

Land Divided Conference  
24-27 March 2013

Plenary 1: Land Reform and Agrarian Policy

**Who, what, where, how, why?  
Mapping the many disagreements about land and agrarian reform<sup>1</sup>**

Ruth Hall  
Institute for Poverty, Land and Agrarian Studies, University of the Western Cape  
[rhall@uwc.ac.za](mailto:rhall@uwc.ac.za)

I will focus not on land claims or traditional authority, but on visions of settlement and farming in the context of redistribution, starting with some history.

**A century of dispossession and modernisation**

Land dispossession in South Africa cannot be properly considered a historical moment, but rather the outcome of multiple processes in a long historical trajectory, the methods of which started with outright coercive force, treaties, cattle theft, forced sales and taxation. Black South Africans were also alienated from land through interconnected processes of defining – and restricting – *property rights* and *political rights*, from the Glen Grey Act of 1894 onwards. Territorial segregation was formalised through legislation and the creation of ‘self-governing’ Bantustans, amidst successive attempts to control and ‘modernise’ black agriculture, from the Tomlinson Commission in the 1950s, through Betterment, through parastatal development corporations, to farmer support programmes in the 1980s. White commercial farming was, meanwhile, created through measures to limit African sharecropping and labour tenancy on white-owned farms, influx controls and trespass acts

---

<sup>11</sup> This paper draws in part on Hall, R (2011). *The Politics of Land Reform in Post-apartheid South Africa, 1990-2004: A shifting terrain of actors, interests and discourses*. DPhil thesis, University of Oxford.

(which ensured a steady supply of cheap labour), and a raft of direct and indirect state subsidies.

The Glen Grey Act of 1894, initiated by the Cape Colony under Prime Minister Cecil John Rhodes, introduced rules defining land tenure, the size and forms of holdings, succession, taxation of land and labour, and limited the franchise. Its elements, and the thinking behind them, recurred in different combinations through the twentieth century in South Africa, as well as in colonial Kenya (Berman and Lonsdale 1992; Leo 1984; Sorenson 1967) and then-Rhodesia (Alexander 1994, 2006; Palmer 1977). The Glen Grey Commission proposed the allocation of 55-morgen plots – 47 hectares – more than double the ‘half-economic units’ later proposed by Tomlinson. Its proposals would establish an African farming class but dispossess many families of their land. Surveyed plots with quitrent title would encourage agricultural improvement, while also making its effective use a precondition for continued permitted use (Wotshela 2001).

The Commissions’ proposals, though, were rejected. The Glen Grey Act instead introduced individual tenure on smaller, four-morgen plots, in a ‘one man, one plot’ policy in most of the Transkei, constraining the expansion of African commercial farming on anything but a small scale (Bundy 1988). So, by the time of the 1913 Act, occupation of land had already been severely circumscribed. The Act itself created reserves and prohibited black ownership and tenancy outside them, attacking sharecropping in the Transvaal and Orange Free State, though in the Cape property-ownership remained the basis for a limited franchise. Sol Plaatje’s words at the time still ring true:

Any policy that aims at setting off a very small proportion of the land of the country for the use and occupation of the very vast majority of the inhabitants, and reserving for the use and occupation of a very small minority of the inhabitants the great majority of the land of the country, is a policy that economically must break somewhere. (Plaatje 1916 p. 405)

The Pact government of JBM Hertzog which came to power in 1924, strengthened by the 1922 Rand Revolt by white mineworkers (Beinart and Dubow 1995), introduced amendments to the 1913 Land Act, and prohibited African purchases by groups larger than ten, unless by 'a recognised tribe' (Lacey 1981 p. 21). Nearly 80 years later this distinction would be revived under the Land Redistribution for Agricultural Development programme which, in many districts, limited land purchase groups to ten members, while the Communal Land Rights Act 11 of 2004 promoted group freehold ownership by 'tribes' or 'traditional communities', without limitations on size.

In 1932, the Native Economic Commission chaired by Dr JE Holloway, agricultural economist at the University of Pretoria, warned that environmental disaster in the reserves was imminent (Ashforth 1990 p. 74). To stem urbanisation, conditions in the reserves would have to be improved to allow successful farming (Union of South Africa 1932). 'Betterment' planning would reorganise land use within the reserves. The 1936 Land Act expanded the reserves (Union of South Africa 1936), while the Native Representation Act in the same year removed the entrenched franchise from qualified Africans (and thus their right to own property), ending the land purchase movements in the Cape that bought land, often in syndicates or by chiefs on behalf of a group or community.

The 1936 Land Act made labour tenants subject to 'masters and servants' laws and control boards attempted to prevent the spread of tenancy to farms where it was not already practised; only by providing their wage labour could black families remain on white-owned farms, with increasingly constrained access to land for their own cultivation and for grazing stock. These legislative attacks on tenancy were strengthened by a popular discourse that warned of the '*beswaring van die platteland*' [blackening of the countryside] evident, for

instance, in the discussions on labour tenancy in the Nel Committee of 1961 (Williams 1996 pp. 224–225). Later, by the 1990s, this discourse was resurrected as white farmers warned of the ‘Bantustanisation’ of the commercial farming areas, if unchecked changes in settlement and land use were permitted within the land reform process (Kingwill 2000).

By 1950, conditions in the reserves had deteriorated further, and Malan appointed Dr FR Tomlinson (also an agricultural economist at the University of Pretoria) to head a Commission of Enquiry into the Socio-Economic Development of the Bantu Areas. The Commission was to conduct ‘scientific studies’ and propose measures for the ‘development’ of the Bantustans, in response to the evident economic deterioration and declining agricultural production that came with overcrowding, much of which was blamed on poor farming practices (Yawitch 1981).

The Tomlinson Commission report, published in 1955 (on the basis of a 17 volume, 3 755 page report), recommended reforms that would make possible the creation in the ‘native reserves’ (later Bantustans) of ‘an agricultural class who will eventually make their living exclusively from farming’ (Union of South Africa 1955 p. 195). For lack of sufficient land, the report proposed the creation of half ‘economic units’ for cultivation by successful farmers, under individual title (Union of South Africa 1955 pp. 113, 152, 196). This would bring to an end the ‘one man, one plot’ principle underlying previous policy (Union of South Africa 1955 p. 153). With an overriding vision of modernising African agriculture, this was expected to improve land use practices and increase productivity, by providing larger plots to successful or ‘progressive’ farmers and removing others, estimated at two million, off the land and into wage labour in the mines, in industry or on farms (Mbeki 1984; Union of South Africa 1955; Yawitch 1981).

It is essential to make opportunities for the creation of a class of contented full-time Bantu farmers with holdings of sufficient size to enable them to farm profitably and to exercise their initiative and to develop according to their individual ability and resources. (Union of South Africa 1955 p. 152)

According to Tomlinson, only ‘bona fide farmers’ would be able to secure rights to arable allotments; his Commission determined the minimum farm size that would allow the subsistence of a household, premised on full-time farming (Hendricks 1989 p. 311; Union of South Africa 1955 p. 196). Tomlinson advocated the sale of arable and grazing land, with title deeds, to create this agricultural class and a fund capitalised with 3 million pounds to provide loans to Bantu peasants to enable them to purchase it (Union of South Africa 1955 pp. 192–193). These definitions of minimum farm sizes had more to do with normative ideas of racially defined standards of living than with agricultural production per se, but have proved to be resilient concepts informing agricultural policy over the next half century.

The landowning peasantry envisaged by Tomlinson would be a group outside the control of traditional authorities; this was anathema to the state’s concern with political control under the rubric of Bantu authorities. As it turned out retribalisation took precedence over the ideological task of creating a class of full-time farmers (Hendricks 1989 p. 312). The government rejected the two key recommendations of the Tomlinson Commission: consolidation of landholdings under individual tenure, and an industrialisation strategy for the reserves. Instead, the state embarked on a renewed process of Betterment planning to re-organise land use in residential, cropping and grazing zones, ostensibly in order to conserve the soil and intensify agricultural production (De Wet 1989; McAllister 1989).

The imposition of Betterment by state-approved Bantu authorities, coupled with the extension of pass laws to women, prompted rural protest and resistance (Hendricks 1989; McAllister 1989). A central grievance was the denial of the right to define their own land uses, which

amounted to forced villagisation (De Wet 1989; Yawitch 1981). Meanwhile, the ANC and SACP leader Govan Mbeki (1984 p. 20) conveyed a concern for ‘progressive’ improvement of agriculture and an enduring hostility to people being relegated to ‘a backward subsistence and peasant economy’, in which migrant remittances formed the major source of income. Popular demands were for access to land and the ability for people to use and manage it as they chose, rather than for the state to provide ‘development’ (De Wet 1989; Hendricks 1989).

The 1980s saw renewed state attempts to create a modernising farming class in the Bantustans (founded on some of the same concerns as Tomlinson) and set in place models and language that would frame ‘farmer settlement’ into the democratic era. After its establishment in 1983, the Development Bank of Southern Africa (DBSA) became the primary source of capital for black agriculture (Levin and Weiner 1989 p. 31).

Instead of setting up more capital-intensive agricultural projects, from 1987 the DBSA created and implemented farmer support programmes (FSPs), reaching 25 000 farmers on 350 000 hectares over five years (Van Rooyen 1995 p. 9). They aimed to deliver ‘comprehensive agricultural support’ including training and extension, production inputs, infrastructure and marketing support. FSP farmers had better access to services than other farmers in the Bantustans (Kirsten et al. 1995a, 1995b, 1995c) but the impacts on agricultural production and on standards of living were largely indeterminate (Kirsten et al. 1995a). The cost was an average of R50 000 per participant. In few cases was the return on this investment equivalent to its cost; its benefits were more a welfare transfer than due to the catalysing of a dynamic process of accumulation by ‘emerging’ commercial farmers (Schirmer 2000 p. 159). Few commercial farmers ‘emerged’ from the process. Those who did emerge as successful were generally those who already had substantial capital of their own,

and were able to cross-subsidise their farming from other sources of income (Schirmer 2000 p. 159).

Although the focus was on small-scale production, the DBSA nevertheless embraced the modernising vision of 'progressive farmers' that Tomlinson had envisaged, and the contribution of its FSPs was towards consolidating a small, relatively wealthy peasantry (Levin and Weiner 1989 p. 34).

### **The evolution of ANC thinking on the land question**

Now I'd like to backtrack somewhat, looking at the ANC's thinking on land and agriculture through this period.

The ANC's demands were originally for participation in land markets: in 1916, the 'unrestricted liberty in every Province to acquire land wherever and whenever opportunity permits' (SANNC 1916). Its proposals for a Bill of Rights in 1923 affirmed that 'all Africans have, as sons of the soil, the God-given right to unrestricted ownership of land in this, the land of their birth' (SANNC 1923, Clause 2). By 1943, though, the ANC's African Claims charter added the demands 'to an equal share in all the material resources of the country' and for 'a fair redistribution of the land as a prerequisite for a just settlement of the land problem' (ANC 1943). Building on AB Xuma's 1941 'Policy and Platform of the ANC', it argued that 'African farmers require no less assistance from the State than that which is provided to European farmers, and therefore demand the same land bank facilities, state subsidies, and other privileges as are enjoyed by Europeans' (ANC 1943).

The Freedom Charter adopted at the Congress of the People on 26 June 1955, addressed the land question thus:

The land shall be shared among those who work it!  
Restrictions of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it to banish famine and land hunger;  
The state shall help the peasants with implements, seed, tractors and dams to save the soil and assist the tillers;  
Freedom of movement shall be guaranteed to all who work on the land;  
All shall have the right to occupy land wherever they choose;  
People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished. (ANC 1955)

The Charter, though, was ambiguous on the kind of restructuring envisaged. ‘The land shall be shared among those who work it!’ invoked the language of land-to-the-tiller reforms, as in India and South East Asia, where feudal land regimes were restructured by transferring ownership to tenant farmers. While it implied a radical redistribution of land rights, the Charter made no explicit mention of confiscation, nationalisation or collective ownership which were in previous drafts and in submissions in the Congress campaign leading up to its adoption (Lodge 1990 pp. 488–489). Even so, it was a faithful reflection of the interests of two primary rural constituencies: residents of the Bantustans whose demands were for land and agricultural support for the peasantry, and farm workers and labour tenants whose interests related to their tenancy as well as to ending abusive labour practices (Cousins et al. 2005). This emerged not so much from a mobilised force of farm workers and tenants; rather, it reflected the proclivities of the Communist Party of South Africa (1962) several of whose leaders influenced the drafting of the Charter, offending some of the African nationalists whose conception of agrarian change remained in line with the ANC’s 1943 ‘Claims’ (see below; Suttner and Cronin 1986; Williams 1988). In these ways the Freedom Charter transformed the specification of the land question from one of protecting rights as property, tenancy or communal land, as the ANC had defined it in 1916 (SANNK 1916) and

redistributing land and extending farming support, as the ANC had defined it in 1943 (ANC 1943) into an ambiguous variant of ‘land for the workers and tenants’.

At the ANC’s First National Consultative Conference at Morogoro, Tanzania, in April 1969, its ‘revolutionary programme’ declared that the land of ‘land barons, absentee landlords, big companies and State capitalist enterprises’ should be confiscated and redistributed to ‘small farmers, peasants and landless of all races who do not exploit the labour of others... to the landless and the land-poor’, leaving no private ownership of land for commercial production that involved the use of hired labour (ANC 1969). Ceilings on land holdings and prohibition of hired labour were two central tenets of this vision of family-based peasant agriculture, both of which differed markedly from its earlier positions in 1916, 1923 and 1943. Although ostensibly an exposition of the principles underpinning the Freedom Charter, the Morogoro Conference gave them a more radical interpretation than had been evident in 1955, reflecting the further ascendancy of the Communist Party.

There is little evidence of systematic planning by the ANC for future agricultural and land policy prior to 1990. By the late 1980s, ANC position papers exhibited an ambivalent vision for a transformed agrarian sector: on the one hand, a commitment to promoting small-scale farming through radical redistribution; on the other, embracing industrial models of agriculture, state farms and co-operatives. Discussions within the ANC in exile were influenced by experiences and perceptions of nationalisation, villagisation and other state-driven attempts to restructure agriculture elsewhere in the region, notably in Mozambique and Tanzania. Ruth First and others in Mozambique witnessed the relative efficiency of peasant production which dominated local food markets in the urban centres, and the failure of state regulation to control markets and prices which prompted the emergence of parallel markets.

By the late 1980s, the ANC's notion of agrarian change as part of the National Democratic Revolution (NDR) started to be articulated as a phased approach to agricultural transformation, the first phase of which would involve redistribution to the peasantry, and later, with a transition to socialism, collectivisation of the peasant beneficiaries of the first phase. The emphasis on the peasantry harked back to an era when the ANC had links with peasant movements and resistance in the 1950s and 1960s – though this was limited compared to the New Unity Movement (Drew 1996; Lodge 1990; Mbeki 1984).

With the start of informal talks about political transition in 1986–87, the ANC started to outline its proposals for a new democratic dispensation and economic policies as the basis for discussion with delegations from business, civil society organisations, lawyers and government. The ANC's 1988 Constitutional Guidelines for a Democratic South Africa committed to protect property for 'personal use and consumption' and depicted a mixed agrarian economy comprised of 'a public sector, a private sector, a cooperative sector and a small-scale family sector' (ANC 1989 p. 132). They implied that corporate and commercial property would be subject to public regulation or to confiscation.

In July 1991, the ANC's National Conference adopted guidelines developed by the Land Commission at its own conference in June, which rejected constitutional protection of property rights (ANC 1991a; Klug 2000 p. 127). By the end of 1991, when formal negotiations commenced, and two years before agreement on protecting property rights in the Interim Constitution, the ANC had acceded to the notion that compensation would be paid for expropriated property.

## **The land question in the transition period**

During the transition period, the apartheid government of the National Party initiated its own pre-emptive reforms. The Provision of Certain Land for Settlement Act 126 of 1993 (commonly known as Act 126) proposed a limited redistribution and restitution process, while retaining state powers of regulation over non-productive uses of land. The Minister would retain the power to make regulations, including the size of subdivided portions, and applicants would acquire land by purchase (RSA 1993). Less than four months prior to the first democratic elections, the Department of Regional and Land Affairs was finalising its redistribution subsidy scheme to enable black people to purchase state or private at market price, with an 80 percent land purchase subsidy, a 5 percent contribution from the beneficiary/ies, and a 15 percent loan (NLC 1993 p. 4). It closely resembled the logic and design of the LRAD subsidy later introduced by the ANC government in 2001, in which, on a sliding scale, the level of applicants' contributions in the form of capital, assets and loans determine the level of state subsidy, to make up the cost of land purchase and initial investment in production. Except that it adopted a means-test: all landless households earning below R1 250 a month would be eligible.

Meanwhile, in 1993, a Community Land Conference launched a Land Charter, with the demand for the state to expropriate land and to deliver it to communities, regardless of how they had lost it. It rejected proposals for a basic grant plus a matching grant for those able to contribute their own capital on the grounds that this would exclude poor people from any significant benefits (Steyn in NLC 1994 p. 5).

Around the same time, the DBSA proposed a ‘two-track vision of farming’: the gradual restructuring of the white commercial farming sector in response to market exposure, and the gradual growth of black ‘emerging farmers’ (Brand et al. 1992 p. 356). The state ‘should focus on emerging farmers as a target group. Farming, on the other hand, should be left to the farmers’ (Brand et al. 1992 p. 371). DBSA economists did not see farming itself as a way to reduce poverty; rather, their economic models showed that the better way to reach the poor would be through multiplier effects that would create up- and downstream jobs rather than by redistributing land to them (cited in Brand et al. 1992 p. 361).

Meanwhile, the World Bank’s mission from 1992 was based on its comparative analysis that concluded that large-scale commercial farming sectors were in all cases the result of coercion and policy distortion, and were inefficient. Its *Proposals for Rural Restructuring* were for deregulation of controls on agriculture and cutting subsidies to white commercial farmers; the importance of small-scale agriculture as a means of promoting equity, higher yields and job creation; and the need for selective intervention by the state, including providing vouchers to black people with which to buy and cultivate land, while avoiding heavy-handed, over-planned and costly management and administration by the state (Binswanger and Deininger 1992; Christiansen 1992; Lipton and Lipton 1992).

At the Land Redistribution Options conference in 1993, the Bank’s proposal for co-payment and matching grants were heavily criticised by academics, NGOs and the ANC, who all agreed that the existence of any price for land would constitute a market barrier where the aim is to target precisely those groups without purchasing power (Dolny 1994 p. 44). Underlying these debates was whether to consider land only as a productive asset and land reform as being for agricultural purposes – whether land policy would be an adjunct to

agricultural policy – or the other way around. By 1994, despite vociferous opposition, the framework embraced a market-led and state-assisted model of land transfer.

### **Phase one: Settlement/Land Acquisition Grant (SLAG)**

The policy finally adopted by the new Department of Land Affairs in its White Paper (DLA 1997), as the Settlement / Land Acquisition Grant (SLAG), resembled the market-based model proposed by the World Bank. On core questions it remained agnostic. It would contribute to a more diversified size structure in agriculture where all people would compete in a deregulated environment.

As well as the market-based and state-assisted purchase of land proposed by the World Bank, it combined several other features: a multiple livelihoods approach and pro-poor criterion (as embodied in the means test) that were promoted by the ANC and the NGOs – for the ‘poorest of the poor’ and ‘especially women’; a single policy instrument directly transposed from the housing subsidy scheme, as a R16,000 household grant; and the language of ‘communities’ which elided the different and even opposing interests that cohabited within the ambit of the policy. Yet it alienated almost all interest groups, including the NGOs who opposed its market-based framework; many of the rural communities with whom they worked who were frustrated with slow delivery and the absence of support beyond land transfer; white farmers who objected to large-scale settlement in the white commercial farming heartland; and black ‘emerging’ capitalist farmers who were excluded from the programme by its pro-poor means test and whose aspirations to individual ownership of whole commercial farms were thwarted by its criteria and grant formula.

## **Phase two: Land Redistribution for Agricultural Development (LRAD)**

In 2000, the World Bank returned to work with the Department of Agriculture to design a revised grant that would replace the SLAG at the centre of a new commercial farmer programme. From 2001 under LRAD, a sliding scale of grants would now be available and would leverage applicants' contributions, but only to those wishing to farm (MALA 2001). Requiring an 'own contribution' was LRAD's response to production failures on redistributed farms; applicants' ability to contribute would serve as a proxy indicator of commitment to farming. No research was conducted to demonstrate that this would, or did, have the effect claimed. By removing the means test, the one area in which the Bank could (and did) confidently report success – targeting of the poor and benefits not being appropriated by non-poor beneficiaries – was changed.

With LRAD, policy narratives prioritising productivity and economic efficiency won out in redistribution policy, and justified channelling available resources to fewer people. The central concept of an 'emerging farmer' was deployed in ways that conflated scales of operation, degrees of capital-intensity in production, and the proportion of marketed produce. Nevertheless, it fulfilled the political purpose of accommodating contradictory interests in the policy process by obscuring class differences.

By 2001, Minister Didiza warned of the dangers of 'squatter farming' in response to the commercial farming lobby's attempts to get government to ensure that redistributed land would be commercially farmed – and that settlement on farmland in the commercial heartland would be strictly controlled (AgriSA 2000). Limiting group sizes was LRAD's

response to the problems of overcrowding and group-based conflict under SLAG. Its primary effect was to limit the properties which could be bought for redistribution.

LRAD involved a remarkable return to the logic of the DRLA scheme, which also aimed to create a small class of black commercial farmers – a logic in which state subsidy, own contribution and loans would comprise the market price of land to enable its purchase from willing sellers. This focus on enterprising individuals, farming full-time, and the imposition of income targets, shaped LRAD in a profoundly gendered way.

Land reform, initially conceived to transcend agrarian dualism, succumbed in this period to deeply ingrained dualistic thinking: it would promote entrepreneurs in the commercial farming areas who would require private title to pursue full-time commercial farming and, in the ex-Bantustans, communal arrangements for ‘tribes’. This bifurcation returned to Hertzog-like restrictions on black group land purchases (in both periods, often to 10 members), and implied dualistic systems of land governance which, as Mamdani (1996) observed, served to distinguish between ‘citizen’ and ‘subject’.

While many of the mechanisms of the Bank’s proposals were adopted, these did not achieve its vision of small-scale farming. Continued failure to subdivide farms meant that group-based projects remained the norm except for the very well-off (Hall 2009a), prompting a shift away from grant-based purchase altogether and towards state purchase. A final way in which the Bank’s thinking manifested in LRAD was the equation of land reform with agriculture (and therefore ‘beneficiaries’ with ‘farmers’), and the exclusion of settlement (or any non-farming economic activities) as a legitimate purpose of redistribution. This has endured to the present.

### **Phase three: Proactive Land Acquisition Strategy (PLAS)**

The Proactive Land Acquisition Strategy (PLAS) started in 2006, with the state buying farms and leasing them to beneficiaries, and from 2011 replaced the LRAD grant-based programme. PLAS gives far-reaching discretionary powers to officials of the Department of Rural Development and Land Reform to purchase land directly, rather than by disbursing grants to enable beneficiaries to buy land. The leases were to be on a trial basis, with an option to purchase after three years, but following widespread non-payment of rents, in 2011 the Minister ruled out the possibility of any ‘second transfer’ for the foreseeable future, while also promising that those not using land according to agreed business plans would be removed and the land given ‘to another deserving entrepreneur’ – thus returning to the old idea of conditional tenure.

At last count, the Department reported that it spent R2.4 billion between 2009 and 2012 buying farms for beneficiaries (National Treasury 2013). Although not all was allocated in the same years, this worked out to an average of R5.3 million per project and R1.8 million per household (DRDLR 2012: 22, National Treasury 2013). Freed from the grant system, there is no system to ration public money among beneficiaries. Eligibility is broad: black South Africans not employed by the state – and including households with limited or no access to land; expanding commercial small holder farmers; well established black commercial farmers; and financially capable aspirant black commercial farmers.

The two main rural constituencies privileged in the Freedom Charter process - residents of the Bantustans, and farm workers and labour tenants – are not explicitly privileged in our land reform process, but compete for public funds (in selection processes obscured from public scrutiny) with those able to bring capital and skills from other sectors.

This current redistribution programme – focused on the state buying and then leasing out whole commercial farms (at discounted rates, often in practice for free) – addresses the problems of buying land with small land purchase subsidies, but in no way advances visions of agrarian reform, such as they have been articulated by rural communities through social movements like the LPM, the Campaign for Agrarian Reform and Food Sovereignty, nor by the ANC itself (most notably at the Polokwane conference in 2007).

### **Taking stock of continuities and change**

I have spoken about shifting positions on property rights, kinds of tenure, allocation and redistribution of land for farming, from the Glen Grey Act of 1894, through the Land Acts, the Tomlinson Commission, and Farmer Support Programmes and, challenging these (but in quite varied ways), some of the evolution in ANC thinking in the 101 years from its inception through to the present.

What all this shows is how enduring notions of ‘proper farming’ have been invoked over time, shaping and often constraining opportunities for secure rights to land, and for equitable change in agrarian social relations. Minimum farm sizes, income targeting, full-time farming – these historically produced and ideologically underpinned notions continue to have currency in thinking that informs our land reform process today. Business planning based on unchanged production technologies and labour regimes, failures to subdivide, limitations on denser settlement – all these practices are widespread in land reform implementation, yet are mostly obscured in official policy (which itself is a very poor indicator of or guide to what actually happens).

The notion of a small ‘progressive’ and ‘modernising’ full-time black farming class survived political transition in South Africa and was revived in new ideological attire *as an alternative* to popular demands for confiscation, nationalisation and radical redistribution of land. This idea, gestated through colonialism and apartheid, has blinkered policy thinking about the rich diversity of situations, needs, and possibilities to which land and agrarian reform can respond, and the profound structural changes it could bring about. The flipside of this plan for commercialisation is a presumption of proletarianisation – but, while Tomlinson expected that alongside those becoming full-time commercial farmers others would be absorbed as wage labour, we now cannot expect this to be the case.

### **Mapping the disagreements**

Disagreement continues over the object of land reform – what it should do – whether this is the expansion of rural settlement options and diversification of livelihoods, or the creation in the commercial farming areas of a small-scale farming class, or the deracialisation of the large commercial farming sector. Emerging farmer settlement has become the centrepiece of land reform, rather than securing the land rights of the 19 million black South Africans with insecure rights – the 16 million people in the ex-Bantustans, and the nearly 3 million people on commercial farms. Nearly 20 years after democracy, the insecurity brought about by the 1913 and 1936 Land Acts remains in place. Real strides, in contrast, have been made with restitution, with most urban claims settled with cash, and land restored in a few hundred claims – though many (probably most) of the rural claims are yet to be addressed, and the weight of institutional capacity and budgets has now shifted away from the restitution process towards redistribution.

These questions of what arise from the prior, entirely ideological, question of why: the political project being pursued, in social relations and the structure of the economy. Then there is the usually-obscured subject of policy – to whom it should be targeted, and the wider class agenda underpinning the reform process. Related to this is the question of whether the vision is one of group-based ownership and production, or subdivision into land parcels suited to small family farms, or maintaining the existing structure of landholdings – or what kind of mix – each of which has implications for labour arrangements. Most debate, though, is focused on the how: the debate about state versus market mechanisms of land acquisition, subsidies, subdivision (why has the 1998 repeal of the Prohibition of the Subdivision of Agricultural Land Act of 1970 still not been signed into law?) and expropriation (why is the Expropriation Act of 1975, contradicting our Constitution, still on the books?), and institutional arrangements and roles in the public, private and non-profit sectors in redistributing land and supporting settlement and farming – especially in the context of agricultural deregulation. Given the abandonment of private title (except in restitution claims), the question also arises of what land rights – in projects, and for tenant beneficiaries *vis-a-vis* the state. And finally getting some well-deserved attention in the National Development Plan is where, with the suggestion that instead of a farm here and a farm there, in response to offers for sale, there might be area-based assessments of need, and a geographically targeted strategy – though details are still to be worked out, and policy is still needed to guide such a process.

Undoubtedly there are profound processes of agrarian change underway in South Africa today – changes like:

- More concentrated ownership of farmland, declining hectareage under production and diversion of arable land (and water) to non-farming uses,

- Job shedding from commercial farms and rates of eviction and displacement of black families from their homes which are comparable to the late apartheid era,
- Non-use or under-use of land acquired through land reform, but also widespread in communal areas, because of lack of inputs, labour, operating capital, markets, aggravated by loss of remittance incomes and changing migration patterns,
- Cost-price squeezes on farmers who would compete with large vertically-integrated corporations, and the penetration of agrofood value chains and supermarkets into rural areas, converting small farmers into buyers of manufactured foods, and undercutting local economies and market linkages.

These are changes to which our current land reform policy framework has no answer.

My response to the title of this panel, then, is that there is no agrarian policy.

Instead, there is an anti-agrarian reform underway, a sharpening of the dualism carved out by the 1913 Land Act. Our thinking needs to draw on history to thoroughly rethink a wider process of agrarian reform within which land reform can be lodged, and from there define the kind of land reform needed – what it is for, who it prioritises, how it is done, where it focuses, and the all-encompassing logic of restructuring.

The conditional strategies over the past century aimed at commercialising a narrow layer of black farmers, while legitimising the dispossession and impoverishment of the rural majority. Making the land reform process conditional on people conforming to ideals of commercial farming, on unchanged land units, has similarly limited what, and who, it is for. Yet undoing dualism must, precisely, blur the distinction between the zones of black impoverishment and white enrichment, dismantling the continued divide between Bantustan and commercial farm,

and changing land uses and settlement patterns. This must be done to confront not only the past, but also the continued, injustices of the Land Act.

## References

- AgriSA (Agriculture South Africa). 2000. 'Agri-SA's View on and Involvement in Land Reform.' Unpublished paper. Pretoria: AgriSA, 24 May 1999.
- Alexander, Jocelyn. 1994. 'State, Peasantry and Resettlement in Zimbabwe.' *Review of African Political Economy*, vol. 21, no. 61, pp. 325–345.
- Alexander, Jocelyn. 2006. *The Unsettled Land: State-Making and the Politics of Land in Zimbabwe 1893–2003*. Oxford: James Currey.
- ANC (African National Congress). 1943. 'The African Claims: Bill of Rights.' in G. Carter, G. and T. Karis (eds). 1973. *From Protest to Challenge: A Documentary History of African politics in South Africa 1882–1964. Vol. 2: Hope and Challenge*. Stanford, CA: Hoover Institute Press, pp. 209–223.
- ANC (African National Congress). 1955. *Freedom Charter*. Adopted at the Congress of the People, Kliptown, 26 June 1955.
- ANC (African National Congress). 1969. 'The Freedom Charter: Revolutionary Programme of the African National Congress' in ANC (ed). *Intensify the Revolution: The 'Morogoro Conference'*, Morogoro, Tanzania, 26 April–1 May 1969.
- ANC (African National Congress). 1989. 'Constitutional Guidelines for a Democratic South Africa.' *South African Journal of Human Rights*, vol. 5, no. 2, pp. 129–132.
- ANC (African National Congress). 1991. *Discussing the Land Issue*. Unpublished paper. Johannesburg: ANC.
- Ashforth, Adam. 1990. *The Politics of Official Discourse in Twentieth Century South Africa*. Oxford: Clarendon Press.
- Beinart, William and Saul Dubow. 1995. 'Introduction: The Historiography of Segregation and Apartheid' in William Beinart and Saul Dubow (eds). *Segregation and Apartheid in Twentieth-Century South Africa*. London: Routledge, pp. 1–24.
- Berman, B and J Lonsdale. 1992. *Unhappy Valley: Conflict in Kenya and Africa. Volume 1: State and Class*. London: James Currey.
- Binswanger, Hans and Klaus Deininger. 1992. 'South African Land Policy: The Legacy of History and Current Options' in *Experience with Agricultural Policy: Lessons for South Africa*. Collected papers from the November 1992 workshop in Mbabane, Swaziland. Washington DC: World Bank.
- Brand, Simon, Nick Christodoulou, Johan van Rooyen and Nick Vink. 1992. 'Agriculture and Redistribution: Growth With Equity' in Robert Schrire (ed): *Wealth or Poverty? Critical Choices for South Africa*. Cape Town: Oxford University Press, pp. 353–375.
- Bundy, Colin. 1988. *The Rise and Fall of the South African Peasantry*. 2<sup>nd</sup> Edition. Cape Town: David Phillip / London: James Currey.

- Christiansen, Robert. 1992. 'Strategies for the Rural Economy and Collaboration with Donors: Lessons from Zimbabwe, Options for South Africa' in *Experience with Agricultural Policy: Lessons for South Africa*; collected papers from the November 1992 workshop in Mbabane, Swaziland. Washington DC: World Bank.
- Cousins, Ben, Edward Lahiff and Ruth Hall. 2005. 'The land shall be shared among those who work it!' *New Agenda*, 2<sup>nd</sup> quarter 2005, pp. 35–39 (Special Issue on the Freedom Charter: the next fifty years).
- De Wet, Chris. 1989. 'Betterment Planning in a Rural Village in Keiskammahoek, Ciskei.' *Journal of Southern African Studies*, vol. 15, no. 2, pp. 326–345.
- DLA (Department of Land Affairs). 1997. *White Paper on South African Land Policy*. Pretoria: DLA.
- MALA (Ministry of Agriculture and Land Affairs). 2001. *Land Redistribution for Agricultural Development: A Sub-programme of the Land Redistribution Programme*. Pretoria: DLA.
- DLA (Department of Land Affairs). 2006. *Implementation Plan for the Proactive Land Acquisition Strategy, Version 1*. Pretoria: DLA. May 2006.
- Dolny, Helena. 1994. 'The Use of Segmented Land Markets as a Redistributive Mechanism' in LAPC (ed). *Land Redistribution Options Conference 12–15 October 1993: Proceedings*. Johannesburg: LAPC, pp. 43–50.
- DRDLR (Department of Rural Development and Land Reform). 2012. *Midterm review of the Department of Rural Development and Land Reform*. Pretoria: DRDLR.
- Drew, Allison. 1996. 'The Theory and Practice of the Agrarian Question in South African Socialism 1928–60.' *Journal of Peasant Studies*, vol. 23, no. 2/3. January/April 1996, pp. 53–92 (Special Issue on the Agrarian Question in South Africa, edited by Henry Bernstein).
- Hall, Ruth. 2009. 'Land reform for what? Land use, production and livelihoods' in Ruth Hall (ed). *Another Countryside? Policy Options for Land and Agrarian Reform in South Africa*. Cape Town: Institute for Poverty, Land and Agrarian Studies, University of the Western Cape: pp 22-60.
- Hendricks, Fred. 1989. 'Loose Planning and Rapid Resettlement: The Politics of Conservation and Control in Transkei, South Africa: 1950–1970.' *Journal of Southern African Studies*, vol. 15, no. 2, pp. 306–325.
- Kingwill, Rosalie. 2000. *The Invisible Farmers in the Eastern Cape*. Multiple Livelihoods and Social Change working paper series no. 20. Manchester: Institute for Development Policy Management, University of Manchester.
- Kirsten, Johan, HJ Sartorius von Bach and Johan van Zyl. 1995a. 'The Farmer Support Programme in KaNgwane' in Richard Singini and Johan van Rooyen (eds). *Serving small-scale farmers: an evaluation of the DBSA's farmer support programmes*. Halfway House: Development Bank of Southern Africa, pp. 53–72.
- Kirsten, Johan, HJ Sartorius von Bach and Johan van Zyl. 1995b. 'The Farmer Support Programme in Venda' in Richard Singini and Johan van Rooyen (eds). *Serving small-*

- scale farmers: an evaluation of the DBSA's farmer support programmes*. Halfway House: Development Bank of Southern Africa, pp. 73–95.
- Kirsten, Johan, HJ Sartorius von Bach and Johan van Zyl. 1995c. 'The Farmer Support Programme in Lebowa' in Richard Singini and Johan van Rooyen (eds). *Serving small-scale farmers: an evaluation of the DBSA's farmer support programmes*. Halfway House: Development Bank of Southern Africa, pp. 97–118.
- Klug, Heinz. 2000. *Constituting Democracy: Law, Globalism and South Africa's Political Reconstruction*. Cambridge: Cambridge University Press.
- Lacey, Marian. 1981. *Working for Boroko: The Origins of a Coercive Labour System in South Africa*. Johannesburg: Ravan Press.
- Leo, Christopher. 1984. *Land and Class in Kenya*. Toronto: University of Toronto Press.
- Levin, Richard and Daniel Weiner. 1989. 'The agrarian question and the emergence of conflicting agrarian strategies in South Africa.' Paper presented to the South African Economic Research and Training (SAERT) policy workshop, University of Wageningen, 12–16 November 1989.
- Lipton, Michael and Merle Lipton. 1992 'Creating Rural Livelihoods: Some Lessons for South Africa from Experience Elsewhere' in *Experience with Agricultural Policy: Lessons for South Africa*; collected papers from the November 1992 workshop in Mbabane, Swaziland. Washington DC: World Bank.
- Lodge, Tom. 1990. 'Perceptions of agrarian issues in black politics.' *Development Southern Africa*, no. 7, pp. 483–494.
- Mamdani, Mahmood. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press.
- Mbeki, Govan. 1984. *South Africa: The Peasants' Revolt*. London: International Defence and Aid Fund.
- McAllister, PA. 1989. 'Resistance to 'betterment' in the Transkei: a case study from Willowvale District.' *Journal of Southern African Studies*, vol. 15, no. 2, pp. 346–368.
- National Treasury. 2013. *Estimates of National Expenditure*. Pretoria: National Treasury.
- NLC (National Land Committee). 1993. 'State Strategy on Land Reform.' Unpublished document. Johannesburg: NLC, November 1993.
- NLC (National Land Committee). 1994. *Report from the Community Land Conference: 12–13 February 1994*. Johannesburg: NLC.
- Palmer, Robin. 1977. *Land and Racial Domination in Rhodesia*. Berkeley: University of California Press.
- Plaatje, Sol (Solomon) T.[1916] *Native Life in South Africa: Before and Since the European War and the Boer Rebellion*. Johannesburg: Ravan Press.

- RSA (Republic of South Africa). 1993. *The Provision of Certain Land for Settlement Act, No. 126 of 1993*. Pretoria: Government Printers.
- SANNC (South African Native National Congress). 1916. 'Resolution against the Natives Land Act 1913 and the Report of the Natives Land Commission.' 2 October 1916. <http://www.anc.org.za/show.php?doc=ancdocs/history/early/resolution161002.html> (accessed 15 July 2010).
- SANNC (South African Native National Congress). 1923. *The African Bill of Rights*. Adopted at the SANNC Convention at Bloemfontein, 24 May 1923.
- Schirmer, Stefan. 2000. 'Policy Visions and Historical Realities: Land Reform in the Context of Recent Agricultural Developments.' *African Studies*, vol. 59, no. 1, pp. 143–167.
- Sorenson, MPK. 1967. *Land Reform in the Kikuyu Country: A Study in Government Policy*. Nairobi: Oxford University Press.
- Suttner, Raymond and Jeremy Cronin. 1986. *Thirty Years of the Freedom Charter*. Johannesburg: Ravan Press.
- Union of South Africa. 1913. *Natives Land Act, No 27 of 1913*. Pretoria: Government Printers.
- Union of South Africa. 1932. *Report of the Native Economic Commission 1930–1932 (Holloway Commission)*. UG 22/1932. Pretoria: Government Printers.
- Union of South Africa. 1936. *Natives Trust and Land Act, No 18 of 1936*. Pretoria: Government Printers.
- Union of South Africa. 1955. *Summary of the Report of the Commission for the Socio-Economic Development of the Bantu Areas within the Union of South Africa (Tomlinson Commission)*. UG 61/1955. Pretoria: Government Printers.
- Van Rooyen, C.J. 1995. 'Overview of DBSA's Farmer Support Programmes' in Richard Singini and Johan van Rooyen (eds). *Serving Small-scale Farmers: An Evaluation of the Farmer Support Programmes*. Halfway House: Development Bank of Southern Africa, pp. 1–21.
- Williams, Gavin. 1988. 'Celebrating the Freedom Charter. Review of Raymond Suttner and Jeremy Cronin – 30 Years of the Freedom Charter (Ravan Press: Johannesburg) (1986).' *Transformation*, no. 8, pp. 73–86.
- Williams, Gavin. 1996. 'Transforming Labour Tenants' in M. Lipton, M. De Klerk and M. Lipton (eds). *Land, Labour and Livelihoods in Rural South Africa*. Volume Two: KwaZulu-Natal and Northern Province. Durban: Indicator Press, pp. 215–237.
- Wotshela, Luvuyo. 2001. *Homeland consolidation, resettlement and local politics in the Border and the Ciskei region of the Eastern Cape province, South Africa, 1960–96*. DPhil dissertation in History, University of Oxford.
- Yawitch, Joanne. 1981. *Betterment: The Myth of Homeland Agriculture*. Johannesburg: South African Institute of Race Relations.