

Review

The land question and sustainable development in South Africa: Issues and challenges

Wellington Didibhuku, Thwala

Department of Construction Management and Quantity Surveying P. O. Box 17011, Doornfontein, 2028, University of Johannesburg, Johannesburg, South Africa. E-mail: didibhukut@uj.ac.za

Accepted 13 December, 2010

Poverty and unemployment are problems that South Africa has not been able to overcome successfully. In the urban areas, poverty has led to the growth of informal settlements which are basically, but not necessarily so residential areas for the low-income groups. The most noted cause of informal settlements is high migration from rural areas by people who are in search of job opportunities and better living conditions than what is available in the rural areas. The march towards sustainable development in South Africa is taking many facets of people's livelihoods and searches for multidimensional solutions to many problems. Thus, any discourse on sustainable development must take the land question into consideration since land is at the centre of a number of complex and very much-interrelated factors from social, political, economic and environmental factors of development. To this end, there is now a growing recognition of the centrality of land in the sustainable development process in South Africa and the Southern African region as witnessed by a number of regional initiatives and meetings. The quest for both socio-economic and bio-physical aspects of development requires that South Africa transcend a narrow sectoral focus and adopts a holistic viewpoint that is sensitive to the multiple linkages and interactions among environmental and social issues. The purpose of this work is to provide an overview and explore some of the issues that form the basis of the land question in South Africa. This work assessed the relationship between land and sustainable development.

Key words: Land, development, South Africa, economic.

INTRODUCTION

Desperations and forced removal of African people under colonialism and apartheid resulted not only in the physical separation of people along racial lines, but also in extreme land shortages, insecure land rights and poverty for the majority of the black population. As such, it has become a medium through which the relations of exploitation and domination on one side, and power and powerlessness on the other were expressed. Different perspectives are crystallizing and the land question is now obtaining more central roles in such issues as food security and poverty considerations (Bonti-Ankomah, 2000). Since 1994, land reform was implemented under three main components: restitution of land rights, land redistribution and tenure reform. However, these programmes have yet to make a significant impact on

either the highly unequal distribution of land (two thirds of the country, including most of the best quality land, remains in the hands of less than 60 000 white owners) or the livelihood opportunities of the majority rural population (Thwala, 2003: 10). Both redistribution and restitution programs have suffered from the World Bank's model of market assisted land reform to acquire land and cumbersome and ineffective bureaucratic processes. Tenure reform has failed to address the chaotic system of land administration in the communal areas of the former homelands, prevent eviction of long-term tenants on white owned farms or halt the encroachment of private business interests onto communal property resources (Tilley, 2002).

SUSTAINABLE DEVELOPMENT

The standard definition of environmental sustainability comes from the Brundtland report; 'sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs (WCED, 1987). There are two main features in this definition: the focus on needs, particularly the needs of the poor, and the focus on the limits beyond which the environment cannot be used to meet needs (Smith, 1992:282). Sustainable development implies self-reliant and cost-effective development, facilitating access to health, shelter, clean water and food. Finally, it implies the need for people-centred initiatives (Tolba, 1987). He further argued that sustainable development can help the poorest because otherwise they are left with no option but to destroy the environment. Sustainable development links formerly separate discourses and asks different kinds of questions. Munslow and FitzGerald (1994) argued that there may be a general agreement concerning the goal of sustainable development. There remain significant differences concerning how best this might be achieved.

Sustainable development is at the very heart of South Africa's reconstruction and development programme, as it places many of these concerns, and in particular meeting basic needs, at the centre of the agenda of the growth process itself (African National Congress, 1994). Sustainable development is not something that can happen easily. It requires, amongst other things, a massive educational effort so that citizens are made aware of the need to manage resources wisely to achieve the maximum benefits at the minimum cost, not only to fulfil their own needs today, but those of their children tomorrow and of future generations (FitzGerald et al., 1995). The world commission on environment and development (1987) notes explicitly that the pursuit of sustainable development requires a political system that secures effective citizen participation in decision making.

Land and sustainable development

Any debate on sustainable development can cover a broad spectrum of issues, but in the South African context, land must be the entry point for such discussion. Land was used as a major tool for establishing the colonial and apartheid state economies. Access to land was used as a political and social engineering tool, shaping both the cultural fabric of South Africa society and the landscape that exists today. The colonial and apartheid regimes enforced massive inequality in land access and tenure to support the privileges of the white minority. Addressing the inequality in land access and tenure and addressing some of the problems identified

above is of essence at the core of the development challenge that the new nation faces. However, as Turner (2001) notes, the task is not simply a question of justice and human rights. The current structures of land administration, tenure and administration are grossly inefficient from an economic point of view (Turner, 2001). Economic development is presently hampered by these

persisting inequalities of access and by the confusion and chaos that surrounds land rights and administration in the communal areas of the former homeland.

Although, significant progress appears to have been made in some areas of the land reform (Lahiff, 2001), there is some concern that government is retreating from aiding the rural poor. This assertion is based on the context of the states increasingly conservative macroeconomic policy stance and the apparent down playing of its social welfare goals. Overall, however, most of the inequities and injustices remain in place. The inefficiency and unfairness of land tenure and administration in the former homelands have yet to be tackled. The factors that give rise to rural poverty are also at the root of degradation of natural resources, and degradation of natural resources strikes at the heart of the poor to develop sustainable livelihoods. The following all contribute decisively to the degradation and overexploitation of the natural resource: lack of access to land or sufficient land, insufficient access to capital, weakness in the institutional mechanisms of individual and community land management, and under-investment in rural technology systems (including knowledge-sharing among farmers). All these problems are acute for the poor. Land reform must deliver three most needed enhancements to land rights and land administration in the former homelands. It must achieve justice and equity, so that opportunities to acquire land rights and to use natural resources are fairly and transparently administered (accountability and user participation are qualities in this regard). It must provide security of land rights, to give people adequate incentive to conserve land that they are sure is theirs. It must deliver administrative efficiency, so that resource use and conservation can be effectively controlled and promoted within a technical framework in which users have confidence (Turner, 2001).

Land distribution can promote sustainable resource use in South Africa, notably by reducing environmental pressure in the former homelands through making more land available to previously disadvantaged people. Commercial white agriculture is also ultimately unsustainable since state aid and soft loans to white farmers during the apartheid era had also created a situation in which white commercial agriculture is over-capitalized, inefficient and unsustainable. In particular practices of large-scale agriculture such as monocropping, poor irrigation and intensive

mechanisation resulted in hugely unsustainable soil losses.

In effect, taking into account the centrality of land to poverty alleviation and sustainable development, the gamut of colonial and apartheid policies have enforced a foundation for environmental racism characterized by continued deprivation by way of 'productive' resources and various potentials for livelihoods strengthening for the landless and environmentally poor. The current policy

context is not doing any much conscious work to alleviate the situation.

Land reform in South Africa is wholly unsustainable and a recipe for instability. It needs to be redefined as a core element of sustainable development in government strategy: without a land reform program that achieves justice and equity, the government cannot reduce poverty and inequality, and thus cannot alleviate increasing environmental pressure nor effectively promote improvement utilization practices. This also relates to productive land and has implications on the scope and scale of land redistribution program. This necessitates a bold reorientation and adoption of clearer approaches that promote sustainable livelihoods in a popular fashion.

THE ORIGINS OF THE LAND QUESTION IN SOUTH AFRICA

Since the first Dutch settlers arrived in the Cape in 1652, through to English imperial rule in the nineteenth century, expropriation and dispossession of land belonging to the indigenous population marked colonialism in South Africa. This harsh pattern of dispossession accompanied the movement of white settlers into the African interior, where their encounters with local polities were often marked by violent appropriation of vast tracts of land (Koch et al., 2001: 134). Several historical processes and events - centuries of conquest, dispossessions and forced removals of black people by white governments have produced the complex and challenging "land question" which the democratic government is now addressing, albeit slowly.

The passing of the various land based Acts, the Land Acts of 1913 and 1936 and the Group Areas Act of 1950, had far reaching consequences for the indigenous population. The Land Act of 1913 limited African residential opportunities to the reserves, which accounted for only 13% of the surface land area (Sihlongonyane, 1997: 118). The Act further constrained access for Africans, as owners of capital in the mining, manufacturing or agriculture sectors and regulated their participation in the economy as labourers. Cities and towns fell outside the defined boundaries for African occupation and ownership. The act attempted to create a migratory labour force of workers and denied support to an economically independent peasantry on the other. The

systematic land dispossession in rural areas resulted in the eradication of the African peasantry, but deliberately made no provisions for its complete proletarianization. This ensured white capital of an endless supply of cheap labour.

In 1948, the National Party government implemented its own brand of land reform. "Grand Apartheid" was a response to colonial land patterns to which at the time were piecemeal and ad hoc (SPP, 1983). The programmes included territorial separation of races,
Thwala 3555

enforcement of "bastardized" customary law practices in the former homelands, the denial of blacks to land and other rights in white South Africa, the denial of freedom of movement, and the procurement of influx control. The result was the stifling of economic development in the reserves and a controlled labour market. These various acts gave legal authority to the existing social relations of exploitation, in terms of extracting surplus value, and also in terms of uneven redistribution and domination. In turn, the African population adopted land as the rallying point for political mobilization against the white minority oppressors. The history of the struggle against oppression and exploitation in South Africa was therefore largely the history of the struggle over land.

This results in one of the most glaring inequitable distributions of land in the world. Three quarters of South Africa's population was reduced to living on 13% of the land, while whites (less than one fifth of the population) had access to 85% of total land (Sihlongonyane, 1997: 118). This highly skewed pattern continued to characterize South Africa today despite the new government's ambitious land reform programme (Thwala, 2003: 16). Black South Africans thus experienced multiple, interlocking processes of dispossession and discrimination. They were deprived of access to agricultural land across most of the country. Where access remained theoretically possible, in the "homelands", overcrowding and the structure of livelihoods that had been forced into dependence on migrant labour to towns and mines meant that there was little prospect of securing a viable farm holding and living adequately from it. This also undermines the viability of the African agricultural sector which is characterised by landlessness, dependence upon the migrant labour system and suffers from poor infrastructure, weak forward and backward agricultural and other linkages, poor and deteriorating ecological conditions, the marginal nature of the land, poor farming skills and in some cases a limited interest in farming. There is a genuine danger that the new 'communities' established through land reform will become no more than new "Bantustans", where people are dumped in settlements with no visible means of supporting themselves (LAPC, 1997).

LAND REFORM UNDER THE AFRICAN NATIONAL CONGRESS POST-APARTHEID ADMINISTRATION

The election of South Africa's first majority government raised expectations that an African National Congress (ANC) led government would affect a fundamental transformation of property rights that would address the history dispossession and lay the foundation for the social and economic upliftment of the rural and urban poor. These high hopes were strengthened by the reconstruction and development program (RDP) which was committed to redistribute 30% of agricultural land 3556 Afr. J. Agric. Res.

within five years and make land reform "the central and driving force of a program of rural development" (African National Congress, 1994). The coming to power of the first majority government in 1994 appeared to present a historic opportunity to place equitable and pro-poor policies at the centre of the land reform agenda. The ANC's reconstruction and development (RDP) plan called for the transfer of 30% of the medium to high quality white owned farms to black people in the first five years after 1994 (African National Congress, 1994).

The track record of South Africa's land reform program since 1994 has been rather disappointing (NLC, 2000/2001). The majority of the 13 million poverty stricken people continue to be crowded into the former homelands, where rights to are often unclear or contested and the system of land administration is in tatters. On private farms, millions of workers, former workers and their families continue to experience tenure insecurity and lack of basic facilities, despite the passing of new laws designed to protect them. In the urban areas, the sprawling shack settlements continue to expand, amidst poverty, crime and a lack of basic services. A social economic crisis in the periphery fuelled by falling formal sector employment, the scourge of HIV/AIDS, and ongoing evictions from farms and the collapse of agricultural support services in the former homelands is accelerating rural migration to the cities. Retrenched urban workers track back to rural areas. In addition, the rise in the prices of basic food commodities (maize-meal, bread, flour, sugar, cooking oil, etc) is causing further impoverishment in the rural areas. The result of all this is a highly diverse pattern of demand for land for a variety of purposes, and the rise in numerous hot spot of acute land hunger in both urban and rural areas. The World Bank's mode of market-based land reform has dominated key parts of the policy agenda and it is doubtful how far many of the land reform programs original equity objectives have been or will be met. In addition, there is a visible shift in land policy with the failure of the Land Rights Bill and the emergence of a new strategy of targeting resources at commercial black farmers as seen by many to be at the expense of the rural poor (NLC, 2000/2001).

Land redistribution

This is the flagship of land reform and is a mechanism of transferring large areas of land from the privileged white minority to the historically oppressed. The Department of Land Affairs White Paper on South African Land Policy (1997) states the purpose of the redistribution program as "the redistribution of land to landless poor, tenants farm workers and emerging farmers for residential and productive use, to improve their livelihoods and quality of life" (Department of Land Affairs, 1997:36). Nevertheless, Lahiff (2001) argued that this objective has largely lost

sight in recent years, as policy has increasingly focused on technical criteria for accessing the program on the type of land use that should be supported. To date, redistribution has mainly involved the provision of a settlement/land acquisition grant (SLAG) of R16 000 equal to the basic housing grant provided to qualifying households.

Between 1995 and March 1999 approximately 60 000 households were allocated grants for land acquisition. Altogether, about 650 000 ha were approved for redistribution by March 1999. This figure represents less than 1% of the country's commercial farmland. Most of the projects have involved groups of applicants pooling their grants to buy white owned farms for commercial agricultural purposes. Less commonly, groups of farm workers have used the grant to purchase equity shares in existing farming enterprises. A separate grant, the grant for the acquisition of land for municipal commonage has also been made available to municipalities wishing to provide communal land for use (usually grazing) by their urban or rural poor. By the end of 1999, a total of 77 municipal commonage projects were implemented and 75 more were in the pipeline.

The SLAG programme not only redistributed less land than did private purchases but it also transferred land of much lower quality (weighted price R902 versus R2935 per hectare) to beneficiaries whose land tenure was still relatively insecure. Throughout the South African literature, there is widespread agreement on the need for some form of tenure reform in the black rural areas (Lahiff, 2001). While many existing tenure systems display a high degree of functionality and legitimacy, serious concerns are raised about the formal legal basis to current practices, the ability of marginalised groups, especially women and the very poor, to exercise their land rights, the potential obstacle presented by the current system to agricultural and other forms of development, and the breakdown of law and order around land matters in many areas. Adams et al., (1999: 3) note that private investment on state land, as part of the government's Spatial Development Initiatives (SDIs) have been delayed for up to two years in some cases because of uncertainty over land rights. "Throughout the

former homelands, agricultural, forestry and eco-tourism projects are on hold because it is not clear who can authorise such development to proceed, or who should benefit" (Adams, et al., 1999). This outcome was not consistent with government's expectation that land redistribution would promote a highly efficient small-scale farm sector.

Government then decided to introduce the Integrated Program of Land Redistribution and Agricultural Development (IPLRAD) in 1999 with the aim of transferring 30% of 'medium and high quality agricultural land to blacks over 15 years, at a possible cost of R 16 to 22 billion rands (Ministry of Agriculture and Land Affairs, 2000). IPLRAD will involve:

- 1) Redistribution for farming for all black citizens regardless of income, and not for settlement.
- 2) Minimum own contribution of R5000, which could be in kind, or in the form of labour for a minimum grant of R20000 or a maximum grant of R100,000 which requires R400,000 own contribution.
- 3) The role of National Development Agency on support, including compulsory training and project environmental assessments.
- 4) Disposing of state agricultural land, some 669 000 hectares.

Market-assisted land reform

The effect of a "willing-buyer, willing-seller" framework and requirement of 'fair and just' compensation for existing land owners, is placing financial constraints on the extent of land transfer (National Land Committee, 2001/2002). Market-assisted or negotiated land reforms; the current favourite policy at the World Bank - seek to overcome elite resistance to land reforms by offering credit to landless or land poor farmers to buy lands at market rates from wealthy landowners, with greater or lesser participation by states in mediation and credit programmes. This is fraught with risks: landowners may choose to sell only the most marginal, most remote, and most ecologically fragile plots that they own (steep slopes, rainforests, desert margins, etc.), many of which may not presently be in production. Such programmes can set families up for failure, as they are usually saddled with heavy debts at high interest rates from the land purchase itself, while finding themselves on poor soils with little access to markets. This can actually deepen poverty and land degradation, much like the failed reforms of earlier decades. Another problem is the very real likelihood that some of the lands sold will be those which are in dispute, most likely from indigenous peoples' land claims which have yet to be legally accepted (Schwartzman, 2000; Bond, 2000).

The bank usually accompanies these reforms with packages for the beneficiaries that include production

credit, technical assistance for new, marketable crops, and sometimes assistance in marketing. While such support services are indeed essential to successful reforms, the technological packages are often based on pesticides, chemical fertilizers, and non-traditional export crops. Conroy et al. (1997) conducted a study of the promotion of similar packages by USAID in Central America during the 1980s and early 1990s. They found these programmes to leave poor farmers in risky enterprises with high failure rates, and intensify land degradation and ecological problems. On the other hand, exerting policy influence over the content of these packages – in favour of sustainable agriculture approaches could change some of the likely negative impacts of these programmes.

Thwala 3557

The IPLRAD policy represents a narrow and piecemeal approach to land and agrarian reform in South Africa. While it sets laudable objectives, the policy does not present a credible strategy for addressing the distribution of land or the root causes of poverty and inequality in the rural areas. Critical weakness in the programme is the failure to address the question of land supply, the insistence on a demand-led approach which places excessive responsibility on intended beneficiaries, the failure to propose mechanisms that will ensure the participation of women, the youth and other marginalised groups, the failure to integrate the programme with other aspects of land reform and the absence of any broader vision of rural and agrarian reform. The new proposals created a shift of emphasis from the previous programme whose emphasis was to the poor, as the key beneficiaries of the land redistribution programme. This shift is evidenced by the great prominence given to the principle that all beneficiaries must make a contribution "in kind or cash". It is claimed that this contribution does not exclude the poor, which begs the question as to what is the definition of 'poor'. The mention of a R5000 contribution will certainly discourage many of the rural poor from applying for this programme, and it is open to abuse by unsympathetic officials.

A related problem to the structuring of the grant was to discourage applications for group production. Whilst the mechanism of these new developments is not clear, the principle needs to be challenged. This kind of individualized approach runs counter to known and successful cooperatives models which have their roots in the cultural practice of the majority of African people.

Restitution

The purpose of restitution is to restore original land ownership in such a way as to support reconciliation, reconstruction and development. Ensuring historical justice healing wounds of apartheid through a rights-based program are also important goals, as it addresses

poverty through the developmental aspects of restitution (Lahiff 2001). A number of case studies reveal major problems in terms of inadequate infrastructural development, poor service provision and unrealistic business planning. These persist even in claims settled many years ago, such as in the cases of Riemrasmaak, Elandskool, Cremenin and Doornkop. The impact of this programme is constrained by poor integration with other programmes of national, provincial and local government where tangible developmental benefits have occurred, but are attributed to considerable external support, coordinated planning and the active participation of claimants themselves as in the case of the Makuleke claim in the Kruger National Park and the claim of the Port Elizabeth Land and Community Restoration Association (Lahiff, 2001).

3558 Afr. J. Agric. Res.

The cost of restitution is another major challenge. Restoration of the original land occupied by claimants is not feasible in most urban claims, since majority of them are settled through financial compensation. Unlike many rural claims, people are settled in alternative land if the return to their original land, is not possible. Recent estimates of the typical cost of a rural claim range between R1.5 million and R3 million per claim. In early 2001, the Mamahlola claim for 1 farm was resolved through restoration at a cost of R32 million. The major challenge for restitution remains the settlement of rural claims in a way that contributes to the larger goals of land reform, redressing the racial inequities in land holding, while reducing poverty and enhancing livelihood opportunities.

Tenure reform

This is probably the most neglected area of land reform to date, although it has the potential to impact on more people than all the other land reform programs combined, especially the landless/poor. Tenure reform is generally taken to mean the protection or strengthening of the rights of residents of privately owned farms and state land, together with the reform of the system of communal tenure prevailing in the former homelands (Lahiff, 2001). It is concerned with the protection, or strengthening of rights of residents of privately owned farms and state land, together with the reform of the system of communal tenure prevailing in the former homelands. Tenure reform has been addressed through the implementation of the Land Reform (Labour Tenants) Act 3 of 1996, the Communal Property Association Act 28 of 1996, the Interim Protection of Informal Land Rights Act 31 of 1996, the Extension of Security of Tenure Act 62 of 1997, and the Transformation of Certain Rural Act 94 of 1998. However, these acts have failed to address the inequities of access and confusion and chaos that surrounds land rights and administration in communal areas of the

former 'homelands' and the long-term security of tenure for people who reside on privately owned farm.

Land tenure is legally insecure and uncertain, especially in the former homelands where almost a third of the national population live. Since the end of apartheid, land administration in these areas has become increasingly chaotic and contested. Many residents enjoy day to day security on their residential stands and in their ownership of field. But acquiring new land, transacting in land rights or using land as collateral for loans and investment is complex corrupt or just impossible. Women's rights are inadequate, both in and out of marriage. This is due to the fact that land tenure and its administration thereof are arenas of conflict involving traditional leaders, political parties and other local factions. This is an impossible scenario for poverty reduction or sustainable development.

Percolating through the debate of land tenure is the issue of tenure security. Tenure security has major implication for economic development and natural resource management in the former homelands of South Africa. The communal areas have a legacy of severe land pressure and land related conflict, unsurpassed elsewhere in Southern Africa (Adam et al., 1999). About 2.4 million rural households or 12.7 million people, 32% of the total population of South Africa, are concentrated in about 13% of the country. Provinces with large rural populations in former homelands (Eastern Cape, Kwa Zulu Natal and Limpopo) are also hardened with the highest levels of poverty in the country.

The nature and strength of property rights profoundly condition economic decision-making through their effects on people's expectations of a return on their investment of labour and capital. This is as true in rural settings in communal areas as in any other economy. This work argues that tenure reform in former homelands and South African Development Trust (SADT) areas will facilitate decisions and actions by rural households, government bodies, and the private sector. It will benefit rural livelihoods; facilitate infrastructure and service provision and economic development. However, tenure reform in its own will not be enough. Land redistribution and tenure reform will have positive impacts on production and investment only when accompanied by access to inputs, credit, extension services and markets and when government take other actions to stimulate investment (Adam et al., 1999). Tenure reform is therefore a necessary first step that can pave the way for investment, promote more effective use of natural resources and protection of individual and community rights. Tenure reform will not be implemented in isolation from land restitution and redistribution as achieving tenure security will inevitably require relocation of many people who currently share rights with others as a result of forced removals and overcrowding. Overall, tenure reform in

communal areas presupposes substantial redistribution of land outside the former homelands.

Recent indications from DLA that ownership of communal land was likely to be transferred from the state to tribal authorities (traditional African committees) is a cause for concern as it does not address the need for individual security of tenure and accountable forms of land administration. Initiatives that strengthens the land of unelected chiefs is unlikely to meet the objectives of tenure reform, in terms of strengthening the rights of individual occupiers, creating a democratic and efficient system of land administration or promoting effective forms of development. Other proposals being considered to introduce a free market in land, based on fully individualized forms of tenure, will not yield positive results, as this would lead to further dispossessions and a deepening of rural poverty and inequality. All these new initiatives are likely to come short of promoting sustainable development.

The limits of land reform policy

The role of land redistribution in poverty reduction was reduced by the adoption of a neo-liberal macro-economic policy, Growth, Employment and Distribution (GEAR) by the ANC in 1996. This policy has placed South Africa's agriculture on a market-led growth rather than redistribution to dispossessed farmers. Official statements indicating a strong concern to push commercial agriculture and the needs of the emergent 'black commercial' farmers over the calls for land rights for the rural poor have strengthened this trend. The World Bank's proposals to promote commercial agriculture have watered down the welfare objectives of land reform as supported by programme of NGOs, like the National Land Committee (NLC). The ANC's aim to transfer of 30% of the medium to high quality white owned farms to black people in five years from 1994 but this proved to be a failure (Lahiff, 2001).

The Integrated Programme of Land Redistribution and Agricultural Development (IPLRAD) were introduced in 2000 aimed at transferring 30% of the land to black people in 15 years (Ministry of Agriculture and Land Affairs, 2000). There appeared to be a distinct rightward shift within the ANC leadership that has accelerated throughout the process of the transition and culminated in a deeply conservative macro-economic policy stance. The result is a closing down of the spaces that were opened up by the varied social movements that propelled the ANC to power, as the pro-market position was replicated in all policy arenas, including land reform. The powerful influence of the World Bank over South African land policy has been noticeable. There is also the related issue of the varied points of resistance to redistributionist and pro-poor land reform policy. These emanate from sections of the state and various holders of economic and political power, such as white farmers, "traditional

leadership and the huge industrial conglomerates that are linked to, and interested in, maintaining existing patterns of agri-business under conditions of 'liberalization'. These interest groups, whether ad hoc or organized, not only shape the outcomes of land reform policy on the grounds but also wield a lot of influence on the state, thus setting the parameters within which land policy is formulated and conducted. It appears that the influence of these lobbies over the government has become stronger, more open and vocal in the recent years. This casts doubts on whether the 'political will' exists to meaningfully transform the existing pattern of agrarian relations.

There is the issue of popular support for land reform and its expressions in social movements, which have the potential to pressure the state of change and to ensure new opportunities from above ever realized and defended from below. It is notable that there has been a tailing off of 'civil society' activism in rural and urban areas since 1994. However, an alliance of land based NGOs, have sought to counter this trend by organizing rural people

Thwala 3559

and their demands through the Rural Development Initiative. What impact this type of 'rural centred' mobilization, as well as other forms of action, such as land occupations, can have on policy formation has posed all the more sharply by unfolding events in Zimbabwe, which are themselves, bigger than the land question alone.

CONCLUSION

Eleven years have passed since the birth of South Africa's democracy signalled the end of apartheid oppression, but it has led to the birth of neo-liberal economic order which have continued to perpetuate the unequal economic relations of the past. The work has enumerated several problems which South Africa is facing on the road to sustainable development. Land reform before sustainable development is not only a South African problem but a global problem, despite the intentions of the Earth Summit in Rio de Janeiro 11 years ago and the aim expressed in the United Nations' Millennium Declaration to halve the proportion of people living in extreme poverty by 2015. The question is how can there be talk of sustainable development in South Africa as long as this human tragedy endures, with the detrimental impact on the environment? In building a universal partnership for sustainable development, the most serious considerations must be given to developing countries that keep getting marginalised in a globalising world. The rich countries must put land reform before sustainable development in order to realise economic growth and political stability around the world.

The South African state has committed itself both to land reform and to a macro-economic strategy which presently appears to contradict its stated commitment to

land reform. Nevertheless, the right to land reform is enshrined in three fundamental rights clauses of the constitution. These are further bolstered by section 7 (2) that “the state must respect, protect, promote and fulfil the rights in the Bill of Rights”, including those of land reform. A further fundamental right to just administrative action (Section 33), grants “the right to administrative action that is lawful, reasonable and procedurally fair” and requires the adoption of legislation to promote an efficient administration. This implies that rural people receive a fair share of national resources, and that the state fulfils its obligations to the landless in a fair and efficient manner.

The main objective of land reform must be to bring a just and equitable transformation of land rights in South Africa so as to realise sustainable development. This objective has a number of dimensions. Firstly, land reform must address the gross inequality in landholding. Secondly, it must provide sustainable livelihoods in ways that contribute to the development of dynamic rural economies. Thirdly, particular attention must be given to

the needs of marginalised groups, especially women, in order to overcome past and present discrimination. Fourthly, rural people must participate fully in the design and implementation of land reform and sustainable development policies.

REFERENCES

- Adams M, Cousins B, Manona S (1999). Land tenure and economic development in rural South Africa; constraints and opportunities. Paper presented at the Land and Agrarian Reform Conference, National Land Committee and Programme for Land and Agrarian Studies, Broederstroom, pp. 26-28.
- Adams M, Sibanda S, Turner S (1999). Land Tenure Reform and Rural Livelihoods in Southern Africa. Natural Resources Perspectives No.39. London: ODI.
- Adams M (2000) ODI: Breaking Ground: Development Aid for Land Reform. London: Overseas Development Institute.
- African National Congress (1994). The Reconstruction and Development Programme. Johannesburg: Umanyano Publishers.
- Bond P (2000). Elite Transition: From Apartheid to Neoliberalism in South Africa. London: Pluto.
- Bonti-Ankomah S (2000). Cost-benefit Analysis for Land Reform in South Africa. Johannesburg: National Land Committee.
- Conroy M, Murray D, Rosset P (1997). A Cautionary Tale: Failed U.S. Development Policy in Latin America. Boulder: Lynne Rienner.
- Department of Environmental Affairs and Tourism (1997). White Paper on Environmental Management Policy. Pretoria: Department of Environmental Affairs and Tourism.
- Department of Land Affairs (1997). White Paper on South African Land

- FitzGerald P, McLennan A, Munslow B (eds) (1995). *Managing Sustainable Development in South Africa*. Cape Town: Oxford University Press.
- Koch E, Massyn P, van Niekerk A (2001). The Fate of Land Reform in Southern Africa: The Role of the State, the Market and Civil Society, in *Whose Land? Civil Society Perspectives on Land Reform and Rural Poverty Reduction: Regional Experiences from Africa, Asia and Latin America*, edited by K.B. Ghimire and B.H Moore. IFAD: The Popular Coalition to Eradicate Hunger and Poverty and United Nations Research Institute for Social Development, Rome. pp. 129-163.
- Lahiff E (2001). Land Reform: Is it Meeting the Challenge. Policy Brief no 2, PLAAS, University of the Western Cape.
- Land and Agricultural Policy Centre (1997). Land Reform in South Africa. Johannesburg: Land and Agricultural Policy Centre.
- Ministry of Agriculture and Land Affairs (2000). The Integrated Programme of Land Redistribution and Agricultural Development (IPLRAD). Pretoria: Ministry of Agriculture and Land Affairs.
- Munslow B, FitzGerald P (1994). ‘South Africa: the sustainable development challenge’. *Third World Q*, 15(2): 227–242.