

AREA LAND REFORM INITIATIVE

An “area-based” approach to land reform in the
Makhado Municipal Area

Porto Alegre, Brazil
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Brief Background

- ✦ In SA land dispossessions created imbalances of landownership and demand for land formed a core part of the struggle for liberation
- ✦ SA constitution (Act 106 of 1996, section 25) makes it imperative that the state takes reasonable measures to ensure equitable land distribution
- ✦ Three programmes of land reform: Restitution, Redistribution, tenure reform.
- ✦ Eleven years into democracy, the rate of land reform delivery has fallen short of people's expectation and the revised government target of redistributing 30% of agricultural land by 2014.

Some of the challenges

- ✦ Delivery of land at scale and ensuring improved livelihoods through creating an enabling environment for new land owners to succeed with land based economic activities.
- ✦ Current institutional arrangements:
 - Land reform is the responsibility of the National Department of Land Affairs (DLA): with Provincial Land Reform offices (Tenure and Redistribution) and Regional Land Claims Commission(Restitution)

Challenges cont...

- Agriculture and delivery of agriculture support services are handled by the provincial department of agriculture accountable to the provincial cabinet and legislature.
- Municipalities (local government) are responsible for dev. coordination, some infrastructure programmes and delivery of other local services such as water and electricity. Coordination should be done through the Integrated Development Plans (IDPs) yet current IDPs of most municipalities say almost nothing about land reform.
- The poor to become drivers of land reforms

Area Land Reform Initiative

- ✦ A pilot project at a local municipal area to ensure that marginalized rural communities have secure to access land through an integrated land reform plan developed and implemented with a central role (coordination) for the Municipality.
- ✦ ALRI aims to facilitate land acquisition and its' productive and sustainable use.
- ✦ It is community-driven, with a wider stakeholder support.
- ✦ Challenge for the municipality is lack of capacity and clarity on municipal responsibility in what is constitutionally a national competency

Initial Strategy

- ✦ Facilitate landless communities in developing plan for land and agrarian reform in the area - Nzhelele.
- ✦ Work with local land reform forum (local LPM) and Municipality.
- ✦ Mobilise and get support from key stakeholders (government and non-government)
- ✦ Integrate plan with Municipal IDPs
- ✦ Coordinate delivery of services at area level, rather than project (post and pre settlement interventions)

Initial Strategy cont...

- ✦ Decentralization of resources and decision making powers.
- ✦ Communities to hold government accountable for delivery
- ✦ Government departments to collaborate around an integrated and common approach.
- ✦ Nkuzi has been a facilitator.
- ✦ Municipality to become the driver.

Planning: Area level

- ✦ Stakeholder consultation.
- ✦ Facilitated community consultation to get information/inputs and promote the project.
- ✦ Consultations with the Land Reform Forum.
- ✦ Gathered information from government departments like RLCC, DoA and DLA
- ✦ Mapping all claims and projects

Activities cont...

- ✦ Ran workshops for the Councilors and the leadership of the Land Forum (Livelihoods, Development, Land Reform, Planning)
- ✦ Identified other resource organizations
- ✦ Facilitated workshops with marginalized groups from the community i.e. women and youth.
- ✦ Documentation of the findings

Activities cont...

- ✦ Discussion of the proposed approach and solutions: workshops, meetings and Makhado land conference (Aug 04)
- ✦ Structured plan and projects to be able to fit with IDPs
- ✦ Dealing with range of current land issues that arose along the way.

Outcomes/Results of facilitation

- ✦ Makhado 490,000 total pop, 1,600,000ha.
- ✦ 130,000 people in Nzhelele with 56 community land claims covering 90% of land in Makhado
- ✦ Around 10,000 farm workers on farms, most of which are under claim.
- ✦ Claims settled have not been adequately supported + not brought desired benefits
- ✦ Agriculture is important part of local economy.
- ✦ Claimants want land and benefits, workers want jobs and tenure security, the economy has to be built.

Results cont...

- ✦ The Power of seeing the whole picture
- ✦ High level of interest up to national level
- ✦ Clustering of claims into five groups - building organization.
- ✦ Some youth and woman organizing
- ✦ Clarity on the need to move from project thinking to programme thinking. The Need for a Vision.

Results cont...

- ✦ Minister attends conference and endorses project in Parliament and at Land Summit.
- ✦ Senior Local, National and Provincial Officials support project.
- ✦ Municipality more involved in land issues and negotiations regarding claims etc...
- ✦ Identified core projects (responding to needs identified)
- ✦ Discussion on roles to be played by stakeholders

Projects Identified

1. Land Acquisition through inter dept. team able to drive process at local level.
2. Ensure access to capital for new farmers
3. Identify appropriate technologies
4. Ensure capacity to deliver effective extension services
5. Set up capacity to resolve conflicts

Projects cont...

6. Building institutional capacity
7. Develop required infrastructure to support new settlements and ventures
8. Ensure access to markets and supplies
9. Effective land use planning
10. Human resource development for new farmers

Roles and Responsibilities

- ✦ Set up Project Implementation Unit
- ✦ Makhado Municipality to drive and coordinate and fit within IDPs
- ✦ DLA to drive at a national level, develop supportive policies and secure farm dwellers rights
- ✦ DoA drive provincially and provide technical and extension support
- ✦ RLCC settle claims within this framework and support local grant dispersal

Roles cont...

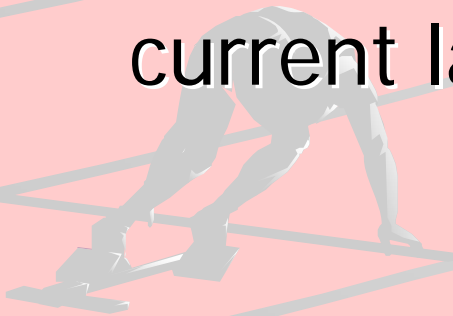
- ✦ Land forum facilitate information dissemination, community participation and ensure accountability
- ✦ Colleges and University to provide training and technical support
- ✦ Nkuzi support municipality, community empowerment and documentation of learning
- ✦ Other structures can still be involved

Risks

- ✦ Project could become too technocratic.
- ✦ Localizing decision making and control of land reform will not bring benefits if a people-driven approach is not adopted
- ✦ Community structures still weak
- ✦ Marginalized groups, remain marginalized e.g. women
- ✦ Lack of capacity in Nkuzi and so far little provided from elsewhere

Risks cont...

- ✦ Still real difficulties of owner resistance
- ✦ HIV/Aids, we need to consider the impact
- ✦ Resistance to transfers of land from current landowners

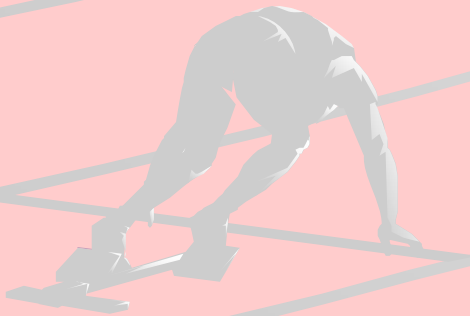


Some learning

- ✦ Unless one takes an area approach in dealing with land needs, it will be difficult to implement integrated land and agrarian reform
- ✦ Government needs to be proactive and not wait for demands that will be articulated by a particular group. A demand led approach favors those already resourced and better connected
- ✦ Community empowerment is a critical aspect of agrarian reform. Communities must become active drivers of land reform for their area so that land reform addresses their needs

Learning cont....

- ✦ Clarification of roles and assignment of tasks to the individual stakeholder remains critical and of utmost importance.



Major challenges

- ✦ The difficulty of getting action from government on a new approach, despite very senior level endorsement of the initiative.
- ✦ The Municipality, DLA, and the provincial and national departments of Agriculture have all experienced changes at the highest management levels in the last year.
- ✦ However it seems there are also more general and entrenched challenges to changing government approaches to implementation.

Way Forward

- ✦ Discussions at Land Summit + other forums confirm that new approaches to LR are urgently needed.
- ✦ The Makhado Municipality is now writing to the DGs of Agriculture and Land Affairs to request formal endorsement of the initiative as a pilot.
- ✦ Currently Nkuzi is developing manuals for implementation to guide officials and others involved.
- ✦ Focus is on community organizing and empowerment so that the land forum takes lead in land reform plan implementation.