resides. However, he conceded that the DLA in the Eastern Cape Province was going further than other provinces in assisting potential buyers to find suitable land.

Hall (2007) reported that LRAD had a limited impact on livelihoods in two different types of projects. One group of projects involved the poor: the other involved better-off LRAD recipients. The survey involved nine projects in the Eastern Cape province. Hall (2007) listed a number of impediments to the projects involving the poor. These included lack of infrastructure, training, capital, extension services and ready access to local markets. She emphasised that the poor abandoned their projects due to financial difficulties. Nevertheless, she pointed out that a notable livelihood benefit was the freeing up of boys from herding duties so that they could attend school on a full-time

basis.

The second type of projects involved individuals who had offered large own contributions and accessed higher grants with the hope of making it as commercial farmers. Hall (2007) noted that they too had problems. These included high input costs, market uncertainty and weak extension service support as in the first type of projects. In addition, they faced crippling debt as they had to service loans and pay for their hired labour. Consequently they diversified their sources of income to include non-farming activities.



Research Problem

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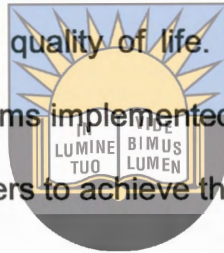
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Lahiff (2008) is of the opinion that land reform has been dominated by state institutions, and that the recent shifts in policy, including LARP and PLAS, continued the top-down, technocratic tendency of the past. Lahiff also argued that meeting the needs of the rural poor and landless would require a more differentiated approach that would include the poor and landless themselves. He emphasised the need to have strong and active non-governmental organisations (NGOs) and the need to form organisations of the landless capable of influencing policy and design and implementation of land reform.

Hall (2004) revealed that little was known about the impact of land redistribution on livelihoods or what land use was occurring on redistributed land. She further, points out that little is known about the extent to which land

reform in fact promotes justice and reconciliation or brings about development and improved livelihoods for its beneficiaries. What was known comes from anecdotal evidence, she observed.

The literature review reveals the need for further study of the LRAD system and its contribution to the actualisation of the constitutional right to land for poor black subsistence farmers in rural areas and to determine whether the system is providing land-based sustainable livelihoods for subsistence farmers and improving their quality of life. This research study focuses on what the LRAD policy programs implemented thus far have done to assist the Ngqushwa subsistence farmers to achieve these ends.



University of Fort Hare Research Aim and Objectives

The aim of the research is to assess whether the LRAD policy programme endorses any social justice objective in terms of racial and class stratification in South Africa and whether it addresses poor black people's need to access farmland in order for them to attain sustainable livelihoods and a better quality of life.

The objectives of the research are to investigate the following:

- the criteria for accessibility to LRAD grants and agricultural land associated with them that subsistence farmers must meet;
- land-based livelihood strategies that Ngqushwa subsistence farmers

who were LRAD beneficiaries were able to pursue and whether these were sustainable;

- and whether the LRAD system did make significant improvements to the quality of life of the rural poor and, more specifically, its beneficiaries.

Research Questions



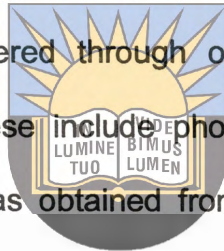
- What were the criteria or requirements for accessing LRAD grants and their connected agricultural land for subsistence farmers?
- What land-based livelihood strategies were Ngqushwa LRAD beneficiaries able to pursue on their newly acquired land?
- Were the livelihood strategies pursued by Ngqushwa LRAD beneficiaries sustainable?
- How did the LRAD system improve the quality of life of its beneficiaries?

Research Methods and Techniques

The research focused on two instances of LRAD projects, the Westbury Heights and the Newark farm projects, that involved livestock farming within the Ngqushwa Local Municipal (NLM) area. As mentioned, the NLM is under the Amathole District Municipality (ADM) in the Eastern Cape Province. These were the only LRAD projects in existence in the NLM area in 2007 when the

research was undertaken. The two farms were visited between 2009 and 2010 during which time the two LRAD projects were studied intensively.

The information on the two projects has been collected through formal and informal interviews, which were conducted with the project leaders and the Eastern Cape Department of Land Affairs (EC-DLA) agent. The latter had assisted with the setting up of the two projects. A data collection instrument (see appendix) was used for gathering of information in the formal interviews. Information was also gathered through on-site visits involving field and participant observation. These include photo-taking and recording of farm activities. Base-line data was obtained from the Department of Agriculture (DOA) officers in the Ngqushwa municipality.



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The interviews were conducted in IsiXhosa language and then translated into English for the report write-up. There were eleven (11) interviews conducted with the project leader of the Westbury Heights farm, Nomajwara Xatyane. Each of these interviews lasted for about an hour. Another seven (7) interviews of about one hour each were carried out with Vuyisile Dingela, the project leader of Newark farm. Altogether, the researcher conducted eight (8) interviews which took about half an hour or less with the Ngqushwa agricultural officers and the EC-DLA agent, at their places of work.

Envisaged Impact of the Research Study

The research is intended to add knowledge to our understanding of how subsistence farmers who were LRAD beneficiaries were experiencing land reform. Furthermore, the researcher wished to educate potential subsistence farmers about the experiences of their peers in the LRAD system. That is, the research is meant to inform civil society and government departments about the practical aspects of the LRAD system to assist them with the system's transformation.



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The research location is the NLM area within the ADM in the Eastern Cape province of South Africa. The NLM is a rural area that was part of the former homeland of Ciskei. The researcher's family was moved from one area (Mgwalana village) of the Ngqushwa municipal area and resettled in another area (Nyaniso village) of the municipality under the apartheid government's betterment scheme which is discussed in more detail in chapter 3. Our family, like many other families, lost grazing land, ploughing fields and homestead plots as they had to settle for less of these. The NLM area is regarded as most suited to cattle farming and raising of goats. Arable farming is mostly practiced at the coastal areas of the NLM area where the rainfall is higher than inland. Subsistence farming in communal areas is the dominant form of

farming. Ainslie (2003) estimated subsistence farming to take up 99 percent of the agricultural activity in the NLM. The LRAD system promises to promote commercial farming in the area hence the interest in the NLM area as a study location.



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CHAPTER II

CONSTITUTIONAL AND LEGAL FRAMEWORK FOR THE IMPLEMENTATION OF LAND REFORM IN SOUTH AFRICA

This chapter outlines the constitutional and legal framework for the implementation of land reform in South Africa. It also highlights the key objectives of the Land Redistribution for Agricultural Development (LRAD) system that informs the study and presents the criteria, conditions and procedures for participation in the LRAD program. Finally, the chapter discusses land reform policy initiatives in the Eastern Cape province.



Section 25 of the Constitution of the Republic of South Africa Act 108 of 1996 provides for the implementation of broad land reform in the new democratic South Africa. The first five subsections directly address the need for land redistribution and form the basis for the implementation of LRAD programs. The first four subsections empower the state to resort to expropriation of land for land reform purposes under certain conditions and at the same time protect the property rights of colonial and apartheid era landowners:

Section 25(1): No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.

Section 25(2): Property may be expropriated only in terms of law of general application -

- a) for a public purpose or in the public interest; and
- b) subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court.

Section 25(3): The amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all relevant circumstances, including -

- a) the current use of the property;
- b) the history of the acquisition and use of the property;
- c) the market value of the property;
- d) the extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
- e) the purpose of the expropriation.

Section 25(4): For the purposes of this section -

a) the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources; and

b) property is not limited to land (Constitution of South Africa, 1996).



The fifth subsection commits the state to undertake and implement land reform for the benefit of the landless:

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Section 25(5): The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis (Constitution of South Africa, 1996).

The legal provisions that support land redistribution particularly to landless individuals and groups include:

The Provision of Certain Land for Settlement Act, 126 of 1993, which provides for the designation of land for settlement purposes and financial assistance to people acquiring land and for settlement support.

The Land Reform (Labour Tenants) Act, 3 of 1996, which provides for the purchase of land by labour tenants and the provision of subsidies to this end.

The Communal Property Associations Act, 28 of 1996, enables communities or groups to acquire, hold and manage property as a trust under a written constitution (White Paper, 1996).

LRAD Policy Objectives

The key objectives of the LRAD system that inform this study include increasing access to agricultural land for black people (Africans, Coloureds and Indians) and contributing to the redistribution of approximately 30% of the country's commercial agricultural land, that is white-owned, over a period of 15 years, improving the nutrition and incomes of the rural poor who want to farm on any scale, empowering the beneficiaries of the system in order for them to improve their economic and social wellbeing and promoting sustainable use of the land and other natural resources (DLA LRAD document, 2000).



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The first objective relates to access to agricultural land. The DLA has policy documents that lay out the criteria, conditions and procedures for access to LRAD grants and agricultural land associated with them. These criteria, conditions and procedures are discussed below. The last three objectives pertain to livelihood impacts and quality of life of LRAD participants. These are anticipated outcomes of the successful implementation of the LRAD system. These outcomes are built into the LRAD implementation procedures. For instance, the distribution of the LRAD grant and associated land gives people access to land-based livelihood. In addition, the agricultural extension and training that is provided in the post-settlement phase supports the

livelihood strategies of the beneficiaries on their new lands (DLA LRAD document, 2000).

Criteria for accessing LRAD grants

The LRAD system admits projects that range from subsistence level to small, medium or large scale commercial agricultural activities. This research focuses on the lower end of the range at which participants wish to acquire land for crop and/or livestock production with the aim of improving their household food security and engaging in subsistence farming for a modest income. These are poor individuals who may only be able to raise the minimum own contribution in cash, kind and/or labour (DLA LRAD document, 2000).



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The LRAD grant varies from R20 000 to R100 000 depending on the amount of own contribution. An own contribution to the value of R5 000 obtains one the minimum grant of R20 000. Further amounts of R5 000 obtain R1 000 each. An own contribution of R400 000 fetches the maximum grant of a R100 000. The grant is flexible in that a participant may seek further grant finance within the programme up to the maximum, thereby allowing for graduation to higher level agricultural operations. The grant can be used to cover expenses related to agricultural activities such as land acquisition, land improvements, agricultural infrastructure investments, capital assets, agricultural inputs, lease options and farm equity (DLA LRAD document,

2000).

The LRAD system is accessible only to those South African citizens that are classified as previously disadvantaged. These include Africans, Coloureds and Indians. LRAD allows for adult individuals who are 18 years and older to apply for the grant in their own right rather than as members of households. Men, women and youth are eligible to apply. The LRAD stipulates that a third of transferred land must accrue to women. Serving politicians and civil servants do not qualify for the LRAD grant and can only acquire land under the government's land reform programme when they leave the public service (DLA LRAD document, 2000).



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The LRAD provides tenure of security to its beneficiaries through access to agricultural land. The land may be purchased or leased. The LRAD enhances both the Tenure Reform and Restitution Programmes of land reform which are specifically intended to address tenure insecurities, but does not necessarily replace them (DLA LRAD document, 2000).

Additional Land Reform Conditions

The DLA (2008) introduced additional conditions for LRAD grant and other land reform grant recipients. These conditions include the 'state's right of first refusal', 'absentee landlords', 'use it or lose it' principle and 'leasing of agricultural land'. When the DLA introduced these conditions it pointed out

that there was no change in the 30 percent target of commercial agricultural land to be redistributed to blacks that was set by the government.

The 'absentee landlords' and 'use it or lose it' principles presented below apply to the circumstances under which the Westbury Heights farm trust acquired the land (the acquisition of the farm is discussed in detail in chapter 4). The 'absentee landlords' condition for the beneficiaries of land reform is stated as follows:

The state will not transfer or lease land to any person, including an organ of state, if the land is not going to be fully utilised. The farm must always be occupied by the family/individual/member of the group or appointed farm manager. This does not apply to commonages (DLA, 2008).



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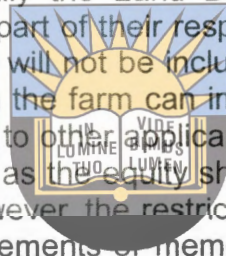
The 'use it or lose it' principle is explained as follows:

The state will subject the property to inspections for 3 years or 3 seasons (depending on the nature of the enterprise) by agricultural extension/monitoring and evaluation officers in terms of their 'green book' programme. Any under-utilised unsustainable land-use practices or land lying fallow will result in the land reverting back to the state after the state has satisfied itself that this was done intentionally. In terms of the reversionary right, the state will consider a fair market value for the property as market value less any state grants. Such land will then be redistributed to other qualifying applicants. This applies to commonage land with the exception that the commonage land will revert freely back to the state. Beneficiaries that were recipients of land through any tenure legislation will not be subjected to the 'use it or lose it' principle although the property may be subjected to the same 3 year/3 season inspections as other land reform projects (DLA, 2008).

The 'state's right of first refusal' and the 'leasing of agricultural land' conditions for the recipients of the government's land reform grants that are presented below are also relevant to the cases studied in this research. These conditions offer solutions to the Westbury Heights and Newark farm

trusts' struggles (these are discussed in chapters 4 and 5). The 'state's right of first refusal' condition is described as follows:

A right of first refusal is where the state secures an interest in land that was acquired via departmental grants and subsidies and the land reform beneficiaries intend to sell the land or the land is about to be repossessed by the development or commercial financial institutions. The interest of the state is first secured through a registered right of first refusal against the title deed of the property when the land is initially transferred to a land reform beneficiary. A title deed restriction also applies to repossessed land. The financial institution would first have to comply with the restrictions contained in the title deed and Sections 65(1) and 65(3) of the Deeds Registries Act, 1947 gives authority to this. Generally the Land Bank first offers repossessed properties to the DLA as part of their responsibility and commitment to land reform. A time frame will not be included as beneficiaries who are not coping with managing the farm can immediately offer it to the DLA for sale and redistribution to other applicants. These restrictions can be applied to equity projects as the equity shares were financed with land reform grant funding. However, the restrictions would need to form part of the shareholder's agreements or memoranda of articles rather than against the title deeds (DLA, 2008).



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The 'leasing of agricultural land' condition for the beneficiaries of the land reform grant is laid out as follows:

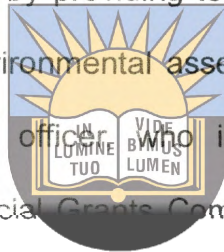
Agricultural land purchased through land reform grants may be leased provided that prior permission from the Department has been obtained. Ideally the lease should be structured as a "mentor-lease" agreement. This type of agreement must enable the beneficiary-lessor to accumulate capital and build his/her own capacity to eventually manage and control the farming enterprises. However other lease agreements that allow the beneficiaries to accumulate capital without a mentorship clause included are also permitted. All lease agreements should not be in perpetuity but for a limited time-period (perhaps two/three production cycles or maximum 3 years). This condition does not apply to commonage lessees (DLA, 2008).

LRAD Implementation Procedures

The officials of the Departments of Land Affairs and Agriculture, and officials

from other government departments, play facilitative roles that ensure that applicants are able to access information about land on the market. Alternative sources of information include the local print media, the internet, estate agents and word of mouth (DLA LRAD document, 2000).

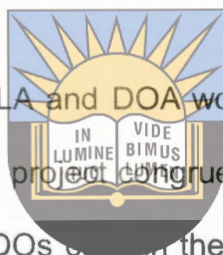
The LRAD grant can be obtained on application to the DLA and submission of a farm or land-use proposal. Agricultural officers facilitate the implementation of the LRAD by providing technical opinion on the proposed farm plan, land-use and environmental assessment. Applicants submit their documentation to the local officer who in turn submits the applicant's documentation to the Provincial Grants Committee (PGC) (which comprises officers from Land Affairs and Agriculture) for review. Upon review of the proposal, the PGC makes recommendations for grant approval to the Provincial DLA Director, who in turn decides whether or not to approve the release of the grant (DLA LRAD document, 2000).



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At national level, both the Departments of Agriculture and Land Affairs are responsible for the design of the LRAD, the coordination of policy issues and interdepartmental activities and the monitoring and evaluation of the outcome of the LRAD. The DLA provides budget for capital transfer under the LRAD to the Land Bank. The Department of Agriculture (DOA) trains the LRAD participants and local land and agricultural officers (DLA LRAD document, 2000).

At provincial level, both the Provincial Departments of Agriculture and Land Affairs are accountable for the implementation of the LRAD system in the province and participate in various provincial committees. The provincial Department of Land Affairs is responsible for approving the release of grants, surveying of land and title registration and transfer of land. The DOA convenes the grant approval committee and provides the secretariat (DLA LRAD document, 2000).



At local level, both local DLA and DOA work with their counterparts in the district municipality to ensure project congruence with the Land Development Objectives (LDOs). These LDOs govern the land use management systems of the district municipality. These systems serve as mechanisms to enable municipalities to regulate growth and influence land use patterns. The government anticipated that the implementation of the LRAD and land reform would bring about municipal infrastructural development needs as the quality of life of land reform beneficiaries improves. Hence the integrated approach to land reform at local level (DLA LRAD document, 2000).

The DLA in the Eastern Cape Province has LRAD project approval phases that are time-specific and serve as a guide to applicants. The sequence starts with registration with the DLA and application for the LRAD grant that takes about one week, then the design of a business or project plan which is estimated to take between four to ten weeks, followed by a week of assessment and approval of the project that involves the Provincial Land

Reform Office (PLRO), Provincial Department of Agriculture (PDA), Local Government and other stakeholders after which the order to release grant funding at the PLRO and registration of deeds takes about two weeks and the transfer of agricultural land at deeds office would take about four to ten weeks depending on the complexity and type of the project involved (EC DLA document, undated).

Land Reform Policy in the Eastern Cape



Lahiff (2002) discussed the impact of LRAD on land reform in the Eastern Cape province. He also noted the integrated approach to land reform in the Eastern Cape that influenced the land reform policy. He highlights the linkage made between livelihood and land reform in the Eastern Cape.

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According to Lahiff (2002) the introduction of LRAD in the Eastern Cape had a significant impact on land reform in the province in that it brought a close working relationship between the Provincial offices of the Department of Agriculture (PDOA) and Department of Land Affairs (PDLA). For instance, the PDOA disposed of state-owned agricultural land in its control outside of the PDLA's land reform programme, to better-off farmers rather than to the poor beneficiaries of the PDLA's land reform programme. The PDOA perceived its role as that of protecting the economic value of agricultural land (Lahiff, 2002).

Lahiff (2002) noted an integrated approach to land reform that brought together the PDLA, the PDOA and the Amathole District Municipality (ADM) and that influenced the DLA and other municipalities countrywide. The ADM placed emphasis on land needs and the potential for land reform to respond to those needs in its Integrated Development Plan (IDP). It formulated a Land Reform and Settlement Plan (LRSP) that had three key components, land tenure, land administration and spatial approaches to settlement development, in which the roles of the PDLA, the PDOA and the ADM were clearly defined.




Lahiff (2002) notes the innovative achievements of the PDLA that impacted on national land reform policy. The fourteen services that the PDLA provides include Land Development Objectives (LDO), residential settlement and agricultural smallholdings, land title adjustments, commonage projects, small-scale agricultural projects, other redistribution projects, transformation of parastatals, forestry projects, equity share projects, Extension of Security of Tenure Act, state land management, state land disposal, communal land administration and tenure projects.

Lahiff (2002) discussed the case of the Gasela community, which is similar to that of the Dam-dam community presented in chapter 4. In both cases, the communities settled on the new land and practiced agriculture without formalising their land rights. And in both cases the communities eventually acquired the land through the LRAD system.

CHAPTER III

BACKGROUND TO THE NGQUSHWA MUNICIPAL AREA

The chapter presents the technical, historical and research-based information around land reform, agriculture, the natural environment and livelihood and quality of life, in the Ngqushwa municipal area. The technical information is largely sourced from the  Local Municipality Integrated Development Plan (NLM IDP) as revised for 2009/2010.

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Geographic Location of Ngqushwa

The area that is now Ngqushwa achieved its municipal status in 1905 as Peddie Municipality. The administrative seat of the municipality is in Peddie and the municipal area is divided into 13 wards (see figure 1). Ngqushwa is located in the west of the Amathole District Municipality (ADM) that was established in the post-2000 local government elections and consists of the towns of Hamburg and Peddie at 33° 12' S and 27° 7' E. Portions of King Williams Town and Zwelitsha villages were ceded to Ngqushwa after 1994. It is one of the eight municipalities that fall within the ADM. Ngqushwa Local Municipality (NLM) consists of 118 villages. It is bordered by the Great Fish

River to the west and the Keiskamma River to the east. The southern boundary comprises a part of the coastline of the Indian Ocean. The ADM covers an area of 23 573km² and the Ngqushwa municipal area that is in the DM covers 2 245 square kilometres, which account for 10% of the district. Since 2000 Ngqushwa is within the ADM which incorporates parts of the former Ciskei, the Transkei and the white magisterial districts in the border of these homelands (NLM IDP, 2009/2010).

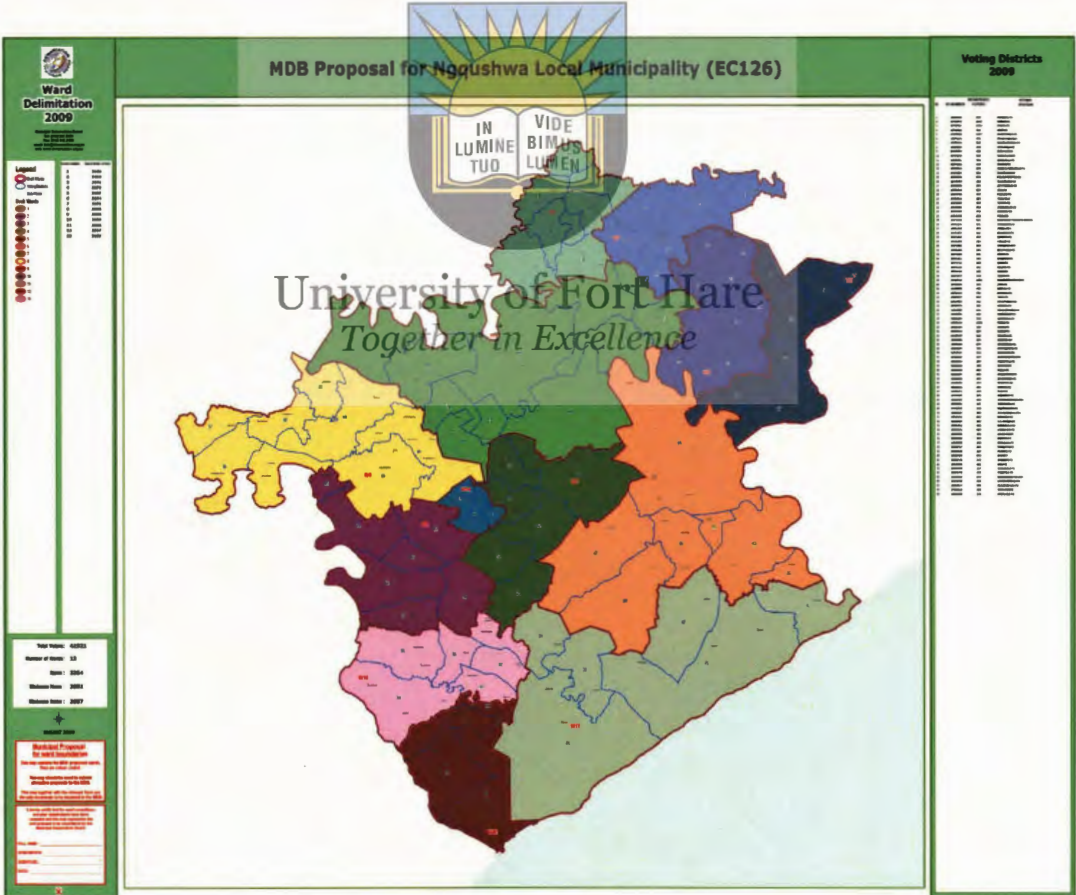


Figure 1: Map of Ngqushwa Local Municipality wards (courtesy of the Independent Electoral Commission).

Climate and Biophysical Environment

The municipal area is characterized by different levels of elevation and this results in climatic variation. The coast is subtropical and is usually cool and humid whereas the conditions inland are hot and semi-arid. Rainfall is low to moderate and varies between 400mm in inland areas and 700mm per annum along the coast. It increases from west to east with the coastal parts of the district experiencing the highest rainfall. The area falls within the summer rainfall climatic zone and the coastal areas are characterized by high velocity winds (NLM IDP, 2009/2010).



Much of the endemic vegetation in Ngqushwa municipal area consists of two main veld types, fish river scrub and its southern variation, both of which are variants of valley bushveld, as well as grassland which is known as the false thornveld of the Eastern Cape Province. Soils in much of Ngqushwa are not conducive to arable agriculture. Pockets of fertile alluvium are found along the Great Fish and Keiskamma rivers. Ngqushwa was considered as moderately suited to extensive livestock production from natural grazing (Ainslie, 2003).

The local bio-physical environment of the Ngqushwa municipality has experienced a steady decline. The decline had accelerated in recent years as the effects of increased human activity, population growth and concentration became more evident. This decline was evidenced by a prevalence of soil

erosion, caused by poor veld management, uncontrolled burning of the veld and overgrazing. These practices also resulted in a loss of fertile agricultural soils and caused a general ecological decline of the Ngqushwa area (NLM IDP, 2009/2010).

Deforestation, which was caused by the indiscriminate felling of trees for domestic purposes, including firewood, construction and medicinal purposes also added to the decline of the environment in Ngqushwa. These practices resulted in the reduction of botanical diversity, loss of aesthetic value and economic potential of the area. The introduction of alien and invader plants also impacted negatively on the environment. This problem is compounded by deforestation and erosion which creates a climate that facilitates the dispersion of these plants. The result is a loss of arable land (NLM IDP, 2009/2010).



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Environmental pollution, resulting from the use of pit latrines, use of natural water sources for domestic purposes, indiscriminate solid waste disposal, smoke from the burning of refuse and uncontrolled veld fires are other environmental hazards prevalent in the Ngqushwa municipal area. These practices resulted in air, soil and water pollution especially in rural areas (NLM IDP, 2009/2010).

Demographic Information and Land Settlement Patterns

According to the 2001 census figures, Ngqushwa Local Municipality had an estimated total population of 84 233 people. It is estimated that the population growth rate is 1.2% per annum. The population figure for 2010 can therefore be estimated at 93 330 people. The population density in 2001 was calculated at 37.5 people per square kilometre. Given the population growth rate, there will be a density of 41.6 people per square kilometre in 2010. The municipal area is predominantly rural in nature with 95% of the population residing in rural areas and only 5% residing in the urban areas of Hamburg and Peddie. The municipal area did not display much racial diversity, with more than 99% of the inhabitants being African. The remaining 1% is comprised of Coloured, White and Indian racial groups (NLM IDP 2009/2010).



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Peddie and Hamburg are the only two proclaimed towns within the municipality. Peri-urban settlements have been established outside of both of these nodes, in the case of Peddie almost encircling it. Peddie can be regarded as a regional hub for service rendering to the entire municipal area. The majority of the region's services and facilities are located here, and economic and social functions are performed from here. It also plays an important administrative role as the seat of the municipality is also in Peddie. Hamburg is primarily a holiday destination. Development in the Hamburg area has become stagnant over the past three decades and facilities are in a poor condition (NLM IDP, 2009/2010).

The villages are surrounded by commonage land that is used for a mix of

agricultural purposes including crops and livestock which are farmed primarily on a subsistence basis. The villages can be classified as traditional rural villages which owe their establishment to their proximity to an agricultural resource base. Some of these villages are Bell, Bodium, Crossroad and Lover's Twist. There are rural villages which were established in response to commercial agricultural needs in terms of labour on commercial farms. These villages include Benton, Tharfield, Jamesdale, Stourpoort and Lewis. There are also holiday resorts such as Birha, Mtana, Mgwalana and Mpekweni which were newly developed in response to the localized resort potential of the coastal area. In addition there are minor and isolated farm communities scattered throughout the municipal area (NLM IDP, 2009/2010).



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Land Tenure Distribution in Ngqushwa

As early as the nineteenth century, Ngqushwa was divided into freehold land and reserves for Africans under communal tenure. From 1849 freehold land was granted to white settler farmers. A small number of African farmers managed to purchase pockets of freehold land, mostly in the eastern portion of the Peddie district. More freehold land was located in the better-watered, south-eastern coastal areas and along the western bank of the Keiskamma River. The result was a patchwork of tenure regimes which survive to this day. In 1858 German settlers, having served England as mercenaries in the Crimean war, were settled in places like Hamburg, German Village and Wooldridge (Ainslie, 2003).

De Wet (1987, cited in Mbongwa, van de Brink and van Zyl 1996, p.58)

defined the apartheid government's form of communal tenure as follows:

Communal tenure in the homelands is officially defined by the Proclamation R188 of 1969 as 'unsurveyed land' or 'permission to occupy'. Under this proclamation, a male person holds rights to various land allotments for residential use, arable farming and grazing. Land access is usually by virtue of membership to a community, not through sale, lease or rent. Only men are entitled to inherit land rights. People do not legally own their residential and arable allotments. Rather, they are allowed the right of occupation and cultivation, subject to conditions stipulated by the homeland authorities.

In the Ngqushwa municipal area, most urban land is owned by the Municipality. Rural land, however, is primarily state owned and interspersed with a number of informal land rights. The municipality identified a need to convert the tenure of the large tracts of state owned land to communal ownership. Ngqushwa was also characterized by a diversity of land uses and land tenure which was primarily attributable to the previous dispensation as evidenced by historical forms of land rights, such as African freehold, quitrent and permission to occupy (PTO) which are still prevalent in the area (NLM IDP, 2009/2010).



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Land tenure arrangements within the NLM can be broken down into freehold and quitrent tenure systems as found in the Bell and Bodiam areas. There are PTOs in large parts of the NLM, particularly in rural settlement areas. New tenure arrangements, known as foot plots, were introduced by Ulimocor on schemes that were run by the parastatal. There are formerly white owned surveyed farms that were purchased by the South African Development Trust (SADT) to consolidate the former Ciskei, that are now

Agriculture and Livelihood in Ngqushwa before the Establishment of the Ciskei Homeland



The agricultural history of Ngqushwa dates back to the 19th century when amaMfengu were settled in the area by British colonisers, alongside settler farmers, after they assisted the British in their war against amaXhosa. The settlers engaged in cattle production as well as wool, wheat and later pineapples for the market. Most of the German settlers did not last long as peasant farmers and instead drifted off into towns like King Williams Town and East London where they took up trades and commerce (Ainslie, 2003).

AmaMfengu were highly skilled in the tasks of herding and agriculture, and working for British farmers added to their skills. AmaMfengu were receptive to the new agricultural ideas and techniques of the white farmers. They willingly learnt the white farming techniques from farmers and missionaries and adapted them to their use. Their progress as peasant farmers led to their integration with the colonial mercantile economy and they thus became involved in general trade and transporting of goods and agricultural produce

Agriculture and Livelihood in Nggushwa before the Establishment of the Ciskei Homeland

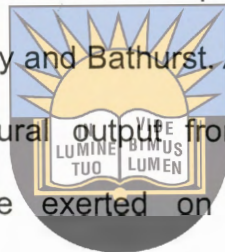


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to the diamond and gold fields in the Orange Free State and the Transvaal. They became farmers in their own right and were known to be hard workers and shrewd traders. In the late nineteenth century African farmers in the area began producing grain, wool, sheep, cattle and skins for the market in what is considered to have been an explosion of peasant production (Ainslie, 2003).

According to Ainslie (2003), African peasant farmer production for the market quickly began to offer unwanted competition to white farmers in the neighbouring areas of Albany and Bathurst. Ainslie pointed out that the steady decline in African agricultural output from areas like Peddie could be attributed to the pressure exerted on the colonial and later Union governments, emanating from the white farming lobby. He observed that this opposition was predicated on the need for black labour in white-owned farms and on the mines.



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Countrywide, the settlers argued that labour shortages kept them from competing effectively with the African farmers. They persuaded the colonial government to intervene on their behalf by limiting African competition in the market place and setting up native reserves on tiny pieces of land in order to force them to seek work on farms. White transporters also felt that black transporters of agricultural products had an unfair advantage (Mbongwa et al, 1996).

Influenced by the settlers, the colonial government introduced the Glen

Grey Act of 1894 which restricted African land rights and created reserves that were too small to support independent African agriculture. It also introduced a form of communal tenure which prohibited the sale, rental or subdivision of land. The colonial powers further interfered with the communal tenure system by awarding hereditary rights to chiefs to manage land relations in the community and to allocate land to community members. These chiefs were chosen on the basis of their willingness to cooperate with the colonial powers (Mbongwa et al, 1996).

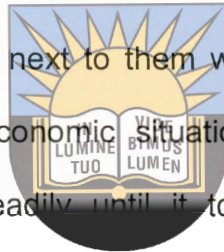


According to Mbongwa et al (1996) the first Union government, established in 1910 under the South African Party, set itself a goal of ensuring adequate supplies of labour to the mines. In order to achieve this objective, numerous restrictions were imposed on African farmers, thereby forcing them to serve as a much needed source of labour in other sectors, but chiefly in mining. The Glen Gray Act of 1894 was followed by the Union government's Natives Land Act of 1913 which was confirmed in 1936, when the Native Trust and Land Act No. 18 was passed establishing the Native Land Trust.

The Natives Land Act limited African agriculture to the reserves and confirmed the Glen Gray Act's provisions concerning communal tenure. Furthermore, the Native Administration Act of 1927 imposed the Governor-General (the State President today) on Africans as their traditional chief with decisive powers on African land matters, whilst African chiefs were reduced to salaried officers of the government (Mbongwa et al 1996). All these

measures, introduced by the different white governments against African farmers, gradually led Africans to being mainly dependent on labour for their livelihood. The capital, wealth, farming skills and information base that African farmers had accumulated over generations also withered away (Mbongwa et al, 1996).

Ainslie (2003) noted that, as early as 1905, reserve areas in Ngqushwa had largely become reservoirs of labour. Whilst African farmers on the reserves in Ngqushwa were struggling, next to them were prospering white farmers on freehold land. Also, the economic situation for the African population in Ngqushwa deteriorated steadily until it took a turn for the worse when recurrent droughts hit the area in the 1940s. Rural people in the reserves lost a large number of their livestock. Arable production was also paralysed by the loss of draught animals for ploughing. By the 1960s most families were struggling to make ends meet, as a large number of families depended on remittances earned in the mines for their livelihood (Ainslie, 2003). Also, by the end of the 1980s the African family farming sector had all but been eliminated, in South Africa, and the African peasants had been transformed into wage workers on large farms, in mines and in secondary industries (Mbongwa et al, 1996).



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Agriculture and Livelihood in Ngqushwa during Homeland Rule Including the first Decade of the Post-apartheid Era

Ainslie (2003) highlighted that with the exodus of white commercial farmers and traders from Ngqushwa before the 1981 independence of Ciskei, there was a further decline in agricultural production in the reserve villages under communal tenure. The white traders kept the rural economy of the reserves going by buying and selling African agricultural products such as grain and cattle. Hence, nowadays, cash-based trade in cattle underpins a significant component of the rural economy only in certain parts of Ngqushwa. This trade includes individual white (and a small, but growing number of black) farmers and speculators who scour the rural areas to buy cattle from villagers with cattle to sell. These include women from Mdantsane township, near East London, who buy cattle in the villages of Tsholomnga and Ngqushwa for resale in the meat markets of Mdantsane. In addition to regular stock sales are organised by commercial stock auctioneering concerns who take a commission from the proceeds of the sale. Furthermore, there is considerable intra-village trade, mostly for home-slaughter, funerals and other rituals (Ainslie, 2003).



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Ainslie (2003) pointed out that when the consolidation process of the boundaries of the Ciskei homeland was set in motion in the late 1970s, white-owned farms within the homeland boundaries were expropriated by the South African Development Trust (SADT), albeit with compensation. These farms were handed over to the Ciskeian government, which leased them out to 'emerging' farmers, while some of the farms were subsequently sold to lessees at subsidised prices. Ainslie notes that these farms were not handed

over to the land-hungry communities in the adjacent reserve areas in order to relieve the human and livestock population pressure due to resettlement of new households. He stressed that the core of the so-called 'emerging' African commercial farmers in the district was made up of former Ciskeian civil servants or businessmen, who had access to sufficient land and grazing resources. Critically, they had access to a non-farm income, either salary-based employment or from their other business interests, which they could invest in their farming enterprises (Ainslie, 2003).



Ainslie (2003) notes that in many cases the farms remained underutilised by the lessees, whilst several successful full-time farmers 'emerged' in Ngqushwa in spite of a lack of financial and other support for their farming efforts. He also observed that the grazing and other wilderness resources on many of these underutilised farms were soon encroached upon by neighbouring villagers. This had led to conflict with the lessees and had resulted in many of these farms being effectively abandoned and 'recommunalised' through 'systematic land distribution by stealth', with high levels of resource harvesting by neighbouring communities (Ainslie, 2003). The scenes which Ainslie described are reminiscent of how the Dam-dam community acquired the Westbury Heights farm.

In 1976, the Great Fish River Reserve Complex (GRFC), which takes up a large area of farmland, 45 000 ha of land, was formed from white-owned farmland. The GRFC comprises Andries Vosloo Kudu Reserve, the Sam Knott

Nature Reserve and the Double Drift Reserve. The reserves have a dual management which impacts negatively on relationships between the reserves and the neighbouring communities (Cocks, 1999).

From the establishment of the GFRC up to 1995, the management of Andries Vosloo Kudu Reserve and the Sam Knott Nature Reserve fell under the Eastern Cape Nature Conservation (ECNC) whilst the Double Drift Game Reserve was managed by the Ciskei Nature Conservation and Tourism Board (CONTOUR). The ECNC limited the impact of people on the natural system to re-establish a pristine environment. This was an expensive approach with low levels of public accountability. CONTOUR focused on tourism and income generation with an authoritarian attitude and exclusion of neighbouring communities.



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In 1996, under the new political dispensation, the Andries Vosloo Kudu Reserve and the Sam Knott Nature Reserve fell under the management of the Department of Economic Affairs, Environment and Tourism (DEAET) and the Eastern Cape Tourism Board (ECTB) managed the Double Drift reserve. These changes in management structures were accompanied by the adoption of community liaison programs and employment of community liaison officers (CLO) by the ECTB. The responsibilities of the CLOs included the improvement of relations between reserve management and neighbouring communities. Projects carried out in neighbouring villages failed because of lack of community support, financial resources and capacity on the part of the

CLOs who were poorly trained.

Almost no livelihood benefits have accrued to communities surrounding the reserves as a result of joint activities and cooperation. Cocks (1999) described the economic circumstances in the villages as characterised by poverty, high unemployment, heavy dependence on welfare payments and very low economic activity. The quality of life in the villages is poor as there is lack of basic services and infrastructure.



However, Cocks (1999) does point out to some entrepreneurial and other benefits from the reserves for the communities. The communities are able to harvest prickly pear fruits and the juice which they sell for a small income. The ECTB was able to fund small development projects in the communities from funds generated through a development levy applied to the economic activities in the reserve.

The decline in agricultural production continued during the 12-year life span of Ciskeian independence even though Peddie benefited from the development of capital-intensive agricultural schemes, such as Tyefu Irrigation Scheme; the Ciskei National Ranch at Birha, along the Peddie coast; the Citrus Schemes along the Keiskamma River; Chicory SA ; Tractor Schemes and Pineapple Project. All these interventions provided jobs for the local people. They were highly contested and highly political from the onset,

as their setting up, ownership and running were subject to political interference and influence of one form or another. These capital-intensive development projects were all managed by Ulimocor on behalf of the Ciskei Department of Agriculture and Forestry. Ulimocor captured the bulk of Ciskeian government funding and available expertise. The projects struggled to register any real commercial success, partly because the managers were salaried civil servants and thus bureaucrats, who relied on consultants, rather than farmer-entrepreneurs, to see their programs through on the ground (Ainslie, 2003).



The collapse of Ulimocor in 1997 left the various schemes vulnerable. Tyefu Irrigation Scheme which provided cash crops in its day is now defunct. Considerable depreciation and leakage of the assets of the scheme as well as a loss of skilled and experienced farmers and managers took place. In 2003/2004 plans for the resuscitation of the scheme were in progress with the upgrading of the water supply infrastructure on the Scheme and in adjacent villages having been started. Eastern Cape Development Corporation (ECDC), Eastern Cape Department of Agriculture (ECDA) and the Department of Water Affairs and Forestry (DWAF) contributed towards research into the potential for the production of essential oils at the scheme, the revival of the scheme and the rehabilitation of water supply on the scheme, respectively (Ainslie, 2003).

By 1995, the National Ranch, which had been launched in 1984, had been

closed amid accusations of fraud and corruption relating to the dispersal of livestock. In its day it supplied local stock farmers with heifers for the building of their herds, a service which has been taken up by white farmers and speculators since the closure of the National Ranch. Speculators and formal stock sales ensure a steady off-take of stock from the communal rangelands of Ngqushwa villages, filling the gap left by the National Ranch, which bought oxen from the local villages and neighbouring farms to be sold to the abattoir in Port Elizabeth (Ainslie, 2003).



The Citrus schemes were placed by the fertile pockets of alluvium soil along the Keiskamma River. The Citrus Schemes were mostly sold off, after 1996, to their respective managers at subsidised prices. They have enjoyed technical and marketing support from the citrus industry in the Kat River area as well as occasional injections of infrastructural support from the Department of Agriculture (Ainslie, 2003). Chicory production, in Peddie South, has been put on course since 1994, in a partnership struck up with Chicory South Africa. The Directorate of Projects and Planning allocated funds for chicory production (Ainslie, 2003). The tractor schemes that were introduced to assist people under Lennox Sebe's (the first president of the Ciskei homeland) regime perished after his overthrow. Many of these tractors, which were, first and foremost, available to members of Sebe's Ciskei National Independence Party (CNIP), ended up in private hands (Ainslie, 2003).

When Ciskei attained its independence, the pineapple project fell under the

parastatal Ulimocor. The pineapple project steadily declined and was ultimately closed in July 1997 while under the auspices of Ulimocor. The Peddie Pineapple Project (PPP) (see figure 2), trading as Pineco, was launched in 1999, as a continuation of the former pineapple project. While the PPP has 4 500 ha, only 350 ha had been ploughed in 2009. As an illustration of their agricultural activities, the PPP's first harvest in 2002 was 1 600 tons, valued at R630 000, and 3 000 tons in 2004 worth R1,3 million. The first and second yields compared favourably whilst they did not harvest in 2006 due to unfavourable weather conditions that did not permit them to plant. The Department of Agriculture initiated the relaunch of the project, providing R7,5 million in start-up finance, with Eskom and the Department of Public works putting up R200 000 and R1,2 million respectively (Mgwatyu, 2009).

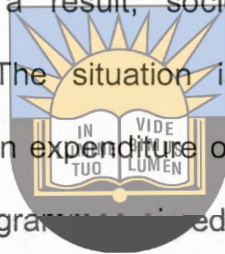


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The PPP is a South African black empowerment pineapple project, collectively owned by the Workers' Trust (holding 40%), the Founders' Trust (holding 40%) and Pineco, the managing body (holding 20%). Hence PPP is a public, private and community partnership initiative. It further formed a partnership with Summerpride Food, in East London, which manufactures jams and juices from the pineapple fruit produce. In 1999 there were 80 permanent workers. Some of them left the project and there were 40 remaining employees in 2009, whose numbers are boosted with casual workers, particularly during harvesting. The PPP has reportedly been a success in the 10 years since its launch despite encountering difficulties ranging from weather conditions, plant diseases to volatile markets.

Employees cite commitment and passion for agriculture as one the recipes for success (Mgwatyu, 2009).

The economic isolation of the country internationally, due to its apartheid policies, resulted in a national economic downturn during the period 1970-1990. The economic situation affected employment opportunities for unskilled workers in the wider economy and brought about low levels of state support to poor households. As a result, socio-economic conditions of rural households were harsh. The situation improved slightly after Ciskeian independence in 1981, when expenditure on old age pension increased and occasional public works programmes aimed at poverty relief were introduced. A small number of people benefited from the growth of civil servant job opportunities that accompanied the elaboration of former Ciskei administration and government departments (Ainslie, 2003).



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Agricultural activity in Ngqushwa in 2003 consisted of both commercial and communal farming with communal farmers constituting over 99 percent of farmers. Communal farmers, who are found in villages, could be divided into three main groups: a group of people who are grazing livestock farmers; a small group of emerging farmers who engage in some commercial livestock or crop production within the village context; and a large group of part-time farmers, dominated by women, who are involved in intensive production of garden vegetables, pigs and poultry for home consumption (Ainslie, 2003).

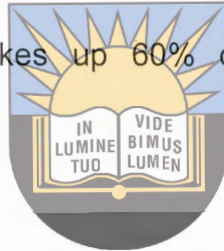
Agricultural areas are characterized by diverse uses. Much commonage land was lost to new settlements during the apartheid era. Subsistence farming of crops and livestock takes place in the Ngqushwa municipal area. There is widespread abandonment of arable agriculture in most villages, especially inland where rains are unreliable. Grazing is, however problematic as it is uncontrolled. Communal rangeland is an important source of grazing land, fuel, food security, nutrition, medicines, fertilizer and building material. Access to these resources from communal rangelands contributes to livelihood security and provides a safety net for rural households (NLM IDP, 2009/2010).



The state is the landowner and a major investor in the agricultural sector. In addition, the state contributes substantially to capital expenditure for salaries, the revitalisation of infrastructure, and the subsidisation of agricultural inputs. The current income from agricultural products produced by the agricultural and irrigation schemes and projects does not take into account any of this substantial input. The long term viability and sustainability of agriculture may continue to depend on the state's economic subsidisation unless those running the schemes and projects are enabled to become self-sufficient. These individuals should also be up-skilled to become competent to run operations on a modern commercial basis (NLM IDP, 2009/2010).

Currently, just a small portion of the Ngqushwa population is formally employed with a large percentage being unemployed or not economically

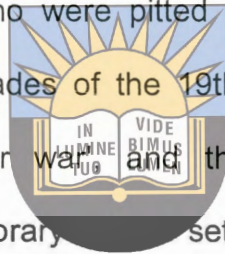
active. The majority are employed in the public sector or community services. Employment opportunities in the formal sector are around civil-based jobs associated with the education and health sector, police service, post office, the Department of Agriculture and the municipality in Peddie and Hamburg towns. The wholesale and retail trade, hotels and restaurants, and the domestic sector are the second and third largest employers. Included in the wholesale and retail sector are: liquor stores, hardware stores, furniture retailers, general dealers, butcheries, a hotel and First National Bank (FNB). The wholesale sector makes up 60% of all informal jobs (NLM IDP, 2009/2010).



In the informal sector women tend to engage in the running of shebeens, spaza shops, creches, hairdressing salons and enter into service for wealthier households. Men take up self-created jobs that include the transport industry, collecting and selling firewood, building and renovation of rural dwellings, repairing kraals and so on. Rural-urban migrations and interactions between Ngqushwa and urban centres in the Eastern Cape and far afield provide resources in cash and in kind for the impoverished rural economy. However, a large percentage of people live in poverty. Consequently, there is a high dependence on social grants with more than 70 percent of households receiving state grants (NLM IDP, 2009/2010).

Historical Background to Ngqushwa

Ngqushwa's settlement history is rich but controversial. Prior to conquest this open area between the Fish and Keiskamma rivers was partially settled by foci of Khoi groups, and splinters of expanding Xhosa factions. According to Ainslie (2003), control over the area between the Great Fish and Keiskamma rivers was hotly contested by mobile chieftaincies comprised of indigenous Xhosa agro-pastoralists, who were pitted against expanding settler stock-farmers, from the first decades of the 19th century. Conquest of the area followed the 1835 'frontier war' and this shaped much of the early foundations of the contemporary settlement. British expansion during the nineteenth century targeted much of the south-eastern parts of South Africa – often referred to as the 'eastern frontier'. The Cape colony had become its legacy during the 19th and the first decade of the twentieth century. Garrisons and military forts had proliferated in the course of this expansion. Mission stations too had infiltrated the original Khoi areas and, more aggressively, the Xhosa settlements.



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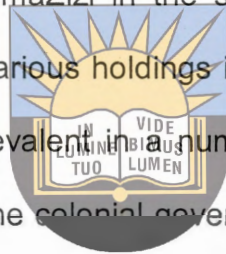
Rising British settlement and influence had followed the launch of the 1820 scheme, which hatched the British settlers' residential and farming areas around Grahamstown. This would become the capitalized agricultural area of Albany by the early 1900s. Within the colonial boundaries, respective governors were prepared to accommodate some loyal Africans, provided they served the welfare and the interests of the colony, - the 'Fingo village' of

Grahamstown was a result of such patrimony. The colony consistently confronted Xhosa speaking groups in its continued eastward expansion. Solidifying its shifting boundary, it therefore erected numerous forts in the territory between the Fish and Keiskamma rivers. Fort Peddie, at the central point of the Fish and the Keiskamma rivers, about 20 kilometres from the Indian Ocean coastline, was built in 1835 on the banks of the Hlosi River to protect the Keiskamma River border between the Colony and the Xhosa. By now, its surrounding territory had become the main target for the expansion of the colony (Wotshela, 2005).



Controlled settlement between the Fish and the Keiskamma rivers began in 1835. Under an overzealous governor of the Cape, Benjamin D'urban, the colonial government settled various amaMfengu groups as buffers in the agricultural Fort Peddie and Fish river area. There they were to guard against the entry of the Xhosa to the territory proclaimed as the colony, in other words, west of the Fish river. Fitting into the bigger scheme of fortifying the colony, various Mfengu groups received land alongside white settlers. By the late nineteenth century, these amaMfengu groups had been properly resettled and many had become the main beneficiaries of communal land, within the present day areas of Peddie, Victoria-East and parts of Keiskammahoek (Wotshela, 2005). According to Ainslie (2003), the land that the amaMfengu were settled on had previously been under the control of the Xhosa chieftaincies of Ndlambe and amaMbalu while the amaGqunukhwebe chiefs and their followers were located further to the east.

The Peddie district itself took a definite shape during the very same period. Much of the land on the Indian Ocean coast between the Fish and the Keiskamma rivers fell under white settler ownership. So did the western Keiskamma river catchment area. The western belt of land along the Fish river was then allocated to the various Mfengu groups: the amaHlubi, predominantly in the north and central areas; and the amaBhele just east of the central area and the amaZizi in the south. Families within these land allocations arranged their various holdings in patriarchal communal sections, a pattern that was also prevalent in a number of communal settlements in neighbouring districts. Yet the colonial government still exercised tight control over each communal settlement. Each locality had overseeing superintendents working with local leaders. Under the Cape colonial administration this pattern was referred to as the 'native location' system (Wotshela, 2005).



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The 'native location' system evolved significantly early in the twentieth century, with the application of the 1913 Land Act. One of the initial racial legislative acts for the establishment of African reserves, this Act 'scheduled' specific areas as strictly for African occupation. Paradoxically, it prevented further acquisition of land by Africans in 'unscheduled' areas. Thus, almost all 'scheduled' areas became African reserves. In an official rhetoric, reserves replaced the 'native location' that had been a segregation model of the Cape colonial government. Within reserves, land settlement rights were governed

by certain regulations promulgated by the Governor- General, in terms of later legislation, the 1927 Native Administration Act. Under these regulations, these settlements were officially designated as crown lands (or in today's language state lands).

It was logical then, as in the case of Peddie, that settlements initially scheduled under the 1913 Act and then vested under the Native/Bantu Trust were proclaimed 'betterment' areas. The two main 'betterment' proclamations No. 31 of 1939 and 116 of 1949 provided for a system of stock limitation, soil conservation and a variety of soil rehabilitation measures. According to Ainslie (2003) the betterment was introduced partly to stem the environmental decay that had become evident in many reserve areas since severe soil erosion, infestation of prickly pear and other alien weeds all hindered agricultural production and thus threatened to disrupt the usefulness of the reserves as areas to which surplus labour could be directed and confined. However the latter proclamation (i.e. 116 of 1949), which was widely applied in the villages of the Ciskei during the post WWII period, added the re-villagisation of residential areas. This additional notorious aspect was widely resented in a number of villages that resisted 'betterment' planning.

Betterment was introduced in Ngqushwa from the early 1950s, with Tamara, one of the first locations to experience betterment (Ainslie, 2003). By 1954 a number of settlements in Peddie, including Njokweni's amaZizi location had been declared 'betterment' areas. According to Mbongwa et al (1996), before betterment, people lived in clusters of homesteads, along hills or ridges, with



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their fields near rivers and streams and they grazed their cattle on the hills and in the forests, or further from home. The declaration did not go unchallenged. Wide-spread resistance in some Peddie villages characterised a series of consultation meetings that were held between Trust officials and community members in canvassing the rehabilitation or later 'betterment' schemes. In Tyefu location and eMazizini area in Peddie South, resistance to betterment turned violent with two chiefs being murdered by villagers. The chiefs had apparently agreed to the implementation of betterment without adequately consulting their followers (Ainslie, 2003).



The planned re-apportioning of land to grazing, arable and residential use that accompanied the implementation of betterment was carried out in several other reserve areas of Nqushwa. Residents of the reserves complained that betterment left them worse off in terms of equitable allocations of arable land and available grazing land. They found themselves with smaller fields and gardens than before, and had to walk greater distances to fetch fuel wood, water and thatching grass. They had to contend with betterment stock culling measures, which they resisted. The quality of the land in the reserves was steadily diminishing under the strain of increased human and livestock population pressure (Ainslie, 2003).

The Native Authorities Act of 1951 and the Promotion of Bantu Self-Government Act No. 46 of 1959 confirmed the reserve boundaries of the Pedi, Sotho, Tswana, Swazi, Tsonga, Venda, Xhosa and Zulu ethnic

communities, as defined by the Land Acts. Africans were forcibly relocated to the homeland reserve areas from white rural and urban areas and from African owned areas outside of the reserves (Mbongwa et al, 1996). In the period 1951- 1985, the African population of the then Peddie district nearly trebled as the white government sought to confine Africans to their respective homelands. Resettlement camps were established in Peddie district at Glenmore, Kammaskraal, Bell and Bingqala. From the mid-1960s, Africans dismissed from white farms in the neighbouring districts of Albany, Bathurst and Victoria East, that had been their homes for generations, were resettled in reserve village areas in Ngqushwa (Ainslie, 2003).



The process of betterment and resettlement in Peddie African reserves culminated in the acquisition of white-owned farms around Peddie, from the mid-1970s, for incorporation into Ciskei prior to its independence. Ngqushwa has not changed much since colonial and apartheid times. The betterment villages and resettlement areas are still in existence and the formerly white-owned farms are in black hands or are state held. The NLM (IDP 2009/2010) identified a need to convert the tenure of state-owned land to communal ownership.

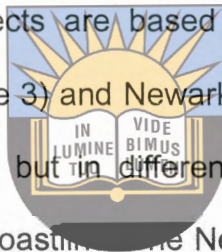


Figure 2: Workers at the Peddie Pineapple Project (courtesy of the Daily Dispatch, 2009)

CHAPTER IV

EMPIRICAL RESEARCH FINDINGS

Chapter 4 presents baseline information on the two Land Redistribution for Agricultural Development (LRAD) projects implemented by the Eastern Cape Department of Land Affairs (EC-DLA) in the Ngqushwa Local Municipal (NLM) area. The two projects are based on two farms, namely, Newark Westbury Heights (see figure 3) and Newark (see figure 4). Both farms are in the Ngqushwa municipality, but in different localities. The Newark farm is along to the Indian Ocean coastline. The Newark farm is under the control of the Dingela family trust that is better resourced than the Westbury Heights farm trust. The Westbury Heights farm falls under the Westbury Heights farm trust, consisting of very poor families. It is inland, about 50 kilometres from the Newark farm.



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In both cases there have been attempts to invest in livestock, cattle farming in particular. The state has been involved to a lesser extent, but there have been no farmer support programmes apart from an atrociously inefficient farmer extension service. Both farms were previously state-owned land and had been occupied by groups and families that seem to have had informal claims even before the LRAD programme was put into effect.

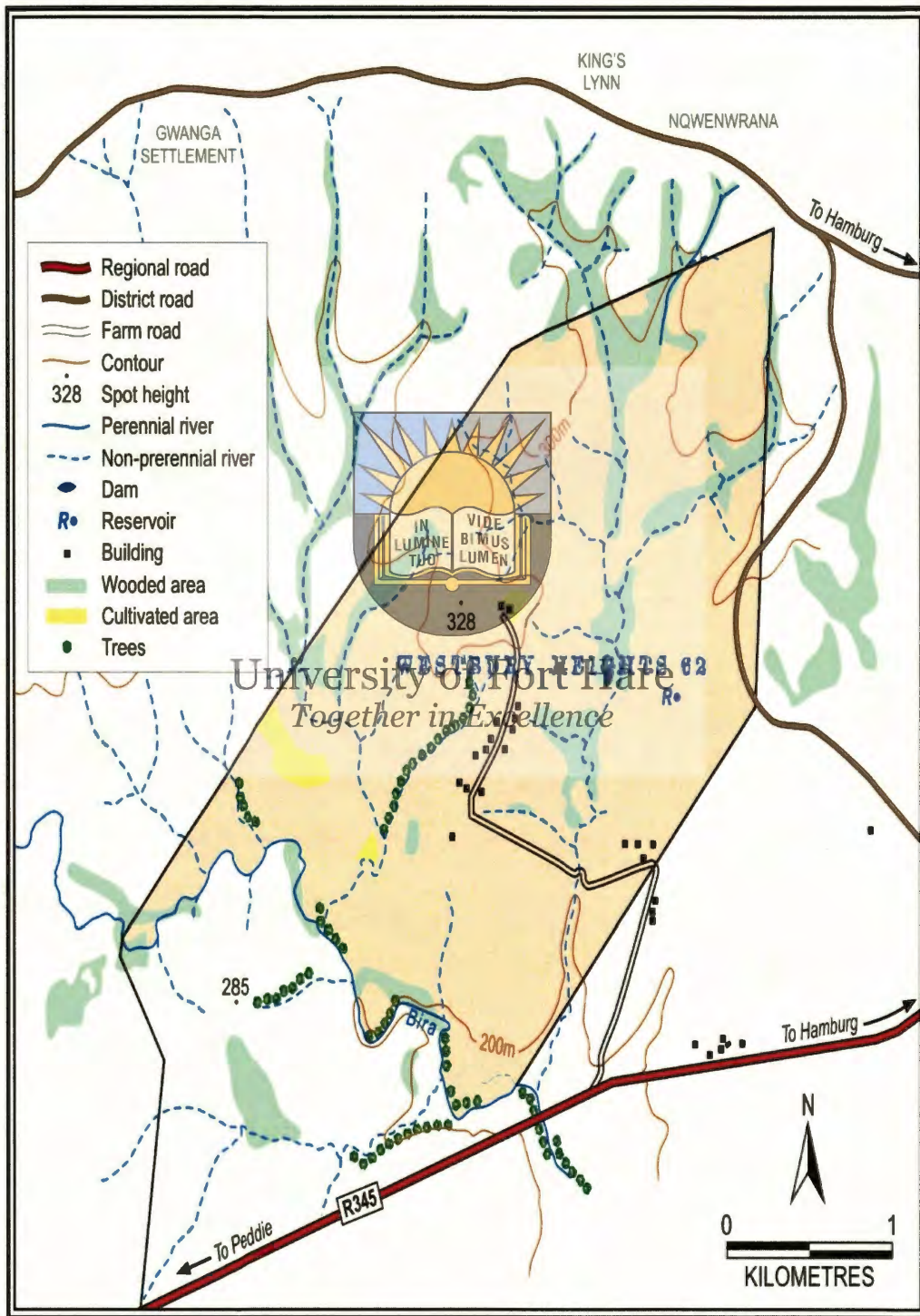


Figure 3: Map of the Westbury Heights farm (courtesy of the Eastern Cape Department of Agriculture).

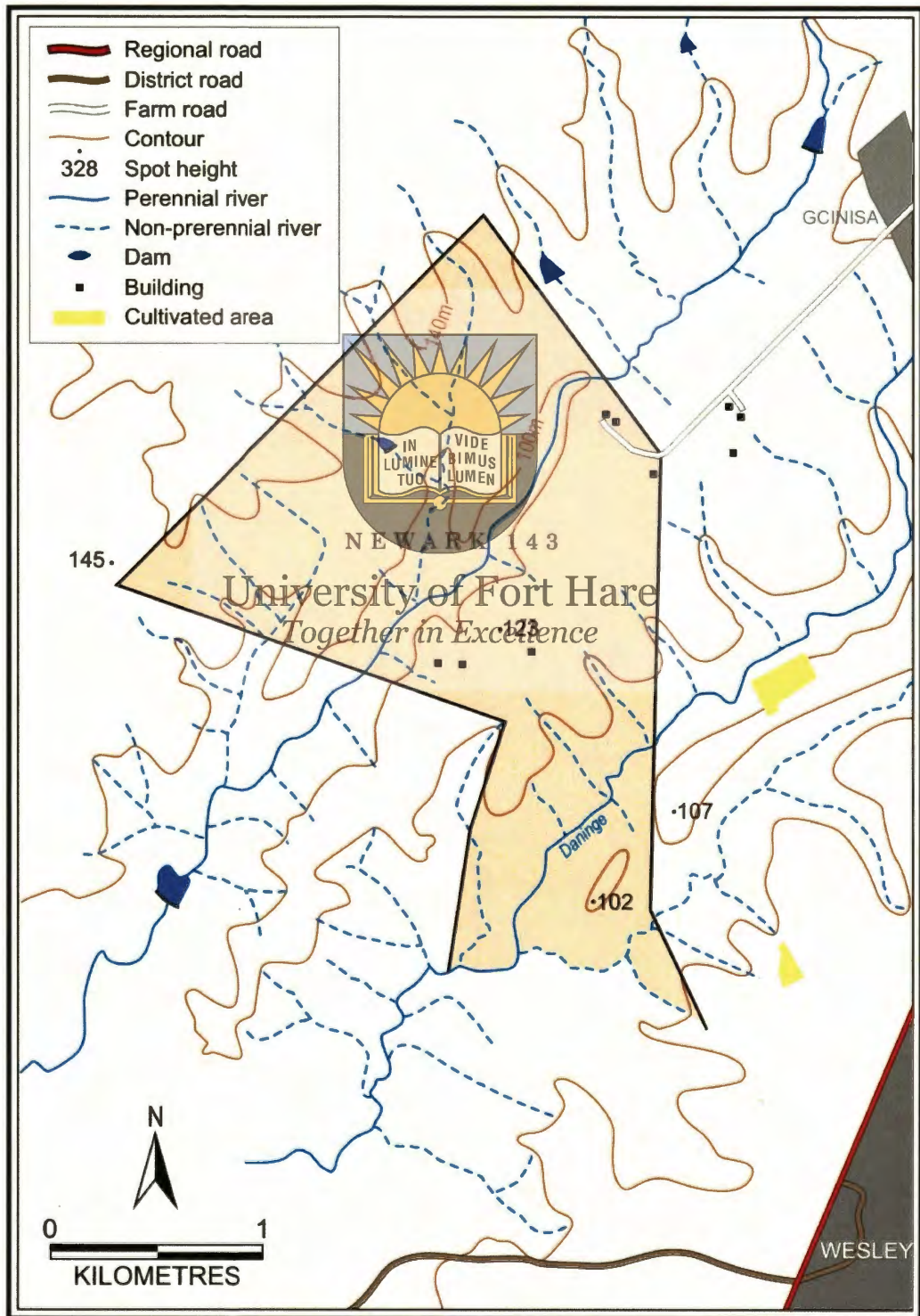


Figure 4: Map of Newark farm (courtesy of the Eastern Cape Department of Agriculture).

The information on the two projects was collected through interviews, on-site visits and participatory observation. The information on the two projects includes data obtained from the analysis of the files of the two projects that are held at the EC-DLA offices in East London. These files contain detailed information about the projects, including details of trust members, the nature of the projects, copies of title deeds, the amounts and contributions made during the transfer of the farm properties and so on.



The baseline information highlights how the Westbury Heights farm trust and the Dingela family trust accessed the LRAD system and its associated lands. It also outlines the livelihood strategies and the quality of life of the beneficiaries. A data collection instrument, (see appendix) was used to gather information on the two projects.

Background to the Allocation of Westbury Heights Farm to the Trust

As mentioned in the previous chapter, the Ngqushwa municipal area is under the Amathole District Municipality in the Eastern Cape Province and was initially part of the former homeland of Ciskei. Westbury Heights farm has an area of about 127 ha and is situated about 15 km east of the central town, Peddie, of Ngqushwa Local Municipality (NLM). The farm is immediately

surrounded by the Dam-dam community. Seventeen family households from this community are the beneficiaries of the farm (Nomajwara Xatyane, personal communication, 2009; EC-DLA documentation of the Westbury Heights farm).

The background to the farm is presented here through the perspective of the members of the Xatyane family who have lived in the area all their lives. Currently the Xatyane family consists of five members, Nomajwara Xatyane and her four children who live on the farm. Nomajwara Xatyane, a widow and a pensioner, is the eldest person on the farm. The Westbury Heights farm of about 842 morgans (about 721 ha) was first transferred to James Usher in 1859. In 1940 the farm was divided into portions owned by Agnes O'Neill, Bahlincwadi Mjijima and Mthuthuzeli Mpande. Agnes O'Neill sold her share of the farm, about 127 ha, to Ben Goldberg in 1945, who then sold it to Brian Barbour in 1952. In 1981, when the Ciskeian homeland gained its independence from the South African apartheid government, Brian Barbour sold the 127 ha farm to the South African Development Trust (Deeds Registry, King Williams Town (KWT), 2010). In chapter 3 it was highlighted how the Ngqushwa district was central in the overall scheme of Ciskei consolidation beginning in 1972.

The Ciskeian government transferred the 127 ha farm to Mthuthuzeli Makinana who was married in community of property to Mandisa Makinana in 1994 (Deeds registry, KWT, 2010). In taking ownership of the farm, Makinana

immediately tried to evict the tenants on the farm. The Xatyane family were the only tenants at the time: more importantly, they resisted eviction as they had nowhere else to go. The matter remained unresolved even after a court intervention. Meanwhile, relations between the Xatyane family and the new owner became severely strained and it was exacerbated by the arrest of Mrs Xatyane's son on charges of arson laid by Makinana. Makinana also barred residents of the neighbouring Dam-dam village from harvesting wood and prickly pear fruit, as well as using the windmill-pumped water from the farm (N. Xatyane, personal communication, 2009).

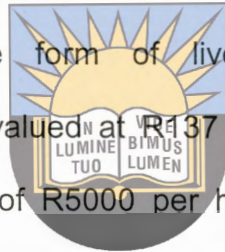


The Ngqushwa branch of the African National Congress (ANC) had earlier entered the fray and advised the Xatyane family to join forces with other fellow residents and resist the eviction. Over time they all had erected building structures on site making it difficult for the farm owner to exert control. Compounding Makinana's problem was his constant absence from the farm since he was based some 80 km away, on the outskirts of East London (N. Xatyane, personal communication, 2009).

The continuing status quo made it impossible for Makinana to continue to keep livestock on the farm, for fear of stock theft. Whilst the farm was underutilised, the occupiers applied for the government's LRAD grant for its purchase. It must be emphasised that the primary objective of acquiring the farm was to upgrade tenure security for the Dam-dam community that was already settled on the site. Moreover, the farm inhabitants sought to access

basic services, which had to be installed once their occupations were formalised. The occupants were able to access the LRAD grant in 2005, in order to secure their tenure rights and to practice livestock keeping on the Westbury Heights farm (N. Xatyane, personal communication, 2009).

The LRAD grant which carried a value of R20 000 for each household was awarded to 17 households. Whilst the actual price of the farm was R220 000, the total grant amount was R340 000. Moreover, households provided their own contributions in the form of livestock and labour. Livestock, predominantly cattle, was valued at R137 333. Human labour was valued R85 000, at a distribution of R5000 per household. In the end, Westbury Heights farm was purchased on the 24th of January 2006, at a price of R220 000, 5 months after the launch of their application for the transfer of the farm. A balance of R120 000 arising from the overall grant was used to purchase 35 heifers, which were owned collectively by the Westbury Heights farm trust (EC-DLA Westbury Heights farm documentation, 2009).



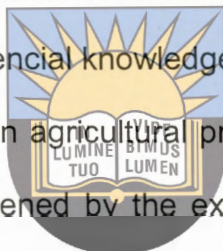
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Westbury Heights Farm Trust Project, Farming Operation and Challenges

Whilst the process of transferring the Westbury Heights farm to the Westbury Heights farm trust was swift enough, the challenges of administering the farm lingered on and the acquisition of production knowledge and experience has been slow. By rule, the Westbury heights farm trust administers and manages

the farm. It has five executive members but the major problem is that some of these are co-opted members of family relatives who are not necessarily on the list of beneficiaries. At times they include youth who are considered to have the energy and mobility needed to carry out farm chores, the education necessary to understand farming operations and the requisite farming skills. Significantly, none of this group or their offspring were trained in livestock farming when they took up the project and they still did not have such training when the field research was conducted during the period 2009 to 2010. They merely relied on their experiential knowledge as livestock keepers, as they do not have skills of their own in agricultural production and marketing. Regular meetings are normally convened by the executive to discuss problems and plans for the use and maintenance of the farm (N. Xatyane, personal communication, 2009). *Together in Excellence*



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The Westbury Heights farm trust was formed in terms of the Communal Property Association Act, 28 of 1996, (CPA Act 28 of 1996) which enables communities or groups to acquire, hold and manage farmland as a trust under a written constitution, as mentioned in chapter 2 (White Paper, 1997; Mzwandile Mphahla, personal communication, 2010). Thus the Westbury heights farm trust has collective ownership of the farm and may not subdivide it into units with title for each household in terms of the Subdivision of Agricultural Land Act 70 of 1970 (White Paper, 1997; M. Mphahla, personal communication, 2010). The White Paper (1997) emphasises that whilst the Act was initially designed to prevent the subdivision of farms into uneconomic

units, it is understood that its role has been to operate as a zoning regulation and to prevent land subdivision for residential purposes and unauthorised change of use.

The trust has security of tenure and land-use rights over the farmland (M. Mpahla, personal communication, 2010). The trust may not change the original use of the land hence they embarked on cattle production since the farm was used for livestock grazing (M. Mpahla, personal communication, 2010). Notwithstanding the conditions just mentioned, the CPA Act 28 of 1996 provides for the upgrading of property rights of a trust in its constitution, but only with the express permission of the DLA.



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At the time when the farm was purchased it already accommodated subsistence cattle farmers who later formed the Westbury Heights farm trust. The LRAD system required that the Westbury Heights farm trust beneficiaries must engage in commercial farming and move away from subsistence farming. It also required that the trust submit a group project or business plan and thus imposed group production on them (M. Mpahla, personal communication, 2010). In this regard, the trust acquired heifers towards group production. It must be stated that at the time that the research was undertaken, 2009-2010, the trust no longer possessed the heifers and that upon inquiry as to the whereabouts of the heifers, trust members gave a report that could Mpahla (2009) and the agricultural extension officers at the Ngqushwa office could not corroborate.

The process of buying the heifers was a top down government initiative that resulted in the 35 heifers being duly bought on behalf of the farm community. The Department of Agriculture in Ngqushwa did not assist the group with the settling of the heifers on the farm, nor did it train the new farmers on how to raise the heifers. Hence the heifers, not being adapted to the farm environment died within six months of their arrival on the farm (N. Xatyane, personal communication, 2009). Ainslie (2003) recommended that adapted heifers be purchased by the beneficiaries themselves on the basis of informed choices of better adapted breeds of cattle through agricultural training and education.

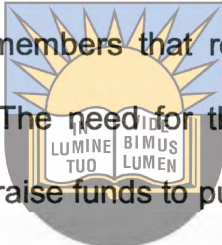


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The Ngqushwa agricultural officers categorically denied knowledge of the deaths of the heifers on the Westbury Heights farm, pointing out that they would have responded to the case had they been aware of it (Ntshebe/Manjezi, personal communication, 2009). Agricultural extension and veterinary services are provided by the government not only to LRAD participants, but to rural village communities for free (M. Mpahla, personal communication, 2010). In 2003 Ainslie had noted the long standing poor relations between the Ngqushwa agricultural extension officers and the village communities because of lack of extension services to the rural communities. Lahiff (2008) also highlighted the problem of lack of agricultural extension advice, training and veterinary services experienced by beneficiaries of land reform in the Eastern Cape Province, and other parts of the country.

Mpahla (personal communication, 2009) also repudiated the story of the deaths of the heifers. He said that the beneficiaries of the Westbury Heights project sold the heifers to other farmers shortly after they were acquired, attributing the disposal of the heifers to differences regarding the establishment of the farming project. Apparently some of the members of the project were not keen on farming (M. Mpahla, personal communication, 2009). Lahiff (2008) and Hart (2003) also note the problem of negative group dynamics between project members that resulted in the collapse of these LRAD agricultural projects. The need for the poor to form large groups of project members in order to raise funds to purchase the high-priced farms, as Lahiff (2008) points out, leads to the inclusion of members who are not necessarily interested in farming.




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At the time that the research was undertaken the Westbury Heights farm cattle project was already defunct. They did not have the heifers intended to start up the project, as explained above, and were left with their original livestock which was not part of the core project. The core project consists of the farm property and the heifers that were purchased with grant balance funds (N. Xatyane, personal communication, 2009). Recently, in 2010 the group held meetings in an attempt to revive the project. The group has no resources, financial or otherwise, to invest in their agricultural project to develop it into a small scale or large scale commercial operation, beyond the subsistence level; in fact, they are struggling to revive the project (N. Xatyane,

personal communication, 2010). With the failure of the project the contribution of agriculture to their livelihood strategies remains at the subsistence level (Participant observation, 2009-2010; N. Xatyane, personal communication, 2009).

The Department of Agriculture in Ngqushwa is assisting the group with the establishment of vegetable gardens. Each household is supplied with vegetable seedlings twice a year to encourage them to spread their livelihood resources to other include options (N. Xatyane, personal communication, 2009). The group has low levels of ambition for agricultural development. The project could have prospered because Ngqushwa, including the area where the farm is situated, is considered suitable for extensive livestock production from natural grazing. *Together in Excellence*



The logo of the University of Fort Hare is a circular emblem. It features a central sun with rays, positioned above an open book. The book has the Latin motto 'LUMINE TUO BIMUS LUMEN' written on its pages. The entire emblem is set against a blue background with a white border.

Although Mpahla (personal communication, 2010) pointed out that the responsibility for setting up and maintaining infrastructure in trust farm projects rests with the government, the Westbury Heights farm trust is still confronted with infrastructural problems. For instance, their diptank is in a state of disrepair (see figure 5). As a result, livestock are being dipped on a neighbouring farm. Although the extension office is aware of the problem it has not helped in any way.

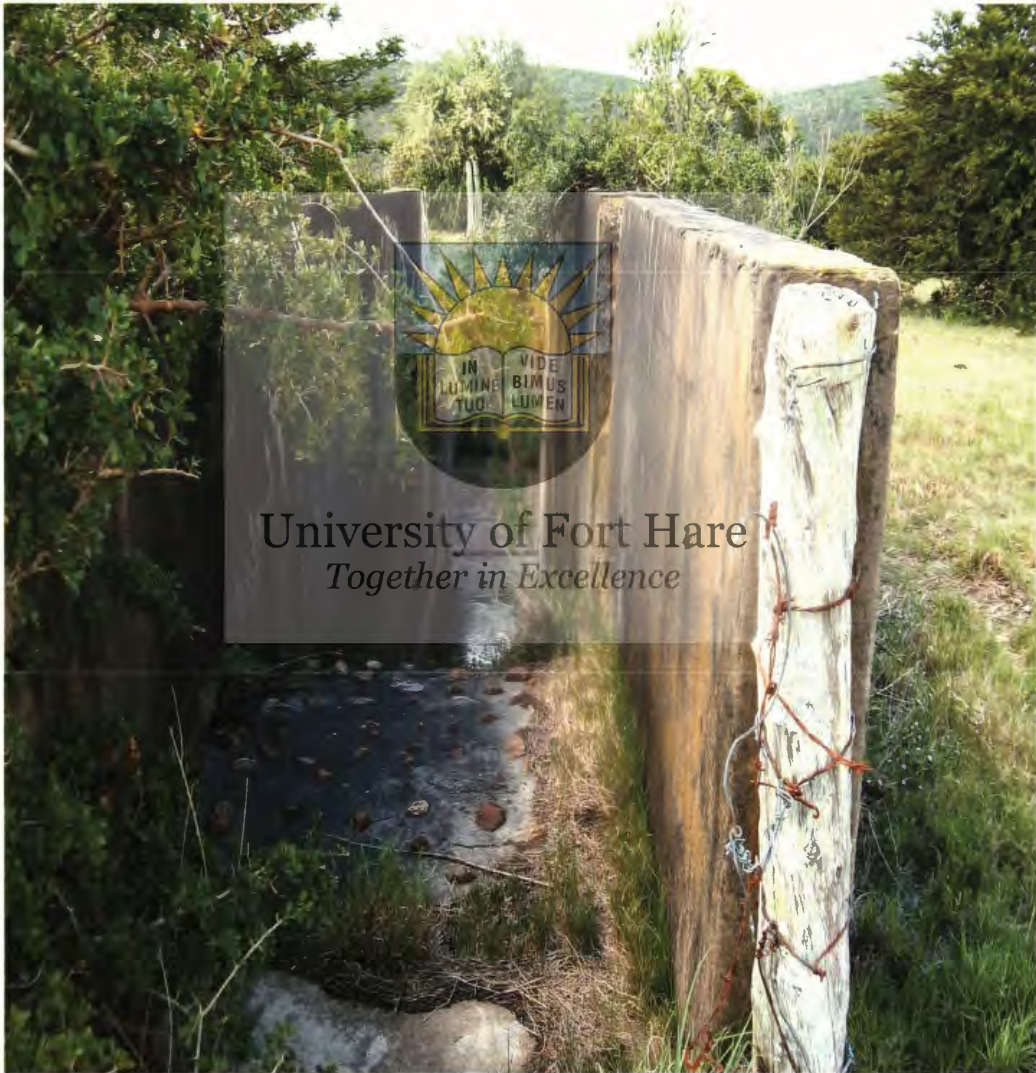


Figure 5: The diptank at the Westbury Heights farm.

The livestock owners at the Westbury Heights farm argue that they have not yet been provided with fencing, although the other LRAD farm (Newark) in Ngqushwa has been provided with fencing material by the Department of Agriculture. In an interview with Vuyisile Dingela, the project leader of Newark, it was confirmed that the Dingela trust had approached the Department of Agriculture for assistance with fencing material, but the Westbury Heights farm community had not made such a formal request (N. Xatyane, personal communication, 2009). The farm dam needs rebuilding and the Westbury Heights farm trustees did not have the equipment to the job. In addition, the windmill on the Westbury Heights farm is no longer functioning. A small river that runs through the farm is the only source of water for their livestock and so they depend on the rains for water supply. This status quo has necessitated the constant movement of livestock within and outside the farm itself (N. Xatyane, personal communication, 2009).



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The DLA objective is that improvement in livelihood strategies of LRAD participants should result in a better quality of life for them (DLA LRAD Document, 2000). It must be stressed that there was no improvement in livelihood strategies of the Westbury Heights farm trust because their cattle production project was not successful (Field and participant observation, 2009-2010). Also, their quality of life remained as it was before participating in the LRAD system.

The Ngqushwa municipality provides the Westbury Heights farm community with clean drinking water that is carted by truck and stored in a large tank that was placed on the farm (Field observation, 2009-2010) (see figure 6). The community has no access to electricity, therefore they use paraffin and firewood for their lighting and cooking needs. They also live in low cost houses, have no access to sanitation and make use of pit toilets (Field observation, 2009-2010).

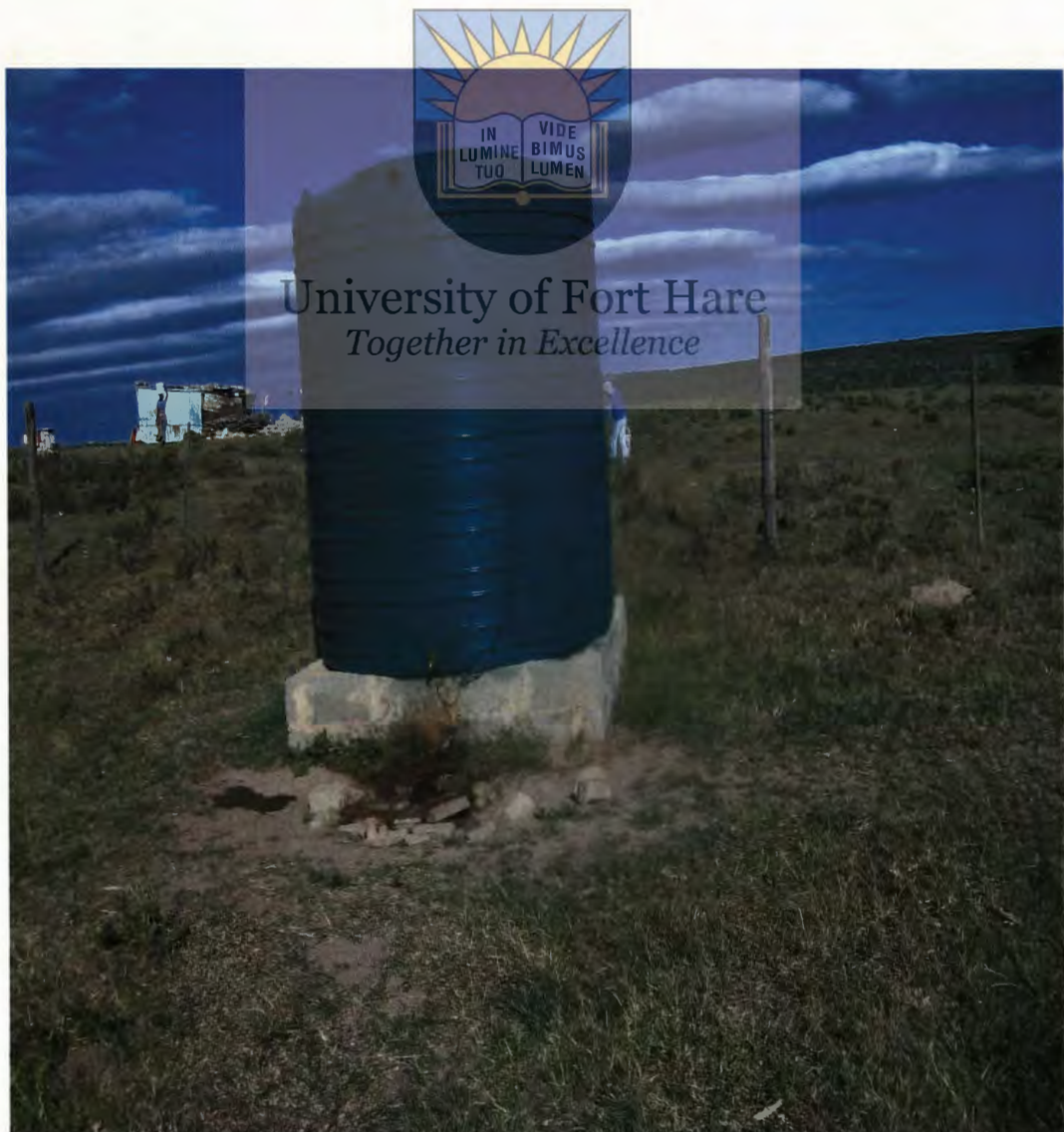


Figure 6: The water storage tank at the Westbury Heights farm.

Background to the Acquisition of Newark Farm by the Dingela Family Trust.

Newark farm is approximately 450 ha in size and is situated in the Ngqushwa municipal area, about 35 km south east of the principal town, Peddie. It is about 15 km north of the Indian Ocean coastline. The farm is owned by 16 members of the Dingela family. The Newark farm was first transferred to Patrick Bailey in 1881. The first member of the Dingela family to own the farm was Ngwentsho Dingela to whom it was transferred by Sidney Lloyd, a third owner of the farm, in the year 1900. Ownership of the farm remained with the Dingela family until 1976 when the whole farm was transferred to Webster Mjolo. The Dingela family trust purchased the Newark farm on the 1st of December 2005 from Webster Mjolo through the government's LRAD system of agricultural land acquisition (Deeds Registry, KWT, 2010). The application for LRAD and the transfer of the land to the Dingela family trust took just over a year. Mjolo lives in the Chisira Administrative Area of the Ngqushwa municipal area and has retail and property businesses in Peddie (Vuyisile Dingela, personal communication, 2010).

For the Dingela family, purchase of the farm meant a return to their ancestral land, a form of restitution, metaphorically speaking, as their grandfathers are buried on the farm. It was also an opportunity to take up livestock farming. The conditions under which the Dingela family trust was formed and under which the trust holds the land are similar to those for the

Westbury Heights farm trust. The Dingela family trust was formed in accordance with the CPA Act 28 of 1996. In terms of the Act, the trust was required to draw up a constitution that governs how it functions. The trust has collective ownership of the farm which is subject to the Subdivision of Agricultural Land Act 70 of 1970 discussed above. The trust has land use rights and may not change the original use of the land unless such a proviso is made in the trust's constitution with the permission of the DLA (Vuyisile Dingela, personal communication, 2010; M. Mpahla, personal communication, 2010).



The process of purchasing the Newark farm took the Dingela family about 16 months. The overall LRAD grant raised by the Dingela family was R546 240 at R34 140 LRAD grant per individual. Whilst the price of the Newark farm was R450 000. The Dingela family trust bought 31 heifers and livestock medicine with the R96 240 balance obtained from the overall grant towards setting up their cattle project (EC-DLA Newark farm documentation, 2010). The Newark farm was used for livestock grazing, hence the Newark project had to involve livestock grazing in accordance with land-use conditions as explained above (M. Mpahla, personal communication, 2010).

Newark Farm Operational Challenges

The Dingela family trust performs managerial and administrative duties on the farm and sees to the general running and maintenance of the farm under the

leadership of Vuyisile Dingela as project manager. Besides holding meetings where problems and plans are discussed, the trust collects and keeps, in a bank account, monthly contributions from each member of the trust. These funds are intended for farm maintenance, medicine for livestock and other farming operations that require financial input (V. Dingela, personal communication, 2010).

As mentioned above the Dingela family is engaged in a cattle farming project. In applying for the LRAD grant and associated farmland the Dingela family submitted a business plan for their livestock production project which committed them to group production (M. Mphahla, personal communication, 2010). The Newark farm project is still on course despite having experienced lack of cooperation from members of the family trust. Boyce, Rosset and Stanton (2005) have pointed to the non-viability of group production situations among the poor worldwide.

Cattle production at the Newark farm has remained at subsistence level for the period 2006 to 2010, since the start, due to lack of post-settlement support from the DOA. Yet the LRAD system required that the group raise their farming operation to the status of commercial farming. Agents of the DOA conduct annual assessments of the project's livestock sales to determine its status. The Dingela farm project lacks post-transfer support in the form of extension and veterinary services, in particular marketing channels, despite the fact that an agricultural officer is assigned to their farm

and area (V. Dingela, personal communication, 2010). The South African Human Rights Commission (2004) and Lahiff (2008) stress the lack of post-settlement support to land reform beneficiaries. Dingela (personal communication, 2010) produced a receipt issued by the DOA as evidence of payment for veterinary services and drugs, whilst, according to Mpahla (personal communication, 2010) the DOA provided extension and veterinary services gratis to LRAD beneficiaries.

Mpahla (personal communication, 2010) also confirmed that the government had the responsibility of setting-up and maintaining infrastructure for LRAD beneficiaries. On request for infrastructural development, the DOA supplied the Newark project with fencing material for their farm but the diptank is still outstanding. The Newark project's diptank is dilapidated and dysfunctional, hence they use the dipping facility in the nearby village of Gcinisa, where the project leader Vuyisile Dingela lives and has social connections; this is typical life in rural South African villages. Dingela's connections extend to the church where he is an elder and leader of the branch of the Methodist Church in Gcinisa village (participant observation, 2010; V. Dingela, personal communication, 2010).

The Dingela family's subsistence project has little impact on their livelihoods since it does not generate substantial income even when considered on an annual basis (V. Dingela, personal communication, 2010). Vuyisile Dingela himself has diversified sources of livelihood which include participation in the

taxi industry and keeping a flock of sheep at his homestead in the village. Indicators of his quality of life, which cannot be attributed to the family project's production income, include a large brick house with a double garage and a new private car (Participant observation, 2010; V. Dingela, personal communication, 2010).



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CHAPTER V

DATA ANALYSIS

The information gathered on the two farms is analysed in terms of the policy and practice of the Land Redistribution and Agricultural Development (LRAD) programme and on how the participants and beneficiaries of new agricultural land have set out to generate livelihoods to improve the quality of their lives. Two case studies of LRAD purchased farms, Westbury Heights and Newark, have been studied in detail as outlined in the previous chapter.

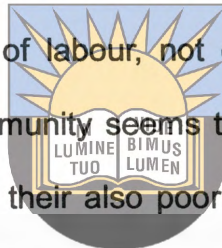


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Both cases involve rural poor who have been able to successfully access the LRAD system of land reform. The transfer of land in both cases certainly does not contribute to the 30 percent target set by the government for land reform and redistribution as the land concerned was not owned by whites at the time of transfer but it is part of the state's land redistribution programme. The target of 30% was set for the amount of land that was to be transferred from whites to blacks through the African National Congress (ANC) government's land reform programme in its first five years of rule. That target also excluded private transfer of land between whites and blacks outside of the official land reform programme. Hence the transfer of agricultural land, in these cases, did not necessarily address the government's social justice

objective of racial equity regarding access to natural resources, including land.

Even so, the transfer of land in the cases investigated involves the poor. The people involved in land transfer in both cases are considered poor since they could only access the lower end of the scale of the LRAD grant and could only afford the prices of the farms when they pooled their grants. Even then, their own contributions that enabled them to access the minimum grant of R20 000 were in the form of labour, not cash or agricultural assets. The Westbury Heights farm community seems to be the poorer group since the Newark farm family, despite their also poor status, were still able to access individual grants in excess of R30 000 above the minimum grant. In terms of the poor accessing the LRAD system, both cases demonstrate the possibility of destitute groups' participation in the government's agricultural land redistribution programme.



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Further in Both cases

In both cases, the underlying motives for acquiring the farmlands which, are perceived to have had an impact on project-based livelihoods call for a discussion on the subject of livelihoods. These can be referred to as the nuanced consequences of acquiring the lands. Some surfaced during data collection and were not made apparent when applications for LRAD and the associated lands were made. In other words, the reasons for acquisition of the agricultural lands were not necessarily as project oriented as is required in the LRAD system but may be driven by social imperatives and the need to

attain tenure security.

It is clear, in the case of Westbury Heights, that the acquisition of that farm was motivated by the need to secure land rights the people who were occupying the farm. Their objectives were also motivated by the state of underutilisation of the farm by its registered farm-owner. Events in and around the Westbury Heights farm led to its forceful occupation. The resident family of farm workers and dwellers resisting eviction from the farm by the incumbent owner combined with the larger community around Westbury Heights who had been deprived of access to resources on the farm previously enjoyed. They too needed land and space for settling landless community members. Encouragement by the ANC, the dominant political organisation in the area, the farm dwellers and the neighbouring community of Dam-dam duly joined hands and occupied the Westbury Heights farm illegally, as described in the previous chapter.



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Ainslie (2003) made the point that farms that were underutilised by lessees in the Ngqushwa area were encroached upon by neighbouring villagers for grazing and other wilderness resources. These encroachments often led to conflict with the lessees who consequently abandoned the farms they utilised. Many of these farms were effectively turned into illegal communal areas.

To avoid eviction some communities had to buy farms from owners who had court orders to effect removals. This was the case with Westbury Heights. As

aforementioned, the LRAD grant presented an opportunity for the 'illegal occupants' on the farm to purchase new land. Yet they had to set up and run an agricultural project in order to qualify for the LRAD grant. The circumstances favoured the potential new purchasers because the land was underutilised. Hence, the main aim in applying for LRAD assistance was to secure tenure on the farm, even if they had to run a project that involved livestock keeping.

The acquisition of the Newark farm was driven by the Dingela family's quest to return to the land that was settled by their forefathers, rather than by the desire to engage in commercial farming as is required by the LRAD system. The incumbent farm owner was willing to part with Newark farm for the right price, which was set at R1000 per hectare. The Dingela family mobilised itself to form a purchasing group and then applied for the LRAD grant. Importantly, they could not afford to pay the purchase price of the Newark farm. The prerequisites they had to satisfy in order to qualify for grant funding were setting up an agricultural project and their own minimal contributions.

It became apparent during the research that motives other than project realisation played significant roles in the acquisition of the farms. This can be seen in the way self-generated contributions were raised. In both cases livestock keeping was central to the project; some members of these groups had no livestock at all. Therefore their only contribution when the farms were purchased, was their labour supply. The government valued this contribution

in the form of labour at R5 000 per member of the group. Some of the members were co-opted for the purpose of raising the own contribution, as was clearly evident in the case of the Westbury Heights farm.

Both cases reveal that a number of similar criteria had to be met by both groups in applying for the LRAD grant to purchase the associated lands and set up their projects. In terms of LRAD criteria the groups had to form trusts or communal property associations with legally recognised constitutions. These trusts were formed in terms of the Communal Property Associations Act, 28 of 1996. The trusts managed and administered the farms under an executive, consisting of the treasurer and secretary, led by the project manager. Thus the trust owns and runs the farm and project as a collective.



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On applying for funding to purchase the farms the two groups were required to produce and submit business or project plans. Their projects involved livestock farming since they could not change the use of the land from livestock grazing without ministerial approval in terms of the CPA Act, of 1996. Their project plans also compelled them to produce as a group and to engage in commercial farming. The group production projects encountered challenges ranging from unequal contributions made on project set up to lack of commitment amongst group members. For instance Dingela pointed out that some of the members of the Dingela family trust were not regularly paying the monthly contributions of R200 agreed upon by trust members.

The LRAD system required the trusts to upgrade themselves from subsistence farming which they had been practising to commercial farming. In the five years that they have been in operation both projects have remained at subsistence level. They do not have access to the substantial financial resources required in commercial production. Wegerif (2004) noted that there was a very big gap between subsistence and commercial farming in terms of the resources required to operate at these levels such that it is very difficult to move from subsistence to commercial operation.



According to the Department of Land Affairs (DLA) agent, the Department of Agriculture (DOA) was responsible for maintaining farm infrastructure and providing extension and veterinary services to these LRAD beneficiaries at no cost to them. At both projects the diptanks are dysfunctional and the DOA had done nothing to replace them. Dingela of Newark farm had paid for veterinary services. The Newark farm trust obtained fencing material from the DOA.

In his assessment of agricultural support to Ngqushwa communities Ainslie (2003) noted that the DOA had settled on fences as an infrastructural development priority without any overarching plan for the development of agriculture in Ngqushwa. He highlighted that fencing was a soft option for the DOA which provided jobs during the erection phase and free fencing thereafter. This status quo is clearly demonstrated in the case of the Newark LRAD project in that the trust was provided with fencing material but left without free veterinary service while their diptank has not been attended to.

There was no evidence of improved livelihoods in either case, as a result of having acquired new land and setting up livestock projects under the government's LRAD system. There was no regular income generated from the projects. Consequently, their quality of life remained unchanged. This is in stark contrast to government intent to improve livelihoods and provide better quality of life for the beneficiaries of its LRAD system.



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CHAPTER VI

CONCLUSION

This study set out to investigate the implementation of the Land Redistribution for Agricultural Development (LRAD) system of land reform in the Ngqushwa Local Municipal (NLM) area in the Eastern Cape province. This concluding chapter argues that the LRAD programme and its trust land system does not benefit subsistence farmers. Wotshela (2009) and Lahiff (2007) pointed out that the LRAD system does not serve the agricultural needs of the poor. This researcher contends that the right conditions in the communal land system can support livestock subsistence farming and promote its growth to commercial status. It must be stated from the outset that the research findings do not necessarily apply to other cases, especially such as involving the cultivation of crops. In projects involving the cultivation of crops, it is possible to divide the farmland into plots for each individual to till, whilst livestock farmers have to share the grazing land. The following discussion attempts to explain the development of the trust land system. The discussion culminates with an exploration of the Botswana policy for grazing land as set out by Hitchcock and Nkwe (1986), Ainslie's (2003) proposed government interventions for livestock farming in Ngqushwa and the framework presented



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by Atkinson and Buscher (2006), as possible alternative ways to include subsistence farmers in the land reform process.

The African National Congress (ANC) government intended to remove weaknesses in the communal system, and to make it suitable for agricultural land redistribution to the poor, by formulating the trust land system. On the one hand the ANC government acknowledged, in its White Paper (1996), that the communal system provides free or very cheap access to land for the poor. Also, it considered that the social structure that goes with communal ownership provides an important survival safety function to the poor, as does the fact that the land cannot be sold to raise cash in emergencies or be foreclosed for debt. Furthermore, the group rules which apply in communal areas have also managed to keep communal land less crowded than in comparable black owned freehold areas. Most of the black freehold lands were purchased by extended families or syndicates and so became heavily populated by the descendants of the original purchasers and extended clientele (Mbongwa, van den Brink and van Zyl, 1996).

On the other hand, the White Paper (1996) raised some concerns about communal land ownership systems. These concerns were in regard to tribal authorities and destructive group dynamics. These concerns led the ANC government to opt for the trust land system in its land redistribution programme. The White Paper pointed out that the communal land tenure

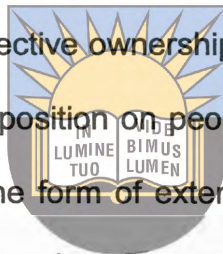
systems that exist in large parts of South Africa, specifically in former homeland areas, were based on pre-existing joint rights to land that were legally weak. Hence tribal authorities that did not function democratically could operate in ways that undermine the constitutionally entrenched basic human rights of members of communal land systems. Also, communal systems suffered internal breakdown as a result of individuals who flouted group rules, especially where the old authority systems had broken down and had not been replaced with other legitimate procedures.



Therefore the trust land system removed the authority of tribal figures and placed control and management of redistributed land in the hands of trusts that were constituted in terms of the Communal Property Associations (CPA) Act, 28 of 1996 mentioned earlier. The CPA Act 28 of 1996 provided legal and administrative support that enabled the transformation of communal ownership to trust ownership of the redistributed LRAD associated land. The CPA Act 28 of 1996 also intended to regulate and support group land ownership systems, protect members and beneficiaries from abuse and set out clear procedures and remedies in case of malpractice (White Paper, 1996).

The two case studies show up three key aspects of the trust land system, being the commercialisation of subsistence farming, group production and collective ownership of agricultural resources. These conditions are imposed on groups of poor land reform beneficiaries and

are considered, given the findings of this research, to be real obstacles to the meaningful and beneficial participation of subsistence farmers in the agricultural land reform process. The implementation of these conditions has been discussed in greater detail in chapters 1 and 4. It has been emphasised in the literature review that the LRAD system is commercially oriented and therefore it is not suitable for poor subsistence farmers who have no resources, financial and otherwise, to invest in commercial farming. The literature has roundly condemned group production for its non-viability. In addition, collective ownership of natural resources may be an African custom but its imposition on people is not acceptable. Lack of post-settlement support in the form of extension and veterinary services, infrastructural development and maintenance and marketing strategies drastically reduces the chances of benefiting from the LRAD system and its associated land for subsistence farmers. The Botswana model for grazing land that is discussed in the following paragraph has its own limitations as an alternative to the LRAD system.



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The Botswana policy for grazing land was discussed in chapter 1. It dealt with the communal and commercial elements of land distribution also present in South African land reform. The policy can provide insight into accessibility of land that is up for redistribution to subsistence farmers. The grazing policy of Botswana provided for the constitution of land boards that took over the management and allocation of tribal grazing land from tribal authorities. The land boards divided Botswana's tribal grazing land into

communal zones for subsistence farmers to utilise and commercial zones for the use of commercial farmers (Hitchcock and Nkwe, 1986). The implementation of this policy in South Africa would require that the government acquire farmland, rezone it to communal land and redistribute it to subsistence farmers, thus taking over the management and allocation of land from tribal authorities.

A major challenge in this scenario would be the acquisition of land since land redistribution in South Africa is carried out through the land markets. Not that the marketing of land and commercialisation of subsistence farming are linked in this study (that would require further research) but that the state cannot purchase all the land that is associated with its LRAD system (SAHRC, 2004; ~~Topol, 2004; Walker, 2005~~). The following discussion of possible ways and means of commercialising subsistence agriculture is more specific to Ngqushwa and South Africa.

In 2003, Ainslie noted that there was a small group of emerging farmers in the Ngqushwa municipal area who were engaged in commercial livestock production within the village context. They used the village grazing lands in an extensive way, that is, they let their livestock graze freely around the village commonage rather than being to stall-feed them. This suggested to him that certain aspects of cattle production systems in areas under communal tenure in the Eastern Cape, including Ngqushwa, could be improved. He laid out possible interventions to enhance the

commercialisation of cattle production in communal areas of the Ngqushwa municipal area, which are outlined below.

Ainslie (2003) did not mention tribal authorities and group dynamics as potential problems with the keeping of livestock in communal areas as was raised in the White Paper (1996). However, he pointed out that perceptions of gender roles and economic value of livestock might pose a challenge to the commercialisation of agriculture. Grazing livestock ownership in rural areas is considered to be a male domain. Also, rural people do not regard livestock keeping as purely for economic purposes. To them it is for maintaining the social and economic status of the family, observing traditional responsibilities at weddings, funerals and other social events as well as constituting traditional social security and a saving system. Garcia (2004) also observed this African custom of livestock keeping in post-independence Namibia.

Ainslie's (2003) list of proposed government interventions focused on livestock keeping practices and farmer training as well as financial support for agriculture. It must be highlighted that the trust land system brought about by the LRAD programme was not yet implemented in Ngqushwa at the time of his writing. Nevertheless, the recommended interventions would work well for the groups in the two case studies, considering their current struggles as set out in chapter 4.

The relevant interventions that would address some of the problems raised in the case studies include subsidised purchase of adapted heifers accompanied by informed choices of better adapted breeds of cattle through education, a dedicated animal health programme along with a marketing strategy, improved dipping infrastructure and training of the farmers to take over the dipping programme, installation of fencing, the introduction of rotational grazing systems and the introduction of water points for grazing areas.



Other interventions included the marketing and the development of associated animal product industries. The marketing interventions would include improvement of marketing channels through regulating formal stock sales along with ownership of stock-sale facilities by farmer groups and improvement of marketing knowledge and profitability of herds. The associated animal products that could be developed include the establishment of dairies along with cheese-making from local milk production and the improvement of knowledge and skills base around hide preparation, marketing of hides and working with leather.

The interventions discussed above were intended as possible ways of preparing subsistence farmers in the rural villages of Ngqushwa for commercial production, cattle production being a major agricultural activity. Ainslie (2003) recommended that the commercialisation process should entail the development of a means tested farmer settlement programme that gives

deserving individuals or groups of cattle farmers in communal areas access to freehold land that is up for redistribution, cheap credit and agricultural support.

The framework presented by Atkinson and Buscher (2006) is discussed in detail in chapter 1. In summary the framework suggested that livestock farmers be prepared for participation in the LRAD system as commercial farmers. The preparation would consist, mainly, of accumulation of livestock by the farmers and support from local government and the Department of Agriculture to the farmers.

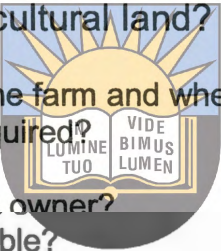


What Ainslie (2003) and Atkinson and Buscher (2006) are saying is that subsistence farmers should upgrade themselves to commercial status before participating in the LRAD system. Significantly, they do not condemn the LRAD system. And, critically, they would exclude the participation of subsistence farmers in the LRAD system. This study condemns the LRAD and its trust land system and recommends the direct participation of subsistence farmers in the redistribution of agricultural land. The LRAD system was supposed to contribute to the redistribution of 30 percent of white-owned agricultural land to blacks. This study prescribes the direct participation of subsistence farmers in the redistribution of the 30 percent of agricultural land and the removal of the commercialisation criterion for subsistence farmers.

APPENDIX

Data collection instrument

What are the criteria or requirements for accessing LRAD grant and their connected agricultural land?

- 
- The logo of the University of Fort Hare is circular, featuring a sun with rays at the top, an open book in the center, and the motto 'LUMINE TUO VIDE BIMUS LUMEN' written across the book. The text 'University of Fort Hare' and 'Together in Excellence' is written in a light blue font across the bottom of the logo.
- What is the name of the farm and where is it located?
 - How was the farm acquired?
 - Who owns the farm?
 - Who was the previous owner?
 - Is the title deed available?
 - How many members make up the trust?
 - What is the size of the farm?
 - What was the price of the farm?
 - How much LRAD grant did you get?
 - What else did you acquire along with the farm?
 - What was your own contribution?
 - What necessary documentation was needed to acquire the farm?
 - How long did it take to approve the sale of the farm?

What land-based livelihood strategies are Ngqushwa LRAD beneficiaries able to pursue on their newly acquired land?

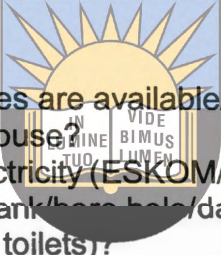
- What type is your agricultural project?
- How do you market your produce?
- Is there an annual income derived from the project and how much is it?
- Are there any forms of employment/jobs that were created as a result of acquiring the farm?
- What education and skills do you have to help you implement your agricultural project?
- What agricultural extension services and training do you get from DOA?
- What monies and loans are available for financing your agricultural activities?
- What additional financial capital do/did you get from DLA for your project

- What social relationships and networks do you have in your category of farming activities (farmer unions/societies)?
- What natural resources such as land and water are available to you for running the project?
- What physical infrastructure and assets do you have for implementing the project (farmyard, dipping canal etc/farming equipment, cattle etc)?

Are livelihood strategies pursued by Ngqushwa LRAD beneficiaries sustainable?

- What challenges/difficulties do you encounter in the course of pursuing your livelihood strategies/agricultural practices?
- How can these challenges be overcome?

How is the LRAD system generally improving the quality of life of its beneficiaries?

- 
- What municipal services are available/are the living conditions in your ward, homestead or house?
 - Energy source(s) (electricity (ESKOM/solar)/ paraffin/gas/wood)?
 - Water source(s) (tap/tank/bore hole/dam/river) and use?
 - Sanitation (flushed/pit toilets)?
 - Sewerage system?
 - Refuse removal?
 - What government services are available in your ward?
 - Health facilities (clinic/hospital)?
 - Educational institutions (creche/school)?
 - Police services/station?
 - Infrastructure (roads/bridges/railway lines/etc)?
 - Farmstead and home conditions and circumstances:
 - Is there income generated from farming activities?
 - What household items have been acquired?
 - What is the quality of participant(s) housing?
 - What are dietary habits of the household(s), that is food and nutritional status?
 - What are the conditions of farm structures and equipment (farmyard, dam, dipping canal, etc)?
 - Is there sustainable use of land and natural resources (soil, water, plants and trees)?

Personal details

Household: number of adults.....; children.....

Marital status: Single.....; married.....; divorced.....



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Citizenship: South African.....; other (specify).....

Age:.....;Gender: Male.....; Female.....;Race:.....

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The second part consists of a list of written material including books, journal articles, news papers and articles sourced from the internet.



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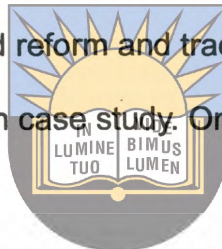
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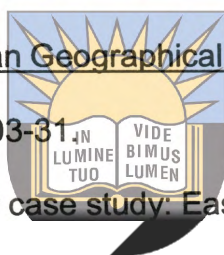
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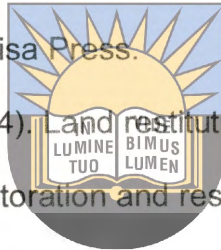
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