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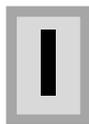
I Key Experiences
of Land Reform
in the Northern
Cape Province of
South Africa

Alastair Bradstock
January 2005

FARM  **Africa**
Making a lasting difference to Africa's families



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FARM-Africa's **Policy and Research Series** encapsulates project experiences and research findings from its grassroots programmes in Eastern and Southern Africa. Aimed at national and international policy makers, national government staff, research institutions, NGOs and the international donor community, the series makes specific policy recommendations to enhance the productivity of the smallholder agricultural sector in Africa.

FARM-Africa's **Northern Cape Land Reform and Advocacy Programme** aims to improve the natural resource management and livelihoods of communities benefiting from South Africa's land reform programme. In collaboration with the National and Provincial Departments of Land Affairs and Agriculture, FARM-Africa helps to provide training in agricultural techniques, livestock management skills, planning and financial management so that communities in the province can realise the potential of their newly acquired land and improve their living standards.

About the author

Alastair Bradstock was the Northern Cape Land Reform and Advocacy Programme's Research Co-ordinator from 2000 to 2004. He is now the Director of Policy and Research based at FARM-Africa's London office.

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Executive Summary

Following the historic elections in 1994, the South African government embarked on an ambitious land reform programme to redistribute and return land to previously disenfranchised and displaced communities. However, many black people lack the knowledge, skills and experience needed to manage their land. In close collaboration with the provincial government of the Northern Cape, FARM-Africa has been working since 1995 with communities in the province who have benefited from the land reform programme.

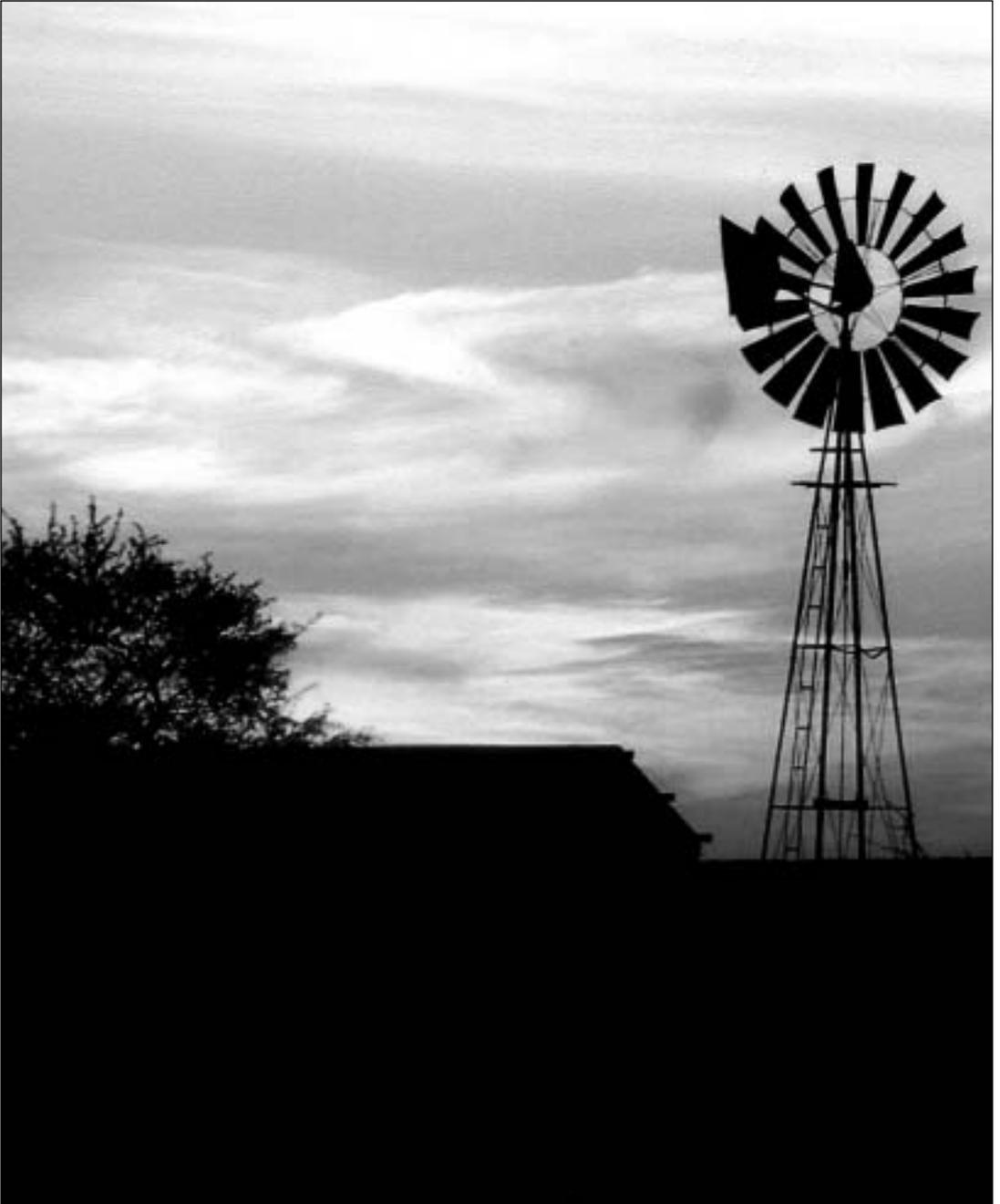
The main aim of FARM-Africa's Northern Cape Land Reform and Advocacy programme is to contribute significantly towards improving the well-being of land reform communities and reduce poverty in the region. An additional objective is to strengthen the capacity not only of emerging black farming communities to manage their land more effectively and efficiently but also of the Departments of Agriculture and Land Affairs so that they can support the land reform process better.

It was evident to the FARM-Africa team that the way in which the government is implementing its land reform programme is constraining many of its beneficiaries from making agriculture a more important element of their livelihoods. Some of the problems include the distance that many communities have to travel to access their land, which, in some cases is up to 300 kilometres from where they live. Another was the lack of education and skills among community members for effective organisation and planning. Meanwhile, the lack of infrastructure such as broken or inadequate machinery, coupled with the inability to access the funds to replace it, further hindered farmers' ability to realise the potential of their newly acquired land.

FARM-Africa's experience, gained over nine years of working with land reform communities, indicates the need for the government to invest more heavily in the pre-designation phase of the land reform process. Frequently many of the problems experienced by land reform groups in the post-designation phase can be traced to issues that were inadequately discussed before the land was transferred, and often the problems are more difficult to resolve after the pre-designation phase leading to inefficient resource use.

This publication highlights key problems and lessons learned from FARM-Africa's experience of working with land reform communities in the Northern Cape province as well as providing recommendations that will enable land reform communities to use their land more effectively.





Farm in Uitsig, Kalahari



Background to FARM-Africa's Northern Cape Land Reform and Advocacy Programme

FARM-Africa and South African Land Reform

Three years before the first fully democratic elections were held in South Africa, FARM-Africa formed a partnership with the Land Development Unit (LDU) a local NGO that was working with a number of previously disadvantaged communities in the so-called Coloured Rural Reserves in the Western Cape.

During this time, the Legal Resources Centre (LRC), a South African NGO, approached FARM-Africa and asked them to undertake a survey of the agricultural potential of a farm in the Northern Cape called Riemvasmaak. In the early 1990s the LRC had been approached by a small group of Riemvasmakers who wanted to demonstrate in court that they had been illegally removed from their land in the mid-1970s. FARM-Africa's report along with other evidence was used to support this case.

In February 1994 the High Court found in favour of the Riemvasmakers, and allowed them to repossess their land. Shortly after this historic ruling, the community approached FARM-Africa, and asked them to assist the development of their considerable natural resources (80,000 hectares). After securing financial support for four years, mainly from the British government, FARM-Africa provided a range of capacity building inputs to develop not only the group's administrative and managerial skills but also their expertise in natural resource management.

Land Reform in South Africa

Using experience gained in the developing world, the World Bank advocated that the South African government should adopt 'market assisted' or 'negotiated land reform'. This entails the use of social investment funds for land acquisition, on-farm asset improvement in order to enable land reform beneficiaries to engage in agricultural production, social infrastructure and decentralised implementation through community based processes. While this was the intended route for land reform in South Africa, the road has not been easy for a number of reasons including the lack of organisational skills amongst the rural poor and that most NGOs are poorly resourced with limited experience of land reform in the pre and post-transfer stages. This is in contrast to the experience of the World Bank in the Philippines where NGOs took a leading role in the land reform programme.

The land reform programme is comprised of two main phases: pre and post-designation. In the pre-designation phase, individuals interested in farming approach the Department of Land Affairs (DLA) and register their interest in gaining access to farms. Before land reform beneficiaries take

possession of their land, they are obliged to form a legal entity that holds the title deeds. In 1996, the government passed the Communal Property Associations (CPA) Act, No. 28 that provides a means through which groups of people can own land collectively. The two most common forms of communal ownership are trusts and communal property associations.

Once the CPA has been formed and the group, in conjunction with the DLA, has identified a farm on the open market, the DLA negotiates the sale price with the land owner. In the majority of the early land reform projects, the funds to purchase the land outright came from the government. Up until 2001 the main grant accessed by beneficiaries was the Settlement/Land Acquisition Grant (SLAG). This provided a grant of Rand 16,000 to eligible beneficiaries who were defined as households with a joint monthly income of less than Rand 1,500. The grant was to be utilised for land acquisition, related on-farm capital items, enhancement of tenure rights, investments in internal infrastructure, top structure, and fencing as determined by the plan developed by the beneficiaries. The government expected that the majority of beneficiaries of the SLAG would be the rural poor and, in particular, women.

However in 2001, a new sub-programme of the land redistribution programme, Land Redistribution for Agricultural Development (LRAD), was launched. In essence the government has identified this programme to meet a number of key objectives such as contributing to the redistribution of 30 per cent of the country's agricultural land over 15 years; improving nutrition and incomes of the rural poor who want to farm on any scale; decongesting overcrowded former homeland areas; and expanding opportunities for women and young people who stay in rural areas.

During the pre-transfer stages, the government undertakes a feasibility study of the farm and develops a business plan. These plans rarely contain sufficient detail to guide development activities in the post-designation phase and are primarily produced to meet the administrative requirements of the land transfer process.

Once the land has been transferred it is then the responsibility of other government departments such as Agriculture and Local Government and Housing to support the group, although the DLA is expected to provide minimal support as well as monitoring the effectiveness of the group. FARM-Africa's work focused on the post-designation phase of the process.

There are three elements to the South African government's land reform programme these are described below.

Land Restitution

The Land Restitution programme aims to restore land to those people who were displaced as a consequence of the Natives Land Act of 1913 and the Native Trust and Land Act of 1936.

Those black households that owned land outside the reserves¹ were initially exempt from the provisions under the 1913 Act, however, from the 1950s until the 1980s these households, or 'black spots' as the government called them, were subjected to forced removals.

The Land Restitution programme only considers those communities that can prove that they were forcibly removed after 19th June 1913. A Land Claims Court and Commission, established under the Restitution of Land Rights Act, 22 of 1994, is the body responsible for adjudicating these claims. By March 1999, the closing date for submissions, the Commission had received approximately 69,000 claims made by groups and individuals.

Land Tenure

The White Paper on South African Land Policy (1997) explains that until the early 1990s, it was government policy that black people should not own land. Land rights in the homelands and townships were permit-based or held in trust. In most cases the land was registered as the property either of the government or of the South African Development Trust.² In many areas of the country, the administration of the land was confused and chaotic and, while households may have occupied land for many years, they had no legal right to it. This uncertainty was the cause of much conflict as land could be confiscated, redistributed or sold by others who claimed to own it.

The White Paper aimed to tackle these problems by introducing a tenure reform programme that would develop new systems of land holding, land rights, and forms of ownership. To achieve this the government passed a number of Acts that aimed to help people to obtain stronger rights to land they live on by moving away from customary tenure rights to more formal legal arrangements.

Land Redistribution

The purpose of the Land Redistribution programme, as outlined in the White Paper (1997), is to redistribute land to the landless poor, labour tenants, farm workers, and emerging farmers for residential and productive uses to improve their livelihoods and quality of life.

The programme involves a single yet flexible redistribution mechanism that aims to be as inclusive as possible so that it can react to the needs of a range of people, from poor female headed households to better off entrepreneurial black farmers. Land transactions are voluntary and are based upon a 'willing seller' and a 'willing buyer'.

1. New policies were devised that restricted Africans' access to land and created reserves that were much too small to enable African agriculture to remain profitable. For example, in the Transvaal only half a million hectares out of 69 million hectares were set aside for Africans and, in Natal, Africans were allocated 1 million hectares out of a total of 5 million hectares.

2. The SADT was a government body established to buy up farm land occupied by whites for the consolidation and enlargement of the homelands.

In addition, the government sees this element of the programme as key to creating a black commercial farming class. As described below, this aim will be difficult to achieve considering that the majority of black people have not farmed commercially for decades following the enactment of discriminatory legislation from the late 19th Century onwards that alienated black people from their ancestral lands.

There are two main sources of land that the government can use for redistribution: state and privately owned land. After the 1994 election it was estimated that state owned land amounts to one and a half per cent of the surface area of the country or 1.6 million hectares with approximately one third of that amount being outside the former homelands. Land outside the homelands is unlikely to be targeted for redistribution as much of it is currently under production, and owners are already protected by land tenure legislation such as the Extension of Security of Tenure Act, 62 of 1997 that aims to strengthen people's rights to land they live on, and to land which is situated nearby. Moreover the state land in the former homelands will be subject to a similar set of legal hurdles, as former employees of parastatals and traditional leaders are expected to try to confirm their legal rights to land that they have lived on, and have used for productive purposes or have worked on as employees for many years. Given the above limitations on public land re-assignments, the government has had little choice but to target privately owned land for redistribution.

Successive apartheid governments distorted the white commercial agricultural sector so that in the late 1980s, 50,000 white commercial farmers owned approximately 87 per cent of the arable land in the country. With such an unequal land distribution coupled with the capital intensive nature of the sector that was caused by the government subsidising the cost of capital, South African agriculture's contribution to GDP (seven per cent), and employment (14 per cent) failed to reflect its middle income status where agriculture typically generates 15 per cent of GDP, and employs approximately 25 per cent of the work force.

Due to the notion developed in the apartheid era of farming families deriving the majority of their livelihood from farming, the farms being transferred are large. While this concept may still have some relevance for white households, it is unlikely to hold for the majority of black households who draw on more than one income source.

During the period 1994 to 2002 the Northern Cape delivered more land through the redistribution component of the programme than any other province in the country. Since the programme started approximately 570,000 hectares of land or nearly 40 per cent of the total has been transferred from white to black ownership in the province. Kwa Zulu Natal, the province with the second highest delivery rate, had transferred only 250,000 hectares in the same period. The number of individuals that have benefited from the programme in the Northern Cape is 3722. However assuming that each beneficiary is part of a separate household, and research carried out by FARM-Africa in the province showed that the mean household size is approximately six people, the total number of beneficiaries is approximately 22,000.

The Northern Cape Province

While the Northern Cape is South Africa's largest province in terms of surface area, it has the smallest population (approximately 840,000 people). Rainfall in the province is low (less than 450 mm per annum) and many areas are classified as semi-arid. Most rain falls during the summer months of January to March. Because the majority of the province receives very low levels of rainfall, it is only suitable for extensive livestock production. Where farmers are able to gain access to irrigation water (mainly from the Orange, Vaal, Riet and Modder Rivers), it is possible to grow a wide range of crops, for example, wheat, maize, peanuts, cotton, grapes, potatoes, barley and a variety of different fruits and vegetables. There is a very high variation in temperatures during the year. In summer they can reach 41 degrees Celsius and in winter as low as minus 8 degrees Celsius. The vegetation is open savannah dominated by *Acacia tortilis* and *Acacia erioloba*.

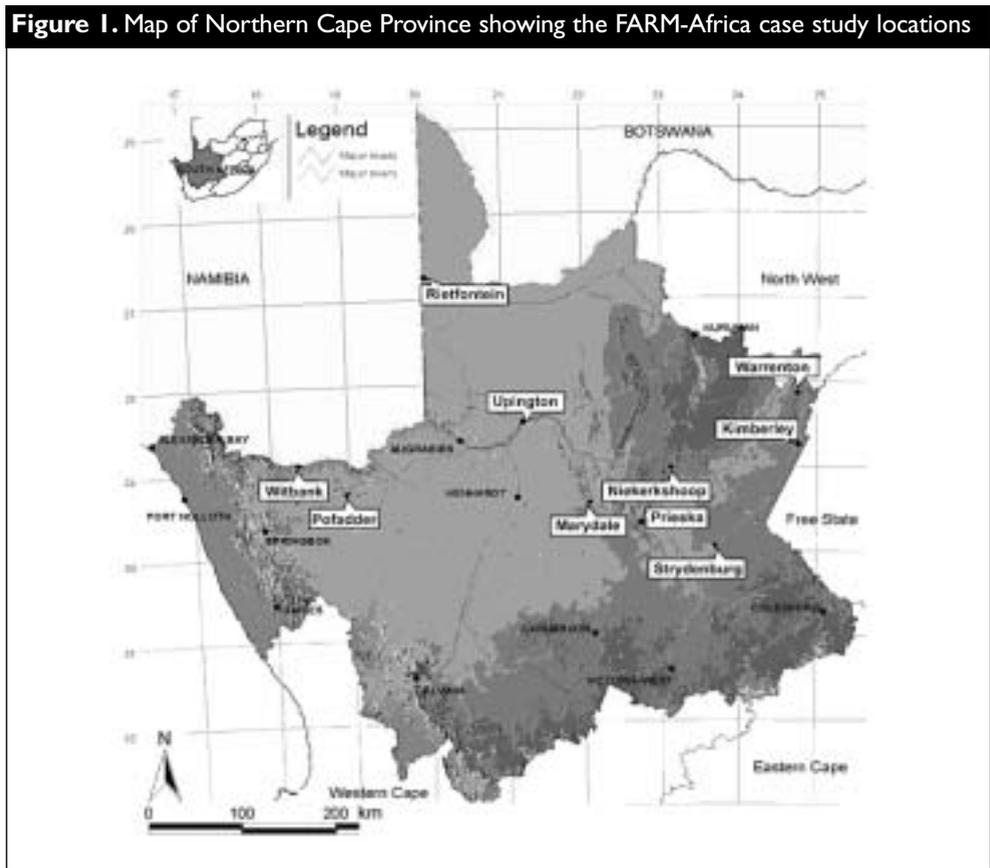
The economy of the Northern Cape is dependent upon its natural resource base. The main activities are intensive irrigated crop production, game farming, extensive domestic livestock production, tourism (the province has several game parks, for example, the Kgalagadi Transfrontier Park and conservation areas) and mining. The province accounts for some seven per cent of global diamond exports (by carat), 13 per cent of all zinc and lead exports and more than 25 per cent of the world's manganese exports. Other minerals include copper, limestone, gypsum, rose quartz, tiger's eye, mica, verdite and semi-precious stones.

Agriculture, the main source of employment in the province, has been in decline for a number of years, and there are no indications that a reversal of this trend is imminent. Indeed the national trend in agriculture is for the industry to become more capital intensive, which may result in further job losses. However, these losses may be reduced or reversed if the commercial sector is able to identify profitable labour-intensive crops and re-structure their businesses accordingly. The contraction of primary activities has had negative effects on other sectors of the provincial economy, and this is visibly evident in the rural areas and towns where the declines have occurred.

The prospects for sustained economic growth in the Northern Cape province are poor. For the last 20 years formal employment has been on a downward trend in virtually all sectors of the provincial economy. During the period 1980 to 1995 about 30 per cent of jobs in the formal sector were lost. The male population of the province declined in the period 1980 to 1991 which was mainly due to declining employment opportunities in the province, and the need to migrate to find work. Increasingly school leavers are forced to look to other provinces for employment opportunities, and the Western Cape, Free State and Gauteng provinces are the main recipient areas for migrants.

The national economy is controlled by the central government, and provincial governments have little scope for independent economic intervention as the key levers of the economy are determined by macro-economic policy. The Northern Cape provincial government, like many in

South Africa, is relatively weak with limited institutional capacity as was highlighted above, and poor co-ordination with tiers of government. The province's economy is largely dependent upon the natural resource base (mining and agriculture) and if the province is unable to diversify out of this sector its future growth potential may be limited. Finally, the Northern Cape province, like other provinces, is looked upon as an agent of central government that implements national policies, and has no mandate to manage its economy independently.



Source: Department of Environmental Affairs and Tourism, South Africa, 2005

2 FARM-Africa's Northern Cape Land Reform and Advocacy Programme

During the period that FARM-Africa supported the Riemvasmaak community, the Northern Cape Provincial government approached FARM-Africa and asked them to expand their work in the land reform sector. In 1998 FARM-Africa developed proposals in close collaboration with the Departments of Agriculture and Land Affairs that aimed to develop the management capacity of approximately ten land reform groups. During this process FARM-Africa drew heavily on the lessons that it had learned at Riemvasmaak, for example, including beneficiaries throughout the many different processes that comprise land reform; initiating a long-term planning process whilst establishing, in parallel, activities that produce benefits for the group in the short-term; inputs from government departments and non-government organisations need to be coordinated; understanding the livelihoods of group members as well as the factors that both help and hinder their development, and finally recognising that land reform is a complex, lengthy process that is difficult to implement. Often members have different and sometimes competing objectives that can lead to conflict, these events should be anticipated by implementers and sufficient resources allocated to them for their management and resolution. While FARM-Africa has not calculated the actual costs and benefits of following this strategy due to time constraints, its practical experience indicates that the cost of failing to address conflict are significant.

It was agreed that responsibilities for project implementation would be undertaken by both FARM-Africa and the Department of Agriculture, with the latter providing key technical inputs to the land reform groups.

The project commenced in late 1999, and after consultation with the Departments of Land Affairs and Agriculture eight land reform groups were identified in four of the five municipal districts of the province. Selection criteria were drawn up to ensure that the groups chosen by FARM-Africa were as representative as possible of the different types of projects being implemented in the province. For example, projects were chosen from four of the five different districts in the province. The geographical spread of the groups meant that FARM-Africa worked in a variety of different agro-ecological zones. The eight groups chosen had benefited from either the redistribution or restitution components of the land reform programme, and almost half of the groups had gained access to commonage land through the redistribution programme. Some projects had access to irrigable land while others could only consider livestock based activities. The projects represented the two main ethnic groups in the province: Tswana and Coloureds. The communities chosen had formed both small and large groups. The names of these groups were Witbank, Pofadder, Prieska, Marydale, Niekerkshoop, Strydenburg, Warrenton and #Khomani San (the majority of the #Khomani San group's

members are located in or near the town of Rietfontein). Map 1 above shows the location of these sites in the province.

The purpose of the project is to strengthen the capacity of land reform beneficiaries to manage their natural resources, which in turn is expected to lead to wealth accumulation and a reduction in poverty. To achieve these objectives, FARM-Africa has delivered a range of inputs not only to land reform beneficiaries but also to partner organisations such as the Departments of Agriculture, Land Affairs, and Housing and Local Government. Moreover it was envisaged that the project's experiences would be used to influence and make improvements to the government's land reform policy.

The project devoted considerable resources to developing the capacity of those individuals who had been democratically elected to management positions within their groups. It has also provided training in practical agricultural skills to men and women so that they can use their land to grow crops and manage livestock.

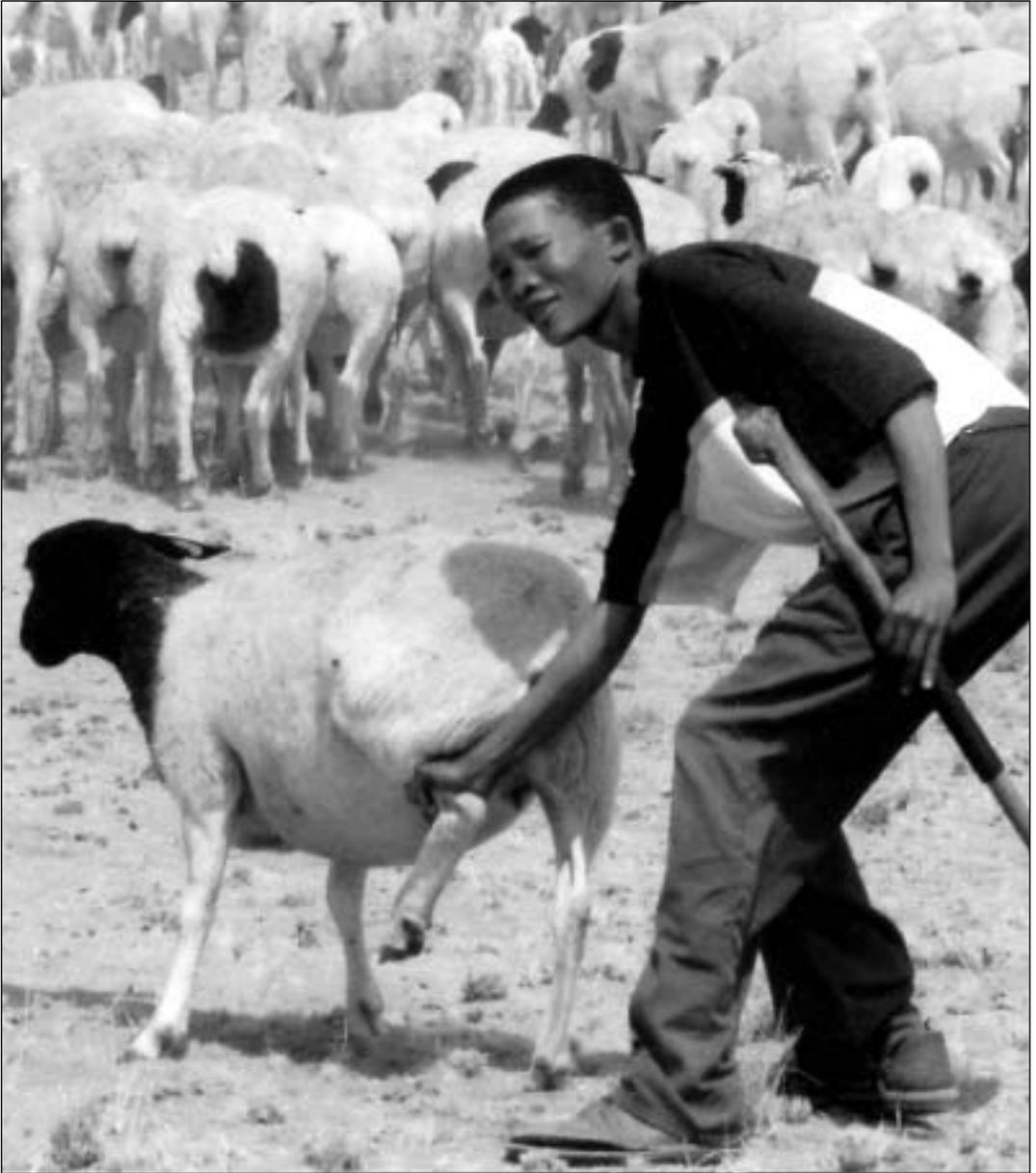
Before much of the practical work commenced, FARM-Africa undertook a range of studies with each group. Research was commissioned to assess the condition of the beneficiaries' farms; this covered issues such as the carrying capacity of the veld or range, the state of the infrastructure and the potential economic benefits of adopting different land use options.

Socio-economic studies that used participatory rural appraisal 'tools' were used to investigate differences in relative wealth amongst the beneficiary communities as well as some of the key changes that had affected the groups' livelihoods over the last five years. This work was undertaken with a small representative group of members at each site. These studies explored issues such as factors affected by the seasons, for example casual employment opportunities and food security; the history of the group; the sources of household income; the factors that constitute a secure livelihood; the main shocks that affect households; highlighting those institutions and organisations that affect the ability of households to maintain and develop their livelihoods; and exploring the different agricultural activities that households engage in. Other research undertaken by the project included a short questionnaire that investigated issues such as what knowledge land reform beneficiaries had about their land, how many of them had been involved in farm activities and what factors constrained them from becoming involved.

All of FARM-Africa projects experience low annual rainfalls and in the west the rate is approximately 200 mm with the majority falling during the months of January to April. The sites in the east of the province experience annual precipitation rates slightly higher at about 450 mm. The main economic activity in the area is farming. Those farmers that have access to irrigation water from the Orange River can grow a wide variety of different crops, for example, cotton, maize, sunflower, watermelon, pumpkin, wheat, deciduous and citrus fruit crops and vegetables. With the liberalisation of South Africa's agricultural market, the

profitability of growing crops like maize, wheat and cotton has been depressed by cheap imports from the European Union and United States of America. Many white commercial farmers have diversified their production strategies and are now growing table grapes for export. However, the majority of land does not have access to irrigation water and is therefore only suitable for the extensive grazing of domestic livestock or game species. The former is a livelihood strategy followed by the majority of white commercial farmers and a minority of black people. Game farming is dominated by white commercial farmers who breed antelope species either for sale to other game farms in the country or for hunting purposes.





Herding sheep, Witbank

3 Key Problems Affecting Land Reform Beneficiaries

This section focuses on some of the key factors that FARM-Africa has identified through its research and its practical field work that have severely constrained the ability of land reform beneficiaries to develop the potential of their natural resources. The first four issues are fundamental to the long-term success of the land reform programme and if they are not resolved, the programme's effectiveness will continue to be significantly constrained.

The Size of Government Grants for Land Acquisition

The relatively small size of the grants that the government made available to beneficiaries of the land reform programme for land purchase often forced the core group of individuals to recruit additional members in order to raise sufficient monies to purchase farms. Usually the additional members had different objectives than the founders and they viewed their grant as an investment that would yield benefits such as increased employment opportunities on the farm or a cash dividend from the distribution of the farm's profits. Frequently due to the difficulties experienced in managing large, technically sophisticated farms these benefits failed to materialise, and this in turn led to the additional members losing interest in the process and disengaging from it. This withdrawal of large numbers of members from the group had far reaching consequences on the ability of the management committee to execute its mandate. Where significant decisions are taken about the management and use of the group's land, the committee is obliged by the group's constitution to invite the whole group to a meeting where no binding decisions can be made without a quorum which, in some cases, may require over 50 per cent of the membership to attend. With so many members failing to attend such meetings, quorums were not achieved thereby incapacitating the management committee.

The white paper on land policy envisaged that the SLAG grant would be used not only to purchase land but also to make improvements to the farm's infrastructure as well as buying capital equipment. The experience of FARM-Africa is that it has only been able to cover the cost of the farm and there have been insufficient funds available for other activities.

Conflicting Land Use Objectives

Recruiting additional members can also be a source of conflict over the way in which land is utilised. Recruits may have different and opposing objectives to the core group, for example they may want the group to maximise farm income and to distribute these profits as a dividend. Leasing the land to a commercial farmer may be the most effective way in which to achieve this goal, but this may be inconsistent with the core group that gained access to land in the first instance to make agriculture a more important part of their livelihood.

The Process of Land Allocation

An issue that is often given little recognition in the land reform programme is the difficulties that are frequently experienced in allocating land amongst group members. FARM-Africa's experience at Riemvasmaak was that the process was time consuming and it was impossible to facilitate a process whereby the two ethnic groups could reach agreement on a mutually acceptable land use allocation. This outcome was surprising considering that both groups developed the options with support from a facilitator. However there was considerable mistrust between the two groups and they both believed that the options failed to protect their land use and inheritance rights. This stalemate eventually stalled the process and prevented any agricultural development taking place at Riemvasmaak for many months.

Farm Management and Administration

Another fundamental issue that the land reform programme fails to address in the pre-designation phase is how the farm will be managed when the group takes ownership of its land. There is a notion that once the land has been transferred, the group will be able to continue the operations of the previous owner. There is much evidence to demonstrate that this assumption is incorrect. Poor people with little technical agricultural expertise who are often poorly organised, under capitalised and unable to access a range of resources are most likely to find this challenge insurmountable. The need for the pre-designation phase to address this point cannot be overemphasised.

Other issues that are not given sufficient attention prior to transfer include the process by which the costs and benefits of the farm are to be shared amongst members and, importantly, how the farm's assets will be maintained overtime. If issues of this nature are unresolved, FARM-Africa's experience shows that groups start from a significant disadvantage and conflict is likely to arise as resources are allocated and utilised in an unstructured and inequitable fashion.

Thus if sufficient resources are not allocated to enable these key management and administrative structures to be created and supported in the early years of the project, the group's financial and organisational capacity is unlikely to be developed to a degree whereby the group has the necessary assets and skills to enable it to exploit market opportunities, to recover from unexpected shocks and to adapt to adverse conditions.

Distance

One of the most significant problems preventing land reform beneficiaries from gaining access to their land is the distance between where they are allowed to live and where their farms are located. The Dirisanang group's farm is approximately 60 kilometres from the town of Warrenton where the majority of the group lives. The members of the #Khomani San group that live in Upington have to travel approximately 200 kilometres to reach their six farms in the Kalahari, and 300 kilometres to be able to gain access to the Kaglagadi Transfrontier Park where they have rights to 25,000 hectares inside the park that can only be used for eco-tourism initiatives. While the majority of #Khomani San members live in Rietfontein, they too

have to travel nearly 100 kilometres to reach their land. Likewise, the land that was purchased to expand the commonage (common land) at Pofadder, Prieska and Strydenburg towns is located up to 80 kilometres away from where the users live.

While the #Khomani San group has benefited from the restitution component of the land reform programme, it can be argued that the government has interpreted the law rather rigidly. They have failed to acknowledge the fact that, over time, many members have left the area where their parents and grandparents used to live and have established new homes and livelihoods elsewhere in the country, which makes returning to the relatively depressed Kalahari an unattractive option. Thus for many members the successful outcome of the land claim has had no substantive effect on improving the quality of their livelihoods. Therefore it can be argued that the government should have considered purchasing land that was located much closer to where individuals live thereby increasing the chances of them being able to use it productively.

The 'distance effect' is a significant problem because the majority of beneficiaries do not own their own transport, and few taxis run affordable services to the farms because they are not situated on regular taxi routes. In both the Dirisanang and the #Khomani San groups, approximately 50 per cent of those members interviewed cited a lack of affordable transport as a significant factor preventing them from accessing their land. Table I below shows the distances between beneficiaries' land and their homes.

Groups	Number of Individual Beneficiaries	Size of Land (hectares)	Distance (in kilometres) from Town to the New Land Purchased by the Department of Land Affairs
Witbank	58	45,000	0
Pofadder	51	17,688	70
#Khomani San	800	62,000	100-200
Marydale	26	7,584	25
Niekerkshoop	22	6,799	5
Prieska	27	18,157	30
Dirisanang	384	5,500	60
Strydenburg	79	5,766	15

Business Plans

FARM-Africa's resources have focused on the post-transfer stages of the land reform programme when groups take possession of land. It has not been involved in the pre-transfer stages when groups form and go through the process of identifying a suitable farm that satisfies their objectives.

None of FARM-Africa's groups has had a detailed business plan that describes the development objectives of the group. It has already been noted that the DLA is responsible for developing plans but they are usually done in isolation and are written primarily to satisfy administrative rather than development objectives. With no plans to guide the groups, many of them manage their farms in an ad hoc manner. This often leads to a shortage of money at key times in the agricultural calendar, such as paying for the planting or harvesting of a crop. Moreover, due to the difficulties of gaining access to credit, the group often faces 'cash crises' that are resolved by selling the farm's more liquid assets such as cattle or game which may endanger the future financial sustainability of the project.

Groups have experienced great difficulty in reaching agreement on and implementing grazing plans. This poses a significant threat to the long-term viability of the resource and there is anecdotal evidence to show that over-stocking is occurring on many farms belonging to land reform beneficiaries. Likewise the inability of group members to reach agreement on how to secure their farms over weekends when most people leave to go home has led to theft not only of stock but also of expensive infrastructure such as windmills and air conditioning units.

The lack of detailed business plans is a formidable constraint to the successful management of a farm and it makes it more difficult for outside agencies to focus their resources effectively. In light of this FARM-Africa has initiated a participatory land use planning process where group members are supported in the task of developing their own plans that reflect the different needs of group members. These plans have little in common with DLA business plans. They attempt a much higher level of analysis and provide a more detailed explanation of the issues currently affecting the group and those most likely to impact either negatively or positively on their farming activities. The plan is developed in an inclusive way that aims to develop not only a business plan but also the planning capacity of members of the group. It also supports the group in the process of costing their production options.

The Right to Settle

One possible solution to the 'distance effect' might be to allow those members who are interested in farming to settle permanently on their land. However, many of the groups have a clause in their constitutions that prevents members from settling on their farms. The main objective of this was to ensure that agricultural land was not taken out of production.

In theory such a clause should not necessarily have a negative effect on farm productivity, especially where the beneficiary group can easily gain access to its land. But, as described

above, this is often not the case. FARM-Africa's research shows that incurring high transport costs to gain access to land is a major disincentive for members who wish to engage in agricultural activities. Ironically, therefore, prohibiting members from residing on the farm is a factor that negatively impacts upon a farm's productivity.

The notion of undertaking either commercial or subsistence farming from a remote location is untenable. Effective livestock management requires regular monitoring, and fences and watering points need to be checked and maintained to high standards. Likewise, vegetable and cereal crops need constant attention, especially during the summer months when regular delivery of irrigation water is vitally important if the crop is to achieve its productive potential. Expecting relatively poor people with few resources to undertake such exacting tasks from a remote location is unrealistic.

The Management Capacity of Executive Committees

Each land reform group is legally obliged to elect democratically an executive committee to manage the group's affairs. Its administrative responsibilities include preparing the group's annual financial records, holding regular meetings to discuss group matters, drawing up agendas and keeping minutes of all meetings, investing surplus funds for the benefit of the group, negotiating loans from credit institutions, letting or selling immovable assets, instituting legal proceedings, disseminating information, and satisfactorily resolving either internal or external conflict.

These tasks are demanding and often complicated, and illiterate people cannot be expected to undertake them. FARM-Africa's research showed that many land reform beneficiaries over the age of 40 are illiterate. For example in the #Khomani San the figure for this group was 89 per cent, and many of the groups' executive committee members are older than 40. Even where a member is literate because of previous discriminatory legislation in the labour market, it is unlikely that he or she will have any practical experience of these types of administrative tasks, and it is therefore essential for them to undergo training.

The real danger of expecting office bearers to undertake duties for which they have no training or experience is that, over time, the frustration of not being able to do them can lead to them being ignored. When this happens there is a possibility that the executive committee starts to make decisions that go contrary to their constitution and may compromise the future of the project. An example of this was found in the #Khomani San project where the government dissolved the management committee due to improper financial administration.

Group members frequently express their feelings of irritation at the failure of their executive committee to manage their affairs transparently and effectively. Often they foresee the election of a new committee as a way of resolving the inadequacies of the incumbents. Unfortunately, this rarely solves the problem because fundamentally group members do not have the skills and experience to manage a large disparate group of people who often have competing, and sometimes conflicting objectives and a technically sophisticated farm.

Too Poor to Farm?

Before the 1994 elections South African white commercial agriculture was heavily subsidised and protected from global competition; this facilitated the development and growth of a sophisticated, capital-intensive agricultural sector. Also during this period the concept of an economic farming unit emerged that in essence tried to set a minimum farm size that would provide the livelihood needs of a farming household. The sub-Division of Land Act of 1970 was enacted to prevent farmers from selling off sections of their farms into smaller and hence uneconomic units.

Due to the low rainfall levels in the Northern Cape the majority of farms focus on extensive livestock production and tend to be large in order to satisfy the economic unit criteria. An important issue in the land reform process that is not being given the attention it deserves, is whether the land reform communities have, or are able to gain, access to a range of resources and skills needed to develop these large farms. These include finance, technical agricultural skills, farm management and administration, and marketing skills.

What is clear from the experience FARM-Africa has gained over the past eight years is that these resources have been lacking at all of FARM-Africa's project sites. Consequently, the groups have experienced immense problems, examples include, a failure to account for the use of their funds, difficulties in interpreting their constitutions, keeping group members informed about developments on their farms, growing crops and managing livestock profitably and in an environmentally sustainable manner and budgeting for recurrent costs. The key lesson is that providing an exceptionally complicated asset to very poor and unskilled people is unlikely to be an effective poverty reduction policy unless government allocates considerable resources to these groups over a long period of time.

Gaining Access to Technical Agricultural Support and Credit

The lack of technical agricultural skills similarly constrains land reform groups from realising the potential of their farms. As previously stated, prior to 1994 a home plot was the only land accessible to most disadvantaged South Africans living outside the homelands and these were small and best suited to low input, labour intensive technologies. Also, due to their very low output the majority of produce was consumed at home.

As described above, the white commercial farming sector owned much larger and more sophisticated land holdings that were often highly developed in terms of their infrastructure. Farmers usually adopted the most up-to-date technological packages in their crop and animal production and the bulk of their produce was sold on the domestic market. When groups of emerging black farmers acquire previously white-owned commercial farms it is highly unlikely that they will have the technical agricultural training and expertise required to exploit the potential of the farm. Therefore the importance of delivering technical training and support to new black farmers cannot be over emphasised. Moreover it must be appreciated that this process will take

time to yield results and, development agencies must be willing and able to commit themselves for an extended period of time if sustainable long-term results are to be realised.

Due to the 'lumpiness' of agricultural revenues, farmers need to be able to borrow money (working capital) in order to finance activities over the season. If they are unable to access funds they will be severely constrained in developing their farms to their full potential. The ability of FARM-Africa's groups to enter into agreements with formal lending institutions is poor. The formal banking sector is cautious about lending money to land reform groups in spite of the fact that their farms could act as collateral. The banks' main concern is that if groups were to default on their loans the political costs of repossession of land that has been transferred from white to black ownership would be unacceptable. Therefore the Land Bank is the main source of funds for emerging farmers and, due to the lack of skills in managing sophisticated irrigation systems within emerging black farmers, it favours lending to animal production enterprises that do not require such high levels of skill.

One strategy that groups have utilised to circumvent the difficulty of accessing capital is to sell their more liquid assets such as domestic livestock and game species in order to fund current expenditure. The evidence shows that adopting such a strategy is financially unsustainable. Indeed data from one group showed that, after four years, it had depleted over three-quarters of its herd of breeding cattle to pay outstanding debts.

Livelihoods

The quantitative and qualitative data collected by FARM-Africa on the livelihoods of its eight land reform beneficiary groups showed that most households derived the bulk of their income from two sources: government transfers (pensions, disability grants and child support grants), and waged income (permanent, casual and seasonal) and the majority of these economic opportunities were based locally.

The research findings showed that few households engaged in agricultural activities in spite of the fact that they now had access to land. Those that did have access produced small amounts primarily for home consumption, and many of the people involved in these activities were old and in poor health. That agriculture is a minor livelihood activity is partly explained by the fact that apartheid legislation made it almost impossible for black households to farm outside the homelands. While households were given home plots in the townships their small size made them best suited to subsistence rather than commercial farming methods and technologies. Likewise many land reform beneficiaries have been unable to acquire sufficient assets since 1994 that are required to develop the potential of their land.

Thus, purchasing large, highly developed commercial farms that are located far away from where communities live and develop their livelihoods can make it extremely difficult for poor people to integrate this large asset into their existing livelihood portfolios.

Where large groups have been formed in order to raise sufficient monies to purchase the farm, the low productivity of most farms that are being transferred in the province limit the number of households that can derive their entire livelihood needs from the land. For example, the Dirisanang group's farm that provided a livelihood for the previous white owner and his family and staff of approximately 10 workers will never be able to make more than a minor contribution to the livelihoods of the 384 member households.

Lack of Infrastructure

FARM-Africa's experience during its involvement with the South African land reform programme is that frequently farms are transferred without the necessary infrastructure being in place to enable the group to develop its land effectively. Fences are often inadequate or non-existent; windmills and water troughs are broken; and implements and machinery for crop production are poorly maintained or dilapidated. Examples of this were found at Witbank, Warrenton, #Khomani San and Strydenburg.

While the lack of infrastructure should not be a problem per se, groups do experience difficulties in gaining access to funds (see above) for renovation and repairs. Thus poor infrastructure or, in some cases, none at all, are additional factors that can hinder the ability of emerging farmers to use their land productively. Due to the difficulties that many have in gaining access to formal credit, poorer farmers are effectively unable to borrow money to undertake the necessary repairs. While there are government grants available for this type of work, for example, the Department of Agriculture's Land Care Programme and the National Development Agency, groups often lack the expertise required to complete and negotiate funding agreements.

Another problem that FARM-Africa identified especially at its commonage sites was the theft and deliberate destruction of infrastructure mostly by people living in neighbouring townships. Theft of livestock occurs frequently in rural areas, but the deliberate destruction of equipment was a new and worrying trend that beneficiaries were unable to explain. This, of course, has a negative impact on commonage users as their livestock are more vulnerable to theft, and it also makes it very difficult to implement grazing plans when the infrastructure enclosing the camps or fields is removed.

Land Reform Groups and their Constitutions

After coming to power, the African National Congress passed the Communal Property Association's Act of 1996 that enabled groups of people to own land. Before a group takes possession of its land it is legally bound to draw up a constitution that describes, amongst other things, the purpose of the group, the rules and regulations of the group, and the duties of the office bearers.

On all FARM-Africa's projects it has been either government officials or consultants who have developed the constitutions with minimal participation from the land reform groups. As many are illiterate they are, de facto, excluded from these processes, and where they can read, they often experience difficulties in understanding the contents which are often written in complicated and inaccessible legal language.

Thus, while the constitution provides information to help guide the executive committee in the execution of its mandate, frequently the committee members only have a vague understanding of the document and no sense of ownership. This presents a real danger that the group will fail to manage its land in the interests of the majority with benefits from the farm being captured by a small elite. It is FARM-Africa's experience that many of the statutory requirements of the groups, as laid down in their constitutions and the Communal Property Association Act, such as holding regular elections, submitting audited annual accounts and ensuring equitable access to resources are being ignored.

Government Policies and their Effects on Emerging Farmers

While there are differences of opinion about the effectiveness of subsidies on the efficiency of markets, the government's 1995 White Paper on agriculture makes it clear that the grants and subsidies that were given exclusively to white farmers prior to the 1994 elections would not be continued to any ethnic group. Others express concern that South Africa's economy, which is dominated by principles of fiscal discipline, will make it difficult for line ministries to finance appropriate levels of support to emerging farmers.

Another policy that significantly affects the fortunes of all South African farmers is the country's membership of the Cairns Group. This Group comprises a collection of middle and high-income countries committed to achieving a fair and market-oriented agricultural trading system. In keeping with this aim, the government abolished the majority of its market distorting protectionist policies and is now probably one of the most liberalised agricultural markets in the world.

The effects of this policy are that nations that do subsidise their agricultural industries, such as Europe and the United States of America, can often sell their products in the country at or below South African producer prices. Such open markets can also experience significant price fluctuations that can be advantageous as well as disadvantageous to farmers. For example, while the price of maize was at its highest level for many years in 2002, in early 2003 it lost nearly half its value. In such an environment farmers need to reduce risk by, for example, using the commodity futures market and broadening their cropping strategies. Effectively those farmers with sufficient assets (technical and managerial skills, access to capital, knowledge about markets) should be able to diversify their businesses and may therefore be better able to exploit economic opportunities or manage the negative consequences of sudden unfavourable price movements.

It is clear from the above that the macro-environment for emerging black South African farmers who have few skills and assets is harsh. It is too optimistic to expect them to be able to cope with these conditions in their early years when they are mastering the skills and techniques of farm management. An argument can therefore be made for providing them with support and protection against the vagaries of the market so that they can develop technical, financial, managerial and marketing skills to cope with the challenges of operating in South Africa's highly competitive agricultural market.

The Responsibility for Communal Property Associations ³

The nature of land reform in South Africa is that once groups have taken possession of farms there is no government department that takes responsibility for co-ordinating the provision of different technical inputs from both the public and private sectors. This is in sharp contrast, for example, to commonage projects where farmers lease the land from the municipality that has a contractual agreement with the lessees to provide an environment that is suitable for farming. Evidence demonstrates that a lack of management capacity and resources have prevented many municipalities in the province from being able to honour these agreements.

There is a notion that if land reform groups are provided with technical agricultural support they will succeed. This, however, is too simple. While there is no doubt that a breadth of skills is a necessary condition, it is not sufficient for a group's success. Moreover the province's Department of Agriculture employs approximately 32 extension officers and many of them have neither the technical nor the social skills to support emerging black farmers. In spite of the fact they are required to spend the majority of their time supporting emerging farmers, it is extremely unlikely that such a small number of people who are poorly and in some cases inappropriately trained will be able to assist approximately 80 land reform groups.

The government must also recognise that previous discriminatory policies denied these groups a wide range of administrative and organisational skills. If this is accepted, then the government must be clear about how these skills will be developed and what role it plans to play in the process. Considering the existing lack of capacity in many government departments, it will find it very difficult to achieve this goal unless its own staff receive further training.

While the issue of skills transfer is very important, there is also the question of how best to integrate these projects into local government structures. While land reform projects should be included in municipalities' "Integrated Development Plans" this does not always lead to the provision of the type of training and support that farmers need. Currently land reform groups do not receive sufficient support and training in a range of agricultural and non-agricultural skills, nor are these schemes properly embedded into existing government structures. The result is that they are operating in a sub-optimum environment.

3. In 1996, the Government passed the Communal Property Associations (CPA) Act, No. 28 that provides a means through which groups of people can own land collectively.

Grazing Fees

While groups have agreed in principle that members should pay if they graze their animals on the group's land and these monies will be utilised to maintain the quality of the infrastructure on the farms few have managed to reach agreement on the amount that should be charged. However where they have, for example Pofadder, the fee structure is highly regressive thereby penalising members with relatively small stock holdings.

Another related problem that affects all groups is the culture of non-payment for public services that was fostered in the black community by anti-apartheid groups pre-1994. There is evidence from FARM-Africa's groups and others in the province that demonstrate this culture is not only restricted to the payment of public services such as water and electricity but also to grazing fees. This issue needs to be resolved as a deteriorating farm infrastructure can only hinder emerging black farmers ability to develop their land productively and profitably.

Water Rights

Another factor that impacted negatively on one group was the government's failure to explain the financial implications of having rights to irrigation water. The Department of Water Affairs and Forestry who are responsible for managing state irrigation schemes deliver water to farms according to a strict timetable and, in turn, landowners are responsible for paying for this water whether or not they use it productively. The failure of government to explain this simple system, and the inability of the group to understand that it could sell excess irrigation water led to the accumulation of a large unsustainable debt.

Equitable Access to Land

FARM-Africa's research at its land reform sites shows that access to land has been restricted to a minority. For example, only 18 of the 384 beneficiaries of the Warrenton group are using the resource, and the data from other projects show that a maximum of 20 per cent of beneficiaries are managing to integrate the resource into their livelihoods. There are no agreements in place for the users to compensate non-users and due to the difficulties experienced by most executive committees in communicating developments on their farms, the majority are usually unaware of how the resource is being utilised.

Conditions for Success

In spite of the many hurdles that land reform groups face in the post-designation phase, FARM-Africa has demonstrated that with the provision of credit and carefully targeted technical agricultural and managerial interventions groups are able to develop their farms productively. A good example of this is to be found at the Witbank community that is situated on the banks of the Orange River about 160 kilometres north east of the town of Springbok (see Map 1 above).

The community was one of the first land reform cases in the country and in its early years it suffered from a number of organisational weaknesses that culminated in the dissolution of its

executive committee. FARM-Africa started working with the group in 2002 and since then the newly appointed executive committee is functioning effectively and, in the last 12 months, the group has developed approximately 30 hectares of irrigable land for the production of lucerne that is being sold to the government and commercial farmers. In the future the group plans to develop the remaining 130 hectares of irrigable land and this will be used either for personal or for communal agricultural projects.

Some of the factors that contributed toward the success of this project are listed below:

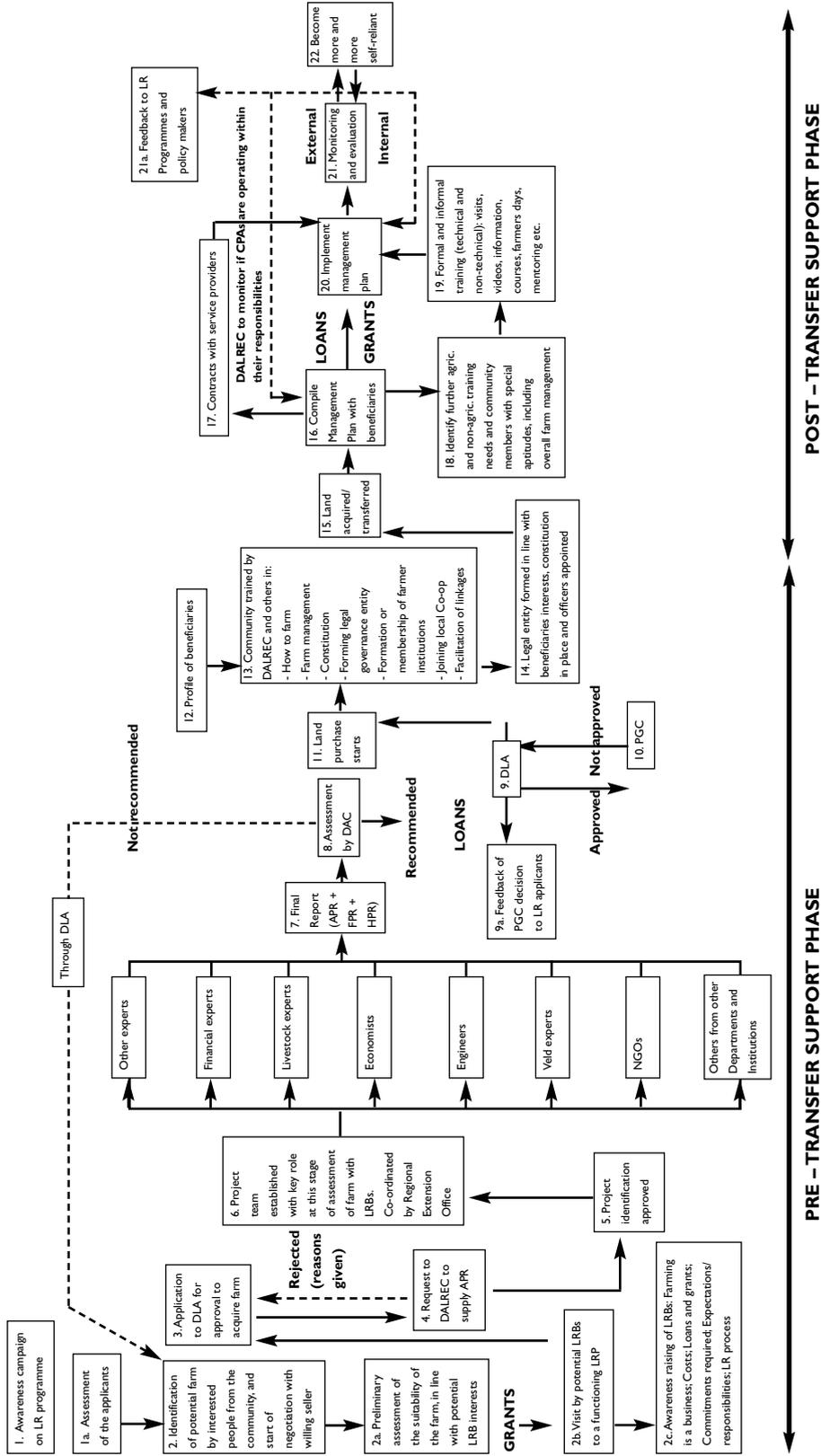
- A key contributory factor to the success of this group is that they live on their land
- There are a number of key individuals within the community especially from within the interim trust that were committed to the development of Witbank's land
- The irrigable land bordering the Orange River is very fertile, and the cost of delivering water to it is low. The community has adopted low cost flood irrigation techniques that require little initial investment unlike, for example, pivot irrigation that is popular amongst white commercial farmers
- The community benefited greatly in the late 1990s from a grant made by the Irish government that enabled them to purchase farm equipment (tractor, and hay making equipment) which has in turn allowed them to utilise the irrigable land effectively
- The well educated younger members of the group were able to absorb and apply the training that FARM-Africa provided
- The Department of Agriculture's extension officer has provided key inputs into the process and this has contributed to maintaining the momentum of the project
- By initiating a revolving fund scheme, FARM-Africa provided a source of monies for the group to finance its agricultural activities
- The research studies carried out by FARM-Africa provided key information that was utilised extensively in the planning process
- FARM-Africa ensured that its land use planning process was participatory. The outcome was a participatory plan that had full community ownership
- FARM-Africa's relationship with the group was transparent and it communicated on a regular basis with the executive committee about its plans and activities
- The ability of the executive committee to hold regular community meetings that described project progress helped to keep the group informed about the process
- All of the projects that were initiated by FARM-Africa and the executive committee were open to all members

This success is not restricted to the Witbank community, the Strydenberg group in the east of the province and the Pofadder community in the west have both managed to launch livestock projects with financial and technical support from FARM-Africa, and are now distributing animals on loan to group members.

FARM-Africa developed an eight step land use planning methodology to structure the inputs that it delivers to its land reform groups. In early 2003, the Department of Agriculture and FARM-Africa with guidance from an external facilitator developed the model further to include not only the post-designation phase but also the pre-designation phase of the process. Figure 1 below shows the process in some detail.

While Figure 1 is largely self-explanatory, it is interesting to note the emphasis that the group gave to the pre-designation phase (15 of the 22 steps are in the pre-designation phase). This was in response to discussions and agreement by the workshop participants that emphasised the importance of strengthening this part of the process. It was also agreed that many of the problems that groups experience in the post-designation phase could be pre-empted in the pre-designation phase if it were to be restructured in light of past experience.

Figure 2. Draft 'road map' for LRAD Land Reform Projects in Northern Cape



Abbreviations: LR; land reform; LRB; land reform beneficiaries; LRP; land reform project; DALREC; department of agriculture, land reform and environmental conservation; APR; agricultural potential report; FPR; financial potential report; HPR; human potential report; PGC; provincial grants committee; DAC; district assessment committee;

4 Conclusion

FARM-Africa's experience of working with land reform beneficiaries in the Northern Cape province has revealed a number of conditions that are key to the successful establishment of a class of emerging black farmers.

The Pre-Designation Phase

- The pre-designation phase needs to be broadened so that it is able to address a much wider range of issues than is currently occurring.
- These should not be restricted to technical agricultural matters; they must also embrace social, organisational and management issues.
- The process should be made more inclusive and should recognise that land reform beneficiaries have limited knowledge of the agricultural sector and will therefore be unaware of the risks as well as the opportunities that they will face when they take ownership of their land.
- Where possible the participants to these discussions should not be too narrowly restricted to members of the management committee. Other beneficiaries who are not office holders need to be aware of and understand the issues that are being discussed so that they are also able to make more informed decisions about whether or not to join a land reform group.
- Addressing the sometimes hidden and often damaging objective of preventing beneficiaries from settling permanently on their land.
- Developing the managerial and technical capacity of group members through theoretical and practical training before land is transferred thus preparing them with the skills they need to meet the challenges they will inevitably face in the post-designation phase of the programme.

The Post-Designation Phase

- Ensuring that all beneficiaries, not just the better off, are able to gain access to their farms at a reasonable cost.
- Informing beneficiaries of their obligations to lenders when borrowing money and helping to devise measures that enable beneficiaries to gain easier access to the credit market.
- Revisiting the logic of transferring large technically complex farms to black people who have few of the relevant assets required to manage farms of this nature.
- Formulating a new model for land reform that allows the smallest social unit, the household, to start farming and providing a favourable institutional environment that allows them to expand their agricultural operations if they wish to make it a more important part of their livelihoods.

- The above point will require a debate about whether grants for farmers wanting to scale-up their operations should be made available as well as what level of organisational and technical agricultural support they should be offered. These debates will be determined by, amongst other things, the availability of resources for the land reform programme, existing capacity in key departments as well as policy decisions regarding the type(s) of farmer that the government wishes to establish.

Macro-economic and Policy Issues

- While FARM-Africa has demonstrated that with targeted technical agricultural and managerial support land reform groups are capable of developing their land, there are more intractable issues at the macro-economic level. The decision in the early 1990s to liberalise the economy means that South Africa's agricultural commodities are now traded at export and import parity prices. For a farmer this introduces a new element of risk (exchange risk) that was absent before.
- Likewise the subsidies that supported white commercial agriculture before 1994 have been removed, and this has also contributed to increasing the level of risk in the agricultural sector.
- In the Northern Cape land reform groups are poorly organised and have limited opportunities to explain to both policy makers and implementers the many practical challenges they experience as emerging farmers. This shortcoming needs to be addressed urgently so these important lessons can be utilised to improve practice.

Many of the shortcomings listed above relate to issues of practice. If the government can improve the technical capacity of its staff, put greater emphasis on focusing more resources on the pre-designation phase of the programme this should address many of the constraints that currently hinder land reform groups from developing their land.

However if these issues are not given the attention they require, then the land reform programme is unlikely to meet its ambitious objectives. While land will continue to be transferred from white to black ownership, the programme is unlikely to achieve its poverty reduction objectives as black farmers without the necessary assets will struggle to realise the productive potential of their land.

Annex I – Group Profile as at August 2004

Groups	Number of Livestock on the Farm *	Numbers of Enterprises being Managed **	Amount of Irrigable land (ha)	Rainfall Per Annum (millimetres)
Witbank	351	5	185	150
Pofadder	276	0	0	180
#Khomani San	533	3	0	200
Marydale	233	0	0	250
Niekerkshoop	135	0	0	250
Prieska	120	0	0	250
Dirisanang	120	4	160	450
Strydenburg	322	3	13	350

* this figure includes sheep and goats

** the CPAs at Witbank, Strydenburg and Dirisanang are managing lucerne projects. Other projects initiated by individual members include: eco-tourism, tanning, leather goods manufacture, small-scale citrus grove and a tree nursery

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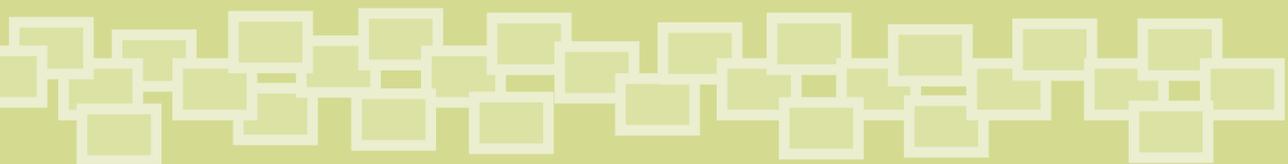
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FARM-Africa's mission is to reduce poverty by enabling marginal African farmers and herders to improve their well being through more effective and sustainable management of their natural resources. FARM-Africa was established in Kenya in 1985 and now operates in five Africa countries: Ethiopia, Kenya, Uganda, Tanzania and South African. FARM-Africa designs and implements development projects and has extensive specialist expertise in the following areas: goat husbandry, participatory forest management, pastoral development, farmers participatory research, land reform, community based animal health delivery systems and micro-credit.

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