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Part I: Gillimberg Farm A Pilot Struggles To Take Flight

PIETERSBURG, South Africa

25 July 1996

By Teresa Yates

South Africa's Land Reform Pilot Programme (LRPP) was created "to develop equitable and sustainable mechanisms of land redistribution in rural areas, as a kick-start to a wide-reaching national programme."¹ One of the principal goals of the program is to redistribute land to the poor and landless.

The National Department of Land Affairs committed 270,810,000 rand (U.S.\$61.5 million) along with an additional 45 million rand (U.S.\$10 million) to ensure that the Program had the necessary funding to implement sustainable land reform. The Northern Province's share of this R315 million total is R35.2 million (U.S.\$8 million).

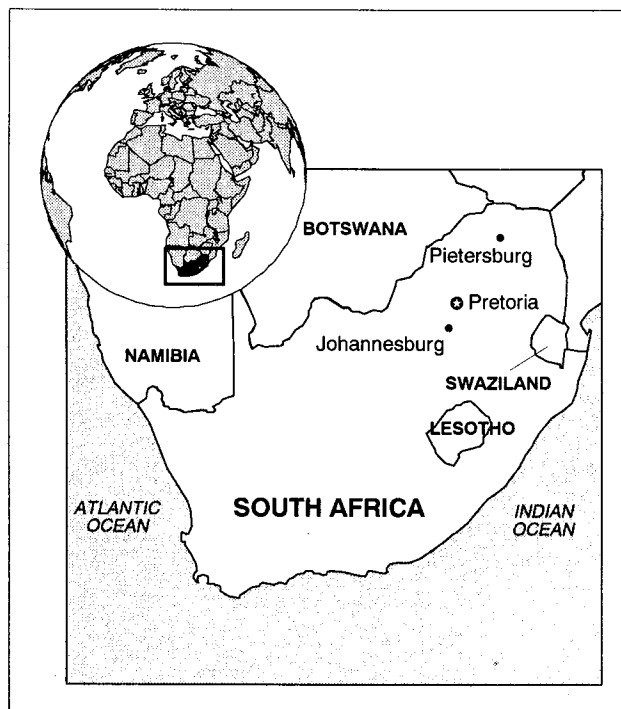
Recognizing the importance of provincial participation in the program, and in an effort to maximize that participation, the National Department of Land Affairs (DLA) created complicated institutional and administrative mechanisms to guide newly elected, and often inexperienced, provincial governments through a bureaucratic labyrinth. Agency Agreements between the DLA and provincial governments were entered with the responsible provincial agencies. The Agreements allow a considerable amount of provincial control in directing the program, but also recognize that ultimate responsibility for its implementation rests with the National DLA.

At the time the Agency Agreements were signed in 1994, the DLA had only three regional offices, so there was little choice but to work with provincial governments according to the terms of the Agency Agreements. "For the national department,"



The sign for the Land Reform Pilot Program was put up in 1994 amid great enthusiasm from national and provincial governments and from the potential beneficiaries of the program. Since then not much land reform has happened.

1. Green Paper On South African Land Policy, Department of Land Affairs.



therefore, "piloting land reform on its own was never a feasible option."²

To try to be clear on the motivation behind calling this program a "pilot," I consulted my dictionary. The *American Heritage Dictionary* provided the following definitions:

Pilot adj. 1. Serving as a tentative model for future experiment or development: a pilot project. 2. Serving or leading as guide.³

If the Land Reform Pilot Programme for the Northern Province was intended to serve as a "tentative model for future experiment or development," then it is quite understandable why land reform in this Province has not taken off. The reasons for the failure of the program to deliver any actual land reform to date vary. Arguably, the program was facing a losing battle when the Gillimberg farm and surrounding communities were selected and launched as the pilot district for the Northern Province without first identifying a realistic plan of implementation.

In 1994 the National Department of Land Affairs (DLA) directed each Province to identify land to be used in the LRPP. The criteria for selection were to "in-

clude as many of the following conditions as feasible: state owned land, private land for acquisition, farm-workers requiring tenure security, labour tenants requiring tenure security, rural conditions, peri-urban conditions, small town conditions, high rates of poverty, small groups of potential beneficiaries, larger groups/communities as potential beneficiaries, potential for leasehold land use, communities seeking restitution, organised communities/groups with articulated land needs, unorganised communities/ groups with land needs."

Based on these criteria the Provincial Department of Land, Housing and Local Government submitted a three-page Memorandum to the Premier⁴ of the Province supporting Gillimberg Boerdery (Gillimberg Farming) as the R35 million (U.S.\$8 million) Land Reform Pilot Programme.⁵ In December 1994 the provincial Department of Land Housing & Local Government submitted its description of the pilot district land to DLA.

I managed to obtain a copy of the five-page memorandum that attempted to support Gillimberg as the pilot district land [see box, page 3]. The memorandum included no explanation of how the Gillimberg land fit the criteria set out by DLA. The memo states only that "the communities around the land selected for the pilot district have made several representations for more land for agriculture."

Six days after the five-page memo was written, the following detailed description of the Pilot land was added:

1. Pilot District: The "White Finger" area.

2. Land

2.1 State Land

2.1.1 500,000 ha + [this was presumably intended to be 50,000 ha]⁶

2.1.2 Lebowa Development Corporation

2.1.3 State farming

2.1 Private land

2.2.1 30 ha

2.2.2 Mr. & Mrs. Brian Mertz

2.2.3 Ready for Agri-village.⁷

2. M.E. Adams, "Institutional Problems Encountered by the LRPP," 28 March 1996, p. 1. Unpublished.

3. *The American Heritage Dictionary*, Second College Edition, p. 940.

4. The Premier is the equivalent of a state governor in the United States.

5. Originally four units were targeted for the Pilot Project area. They were Gillimberg, Steilloop, the Moepel farms and the Dendron farms. [see Northern Transvaal map, page 14] Eventually all except the Gillimberg land were dropped from the Project area. The Steilloop and Moepel farms are still possible redistribution areas, but only after the Gillimberg project is completed.

6. One hectare (ha) equals 2.4711 acres. The total area of the farms making up Gillimberg is 51,540 ha.

7. Essay Letsoalo, 9 12 December 1994.

LAND REFORM PILOT PROGRAMME

BACKGROUND

The government has a three-pronged Land Reform Programme: Restitution, Redistribution and Tenure Reform.

Restitution was singled out in the transitional constitution. The Restitution of Land Rights Act was passed in December 1994. The Land Claims Commission and Court are the next stages. It is envisaged that many communities/tribe will present land claims to the Commission — **it is their constitutional right**.⁸ (Emphasis added)

None of the communities in the Northern Transvaal, who presented land claims to the Advisory Commission on Land Allocation under the previous government were successful.⁹ Their land claims will also be considered by the Land Claims Commission.

Redistribution is considered as the government's assistance of Blacks to enter the land market. In terms of the 1991 Abolition of Racially-Based Land Measures Act land reform will take place on a willing-seller-willing-buyer. The 1993 Provision of Certain Land for Settlement Act made provision to assist in the acquisition of land. None of the seven commitments under this Act are in the Northern Transvaal.¹⁰

Tenure reform is the programme of the government to ensure that all persons have security of tenure under all forms of land tenure i.e. freehold, communal etc. This programme will be applicable to both existing land occupants and land to be occupied through land reform.

The abovementioned restitution commitments and commitments on land acquisition/purchase form the basis of what is called a Pilot Land Reform Programme. The Program is a project of the Reconstruction and Development Programme. The programme entails the selection of a Pilot District, which is an area where the land reform program will be implemented. The project will include transportation (under restitution), land acquisition (include farm workers and labour tenants), planning and basic household needs grant (for housing and/or services).

The Northern Transvaal Land Affairs department has adapted the structure of the pilot programme according to the land needs; and successfully negotiated with the management of the National Land Reform Pilot Programme to implement the pilot programme according to these needs.

LAND NEEDS IN THE NORTHERN TRANSVAAL

It is estimated that approximately 88 percent of the people in the Province occupy only 30 percent of the land.

This unequal distribution of the land has the following implications:

- The majority of people in the former bantustans are landless or near landless.
- The landless are composed of the majority of people who reside in the betterment villages and closer to settlements of the former bantustans.
- This group does not have access to land for cultivation.
- In some cases the land that was designated for cultivation has been turned into residential sites as a result of population growth (natural and immigration growth from white farms).
- Some households within this group keep livestock. However grazing land is insufficient even by conservative standards of carrying capacity. Again, some land designated for grazing has been turned into residential sites.

• Near-landless households are the majority within the betterment villages, whose arable landholdings are less than the economic units prescribed under very conservative estimates of carrying capacity. Some of the households under this group have livestock, but the problem of insufficient grazing land applies...

SELECTED PILOT DISTRICT: "THE WHITE FINGER"

The provincial department of land affairs has identified a pilot district in the existing magisterial districts of Potgieterstus, Pietersburg, Waterburg and Soutpansberg. Beneficiaries also include communities/tribes in the existing magisterial districts of Bochum, Seshego and Mokerong.

The Pilot district has a striking history, which has influenced the selection. During the period of forced removals, the land around Gillimberg was purchased by the government for the purpose of forcibly removing communities/tribes from Mokerong. The two areas came to be known as the white finger and black finger, respectively.

The intended forced removal never took place; the land is owned and operated by the state; and the neighboring communities are to become beneficiaries of authentic land reform...

The communities* around the land selected for the pilot district have made several representations for more land for agriculture. Thus, the political and economic motives for the selection of the pilot district have equally been amplified.

* The Makgatos, Manthataa, B.K. Matlala's, Phuti Matlalas, Mashashanes...¹¹

8. Since writing this Memorandum Ms. Letsoalo's office has advised the surrounding communities not to file any claim for restitution of land that is part of the Pilot Programme district. Minutes from the January 1995 sub-steering committee meeting state: "She [Ms. Letsoalo] further mentioned that an agreement has been reached with the magoshi [chiefs] not to claim Gillimberg project because it is already an RDP programme." It would appear from these minutes and from discussions with chiefs in the district that in this instance the communities have been persuaded to forfeit their "constitutional rights" in exchange for inclusion in the potential pilot beneficiary group.

9. At least one of the beneficiary communities (Mapela) was successful in claiming one lost farm that is part of the Gillimberg Project from the former government's Commission on Land Allocation.

10. After the 1994 elections South Africa was divided into nine Provinces. The former Northern Transvaal became what is now the Northern Province.

11. Memorandum — Ms. E. Letsoalo 6 December 1994.

Neither the Provincial office of the National Department of Land Affairs (Provincial DLA) nor the Provincial Department of Land Housing and Local Government has a more detailed written description of the Pilot area or its surrounding communities.¹² On a recent visit to Essy Letsoalo, the Director of the Provincial DLA office, I asked why the Gillimberg land was selected as the pilot district land. Ms. Letsoalo's response was that I should "check with the department of Land Housing and Local Government" for an answer. When I asked Tshisa Madima, director of Land Administration and Planning for the Department of Land Housing and Local Government, the very same question, his reply was that "Essy selected the land" before he and most of the current staff came to work with the department.

"How was it that Gillimberg was selected as the Pilot Programme land?" I asked Angela Bester, National Deputy Director General of Land Reform Implementation. Her response was that "the program was set up before the department had set up provincial departments and before [she] came to work with the [land] department." But the "choices were probably politically driven" at a time when there was no clear national land reform policy.

The Gillimberg Boerdery is an agricultural company that is part of the Lebowa Agricultural Corporation (LAC).¹³ The land is divided into 41 separate commercial cattle units. (see *Gillimberg map*, page 5) Most of the southern portion of the land is primarily used for cattle grazing, with several units in the north (approximately 440 hectares) used for citrus production and one small tobacco-producing unit (approximately 80 hectares). According to a report written by the Land Research Group on the Pilot District land, the soil of the area is "sandy and shallow, often coarse-textured and gravelly with poor water-retention properties. Soil depth is seldom more than 500mm and frequently less although in some pockets comparatively good and deeper soil (800mm) can be found. In some areas they are very shallow, 200mm or less."¹⁴

Gillimberg, commonly referred to as "Witvinger"

(White Finger),¹⁵ was purchased in 1974 from white commercial farmers by the former South African Government with a view to incorporating the land into Lebowa, one of the former 'independent' homelands.¹⁶ Mr. van Eeden, the manager of Gillimberg, points out that the former government paid well above the market price for the land because the white farmers were growing crops such as grapes on land that has very shallow topsoil and is able to sustain only cattle grazing. Mr. van Eeden contends that the white farmers planted unsustainable crops because they could then claim that the land was arable or irrigable, and thereby demand a higher price for their farms. The Land Research Group's study notes that "in certain areas the soil is in poor condition, having been over-exploited by previous white farmers in an attempt at arable agriculture. These are slowly recovering under present management practices."

There seems to be no dispute that the current management of the farm is succeeding in making the most productive use of the land. The annual gross revenues from the citrus-producing unit is approximately 21 million rand (U.S.\$4.7 million). The tobacco unit produces gross revenues of 1.2 million rand. The farms are also carrying their maximum cattle capacity, with approximately 5,500 cattle on Gillimberg.¹⁷

"I have stated on many occasions that the Gillimberg Farm was a poor selection for the pilot project. I have told Essy Letsoalo and I told Derek Hanekom when he came to the Province to launch the programme last year." This was the view expressed by Mr. Van Eeden, who continues to argue that the farm should have been turned over for redistribution to the communities currently living on the land because the farm is not able to accommodate any more people.

Depending on who you ask, there are somewhere between 2,000 and 6,000 people living on the farm. A census conducted by the management of the farm last year found a total population of 2,326 (436 adults and 1,890 children), living in 14 villages. (see *Census Chart*, page 6) The Gillimberg manager estimates that the current figure is approximately 3,000 people.¹⁸

12. It was not until August 1995, nearly one year after the pilot district was selected, that a detailed analysis of the land and the surrounding communities was compiled by the Land Research Group, a provincial NGO.

13. Under the old bantustan system of government considerable funding was poured into commercial agricultural development, with little success. As a result, the needs of the majority of subsistence farmers were neglected. The bureaucracy of this system was highly centralized and supply driven. Services were delivered through parastatals such as the Lebowa Agricultural Corporation (LAC).

14. *Pre-Planning Report: The Land Reform Pilot District in the Northern Province*, Chris Wood for the Land Research Group, August 26, 1995.

15. From the map you can see that the Gillimberg strip is surrounded by the former Lebowa homeland. Since the strip of land was owned by white farmers in the midst of a black homeland the name "Witvinger" was used to describe the area.

16. One community, Mokerong Block 24, was identified for "removal" onto part of the property that was to be developed into a residential township. Mokerong Block 24 is located near the Botswana border, more than 100 km from Gillimberg.

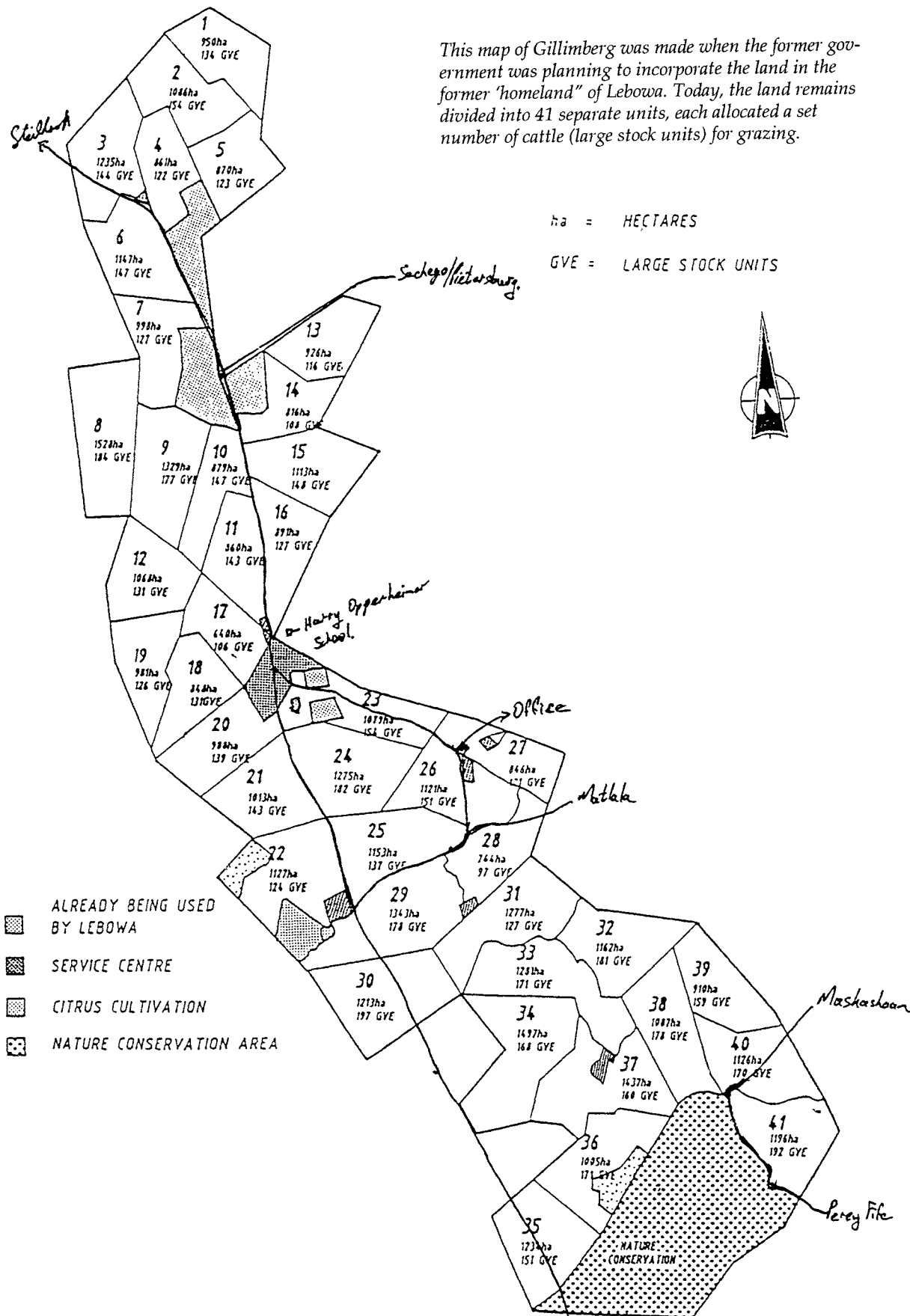
17. These cattle will eventually be sold either to the land reform beneficiaries or to other commercial cattle farmers. All of the profits from these enterprises currently go to LAC.

18. This is the low-end figure. According to Johannes Sebata of the Gillimberg Community Development Center, there are closer to 6000 people living on Gillimberg, with a steady stream moving onto the land anticipating the coming redistribution of the farms.

This map of Gillimberg was made when the former government was planning to incorporate the land in the former 'homeland' of Lebowa. Today, the land remains divided into 41 separate units, each allocated a set number of cattle (large stock units) for grazing.

ha = HECTARES

GVE = LARGE STOCK UNITS

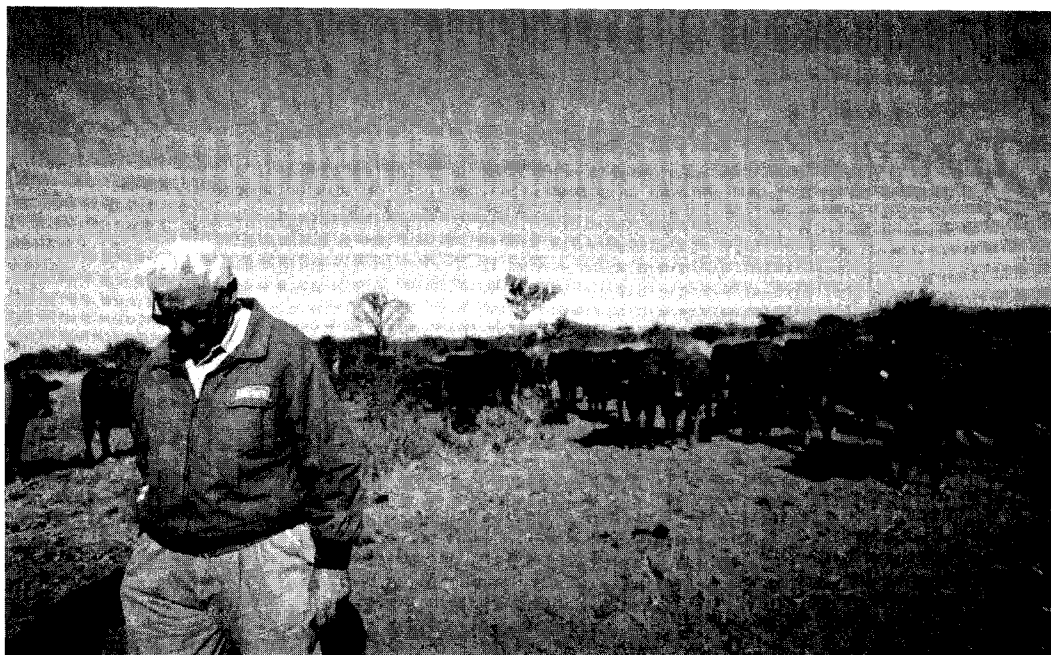


The November 1995 census of the residents of Gillimberg shows that the majority are children. Most of the Adults counted are "pensioners" which contributes to the poverty of the villages.

AANTAL KAMPONG INWONERS SOOS OP ...30.NOVEMBER.95.

(Number of Compound (Village) Dwellers as of 30 November 1995)

(VILLAGE)	(NUMBER OF ADULTS)	(NUMBER OF CHILDREN)	(TOTAL)	
KAMPONG	AANTALGROOT MENSE	AANTAL KINDERS	TOTAAL	
LUXEMBURG	49	253	302	
WITRIVIER	30	115	145	
SELGAD	24	185	209	
TICVO-TAVO	32	173	205	
LUGE	18	109	127	
STIRUM	26	142	168	
SWED-HOLLAND	41	253	294	
LEFANYANG	35	79	114	
HAMBURG	25	61	86	
RIETFontein	22	92	114	
ROOIBOK	15	41	56	
ARMODE	8	36	44	
HAM	73	235	308	
BRANKPAN	38	116	154	
SUBTOTAAL	436	1890	2326	
	GROOTTOTAAL		2326	



Mr. van Eeden, the current manager of Gillimberg Boerdery asserts that "this [Gillimberg] is a successful, going concern it should have been distributed among the current residents of the farm and the workers."

In addition to the people currently living on the land, the Department of Land Affairs has identified five communities where beneficiaries for the redistribution program are to be selected. The catch-phrase in describing who will qualify to become part of the beneficiary group is those who are the "poorest of the poor."

The total population of the five surrounding communities from which beneficiaries are to be drawn is estimated to be more than 370,000 people. If this figure is correct then the surrounding communities are going to be very disappointed when the Gillimberg land is redistributed. According to Essy Letsoalo, the people currently living on the land will have first priority when the land is redistributed. There is likely to be no, or very little, land left for the surrounding beneficiary communities, whose expectations have been heightened by their selection as potential beneficiaries.

Administering the program is the responsibility of the Land Reform Pilot Programme's District Office, which is responsible for the day-to-day management of the program, the Provincial DLA office, the Provincial Department of Land Housing and Local Government (LH&LG), a Steering Committee whose members are representatives from interested provincial government departments, the Commission on Traditional Authorities, the Agricultural and Rural Development Corporation (ARDC), the Department of Land Affairs, the non-

governmental organizations (NGO) coalition and the District Office. A District Forum was established to represent the interests of the surrounding communities and the communities currently living on the land. The members of the District Forum are members of surrounding communities.

With all of these represented interests come as many problems as possible solutions, and the progress of the program is often frustrated by the inability of these people to reconcile their interests.¹⁹ The result: the program is plagued by administrative and institutional inertia.

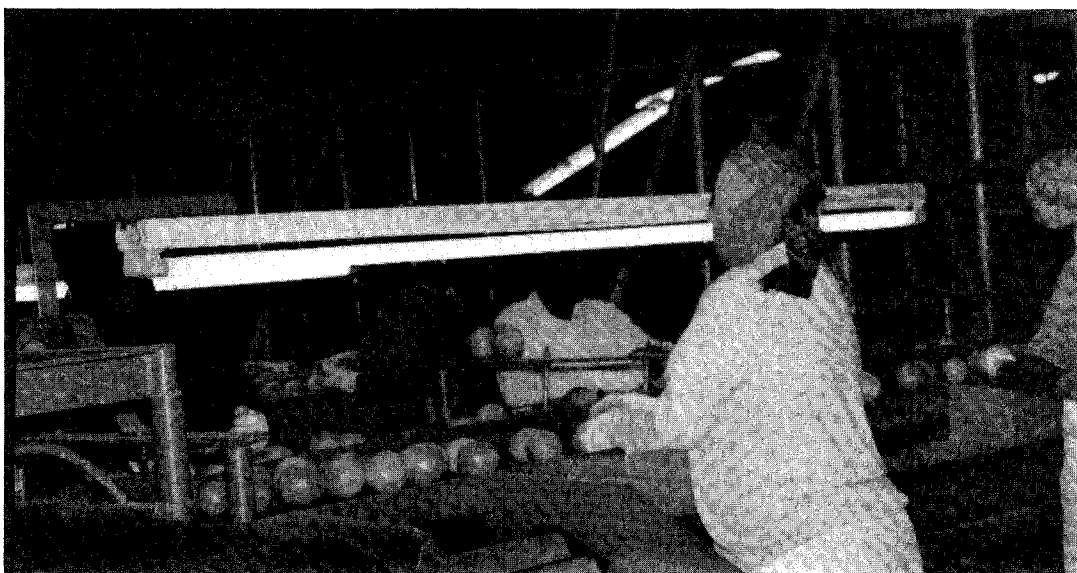
Although the pilot-program land was identified and selected in 1994, and the program was officially launched in May of 1995, a staff of three (the manager, assistant manager and an administrative assistant) for the District Office was not hired until March of 1996. The program's office was placed in a beautiful old house, centrally located on the Gillimberg land. The idea was that the District Office should be accessible to the beneficiary communities.

Staff members, however, now complain that the office is too far away from where they are living, that the program has not provided transport for them and that, as a result, they have to use their own cars that get destroyed on the dirt roads on the farms.²⁰ Moreover, they assert the purpose of placing the office on the farm has

19. The District Forum, for example, comprises representatives from the surrounding Tribal Authorities. One of these men (the Forum is completely male) approached a member of the Steering Committee recently and complained that the process was moving too slowly and that he needs land now on which he can graze his cattle and use his four tractors. By anyone's assessment this man is not among the "poorest of the poor" and yet he expects to have some part of the Gillimberg land for his cattle and tractors.

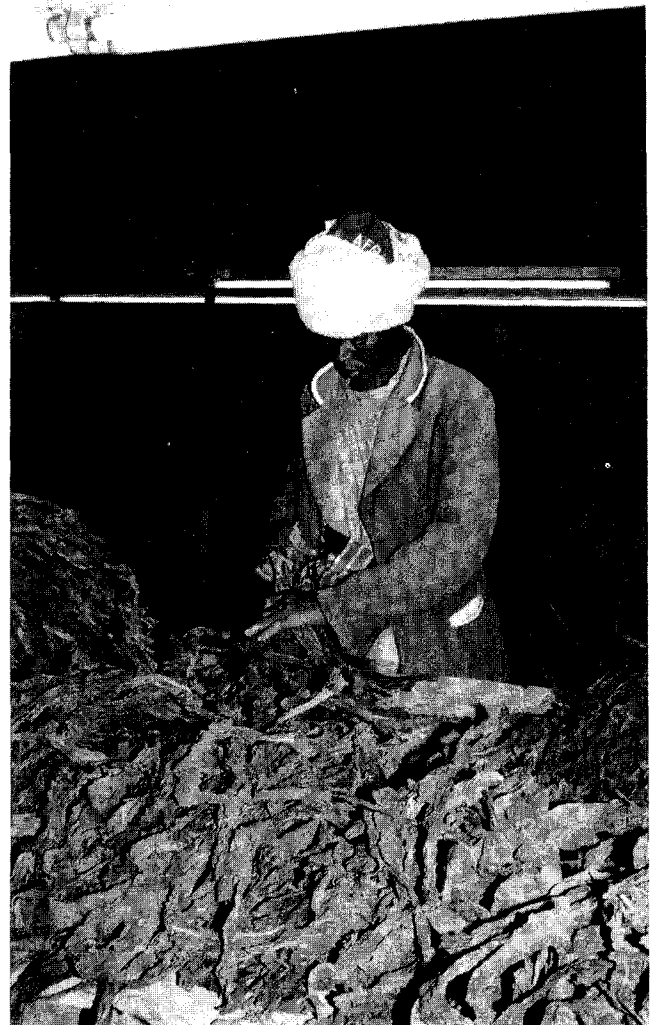
20. Tshisa Madima asserts that the program is not buying transport for staff use because when the assistant director and administrative assistant were interviewed they opted for higher salaries and agreed to use their own transport.

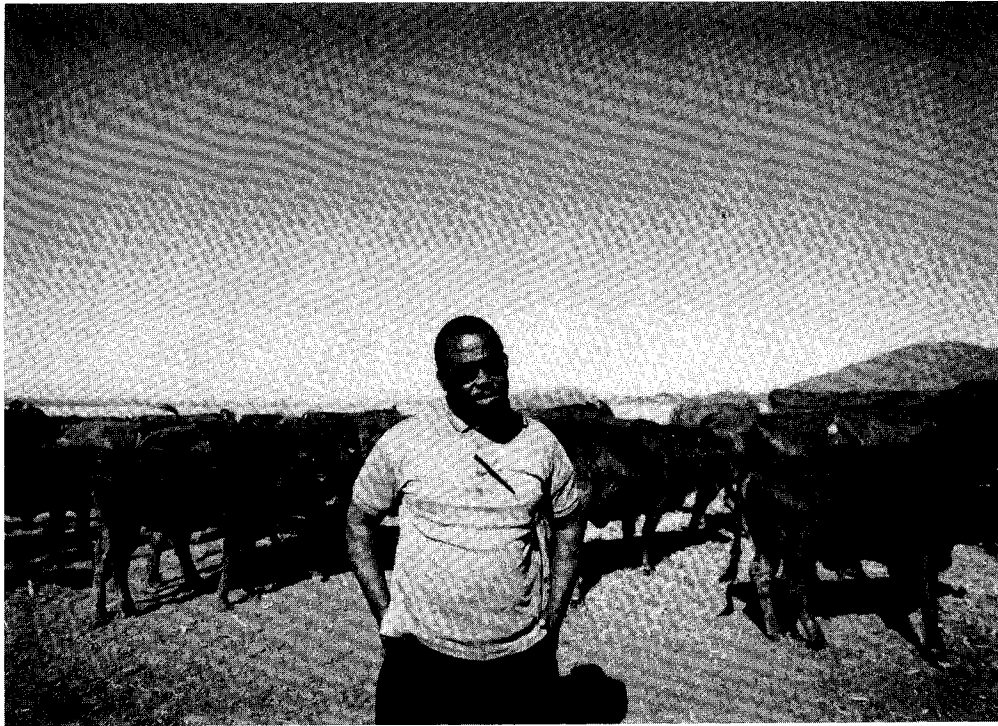
There are 460 permanent workers and 200 temporary workers at Gillimberg. During the citrus-picking season, which runs for six months beginning April 4, there are an additional 300 - 350 workers. The majority of these workers, 80 percent, are from the surrounding communities. The citrus pickers are paid per bag of oranges picked. The workers earn an average of R426 (U.S.\$96.81) per month. Once picked, the oranges are sorted according to size and packed for shipping to foreign and domestic markets. The packers earn R.21 (U.S. 4.7 cents) per box of 100 oranges packed. Their average monthly salary is R600 (U.S.\$136).





*The tobacco unit employees 120 workers.
The tobacco is grown on 80ha of land and
then air cured providing an annual yield of
2.2 tons/ha for the 1994/95 season.*





Ellias Mahapa, District Manager of the LRPP, standing with some of the Gillimberg cattle. Beef production is the primary enterprise of Gillimberg.

been defeated because none of the prospective beneficiaries ever come to the house for information or advice.

Ellias Mahapa, the District Manager of the Program, is responsible for its "management planning and implementation."²¹ This includes coordinating with the steering committee and the District Forum on hiring a planning agent to advise the program as to the current condition of the land, developing and accepting appli-

cations from the beneficiary communities, "[e]nsuring the fullest participation of beneficiary groups in the planning and implementing processes," and providing some vision and direction.

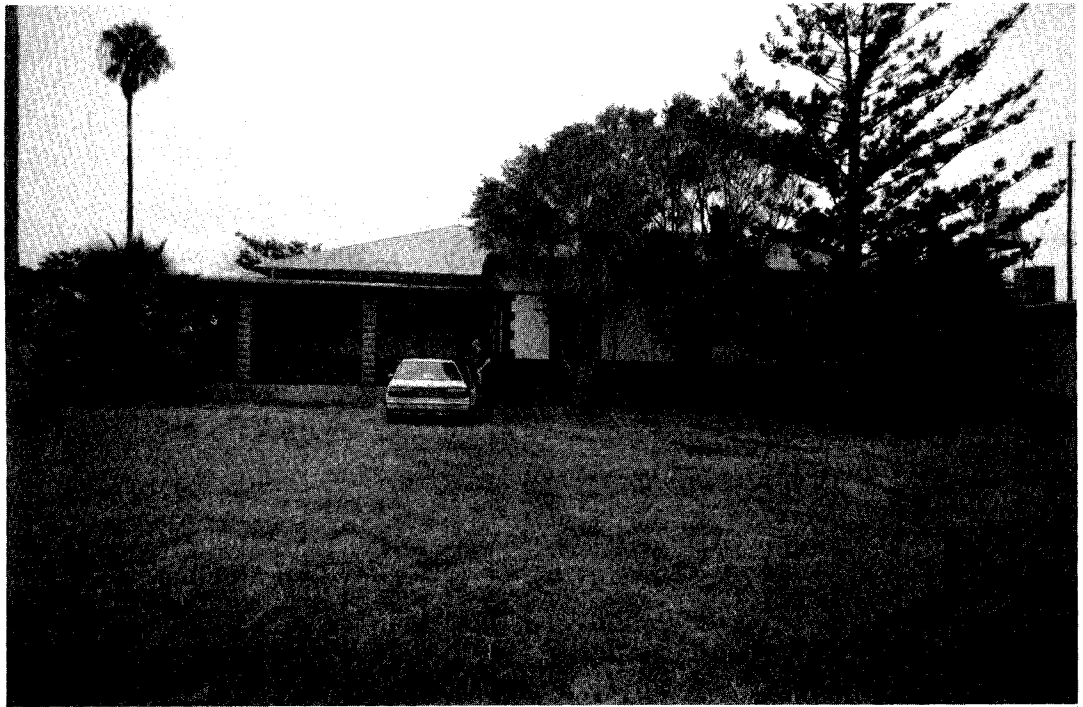
The process for selecting a planning agent began in January 1996 and four final applicants presented possible plans in April. The applicant with the most expensive plan was selected by the Steering Committee, and



Mr. van Eeden conducts a tour of Gillimberg for Ellias Mahapa and members of the District Forum.

21. Draft Employment Agreement between E. Mahapa and the Northern Province.

*Marc Wegerif in
front of the Pilot
District Office*



rejected by the Tender Board²² because proper procedures were not followed. There are still no identified qualifying criteria for beneficiary selection. Hence no application form has been produced and the program, which is scheduled to be completed by the end of March 1997 when the Agency Agreements will expire, is struggling along with no clear direction.

Some members of the Steering Committee think that the problems with the Pilot Program are basic problems of administrative incompetence. They contend that there is a basic lack of capacity to deal adequately with coordinating and planning the redistribution process within the Department of Land Housing & Local Government and with the District Office.

In January the consultant for the Land and Agriculture Policy Centre (LAPC), Marc Wegerif,²³ submitted a preliminary report on the progress of the Program covering the period 1st October 1995 - 31st January 1996. The report highlighted Mr. Wegerif's concerns about administrative and institutional problems that in his view were hindering implementation of the Program.

The most serious problems in Mr. Wegerif's view were the lack of capacity, the lack of communication between the Provincial Department of Land Affairs Office and the Steering Committee, the inability of the Steering Committee to bring the required cooperation and coordination between interested government departments, and the failure of the District Forum to communicate

with their respective communities.

What about progress of the program since this report was written? Mr. Wegerif believes that there have been some temporary improvements, the most significant being employment of the District staff. Overall, however, the program is still in chaos. "There is a lack of common vision and common approach between major players and within various departments. [Furthermore], there is a lack of senior enough commitment to make necessary changes."

Moreover, Mr. Wegerif points out, "People are caught up in defending personal interests and views rather than working towards implementing a common program."

This assessment of the Pilot Programme in the Northern Province is true. Ms. Bester noted, however, that the Pilot Program was intended to test difficult areas. Indeed, a report written by Mr. M.E. Adams of the National Department of Land Affairs points out that "the designers of the LRPP required that areas of endemic land struggle be given priority. The programme deliberately targeted areas of extreme pressure and conflict."²⁴ The Northern Province, therefore, is not alone in its slow progress in implementing the Program. In all of the Provinces the Program is rife with administrative and institutional problems.

In the coming weeks a review team, contracted by

22. All money allocated to public projects must first be approved by the government's Tender Board.

23. Mr. Wegerif was contracted in October 1995 primarily to provide part-time support to the Secretariat's efforts to implement the Land Reform Pilot Programme.

24. M.E. Adams, "Institutional Problems Encountered By the LRPP, 28 March 1996, p. 1.



Waiting for land reform in Ham

DLA to assess the institutional arrangement for land-reform implementation, will give its recommendations to the Minister of Land and Agriculture, Derek Hanekom. One of the major considerations will be whether to extend the existing agency agreements with Provincial Governments beyond March 1997 or allow the agreements to lapse and take administration away from Provincial structures.

Mr. Adams' report stresses that "it should be recognised that inadequate administrative capacity is known to be a recurring problem for land reform all over the world. The most successful land reforms are those which have been implemented under strong central authority with effective grass-roots support."

Is centralization the answer for the Northern Province? According to Mr. Wegerif, "it is very unlikely that centralization will solve the problems in the Northern Province given the ineffectiveness of the DLA's national management. There is also a need for land reform to be an integral part of rural development. Since rural development is a Provincial competence, reducing the role of the Provincial government in land reform will likely result in less cooperation and more difficulty in getting the needed support from Provincial Government."

While government officials in Pretoria and Pietersburg debate the possible solutions to the administrative and institutional problems of the LRPP, the potential beneficiaries are becoming impatient with the slow progress. An old woman²⁵ in Ham, one of the villages on the Gillimberg land, complained recently that although she had heard that there was a land-reform program in the area, no one from the district office had informed the community of what they had to do to participate in the program.

Against this background, many of the people living on Gillimberg struggle to survive on mealies (corn) that they grow during the rainy season. When the mealies are gone, there is very little else. The old woman in Ham expressed what she believes is the view of most people living on Gillimberg: "We just want to plow for our own benefit."

The Land Reform Pilot Programme has now come to represent, for this woman and many people from the surrounding communities, the possibility of access to land. This pilot, however is still waiting for its wings. In the meantime, until the government officials solve some of the administrative and institutional problems, no land redistribution will be taking flight. □

25. This woman refused to give me her name because she said her name was not important, it was only important that I tell people in America that the people here are waiting a very long time for land to plow.

Originally four areas were identified for redistribution, Dendrom, Steilloop, Moepel and Gillimberg. All except Gillimberg have now been excluded.

