

**IMPLEMENTATION OF LAND REFORM POST-SETTLEMENT SUPPORT  
PROGRAMME IN THE EASTERN CAPE: AMATHOLE DISTRICT MUNICIPALITY**

by

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Submitted in accordance with the requirements for  
the degree of

**DOCTOR PHILOSOPHIAE (PhD)**

in

**PUBLIC ADMINISTRATION AND MANAGEMENT**

at the

**COLLEGE OF ECONOMICS AND MANAGEMENT SCIENCES**

**UNIVERSITY OF SOUTH AFRICA**

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**FEBRUARY 2024**

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### **Implementation of land reform post-settlement support programme in the Amathole District Municipality**

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## **DEDICATION**

I wish to honour my late father Robert Sithembele Mfuywa and my late daughter Buchule Mfuywa through this work. I also dedicate this piece to all land reform activists.

## **ACKNOWLEDGEMENTS**

Thank you, God Almighty, for inspiring hope and faith in me. I would like to express my gratitude to my supervisor, Professor Corlia Alers, and co-supervisor, Professor Prudence Khumalo for their tenacity, wisdom, and patience. I appreciate your insistence on multiple revisions and your refusal to lower your standards.

I also like to thank the staff of the Unisa Department of Public Administration and my personal librarian, Melanie Malan. I am grateful to my mother, Nokulunga Mfuywa, for her unceasing prayers for our prosperity. I am incredibly appreciative of my wife Busi and my children Gcisa and Lunje's prayers and support.

Thank you to the Department of Agriculture, Land Reform and Rural Development, and the Eastern Cape Department of Rural Development and Agrarian Reform, for enabling me to conduct this study. The departmental staff and farmers I interfaced with, thank you for participating in my study.

Lastly, to my editors and data analysts, your professionalism and dedication is unmatched.

## **ABSTRACT**

While land reform aims to promote socio-economic growth by giving farmers the chance to engage in productive land use and by promoting investment, most land reform beneficiaries do not utilise land to its full potential. This is typically linked to the government's inadequate post-settlement support. Based on this, the study set out to determine how post-settlement support impacts black emerging commercial farmers' on-farm productivity, examine the benefits and drawbacks of post-settlement support policy in practice, and establish the obstacles which post-settlement beneficiaries should overcome in order to transform commercial agriculture.

The researcher used case studies which included government representatives from the Department of Agriculture, Land Reform and Rural Development, the Department of Rural Development and Agrarian Reform, and land reform beneficiaries. Data was collected through semi-structured face-to-face interviews with the study participants, and all ethical guidelines were followed. The interviews were guided by the interview schedule developed by the researcher, which contained questions specified in accordance with the study objectives. The inquiries made were intended to meet the study's research questions. Data from the study was descriptively analysed by developing themes and sub-themes.

The effectiveness of the legal framework for land reform depends on how well it is implemented. Post-settlement support is thought to have the ability to help improve agricultural productivity. The results show that there is inadequate budget allocation for farmer support, lack of beneficiary commitment, farmers not being fully involved in the formulation of the business plan, and underperforming implementing agencies and mentors. Attempts to help as many farmers as possible with limited resources have had little effect. Additionally, there are issues with information access in the agricultural sector, including limited access to data on market trends and production, as well as a lack of cooperation between DRDAR and DALRRD. Policy recycling occurs without considering the lessons learned from earlier policies or programmes. Additionally, there is non-adherence to some of the 7C policy implementation protocols. There is a need for an integrated farmer support package to align policy with practice, leveraging from private sector funding, an inclusive policy review process, and a review of the modes of delivery.

## **KEY TERMS**

Beneficiary, Commercial farmer, Extension support, Land reform, Post-settlement support, Smallholder farmer, Social justice

## TRANSLATION (Xitsonga): NKOMISO

Loko mpfuxeto wa misava wu ri na xikongomelo xa ku kondletela ku kula ka vanhu na ikhonomi hi ku nyika van'wamapurasi xivandlanene xa ku tirhana na ntirhiso wa misava lowu nga na ntshovelo na hi ku kondletela vuvekisi, vavuyeriwa va mpfuxeto wa misava vanyingi a va tirhisi misava leyi kufikela eka vuswikoti bya yona bya vutalo. Hi ntolovelo leswi swi xakelanisiwa na nseketelo wa le ndzhaku ka ntshamisekiso lowu nga ringanelangiki wa mfumo. Hi ku ya hi leswi, ndzavisiso lowu wu na xikongomelo xa ku kumisisa hilaha nseketelo wa le ndzhaku ka ntshamisekiso wu khumbaka hakona vutshoveri bya le mapurasini bya van'wamapurasi va xibindzu lava ha tumbulukaka va vantima, ku kambela mivuyelo na swirhalanganyi swa pholisi ya nseketelo wa le ndzhaku ka ntshamisekiso leyi tirhisiwaka, na ku tumbuluxa swihingakanyo leswi vavuyeriwa va le ndzhaku ka ntshamisekiso va bohekaka ku swi hlula ku kota ku cinca vurimi bya xibindzu.

Mulavisisi u tirhise milavisisakheyisi leyi katseke vayimeri va mfumo kusuka eka Ndzawulo ya Vurimi, Mpfuxeto wa Misava na Nhluvukiso wa Matikoxikaya, na Ndzawulo ya Nhluvukiso wa Matikoxikaya na Mpfuxeto wa Masimu, na vavuyeriwa va mpfuxeto wa misava. Switiviwa swi hlengeletiwile hi ku tirhisa tiinthavhiyu to va mi langutanile leti nga na xivumbekohafu na vatekaxiave va ndzavisiso, naswona swiletelo swa matikhomelonene hinkwaswo swi landzeleriwile. Tiinthavhiyu leti a ti leteriwa hi xedulu ya tiinthavhiyu leyi hluvukisiweke hi mulavisisi, leyi a yi ri na swivutiso leswi boxiweke hi ku fambisana na swikongomelo swa ndzavisiso. Swivutiso leswi vutisiweke a swi ri na xikongomelo xa ku fikelela swivutiso swa ndzavisiso. Switiviwa kusuka eka ndzavisiso lowu swi xopaxopiwile hi ndlela yo hlamuselaka hi ku hlawulekisa hi ku tumbuluxa mikongomelo na mikongomelotsongo.

Matirhelo ya kahle ya rimba ra xinawu ra mpfuxeto wa misava ri lawuriwa hi hilaha ri tirhisiwaka kahle hakona. Engetelo wa le ndzhaku ka ntshamisekiso wu ehleketiwa ku va wu kota ku pfuna ku antswisa vutshoveri bya vurimi. Mivuyelo yi komba leswaku ku na avelo wa mpimanyeto wo kayivela eka nseketelo wa van'wamapurasi, mpfumaleko wa vutiboheleri bya vavuyeriwa, van'wamapurasi a va khumbeki hi ku hetiseka eka vuvumbi bya pulani ya bindzu, na tiejensi na vadyondzisantirho vo simeka lava tirhaka hi ndlela ya xiyimo xa le hansu. Miringeto ku pfuna van'wamapurasi vo tala hilaha swi

kotekaka hakona hi swipfuno swo tsongahala yi vile na xitandzhaku xitsongo. Hi ku engetela, ku na swiphiso swa mfikelelo wa vuxokoxoko eka sekitora ya vurimi, ku katsa na mfikelelo wo tsongahala wa switiviwa hi mayelana na mikhuva ya le timakete na ntshovelo, xikan'we na mpfumaleko wa ntirhisano exikarhi ka DRDAR na DALRRD. Ku vuyelerisa tipholisi swa endleka ku ri hava ku tekela enhlokweni tidyondzotsongo leti dyondziweke eka tipholisi ta le masungulweni kumbe minongoloko ya le masungulweni. Hi ku engetela, ku na ku nga landzeleriwi ka yin'wana ya milawu ya matirhiselo ya tipholisi ta 7C. Ku na xidingo xa mpako wa engetelo wa van'wamapurasi lava pfanganisiweke, mfambelaniso wa pholisi na maendlelo, ku tirhisiwa xuma xo lombiwa xa sekitora leyi nga riki ya mfumo, phurosese ya nkambisiso wa tipholisi leyi katsaka hinkwavo, na nkambisiso wa tindlela ta mphakelo.

## **MATHEMEKULU**

Muvuyeriwa, n'wamapurasi wa xibindzu, nseketelo wo engetela, mpfluxeto wa misava, nseketelo wa le ndzhaku ka ntshamisekiso, n'wamapurasi wa mpimo lowutsongo, vululami bya mahangalasele ya rifuwo eka vanhu



## TRANSLATION (Northern Sotho): KAKARETŠO

Le ge tsošološo ya naga e ikemišeditše go godiša kgolo ya ekonomi ya leago ka go fa balemi sebaka sa go kgatha tema go tšhomišo ya naga ya tšweletšo le ka go godiša peeletšo, baholegi ba bantši ba tsošološo ya naga ga ba šomiše naga ka tshwanelo. Se se sepelelana le go se be le thekgo ya mmušo ka morago ga tefo. Go lebeletšwe se, nyakišišo e dirilwe go utolla ka moo thekgo ya ka morago ga tefo go huetšago balemi ba kgwebo ba bathobaso go tšweletšo ya temo, go lekola dikholego mafokodi a pholisi ya thekgo ya ka morago ga tefo mo tirišong, le go lebelela mathata ao baholegi ba ka morago ga tefo ba swanetšego go fetola temo ya kgwebo.

Monyakišiši o šomišitše dithuto tša go tsenelela tšeo di akaretšago baemedi ba mmušo go tšwa go Kgoro ya Temo, Tsošološo ya Naga le Tlhabollo ya Dinagamagae, Kgoro ya Tlhabollo ya Dinagamagae le Tsošološo ya Temo, le dikholego tša tsošološo ya naga. Data e kgobokeditšego ka dibopego tše dinnyane ka dipoledišano tša sebele le bakgathatema ba nyakišišo, gomme ditlahli ka moka tša maitshwaro di latetšwe. Dipoledišano di hlahlilwe ke lenaneo la dipoledišano leo le dirilwego ke monyakišiši, leo le nago le dipotšišo tšeo di nepilego dinepo tša nyakišišo. Dinyakišišo tšeo di dirilwego di be di ikemišeditše go fihlelela dipotšišo tša thuto ya nyakišišo. Data go tšwa nyakišišong e sekasekilwe ka go hlalošwa ka go dira direrwa le direrwana.

Go šoma ga tlhako ya molao wa tsošološo ya naga go ithekgile ka gore e phethagatšwa gabotse bjang. Thekgo ya ka morago ga tefo e tšewa go ba e thuša go kaonafatša tšweletšo ya temo. Dipolo di bontšha gore go na le tekanyetšo ye e lekanego go thekga balemi, ga go na boikgafo go baholegi, balemi ga ba kgathe tema ka botlalo go peakanyo ya kgwebo, bommaditsela le baeletši ba go se šome gabotse. Maiteko a go thuša balemi ba bantši ka mo go kgonegago le methopo ye mennyane a bile le khuetšo ye nnyane. Go tlaleletša, go na le ditaba ka phihlelelo ya tshedimošo mo lekaleng la temo, go akaretša phihlelelo ye nnyane ya data go taetšo ya mmaraka le tšweletšo, gammogo le go hloka tirišano gare ga DRDAR le DALRRD. Go bušwa gape ga dipholisi go direga ntle le go lebelela dithutwana tšeo go ithutilwego go tšwa go mananeo a dipholisi a peleng. Go tlaleletša, ga go na tshepagalo go ditshepedišo tša phethagatšo ya pholisi ya 7C. Go na le tlhokego ya sefala sa thekgo ya balemi yeo e kopantšwego, go kopanya pholisi le tirišo, go adima go tšwa go sekhwama sa lekala

la praebete, tshepetšo ya tshekatsheko ya pholisi ya kakaretšo, le tshekatsheko ya mokgwa wa go aba.

## **MAREO A MOTHEO**

Moholegi, molemi wa kgwebo, theko ye e katološitšwego, tsošološo ya naga, thekgo ya ka morago ga tefo, molemi wa polase ye nnyane, toka ya leago.

## ACCRONYMS AND ABBREVIATIONS

ACCRONYMS / ABBREVIATIONS	MEANING
ADM	Amathole District Municipality
AG	Auditor General
ANC	African National Congress
APP	Annual Performance Plan
ARC	Agricultural Research Council
AsgiSA	Accelerated Shared Growth Initiative of South Africa
CASP	Comprehensive Agriculture Support Programme
DAFF	Department of Agriculture, Forestry and Fisheries
DALRRD	Department of Agriculture, Land Reform and Rural Development
DOA	Department of Agriculture
DORA	Division of Revenue Act
DRDAR	Department of Rural Development and Agrarian Reform
DTIC	Department of Trade, Industry and Competition
EC	Eastern Cape
ESTA	Extension of Security of Tenure Act, 62 of 1997
GEAR	Growth, Employment and Redistribution Strategy
GSWA	German South West Africa
IDC	Independent Development Corporation
IDP	Integrated Development Plan
IFRP	Intergovernmental Fiscal Review Process

<b>ACCRONYMS / ABBREVIATIONS</b>	<b>MEANING</b>
IMF	International Monetary Fund
IPLRA	Interim Protection of Informal Land Rights Act
LDS	Land Development Support
LRAD	Land Redistribution for Agricultural Development
NDP	National Development Plan
NGP	New Growth Path
NLC	National Land Commission
NPM	New Public Management
PLAA	Provision of Land Assistance Act 126 of 1993
PLAS	Pro-active Land Acquisition Strategy
RADP	Recapitalisation and Development Programme
RIA	Regulatory Impact Assessment
RDP	Reconstruction and Development Plan
RLA	Restitution of Land Rights Act 22 of 1994
SLA	Strategic Land Acquisition
SLAG	Settlement Land Acquisition Grant
UK	United Kingdom
US	United States

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## CHAPTER ONE: GENERAL INTRODUCTION

### 1.1 INTRODUCTION

In addressing the imbalances of land ownership which were embraced by the apartheid regime, the post-1994 South African democratic government adopted a robust land reform programme which was anchored on redress. Unfortunately, between 1994 and 2003, there was no programme or policy which focused on post-settlement support. Eventually, in 2004, the Comprehensive Agricultural Support Programme (CASP) was conceived to provide post-settlement support to the beneficiaries of land reform. According to Werner (2001:14), while it is a necessary first step to give people access to land, this is not enough to ensure successful economic empowerment, as the government is duty-bound to create an enabling environment through post-settlement support. Khapayi (2016) also argues that the South African agricultural economy has little room for emerging farmers. Furthermore, there seems to be an inadequate support system available to support previously disadvantaged farmers, causing these farmers to be unable to take advantage of the various opportunities that the South African government has been instituting. Moreover, the South African agricultural economy grew rapidly under the previous South African government owing to the strong state subsidies and support programmes aimed at supporting commercial farmers. However, the available literature points to limited attention given to support these farmers. This research focused on examining the implementation of the post-settlement support that black farmers have received from the Department of Agriculture through CASP. The research further examined the post-settlement support which the land redistribution beneficiaries received post land transfer.

According to Rungasamy (2011:4), post-settlement support refers to the government's function and responsibility in assisting the beneficiaries of the land reform programme after they have received land. During this post-settlement period, beneficiaries must be empowered to utilise land in a manner that reduces poverty, and provides them a sustainable livelihood. Van der Elst (2009) also argued that in the South African context, post-settlement support entails a multidimensional process, with assistance

provided by the different organs of the state or government departments, to groups or individuals who have acquired or accessed land for either agricultural production or residential purposes.

Vink (2001:130) argues that the Reconstruction and Development Programme (RDP) adopted in 1994 situated land reform as central to and a vital driving force of a process of rural reconstruction and development. However, it referred rather scantily to agricultural issues, and did not highlight agricultural development, although the RDP clearly provided a sound strategic framework for agricultural development to accompany land reform initiatives by the state. Vink (2001:130) further argues that there is little doubt about the failure of South Africa's land reform programme, and there is even less doubt about the key instigators of this failure. Makombe (2018:6) notes that it is public knowledge that reform in post-apartheid South Africa is in disarray. Research also shows that most of the projects have had little or no improvement in the livelihoods of the beneficiaries largely due to poor planning and the lack of effective support. Moreover, the most essential is the fact that the policies that have succeeded in transferring land have not been supplemented with support to the beneficiaries to enable them to make productive use of the land.

South Africa's adoption and implementation of a post-settlement programme resonates with the United Nations (UN) Food and Agriculture Organisation's (2006) observation that land reform becomes more effective when, on one hand, the beneficiaries have or acquire the necessary experience in land use and management and, on the other, when the beneficiaries have the capacity to generate sustainable income or sufficient food. The Food and Agriculture Organisation (2006) postulates that rural infrastructure, improved technologies, and a range of responsive rural services, including training, are thus essential to effective and lasting agrarian reform.

Kleinbooi (2009:18) claims that the current commercial agriculture is more productive and, therefore, beneficial to the economy, and that land reform should not impede or otherwise disturb established agricultural practices. Instead, the beneficiaries would have to fit in with this model. This faith in the efficiency of large-scale agriculture tends to dominate despite evidence of the relative efficiency of smallholder production and its better impact on the distribution of food and income.

This chapter thus provides the background to the post-settlement programme, and articulates the research objectives and questions, and problem statement. It further provides the literature review and research methodology roadmap, and outlines the ethical considerations adopted in this study. The chapter concludes with a description of the significance and delimitations of the research, and the structure of the thesis.

## 1.2 BACKGROUND

The Amathole District Municipality (ADM), which is the study area, is situated in the Eastern Cape Province in the Republic of South Africa. The municipality, a district municipal jurisdictional component, is a Category C District Municipality comprising of six Category B local municipalities. This is where the target population resides and where the land reform projects are situated. According to the Amathole Integrated Development Plan (2020:7), agriculture in most parts of the ADM has not yet developed beyond subsistence due to the constraints facing agriculture in rural areas. Furthermore, the mining industry and the agricultural sector are the two main economic sectors that make up the primary sector. In 2017, the agriculture industry saw the largest increase between 2008 and 2018, with an average growth rate of 17.2%. In 2012, the mining industry increased at its fastest rate ever of 7.7%. During the 2016 era, the mining industry reached its lowest point of growth in 2009 at 10.6%, while the agricultural sector recorded the lowest growth at 16.8%. Figure 1.1 depicts the Amathole District Municipal area.



**Figure 1.1:** Amathole District Municipality map (Source: Amathole IDP, 2020/21)

According to Cousins (2016:2), the nature of the 'land question' in South Africa is inherently complex. Moreover, the post-apartheid land policies are underpinned by redress for historical injustice in tandem with creating sustainable livelihoods through production, employment creation, and equitable forms of growth. In addition, the constitutional framework for land reform was agreed in difficult negotiations. The property clause provides protection for the property rights, but land reform is defined as the 'public interest', thus allowing for expropriation at compensation levels that are 'just and equitable' rather than at market value. It gives rise to rights to security of tenure in both situations and the restoration of land taken from possession after June 1913, as well as provisions for similar remedies like substitute land or monetary compensation when applicable.

The post-apartheid South Africa faced several predicaments emanating from the injustices experienced during the apartheid epoch. One of the earliest challenges faced by the first democratically elected government was how to address the land question in the country, that is land dispossession. The South African government has shown commitment to eradicate the inequalities and injustices of the past, and has initiated a comprehensive land reform programme which has, to date, not achieved the desired results. The programme has three pillars, namely, land restitution, land redistribution, and tenure reform (Kloppers & Pienaar, 2014:15).

The constitutional basis for the land restitution programme is found in Section 25(7) of the Constitution of the Republic of South Africa of 1996, which states that "a person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress." Similarly, Section 25(5) of the Constitution of 1996 introduced the second pillar of land reform, which is commonly referred to as the 'land redistribution programme'. In terms of this Section, the state is under the constitutional duty to take reasonable legislative and other measures within its available resources, and to foster conditions which enable citizens to gain access to land on an equitable basis. Finally, tenure security is addressed through Section 25(6) of the Constitution which states that "a person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure, or to comparable redress". As a

result of these constitutional obligations, the South African government embarked on an ambitious land reform programme aimed at redistributing 30% of white-owned commercial agricultural land by 2014 to black South Africans, and settling all claims for redistribution (almost 80 000) by 2005. After these constitutional requirements, the White Paper on South African Land Policy came into effect in 1997, detailing how the land reform programme would unfold.

According to Mbao (2002:88) and Lahhif (2007:28), the White Paper established the overall land reform policy, and addressed *inter alia* the injustices caused by racially-based land dispossessions, unequal land ownership, and the need for the sustainable use of land. In this regard, the White Paper acknowledged forced removals in support of racial segregation which have caused enormous suffering and hardship in South Africa, and that no settlement of land issues can be reached without addressing such historical injustices. Based on this reality, the aim of the White Paper was to provide an overall platform for land reform consisting of the following three principal components: restitution, redistribution, and tenure reform. The government further committed itself to a land reform programme where, with specific reference to redistribution, it would not intervene in the land market. Rather than getting directly involved in the purchase of land for redistribution, the government undertook to adhere to the principle of "willing buyer, willing seller", where it would provide resources to finance market-led redistribution transactions without becoming the owner of the land.

According to Mbao (2002:89), although land reform aims to contribute to economic development by both providing the beneficiaries with the opportunity to engage in productive land use and increasing employment opportunities through encouraging greater investment, most agricultural land reform projects are not using land productively and the envisaged growth in employment has not materialised. In most instances, the major cause for the unproductive use of land is the lack of financial and institutional support from the government to land reform beneficiaries. This is despite the acknowledgement in the White Paper on South African Land Policy that, without a programme of state support and targeted intervention, land reform will not be possible. The White Paper also acknowledged that the long-term success and sustainability of the land reform programme is, to a large extent, dependent on the ability of the potential beneficiaries to be able to access the programme easily, and to have a clear understanding of what assistance they can get from the government. Based on this



assertion, the government had to come up with a strategy to respond to the post-settlement support challenges facing land reform beneficiaries.

In 2003, the national Department of Agriculture and the nine provincial Departments of Agriculture, supported by the national and provincial treasuries, conducted a fiscal review of the agricultural sector. The purpose of the review was to identify the cost drivers and the spending pressures within the agricultural sector. Through this Intergovernmental Fiscal Review Process (IFRP), the assessment of the agricultural budget and key deliverables such as training and capacity building; on- and off- farm infrastructure development; technical advice assistance and marketing; and business development, were identified, including some of the constraints that hindered service delivery (CASP Report, 2003-2005). The IFRP further made a key observation, that there was insufficient provision made for farmer support within the agriculture budget. In addressing this shortfall within the limited budget, several strategies were identified. These included the Comprehensive Agricultural Support Programme (CASP) which was prioritised by the joint committee for implementation during 2004 (CASP Report, 2003-2005).

The Comprehensive Agricultural Support Programme (CASP) was then initiated in 2004 as a strategy by the South African government to provide post-settlement support to the farmers who benefitted from the land reform programmes and farms acquired through private means. This programme focused on six pillars, namely, market access, financial access, capacity building and training, on- and off- farm infrastructure development, information and knowledge management, and technical and advisory assistance, and regulatory services. According to the CASP Progress Report (2004:7), this programme is targeted to assist the following levels of clients within the farming continuum:

- i. subsistence and household food producers which are supported through food production.
- ii. farmers supported through farm level support which include the beneficiaries of the land reform strategic programmes such as restitution, redistribution, and tenure reform.
- iii. agricultural macro-system within the consumer environment which includes the commercial farmers to ensure that business and the regulatory

environment is conducive to support agricultural development and food safety.

Cousins (2012:176) argues that one crucial element of land reform is the support provided to new owners of land to become productive users of such land. Relevant and timeous support is particularly important for poverty reduction, and to allay fears that land reform will undermine production for local or export markets. Post-settlement support involves credit, farming inputs, water for irrigation, marketing arrangements, information, and training. Combining these components of land reform in a coherent and effective manner is extremely challenging. More specifically, in South Africa, land reform is undertaken by the Department of Rural Development and Land Reform, while post-settlement support is the responsibility of the Agriculture Department, and water supply is under the Department of Water Affairs. However, the three departments find it difficult to work together to support the beneficiaries of land reform.

Sebola (2018:1) argues that access to agricultural finance is a known problem in sub-Saharan Africa, which significantly compromises Africans' ability to sustain themselves economically through agricultural projects. Moreover, the South African government introduced land reform programmes to change the status quo in an effort to ensure that agriculture makes a meaningful contribution to the economy without racial and gender bias. However, there appears to be chronic problems, as the land reform seems unable to address the failure of the agriculture development to benefit black South African farmers. To date, the South African agricultural economy is shrinking and has not delivered according to expectation in terms of economic growth, rural development, job creation, equity, and transformation.

### **1.3 PROBLEM STATEMENT**

Substantial land has been transferred to black farmers through the land reform programmes. While land reform intends to stimulate socio-economic growth by affording farmers an opportunity to engage in productive land use and creating employment opportunities through encouraging investment, most land reform projects are not utilising land optimally (Metro, 2021:30). In most of the cases, this is attributed to the insufficient post-settlement support provided by the government. Land reform

success and sustainability is impossible without this support. Little and insufficient attention has indeed been given to creating enabling environments for farmers to make success out of these lands (Gandidzanwa, *et al.*, 2021: 6). The research problem for this research is as follows: Insufficient land reform post-settlement support is provided by the government to black land reform beneficiaries, specifically in the Amathole District Municipality.

#### **1.4 RESEARCH QUESTIONS**

A case study, namely the Amathole District Municipality in the Eastern Cape Province, and several research questions, were used to respond to the research problem. The following research questions are based on the identified problem statement:

- Which theories and perspectives in the Public Administration discipline influence land reform post-settlement support in South Africa?
- What does literature say about land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation?
- What is the appropriate research design and method to investigate the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries, specifically the medium and commercial farmers in the Amathole District Municipality?
- What is the legislative framework that governs land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation in South Africa?
- Is there a disconnect between post-settlement support policy and practical practice in the Amathole District Municipality in the Eastern Cape Province?
- How does post-settlement support influence on-farm practices among emerging black commercial farmers in the Amathole District Municipality?
- What challenges are the CASP beneficiaries facing, and what are the implications of these challenges on commercial agriculture transformation?
- What recommendations can be made for the improvement of the implementation of the land reform post-settlement support programme?

## **1.5 RESEARCH OBJECTIVES**

Against the background information, the main purpose of this research was to establish the sufficiency and inadequacies of the post-settlement support provided by the government to black land reform beneficiaries in the Amathole District Municipality in the Eastern Cape Province. The following objectives were identified to achieve the main purpose of the study:

- To evaluate theories and perspectives in the Public Administration discipline that influence land reform post-settlement support in South Africa.
- To analyse, collect, and review the literature on land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation.
- To determine the most appropriate research design and method to investigate the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries, specifically the medium and large scale commercial farmers in the Amathole District Municipality.
- To critically analyse the legislative framework that governs land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation in South Africa.
- To evaluate disconnect between post-settlement support policy and practical practice in the Amathole District Municipality in the Eastern Cape Province.
- To assess the extent to which post-settlement support influences on-farm practices among black emerging commercial farmers in the Amathole District Municipality.
- To examine the challenges faced by post-settlement beneficiaries and the implications of these challenges on commercial agriculture transformation.
- To come up with recommendations for the improvement of the implementation of the post-settlement support programme.

## **1.6 ETHICAL CONSIDERATIONS**

The researcher considered ethical issues before undertaking the study which were of cardinal importance to comply with. There were no major ethical problems encountered during the study. The standard ethical guidelines concerning voluntary participation, informed consent, participant anonymity, confidentiality, and respect for the cultural practices and norms of the research were upheld throughout the data collection and analysis process. In accordance with University of South Africa requirements, the researcher applied for and was granted ethical clearance to conduct the study. As a result, the researcher adhered to all relevant elements of the University of South Africa research ethics code.

## **1.7 SIGNIFICANCE OF THE STUDY**

The transfer or lease of land to most landless people in South Africa is a critical issue for land reform. The research is thus significant for South African public administration, as the country is still battling with land reform and the post-settlement support thereof. Policymakers, civil society, land reform beneficiaries, and government officials needed to engage on these issues because in many cases, the success of land reform is judged by what happens when land is given to the poor people who previously did not have access to it. This issue was important not only because of the amount of time and money that the government has put into the implementation of land reform, but also because of the people of South Africa whose livelihoods are dependent upon having access to land and its productive resources. If land reform is well planned and implemented, it has the potential to contribute to local economic development and poverty alleviation through its multiplier effect. The research thus serves as a reference guide to stakeholders, students, and researchers in Public Administration who require information on the nature, perceptions, and realities with regard to the land reform process and post-settlement support. The research also stands to benefit the current debates on amending Section 25 of the South African Constitution. Land reform success is constrained in the absence of a substantial post-settlement support. It appears to be challenging for the black emerging or smallholder farmers to participate in the mainstream commercial agriculture without farmer support. There is a need to leverage funding from the private sector in an attempt to augment government resources and foster partnerships. A bottom-up approach must be

preferred when developing new policies, and this must be preceded by a 'lessons learnt' process which is informed by land reform beneficiaries and officials implementing the programme.

## **1.8 DELIMITATION OF THE STUDY**

Delimitation was used to elucidate the determination of the boundaries of the study, survey area, and time-frame. The post-settlement support study has been approached from different disciplinary viewpoints. However, this study is confined to Public Administration. The study is mainly focused within the Amathole District Municipality area in the Eastern Cape. According to Muhammad (2023), limiting the study within a geographical area ensures that the study is focused and the scope is well-defined. Furthermore, delimitation also increases validity by establishing the parameters of the investigation of the research. This also helped the researcher to better control extraneous variables that would otherwise distort the results when they create explicit criteria for inclusion and exclusion. Moreover, it also increases generalisability by determining how well it can be applied to other situations. Moreover, this was accomplished by providing information on the sample size, research area, and time-frame to estimate the research outcomes more accurately. Through establishing realistic parameters, the study's delimitation improved its viability and ensured that it would be completed in the allotted time and with the available resources.

## **1.9 STRUCTURE OF THE THESIS**

### **Chapter 1: Introduction**

This chapter provided the introduction and background to the study, problem statement, research questions, objectives, ethical considerations, significance, and limitations of the research.

### **Chapter 2: Theoretical framework**

This chapter focuses on a neoliberal set of concepts, and new public management and social justice concepts to examine the state driven post-settlement support in South Africa. The examination of the merits and limitations of post-settlement support

within a neoliberal paradigm is motivated by the fact that South Africa's land reform and redistribution approach is being done within the market fundamentalism approach.

### **Chapter 3: Literature review**

This chapter reviews the following four aspects: history of land reform, political agenda in land reform, post-settlement support, and development theory on land reform. It also draws comparison on land reform in South Africa and in other African states such as Namibia and Kenya.

### **Chapter 4: Legislative framework**

This chapter discusses the legislative prescripts which guide the South African land reform programme. It also focuses on the post-settlement programmes targeting the land reform programme.

### **Chapter 5: Research methodology and methods**

This chapter explains the methodology deployed in gathering primary data from the target population. The chapter further clarifies the research approach, methods, data collection tools and instruments, and the sampling technique employed to collect qualitative data for the research.

### **Chapter 6: Presentation, analysis and discussion of findings**

This chapter presents and discusses the results according to the themes which emerged from the research sub-objectives and the participants' responses.

### **Chapter 7: Conclusions and recommendations**

This section provides recommendations based on the research findings. It further suggests policy and practical application recommendations.

## **1.10 CHAPTER SUMMARY**

This chapter provided an overview and introduction to the study on land reform post-settlement support. The chapter articulated the problem statement, and the research objectives and questions. The importance of the study and its limitation were also discussed, along the ethical considerations which the researcher adhered to.

## **CHAPTER TWO: THEORETICAL FRAMEWORK**

### **2.1 INTRODUCTION**

This chapter investigates the state-driven post-settlement support in South Africa using neoliberal notions such as the New Public Management and social justice principles. South Africa's land reform strategy is founded on market fundamentalism. This chapter, therefore, also aims to trace the theoretical roots of New Public Management (NPM) in relation to how the government addresses land issues. It does so by focusing on the market-led land reform paradigm which incorporates several private-sector ideas. The chapter also attempts to respond to the research question, 'Which theories and perspectives in the Public Administration discipline influence land reform post-settlement support in South Africa?'

### **2.2 THEORETICAL ORIGINS OF THE NEW PUBLIC MANAGEMENT**

The seminal New Public Management (NPM) is characterised as a marriage of two opposing strands of thought. The new institutional economics is one aspect, which includes public choice theory and principal-agent theory organisations in the private sector and institutions in the markets. Furthermore, the new institutional economics movement aided in implementing a set of administrative changes based on contestability, user choice, transparency, and a focus on incentive structures. The NPM develops a collection of reform doctrines based on professional management knowledge, high discretionary power to achieve objectives, and ensuring higher organisational performance through the formation of appropriate cultures and the active measurement of organisational outputs. The administrative system was seen as an impediment to good public sector management. It led to the following two competing approaches to new public management: (i) giving managers more flexibility because the administrative system is seen as an impediment to good public sector management, and (ii) holding bureaucrats accountable for results because they are seen as utility maximisers who require incentives to do a good job (Hood, 1991:4).

Dzimhiri (2008:4) believed that the New Public Management paradigm arose to implant a new approach into traditional public administration due to the state's



changing role and increased expectations for good governance around the world. The approach further focuses on improving efficiency, productivity, service delivery, and accountability by emphasising a results-oriented approach rather than the process-oriented approach of traditional public administration. Furthermore, it argues for the expanded use of the private sector and non-governmental organisations as alternative service delivery systems, rather than relying solely on government bureaucracy. The NPM further advocates for de-bureaucratisation, offloading, downsizing, or rightsizing the government bureaucracy, increased reliance on the private sector, service delivery through contracting out and outsourcing, public-private partnerships, competition and reliance on market forces, and the establishment of an independent regulatory authority.

Fungurai (2019:2) also states that since the 1990s, the Bretton Woods Institutions and their supporters have urged developing countries to implement NPM to enhance public sector performance, including more efficient service delivery. As a result, the NPM has become a dominant discourse in both academia and practitioners when considering public sector reforms. Among other things, it delves into enhancing management which investigates decentralisation, disaggregation, and downsizing. Furthermore, it is a results-driven managerial approach that is premised on effective and efficient performance management. In addition, some of the key features of NPM are market-driven approaches which include outsourcing, contracting out, and adopting private sector management techniques.

Chipkin and Lipietz (2012:21) raised an important, stating that South Africa's post-apartheid state coincided with major global transformations in public sector methods and operations. The major task that faced the African National Congress (ANC) when it took power in 1994 was to reform South Africa's socioeconomic trajectory. Moreover, the rising industrial sector was thought to constitute the conditions for an open, vibrant, and competitive economy by the end of the 1990s.

The NPM's most important features are, according to Ferdous (2016:3):

- A shift in the focus of management arrangements and efforts away from inputs and procedures, and toward outputs and results.

- A shift in scale and magnitude, particularly in the process of arranging 'performance indications' and/or clearly defined 'principles'.
- More widespread distribution of market-type tools for the delivery of public services.
- Decentralisation and lean/flat organisational models becoming more popular.
- Preferring contract-like relationships such as the use of private sector service providers.
- Customer service and a focus on quality.
- The edges between the commercial, public, and non-profit sectors being distorted.
- Based on value, preferring individuality and competence instead of parity and diversity.

As part of a larger global neoliberal focus on policy and public administration, NPM rose under the Thatcher and Reagan governments in the UK and US respectively. The NPM-inspired reform spread widely and was supported in part by the World Bank and the International Monetary Fund (IMF) structural adjustment programmes. Despite the regional differences in the breadth and depth of the changes, NPM reforms are grounded on comparable economic theories and moral norms, prioritising economic efficiency and budgetary control for the government. The goals of these changes are frequently characterised as being to increase government responsiveness to citizens, maximise the effectiveness of limited public resources, and bring decision-making closer to the people who make up the public sector (Eakin, Eriksen, Eikeland & Øyen, 2011:4).

Ferdous (2016:6) argued that towards the end of the twentieth century, there was an uprising in public administration that was as significant as that which occurred at the turn of the nineteenth century when Weberian bureaucratic concepts began to influence numerous administrations around the world. The NPM's further principle was proposed as a viable solution for making public sector administration more effective, functional, and responsive in both developing and developed countries. Moreover, the

NPM is a novel approach to public management that establishes a new relationship between the government, the public sector, and the community. However, there have been unprecedented reorganisations and changes in the public sector for a variety of reasons. Furthermore, the old model of public administration has been replaced with a novel model of public management. The changes that are brought by the NPM are far more than just the reorganisation of the public sector. They are substantive and refer to differences in how government delivers services, differences in the space available for governmental movement, variations in traditional accountability mechanisms, and differences in the theoretical study of the public sector.

According to Eakin, *et al.* (2011:314), the focus on efficiency in public service has had its fair share of challenges and, in most instances, such impediments were not anticipated. As a result, they have had unintended consequences. The NPM has implications for participatory and democratic decision-making, including whether it hinders opportunities for addressing complex, long-term, and multisectoral problems; whether it weakens accountability in public agencies; and whether it causes a government to lose moral legitimacy because it places a high value on economic efficiency above all else. Moreover, this is also the result of the infusion or overreliance on the private sector principles which, in some instances, may erode the social development agenda and cripple government capacity. The streamlined decision-making has also led to diminished accountability. The government's outsourcing of crucial jobs is also blamed for the lowest level of citizen participation and a deterioration in policy debates. However, contractual terms are frequently primarily self-serving for the private actor, bypassing and undermining the NPM motivating principals of improved efficiency. Additionally, market-driven NPM strategies are created with consumer satisfaction rather than active citizens in mind.

Eakin *et al.* (2011:312) further postulate that even though the NPM advocates decentralising decisions and reducing bureaucratic barriers to decision-making, observers often witness a counterbalanced centralisation of power and control. The centralisation that hinders public engagement is presumably a result of adopting private-sector incentive structures and management-focused business practices. However, the concomitant worry that the implementation of NPM has diminished the ability of public agencies to handle complicated issues has emerged in part because of the emphasis of public administration on certain operational objectives with

quantifiable indicators and tangible results. Moreover, this shift in emphasis has had the effect of lessening public sector attention on achieving complicated goals and an increasing emphasis on achieving more measurable one-dimensional outcomes.

The genesis of the NPM is linked with growing public and intellectual dissatisfaction with the size, scope, and role of the government, as well as rising taxation. It has also led to restrained government growth or capacity, and a move toward privatisation. This is evident in how the government has been outsourcing its core functions to private service providers. In many instances, this has not brought efficiencies as the theory suggests; instead, it has fuelled corruption in public services (Gumede & Dipholo, 2014:47).

Seemise (2017:11) also argued that public sector reforms were premised on improving service delivery and improving people's livelihood, especially the poor. This was to be achieved by making state or government institutional apparatus market-friendly, lean, managerial, decentralised, and customer-friendly. These are among the key tenets of the reforms that emerged in South Africa post-apartheid to enhance the quality of the life of the citizens, and create new government machinery to establish an efficient and effective management system. For this reason, the strategy was viewed as a new paradigm aimed at promoting the ideals of decentralised, democratic, and market-oriented government. Additionally, this new paradigm suggested that South Africa's old public administration was not democratic and free-market oriented, and was unsuccessful in transforming the country's institutional, administrative, organisational, and structural environments. In developing nations, a state's capability is a requirement for successful implementation of reforms. However, it seems that South Africa lacks the managerial abilities and resources necessary to implement complex reforms. Proof of this manifested in the macro-economic policies which have struggled to change South Africa's economic architecture.

### **2.3 MANAGERIALISM**

Managerialism in public management has been fuelled by the same dynamics that drive the private sector such as a greater emphasis on economy and efficiency in terms of the link between revenues and expenditures. Huge focus is put on the quality of the goods and services. Managerialism is implementing private-sector management

techniques in the public sector (Rauskala, 2003:8). According to Shepherd (2018:5), managerialism can be defined as the pursuit of a set of management principles. As such, it represents a particular worldview or ideology which is defined as a consistent integrated pattern of thoughts and beliefs explaining man's attitude towards life and his existence in society, and advocating a conduct and action pattern responsive to and commensurate with such thoughts and beliefs. An ideology, in this sense, is action-oriented to influence public opinion, as well as to justify and legitimise a course of action. It is perpetrated by managers or management, who systematically embed themselves in an organisation, and it is spread and legitimised by the business school curriculum. Moreover, the managerial perspective emphasises management's objectives and the function of specific managers in the administration of organisations. Managerialism, which emphasises management's unique contribution, rights, and capabilities, is self-evidently in the managers' best interests.

Shepherd (2018:6) argues that managers may use the mantra of excellent management practice to support their liberty, much like academics do with academic freedom because managerialism serves their own goals. Moreover, managerialism can be related to professionalism as an ideology in that both are normative systems governing what constitutes useful information, who has access to it, and who is authorised to operate in what capacity as a manager. It is further described as the process of putting managerial ideas into practice. This is achieved through the application of specific techniques or control technologies in the form of practical measures, such as target setting or performance management, new organisational structures, or propaganda and persuasion designed to effect cultural change. Its description as an ideology does not necessarily imply a close connection between the ideas of managerialism and that of any specific political party. However, it took more than simply tenacious activists to adopt managerialism. Rather, several diverse interests may have been involved, including those who felt they had no choice or who believed they may benefit. In the same way that neoliberalism originates from public choice theory, managerialism descended from FW Taylor's scientific school of management.

Gumede and Dipholo (2014:46) postulated that, the two key tenets of NPM place emphasis on market and competition, and managerial development and

organisational restructuring. Moreover, in the post-apartheid regime South Africa has undergone public sector reforms aimed at increasing accountability, efficiency, and competitiveness. Furthermore, to ensure that these reforms succeed, an important step was taken to bolster and restructure the State-Owned Enterprises (SOEs) to boost financial and economic performance.

Managerialism looks to be strongly ingrained in the global market, drawing extensively from global trends, and can be considered as a tool to give policies legitimacy. South Africa, therefore, seems to be integrated into the world market of advanced economies. Additionally, the government is designed to institutionalise implementation methods imported from the west, and failure to do so can make the nation appear outmoded. An illustration of the neoliberal managerialism impact may be seen in the 1995 White Paper on Education and Training, which states that South African education is necessary to deal with the reality of global trends, global technologies, and expanding economic markets (Coetzee, 2019:4).

According to Hoque and Zakaria (2014:27), in order to ensure the economical and effective management of the public sector, South Africa, like all other countries in the global south, must overcome a plethora of obstacles. The effectiveness of public servants, the standard of public services, and corruption are among the most significant issues facing the public sector. One illustration of this is the annual lamentation made by the Auditor General over maleficent in public service. Furthermore, the public sector must be reformed and restructured, but these efforts amongst other things may be hampered by a lack of political will, incompetence, the politicisation of the administration, bureaucratic processes, and factional conflicts. An example of this would be preference of political affiliation than meritocracy in appointing people in key positions in government. Furthermore, public sector reform is also required to establish a fundamental framework for governance, design democratic institutions, advance and strengthen civil society, and transform interactions with the public to effectively manage resources and societal affairs. The South African public service frequently exhibits political instability and the abuse of authority. Additionally, state development agencies are unable to meet the goal of development promptly due to needless bureaucratic procedures, and the government struggles to provide fundamental needs to the citizens.

## 2.4 PUBLIC CHOICE THEORY

Blais and Dion (1992:89), in their seminal work on NPM, argued that the public choice theory refutes the idea that government can efficiently repair market failures, claiming that if the public sector, notably public personnel, monopolises service delivery, the result will be an inefficient and ineffectual government. The public choice theory states that when contracting is permitted, market pressures result in higher performance. Furthermore, proponents of contracting have long been motivated by public choice theory and related arguments. In addition, the benefits that are not generally considered are efficiency and efficacy. Contracting out on one hand, and controlling competition on the other hand, can be considered as a way of testing public choice theory's assumptions against reality in government.

Knafo (2020:6) argued that the emergence of NPM has long been related to the managerial turn under neoliberalism, a term that refers to a broad set of administrative reforms that occurred during the 1980s which include the rise of audits, governance standards, and performance management methods. The NPM is commonly viewed as promoting new types of entrepreneurial management that are focused on results and are typically in opposition to the existing bureaucratic techniques based on due processes. In this regard, public management is sometimes compared to a market model which emphasises efficiency improvements through performance management and increased competition. Moreover, the influence of neoliberal theories, particularly public choice theory which is widely recognised as a crucial pillar of this approach, has been traced back to the roots of these activities. Furthermore, the major practical implication of an abstract bureaucratic model has rarely been implemented as widely as it has been with public choice. However, the NPM identifies public choice theory as one of the two foundations of the new managerial techniques sweeping Western countries. Based on these perspectives, performance management fulfils two crucial duties in the framework of public choice theory. It ensures that citizens get a fair return on their tax payments, and helps to develop market-like incentives. Performance management is considered an important part of NPM's aim to remake the public sector in the image of the market by building quasi-markets through administrative means.

However, Gumede and Dipholo (2014:47) argued that there is little correlation between costs and outcomes in the public sector. For instance, it has been argued

that the South African public sector's performance reward system is not designed to improve performance and, as a result, there are no incentives for politicians and bureaucrats to control the costs of government operations. Moreover they also argue that, public administration in South Africa is extremely slow, lacking in greater responsiveness, allocative inefficiency, distributive incapacity, and inadequate re-distributive efficacy.

## **2.5 PRINCIPAL-AGENT THEORY**

According to Boven, Robert and Gooding (2014:9), the Principal-Agent theory embodies a tradition of rational choice modelling in which one actor, the principal, uses whatever actions at their disposal to incentivise another actor, the agent, to take the decisions that the principal finds most desirable. The principal-agent theory is a natural framework to study accountability in political institutions because it focuses on how responsive the agent's decisions are to the principal's goals, and how the responsiveness is mediated by actions available to each actor, as well as the institutional settings in which they interact.

The challenge of the principal-agent theory is how to influence the public servant, who is referred to as an agent, to act in the best interests of the citizens who are represented by the elected leaders referred to as the principal. Moreover, principal-agent theorists often discuss the areas of concern, including the fact that the agent has more informational expertise than the principal, as well as different interests from the principal. Agency costs, a type of transaction cost, include the costs of monitoring agent performance to ensure compliance with the desires of the principal. The market-led approach to the government's fundamental principal-agent presumptions contends that because of its ineffective organisational structure, the bureaucracy is unable to function efficiently. The proponents of the theory argue that inefficiency can be improved if incentives in the public sector are altered to match those present in the marketplace (Blanchard, Hinnant & Wong, 1998:498)

Gumede and Dipholo (2014:46) state that, the principal-agent theory holds a view that because of insufficient information, incomplete employment contracts, and difficulties with monitoring behaviour, the public cannot hold politicians and bureaucrats accountable for their actions. However, due to the monopoly of public services, an



incomplete understanding of the services and the interests of public employees, and the huge transaction costs related to monitoring comprehensive contracts, it is difficult to demand accountability and good performance from public servants. Moreover, it has become extremely critical to introduce competition in the delivery of public services and reduce monopoly. The government performance in providing some essential services such as energy generation has been lacking, and this has turned into a significant threat that could cause the economy to collapse. This can be attributed to complacency, incompetence, corruption, and inefficient policies. The foregoing forces for change have led to increased pressure on the state's function and institutional makeup to be more market- and management-oriented, with a focus on getting more done with fewer resources.

The preceding parts describe how NPM rose, and how it has influenced the way the government conducts its business. South Africa was on the eve of freedom when the NPM was gaining traction, implying that global trends would not spare its post-1994 public sector reforms. In terms of land reform, the constitution and subsequent land policies are premised on market-based land reform. Furthermore, in land acquisition, private partners or contractors play an essential role in conducting a property valuation, conveyancing, infrastructure support, litigation for land rights, and research. Performance agreements with specified targets are expected to be signed by public officials and political heads. The next section discusses how market-based land reform works.

## **2.6 MARKET-LED LAND REFORM**

The international context in many regions of the world changed dramatically towards the end of the 1980s. The consolidation of neoliberalism, fuelled by a growing number of global interests and actors, became the central reference point for agricultural policies supported by several countries. Furthermore, large conglomerates were encouraged to invest in the agro-industrial sector as policy changed toward a market economy. This was aimed at boosting productivity, which had been dwindling before the 1980s (Castellaneta & Diepart, 2015:5).

Monbiot (2016) postulates that neoliberalism has, in many instances, led to the privatisation of public goods and services such as energy, water, railways, health,

education, and highways, among others. In addition, where neoliberal policies cannot be implemented locally, they are imposed globally through trade treaties. As a result, for example, when governments take a protectionist stance such as prohibiting pharmaceutical corporations from ripping off the government, huge businesses have frequently sued successfully. This is also evident in how the Covid-19 vaccine procurement was centralised and influenced by the West.

The current agrarian reforms can be viewed as part of neoliberalism's ascendancy, given market liberalisation and the broader transformations in South Africa. Moreover, neoliberalism defends the extension of contractually defined market relations and free trade through a sense of individual entrepreneurial freedom, both as a theory and as a class objective. Neoliberalism develops into a worldwide meta-culture that is representative of the recently deregulated, unsettling, and speculative times (Bolt, 2016:4).

According to Mukarati, Mongale and Makombe (2020:48), there are multiple and complementary methods that can secure access to land for the rural poor. However, the most popular approaches to rural land redistribution are state-led and market-assisted land reforms. The state plays a key role in pushing land reform projects under the state-led reform method. This type of land reform involves a central authority that acquires and redistributes land to selected beneficiaries. State-led changes are most common in nations with considerable land property concentration, significant social and economic inequality, deplorable rural poverty, and widespread landlessness. The market-led land reform concept asserts that, under certain conditions, markets can endogenously lead to equal and efficient land asset allocation, and can thus be alternatives for state-led reforms. The beneficiaries of a market-assisted land reform receive a combination of grants and loans, which they utilise to negotiate the purchase of land from willing sellers. This type of land reform is based on the idea that there is an inverse relationship between farm size and output per unit of land, as well as the reality that the land market is regressive for the resource-poor.

This market-led land approach also finds expression within the South African Constitution of 1996 Section 25(2) which allows for property to be expropriated "in the public interest," and Section 25(3) which requires that "just and equitable"

compensation be determined having regard to all relevant circumstances, including the:

- current use of the property;
- history of the acquisition and use of the property;
- market value of the property;
- extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
- purpose of the expropriation.

Even though South Africa uses a pro-market land reform, the state is the main player in land acquisition. It is the state that predominantly buys the land, redistributes it, and provides grants to targeted land applicants that include the poor and marginalised, as well as women from previously disadvantaged backgrounds. This, on its own, is the first contradiction of South Africa's land reform model because neoliberalism is against state involvement in markets and the subsidisation of agricultural activities. The state's involvement in land reform, redistribution, and post-settlement support is thus against the 'letter and spirit' of neoliberalism market fundamentalism. Secondly, one of the major arguments by the pro-market critics of classic state-led approaches to agrarian reform is that any state involvement in land reform and agricultural activities will result in the wasteful expenditure of taxpayers' money on farming grants and subsidies, with no tangible productivity on farms by the new landowners or tenants (Cousins & Scoones, 2009:15) . This argument by pro-market land critics is central to this research as it seeks to understand the level of state support to new landowners provided under the post-settlement programme, the merits and limitations of the post-settlement support, and how the support can be modified to derive maximum output.

## **2.7 THE 'WILLING SELLER, WILLING BUYER' PRINCIPLE**

According to Kepe (2016:16), the market-based or 'willing buyer, willing seller' approach was promoted by the World Bank during its mission to South Africa in 1993. It draws its interpretation of successes and failures in Kenya in the 1960s, and Zimbabwe in the 1980s. While it appears nowhere in law, this principle has underpinned the practice of land redistribution in South Africa in the absence of a new Expropriation Act and its use, and despite provisions to the contrary in the Constitution.

The 'willing buyer, willing seller' loosely describes how the land has been identified and acquired for redistribution, and how land prices are determined within South Africa's market-based land redistribution process since the 1990s. The 'willing buyer, willing seller' is premised on non-interference with land markets and the state's unwillingness to expropriate land for land reform or to enter the market as a market player; reliance on land owners to make land available for sale; self-selection of beneficiaries; and the purchase of land at market price. The market-based approach is characterised by a preference for commercial forms of production and a significant role for the private sector in providing services such as finance and extension to beneficiaries. The market-led approach, as implemented in South Africa, offers land owners absolute discretion on whether to sell their land, to whom they sell it, and at what price, with the result that most land that comes onto the market is not offered for land reform purposes.

Dlamini (2016: 152) also contends that land redistribution in South Africa has always revolved around the willing buyer-willing seller strategy. During the 2005 Land Summit, there were sharp disagreements on whether this technique was successful or not. On one hand, landless people's groups, civil society, and non-governmental organisations urged that this principle should be scrapped, claiming that it stifles the land redistribution process. Large-scale commercial farmers, on the other hand, were adamant that this idea should not be abandoned since it is effective. The approach and conviction of commercial farmers in this regard match what radical political economists describe as a goal to guarantee conditions that favour capitalist accumulation by lowering the cost of labour while physically driving peasants from the land and erasing them from history.

The White Paper on South African Land Policy (1997:9) also postulates that the government attempted to consider the vastly divergent demands of many stakeholders, as well as the ramifications of any certain course of action on the land market and investment in South Africa when crafting its land reform policy. The government is dedicated to a land reform initiative based on the willing-seller willing-buyer principle. Rather than directly participating in property acquisition for the land redistribution scheme, the government will provide subsidies and services to help the poor buy land. The government's approach entails a single, yet flexible redistribution

mechanism that can benefit a wide spectrum of land reform beneficiaries, including the very poor, labour tenants, agricultural labourers, women, people, and new entrants to agriculture. The system can be tweaked to fit changing conditions, and it is based mostly on voluntary transactions between willing buyers and sellers, which should result in distributed property acquisition and settlement, rather than block settlement in specified regions. Expropriation will be utilised as a last resort when urgent land needs cannot be addressed through voluntary market transactions for different reasons.

Young (2017:46) postulates that the National Land Summit in 2005 called into question the several of the pillars of the policy and regulatory framework in place at the time. For example, it was decided to reassess the government's policy of not intervening in the land market. In other words, the 'willing buyer, willing seller' approach was seen as a roadblock to the land reform project's progress, according to critics who claim that no study has been given by the government to back up this claim. However up to date, the *modus operandi* is still the same – the state is still central to land reform, and market fundamentalism still prevails.

Since 1994, the idea of a willing buyer and a willing seller has dominated the discussion of land reform in South Africa. It may be said to be one of the key features that define the South African land reform programme. This seemingly straightforward idea has been crucial to the government's perspective on land reform, but it has also evolved into a divisive ideological issue that some do not accept while being seen as non-negotiable by land owners.

## **2.8 POST-SETTLEMENT SUPPORT**

According to the White Paper on South African Land Policy (1997:63), the state can help the land reform beneficiaries in two ways. The first is to help with the flow of funds into a new market that is struggling and where the private sector may be reluctant to risk its money. The state's second possible area of assistance is to help the land reform beneficiaries and entrepreneurs get back on their feet by providing training and a set of conditions that help them, particularly in the initial few years of their enterprise. Moreover, post-settlement support can be provided in the form of financial support, education, training and capacity building, establishment, and the maintenance of

physical infrastructure, as well as expertise in agricultural assistance. Support services or complementary development support was specified in the 1997 White Paper to include assistance with productive and sustainable land use, infrastructure support, farm credit, agricultural inputs, and access to markets for farm outputs.

The failure of smallholder farmers, especially the land reform beneficiaries to migrate to commercial levels is a fundamental impediment to the agricultural sector's development in South Africa. In Africa, 50% to 70% of the farmers fail to make the shift to commercial farming. As has been widely documented in the literature, the challenges which small farmers encounter stifle both production and marketing, limiting their expansion. These farmers frequently lack access to infrastructure, inputs, and markets, putting them at risk and resulting in low output quantities and incomes. They have notably high transaction costs, which are mostly due to poor infrastructure and a lack of storage facilities which create a marketing hurdle. This reduces the farmers' selling flexibility and bargaining strength, depending on the farm's enterprises. Land reform failure has been a recurring problem in many nations for a variety of reasons, including errors in implementation, inadequate post-settlement support, and low beneficiary participation in project identification and design. A specific shortcoming addressed in this research is the ineffective process of selecting recipients for development programmes. Specific studies in South Africa have examined the performance of the agriculture sector and farmers in general (Gandidzanwa, *et al.*, 2021: 6).

Instead of supporting local food markets that are relatively easy to reach for smallholder farmers, land reform programmes focus on integrating land reform beneficiaries into the corporate food chain. Most smallholder farmers are involved in uneven market connections with powerful agro-value chain operators. Some small-scale farmers sell to informal markets in loose value chains, while others sell to large-scale supermarkets in strictly controlled value chains. To improve their market access, the government should assist these smallholder producers. The South African economy, on the other hand, is dominated by large businesses, and this concentration is mirrored in agriculture, where a few large agribusiness corporations dominate the food system, and a few commercial farms dominate primary production. Input and loan subsidies, single-channel marketing, and other types of institutional assistance for

farmers were all eliminated because of agricultural restructuring through liberalisation and deregulation (Metro, 2021:30).

## **2.9 SOCIAL JUSTICE**

The South African Constitution of 1996 is premised on addressing and healing the past. It further attempts to establish a society based on democratic values, social justice, and fundamental human rights. Furthermore, South African justice is about restoration and repairing what was achieved through unjust acts. It is about land and wealth which ought to be returned to its rightful owners. As a result, land reform has been the dominant discourse, with some calling for the expropriation of land without compensation. However, the proposal for land expropriation without compensation divided the Parliamentary Ad-Hoc Committee that was constituted to consider the textual amendment of Section 25 of the Constitution. These divisions were on clear display when the ANC-led process could not get the requisite two-thirds majority to affect the 18<sup>th</sup> textual constitutional amendment in parliament (Mpofu-Walsh, 2021:59).

Gosztyla (2019:4) described social justice as the equitable distribution of power, resources, and responsibilities in society to all people, regardless of race, age, gender, ability status, sexual orientation, or religious or spiritual background. Inclusion, collaboration, cooperation, equitable access, and equal opportunity are among the fundamental principles underpinning this definition. A democratic and equal society is, likewise, built on these values. Furthermore, concerns about social justice and resource access are inextricably linked to the collective wellbeing of families, communities, and society. Social justice is at the core of equitable access to land which aims to increase access to land so that those who are less fortunate can derive a livelihood from utilising the land. Access to land has both emotive and political connotations, and Section 25(5) of the Constitution mandates the government to take steps to broaden access to land by the historically disadvantaged. However, it appears that unequal patterns of land ownership still exist in both urban and rural areas, nonetheless. A small number of large-scale white-owned commercial farms also produce most of the world's agricultural output. However, a sizeable group of black smallholder farmers are confined to their former homes and have limited access to land (Mtero, Ramantsima & Gumede, 2020).

The term 'social justice' refers to the type of justice that can be attained when social structures allow everyone to collect their dues. While there are numerous aspects to justice in general, social justice is mainly concerned with the equitable allocation of resources coming from the community's economic, political, and cultural organisation. Questions of social justice are thus about the organisation of just distribution in society; it refers to the right state of things in which everyone receives exactly those benefits and burdens that are due to him by his traits and circumstances. The first set of concerns resulting from modern societies' quest for social justice centres on the criterion for distributing social benefits fairly. Rights are an essential cornerstone of social justice in all current conceptions. In fact, social justice is often equated with the assertion of rights. One particularly strong account in contemporary political thought follows the classical Kantian definition of rights as the material expression and entrenchment of moral autonomy of an individual's status as an end based on the latter's capacity for freedom, but characterises this autonomy in terms of self-ownership; and thus makes ownership, in other words, property rights, the direct expression, and extension of an individual's autonomy (Mazzoleni, Barnhurs, Ikeda, Maia, & Wessler, 2016:4).

Mtero et al (2021:10), however, argued that some pro-market advocates claim that social justice is largely symbolic, and that extreme land reform initiatives are fundamentally anti-market and populist. Large-scale land redistribution, according to this line of reasoning, will harm commercial agriculture and agribusinesses in the wider value chain, resulting in a loss of consumer and investor confidence. However, those who advocate for radical land reform claim that the Constitution's property section safeguards private property rights and thus stands in the way of reform. The approach of "willing seller, willing buyer" is frequently blamed for the slow pace of land reform. Arguments for a state-led, radical approach to land reform align with various political groups' calls for expropriation without compensation to speed up land reform.

Khechen (2013:5) postulates that equality, equity, rights, and participation are the four key elements that underlie the social justice philosophy. These objectives align with the foundational principles of South African land reform which, likewise, seek to address past imbalances. These also include summaries of some of the authors' points previously made.



### **2.9.1 Equality**

According to the Universal Declaration of Human Rights Articles 1 and 2 (1948), everyone has the right to all the freedoms and rights; for example, to be free from any kind of discrimination based on race, colour, sex, language, religion, political opinion, nationality, or other factors such as wealth, birth, or other status. The principle of equality entails, among other things, the abolition of all forms of discrimination, and respect for the fundamental liberties and the civil and political rights of every person. The purest kind of equality is represented by this. The ability for all people to realise their potential and contribute to the economy and society requires stable social, economic, cultural, and political conditions. This type of equality, when interpreted narrowly, is comparable to the equality of rights and simply signifies that societies and governments abstain from discrimination, while allowing people the freedom to pursue their goals, and to develop and use their talents within the moral and legal bounds set by respect for the rights of others. The South African land reform programme is also driven by these principles and anchored on equality. Moreover, improved social equality and egalitarianism that would come from redistributive land reform is highly desirable on both a political and economic level.

A focal point of social justice is equal access to justice, fairness, and fundamental human rights, among other things. The concept of fairness as it relates to access is, in most cases, coupled with the notion of equality to imply that all people, regardless of creed, gender, race, age, class, language, religion, or occupation, are entitled to benefit from public goods and resources. Furthermore, access to livelihood, capacities, education, information, health services, employment, and job prospects are among them. In democratic societies like South Africa, equality extends to the political sphere, with competent decision-making mechanisms in place to ensure that all citizens have an equal voice. All these find expression in chapter two of the South African Constitution which is anchored on social justice, human rights, and democracy (Khechen, 2013:5).

### **2.9.2 Equity**

The concept of fairness as equal or uniform distribution is not always possible or implementable, especially considering the existing injustices that have prevented or limited the ability of certain individuals or groups to gain equal access to public goods,

resources, and opportunities in the first place. This being the case, equitable treatment implies that individuals will receive fair treatment that is suitable for them. As a result, a just society that strives for equal opportunities for all its members would seek to eliminate or overcome the barriers that prevent certain individuals and groups, for example, people with disabilities and the poor, from realising their full potential by maximising their opportunities (Khechen, 2013:6).

Martin (2015:29) postulated that the words 'equity' and 'equality' are sometimes used interchangeably. However, not all equitable things are equal. If the two terms were synonymous, equity would be achieved by offering the equal opportunity. This might imply that by giving everyone access to the same resources and opportunities, people can then have fulfilling lives. However, concerns about equity and equality are undermined by diversity difficulties and the reality that each person has unique requirements in terms of opportunities, experiences, and resources. Judging what is reasonable and fair is a necessary step in understanding equity. Given that equity is a concept that requires relational understanding, this process is complicated. The fact that the perceptions of what is fair change over time and are influenced by certain settings further complicates this concept. This is primarily because people have distinct worldviews and interpret the world through various cultural lenses.

Equity examines behaviours in the context of the social, institutional, and contextual inequality that already exists, and calls into question the possibility of personal agency. The effort and resources required for two different people to achieve a common goal can vary widely. Advocating for justice could mean promoting policies that address systemic barriers. Implementing policies for inclusive reforms is an important step in addressing the equity question.

It is critical to understand that land reform may increase equity, give the poor more power, boost productivity, and make rural areas more viable. Diverse historical experiences have influenced land reforms on a global scale. Most of the time, the justification is based on the need for social justice, poverty reduction, and equity (Rusenga, 2022:127).

### **2.9.3 Human rights**

Conceptual and normative connections between the goals of human rights and social justice are a defining feature of domestic and international human rights declarations and discourses. Social justice is now viewed as a firmly egalitarian principle in political theory. Furthermore, the theories of social justice are judged according to how closely they adhere to the fundamental moral principle that all persons are created equal and are thus deserving of respect and regard as members of the political society. The difference between civil or political and socio-economic entitlements and exclusions is not the key dimension of the differentiation since social justice and human rights both cover the whole spectrum of advantages and burdens that are engaged in contemporary democratic society (Hibbert, 2017:3).

Khechen (2013:7) states that people's legal rights, for instance, moral rights, are protected in socially just societies, even in the absence of legal guarantees through proper procedures, conventions, and laws, some of which are universally recognised, such as human rights. Legal rights include inherited rights and other lawful rights, such as the right to receive payment for one's work according to agreed terms. In socially just societies, people's legal rights such as moral rights are safeguarded even in the lack of legal protections by appropriate procedures, conventions, and regulations, some of which are internationally acknowledged, such as human rights. The preamble of the South African Constitution (1996a) also refers to the constitution as the supreme law of the nation which is intended to correct imbalances and create a society based on social justice, democracy, and human rights. The Bill of Rights is seen as the cornerstone of democracy, and this is premised on the will of the people and the necessity to respect human rights. Furthermore, under general law applicability, it is expressly stated on land access that no one may be unjustly deprived of property.

For decades, the international community has prioritised the advancement and defence of human rights. It is claimed that human rights are unalienable, indivisible, universal, interconnected, and related. Moreover, the idea that all human rights apply consistently and equally everywhere in the globe, regardless of origin, culture, ethnicity, or religion, is the foundation of the universality of the human rights principle. The complete and meaningful enjoyment of a single right is contingent upon the acquisition of all other rights, according to the interdependence and interrelatedness

concepts of human rights. The concept of the indivisibility of human rights is predicated on the idea that all people have a common set of fundamental qualities, that all human rights are equally significant, and that no rights or categories must be omitted (Ngamnteni, 2022:3).

#### **2.9.4 Participation**

According to Titus (2017:31), democracy goes beyond citizens exercising their right to universal suffrage, to allowing representatives the power to make decisions on their behalf. Ordinary individuals are endowed with rights that require them to become more active in activities previously reserved for those in positions of authority. Citizens are not only required to participate in the state's policy-making processes, but they are also encouraged to exert watchful oversight over the state, according to modern definitions. Khechen (2013:7) also argued that in the context of social justice, participation entails including people in decisions that affect their lives. This means not only involving people in the decision-making process on the types of public services required in their communities, but also assuring their full involvement in the political and cultural life.

Titus (2017:33) further postulated that governments throughout the world preach public participation. Researchers believe that a vibrant civic culture is critical to democracy's quality. Moreover, democracy cannot exist without a populace oriented toward civic life, ready to establish associations, discuss problems, and cooperate in the pursuit of common purposes. Furthermore, following the negotiations that led to the establishment of democracy in South Africa in 1994, a framework for participation was established, and the legislative framework and policy writing of all spheres of the government is of primary importance in ensuring transparency and participation from the country's citizens.

The idea behind participation is that all members of a community ought to be included in the process of making major choices. In many civilisations, a few prominent individuals decide on public policies without first consulting the community which they represent. Unintentionally, this could exclude a sizable portion of the population. By speaking with the advocates of minority populations and taking into account their interests, public leaders can remedy this issue (Mollenkamp, 2022).

## **2.10 CHAPTER SUMMARY**

This chapter presented and examined scholarly debates on South Africa's land reform programme and post-settlement support. It did so, for example, by examining the New Public Management (NPM) framework which represents a paradigm change from traditional public administration, and draws heavily on private-sector notions. The NPM is often associated with neoliberalism which is based on market fundamentalism. The state is at the heart of land reform, and it takes a market-driven strategy which the South African land policy also favours. When South Africa was on the edge of becoming a democratic country, the NPM was gaining traction, and it was challenging for the new democratic administration to ignore it. Land reform is a contentious issue, with social justice at its heart, owing to its goal of redressing the apartheid legacy. The next chapter reviews literature that relates to land reform and post-settlement support.

## **CHAPTER THREE: LITERATURE REVIEW**

### **3.1 INTRODUCTION**

This chapter provides background information on land reform and post-settlement support. The chapter focuses on what the literature says about land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation. This is achieved by examining the history of land dispossession in South Africa, post-settlement support during the apartheid era, post-1994 land reform, the macro-economic perspectives on land reform, and the post-settlement support that is available for land reform beneficiaries. The chapter also provides a global viewpoint on land reform. It achieves this by drawing comparisons between the South African land reform with that of Namibia and Kenya, primarily because these nations experienced land reform following apartheid. It further attempts to answer the research question, 'What does the literature say about land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation?' Literature sources were consulted as a precursor to writing this chapter, and the rigorous citing of sources adds detail.

### **3.2 LAND DISPOSSESSION IN KENYA**

At independence in 1963, Kenya inherited a highly unequal pattern of access to land which disadvantaged the African population in terms of ownership over productive agricultural land. Such land access inequality can be better understood in the context of land availability (Narh *et al.*, 2016:5). Like most African countries, Kenya was not spared from the colonial rule of land dispossession. According to Muyanga (2013:28), the land question in Kenya is premised on the expropriation that transpired at the beginning of the twentieth century. The colonial regime forcefully removed the natives from their ancestral and relegated them to the reserves. Moreover, before the arrival of the settlers in Kenya, flexible access and control of land by the indigenous people was in place. The regime introduced the Crown Lands legislation in 1902 to legitimise expropriation. This Act stipulated that the Crown had original title to the land that had been acquired. The legislation further dictated and reserved certain areas which were the most fertile in the country for the white settlers only. The natives were thrown into

non-productive reserves, and this turned them into tenants of the Crown in the land of their birth. The land in the hands of the white constituted three million hectares, about half of the land which was high-potential and suited for raising cash crops, while the remainder was excellent for raising animals on a big scale. In the highlands, farm sizes were often ranging between 400 and 800 hectares. Three thousand six hundred white households lived in the White Highlands, which made up around 6% of the nation. The remaining 26% of the country's land which is regarded as arable was shared by six million Africans, because approximately 68% of it is distant and unsuitable for farming.

### **3.3 LAND REFORM IN KENYA**

The Europeans disrupted the African way of life as they displaced the natives. It is important to note that they were the first to attach economic value to the land as the natives only attached value to what they produced on the land. The land dispossession in Kenya was the main reason behind the establishment of squatter camps. When Kenya attained independence, most of the Europeans who chose to emigrate sold their land to the government. The situation, however, drastically changed when the politicians and the top elements of society grabbed much of the land for themselves, leaving the residents as they were during the colonial era. The civilians had anticipated that the land would be shared among them. However, those in power saw an opportunity to enrich themselves and their families. In a sense, it remained impossible for the peasants to benefit from land restoration, and this led to land problems post-colonial era (Mulevu, 2014:15).

At pivotal points in Kenyan history since the early 20<sup>th</sup> century, historical land injustices, land grievances, and land revendications have fuelled political mobilisations and deadly confrontations. High levels of pressure for land reform in Kenya were brought on by these protracted tensions and disputes, which culminated in violence related to land during the 1992, 1997, and 2007 elections. As a result, the Kenyan democratic elected government was under enormous pressure to develop a land reform process that would be aimed at restoration. As a result, the government of the day made land reform a priority. Furthermore, in 2002, a robust discussion on land policy began, spearheaded by newly elected President Mwai Kibaki. A new National Land Policy and a new constitution with major progressive land articles were the results of this in 2009. Additionally, the Land Acts of 2012 were created to put the

constitution's provisions on land into practice. However, the main reason for establishing the National Land Commission (NLC) was to ensure that the land reform process is independent of party politics and the cabinet. Moreover, the primary goal of the NLC was to serve as the watchdog of the Ministry of Land, which had been identified by national commissions and civil society as the institutional hub of executive abuse of power and land corruption. Furthermore, the NLC was tasked with spearheading a process of land administration reforms that would address past land grievances, clean up the land industry, and rein in the elite's insatiable desire for land and their capacity to take advantage of the legal system (Boone *et al.*, 2019:218).

Kenya is no different to many African countries that are undergoing land reform programmes. Like South Africa, the land ownership patterns in Kenya remain skewed with a land Gini coefficient of 0.64. Kenya has made numerous attempts at land reform throughout the years, starting with Roger Swynnerton's paper titled "A Plan to Intensify the Development of African Agriculture in Kenya". This report recommended changes in agricultural policy that would boost land access for Africans and increase agricultural productivity and production. Moreover, agriculture productivity and output were viewed as being hindered by the division of land based on traditional inheritance laws. The colonial era's first and subsequent land reforms were ineffective in expanding or even restoring Africans' access to land, and they also did not affect raising agricultural production. After independence, the Kenyan land reform attempted to undo the mistakes of the past (Narh *et al.*, 2016:6).

### **3.4 KENYA NATIONAL LAND POLICY**

Kenya is currently rolling out a land reform programme that is premised on the 2012 National Land Commission Act, the Land Registration Act No.6 of 2012, and the Land Act 2012 No.5 of 2012. These pieces of legislation led to the formulation of the National Land Policy in 2012. Moreover, the change and replacement of customary land rights with statutory rights is the main aspect of the current land reforms, just as it was during the colonial era (Narh *et al.*, 2016:6).

The main pillars of the Kenyan land policy are redistribution, restitution, resettlement, land banking, land readjustment, and land taxation (Ministry of Lands, 2012:14). The National Land Policy define these terms as follows:



- **Redistribution:** The fundamental principle of land redistribution is the poor and underprivileged access to land for both residential and commercial uses. In addition, the stark differences in ownership brought on by unequal development priorities, environmental degradation, gender, and transgenerational discrimination point to the necessity for land redistribution.
- **Restitution:** The purpose of land restitution is to restore land rights to those that have unjustly been deprived of such rights. It is based on a recognition that the lack of access to land may be due to unfair governmental policies and laws.
- **Resettlement:** The purpose of resettlement is to grant the poor and the landless access to land, and to provide them with infrastructure and basic services such as shelter, water, and sanitation facilities. Resettlement, therefore, aims to empower the poor so that they may become self-reliant.
- **Land banking:** The availability of land will determine how the concepts of redistribution, restitution, and resettlement for the poor and the landless are carried out. In addition, growing populations have increased demand for land and the resources derived from it. To help with the effective application of these guidelines, the government shall establish land banks.
- **Land readjustment:** The purpose of land readjustment is to ensure that land holdings are economically viable. The government shall develop a legal framework for a periodic review of land use practices with the provision for the reorganisation of rural settlements, to control excessive fragmentation into sub-economic units, and the provision of infrastructure.
- **Land taxation:** The government shall develop and enforce an effective and appropriate progressive taxation system to discourage the speculative hoarding of land. The government shall also put in place appropriate fiscal measures to promote the efficient use of land and land-based resources.

There is an overwhelming consensus that most Kenyans rely on land as their primary source of income, and land is often seen as being essential to Kenya's economy. Furthermore, land is viewed as a primary source of livelihood, hence it should be kept, used, and managed in a manner that is just, effective, productive, and long-lasting. Political stability, social cohesion, economic growth, poverty alleviation, and good governance are all thought to be dependent on the question of land which is politically sensitive and emotive. The complexity and dynamic nature of land issues further

emphasise the significance of land governance frameworks, and the necessity of developing efficient judicial, institutional, and administrative processes for managing land (Kameri-Mbote, 2016:17).

### **3.5 LAND REFORM IN NAMIBIA**

The Namibian and South African land issues share a lot of similarities. The most notable of these is that both nations were subject to colonial control which was supported by land dispossession, and that afterwards, during the democratic era, land reform was essential to the agenda for racial reconciliation. Namibia was not exempt from the injustices of land dispossession that were experienced by most African nations. As a result, the subject of land reform has continued to dominate public debate within the country. The key distinction between settler colonies such as Namibia, South Africa, Malawi, and Zimbabwe, and non-settler colonies such as Swaziland, Lesotho, Botswana, and Zambia, is that the former were primarily used as labour migration within the southern African region. Due to the settler countries' shared history of colonial occupation which resulted in racialised land ownership structures and patterns, as well as dual tenure systems, land redistribution is a key component of the land reform programme. Land disputes continue to persist in the settler states because of the negotiated agreements. The land policy framework of Namibia is focused on redistributing land from the large-scale commercial sector to smallholder sectors (Mandimika, 2020:16).

The current system of land ownership in Namibia also has its roots in the colonial era which commenced in 1884 when Germany declared the land, now known as Namibia, their colony, and named it German South West Africa (GSWA). Even though Germany had declared German SWA a colony in 1884, and concession companies had acquired most of the southern half of Namibia's land, very little actual colonisation took place before 1897. In that year, a rinderpest pandemic struck, and over 90% of all cattle were wiped out. The former pastoralists, now without cattle, were forced into wage labour to make a living. The German settlers took advantage of the pastoralists, now with no need for land due to their lack of cattle, by dispossessing much of the remaining lands. By 1902, only approximately 30% of the remaining lands were still in black hands. When Namibia got independence in 1990, 40% of all agricultural land

was in the ownership of 4,200 whites. It also estimated that 720,000 people lived in 140,000 homes on the 40% communal agricultural land, making up the remaining 60%. Moreover, 200,000 people, including their families, comprised the 36,000 black farm workers who worked on white commercial farms (Engelbrecht, 2011:23).

### **3.6 KEY POLICIES OF NAMIBIAN LAND REFORM**

In the post-colonial era, land reform has been the priority of the state because the land was the key driver of mass mobilisation during the liberation struggle. It brought about the hopes of not only ending colonialism, but also advancing an agenda of inclusive participation in national development processes. It would be difficult to build such an atmosphere in Namibia without addressing the colonial era's injustices, especially the unequal distribution of land ownership in commercial agriculture. As a result, the focus of land reform in the democratic dispensation has been on two methods for redressing the historical wrongs. The first one is the 1990 National Resettlement Programme which gives the government the ability to purchase freehold property to relocate the Namibians without access to land. The second one, under the Affirmative Action Loan Scheme, Namibians who had previously been denied credit can apply for and be approved for discounted loans from the Agricultural Bank of Namibia to buy land. However, Namibians, who are dissatisfied with the current attempts to address the land issue, have long urged for a review of land reform and the investigation of alternative options (Mabuku, 2022:30).

Following the advent of democracy in Namibia in 1991, the nation was forced to develop a national land reform plan, among other things. In 1991, a national conference on land reform included a wide range of participants from civil society, labour, the government, business, university, farmers, traditional councils, and non-governmental organisations. The conference made the following recommendations (Mabuku, 2022:25): commercial farmland is to be redistributed based on the willing seller-willing buyer principle, of which the government must have priority to purchase farmland for resettlement; the introduction of the tax of land; relocation of underutilised land; limitations on the number and size of farms on privately-owned land; and absent landlordism and foreign ownership of land should be eliminated. These would find expression in the new Namibian Constitution.

Furthermore, under Article 16 of the Constitution, the post-colonial government of Namibia decided to develop and implement a strategy that aims to address Namibia's historical land injustices. The Republic of Namibia's 1990 Constitution, specifically Article 16, states that, in any part of Namibia, any individual may own, purchase, sell, or transfer immovable property, and may bequeath any such property to his or her heirs or legatees, providing that the parliament may, by law, regulate or prohibit non-Namibian citizens from acquiring property in the country. It further says that expropriation may be undertaken by the state, or a competent body authorised by law in the public interest, provided that just compensation is paid according to the requirements and procedures determined by the parliament (Mabuku, 2022:28). In addition to the Constitution, the Agricultural Land Reform Act No.6 of 1995 also contains the following provisions: any commercial farm must be proposed to the Namibian government for resettlement before it is put up for sale; owning multiple land holdings by one person is prohibited; and non-Namibians are not permitted to own commercial farmland (Mabuku, 2022:29).

There does not seem to be any major fundamental distinctions between the land reform in Namibia and that in South Africa, as social justice, democracy, and human rights form the foundation of both programmes. Given that they were both colonised by the same regime and gained freedom almost at the same time, this is not surprising. According to the 2018 Namibia Land Statistics report by the Namibia Statistics Agency, white residents and foreigners collectively own about 70% of commercial or freehold agricultural acreage. However, less than 10% of the population is white. Additionally, it appears that not enough pressure has been exerted on the governing party, even though it holds more than 80% of the seats in the National Assembly. The willing-buyer-willing-seller principle has, however, been abandoned during the most recent land conference in Namibia. The nation favours using expropriation as a policy, which is permitted by the current constitution.

Namibia, unlike South Africa, has not made a strong commitment in favour of a constitutional modification, despite the topic being brought up during the conference. Land reform is essential for socioeconomic and political stability in both South Africa and Namibia, but investors are concerned about how it may alter the countries' landscapes. The region's economic prosperity and political stability will depend on how

both governments manage to allay investor fears while also redressing the historical injustices through fair land redistribution (Gopaldas & Ndhlovu, 2018).

### **3.7 HISTORY OF LAND DISPOSSESSION IN SOUTH AFRICA**

Even though the focus of this research is to examine South Africa's land reform post-settlement support, it is important to trace the underpinnings of the current debate about land reform. Such an analysis would only be productive if it is informed by the historical legacies of colonialism and apartheid, and the conditions of the country's democratic transition. Whilst the history of land dispossession predates 1913, this chapter focuses on the history of dispossession from the enactment of the Natives Land Act of 1913, subsequently renamed the Black Land Act 27 of 1913, that was passed by the then Union Parliament. This is also supported by the fact that the South African programme for land reform, particularly restitution, places a strong emphasis on the dispossession that occurred in 1913. In addition, the research focused on post-settlement assistance which comes post land reform.

The land-grabbing over nearly 350 years of South African history saw the loss of key productive resources by indigenous inhabitants, and the corrosion of their rights to land and natural resources. The land rights of women were trampled upon, especially in areas where land was customary held and managed. Moreover, the basic root of the South African capitalist economy from its very beginning was defined by spatial race inequalities, partly as the foundation for a cheap low-priced labour regime involving circular migration. The Act forced many black people in the so-called "white" areas into wage labour. In addition, this also engineered social differences and inequalities based on race, gender, and class, premised on an unequal distribution of land and insecure land rights. The legal system underwrote the unequal land dispensation, in which private property rights to land and housing were not given to most natives or were allowed on highly discriminatory terms, and the legal system helped to legitimise forced removals (Cousins, 2017). This was entrenched through the enactment of repressive legislation that limited the movement and residence of Africans. Furthermore, this led many black people to migrate to other areas in search of work which resulted in the creation of reserves (Rungasamy, 2011:13). According to Ngcukaitobi (2021:23), these forced removals were backed by legislation that led to

the displacement of millions from their homes which were now declared white. The black people have, indeed, been declared aliens in their ancestral land and were not permitted in towns and cities.

The 1913 Land Act was a cornerstone of the consolidation in making South Africa a colony of a special type. This was the culmination of the restrictive and discriminating legislation that the colonisers had passed to dispossess the natives. Furthermore, this was the first legislative instrument aimed at advancing the agenda of the then regime. The Act became law on 19 June 1913, limiting land ownership of Africans to 13%, and it did not allow black people to buy or occupy the land. However, it allowed whites to own 87% of the land in the country, leaving the black people to scramble for what remained. In addition, the passing of this Act gave effect to the mass relocation of the black people to poor areas and poorly planned underserviced black townships. This was the beginning of the socio-economic challenges which the country is facing today, such as landlessness, poverty, and inequality. The most visible impact of the Act was that it denied Africans access to land which they owned (Seymour, 2019).

Hall (2014) also views the 1913 Land Act as the foundation for segregation which enabled apartheid through most of the rest of the century through the homeland policies of Hendrik Verwoerd, the imposition of state-approved and appointed Bantu Authorities, the system of influx control, the hated 'pass' laws in the towns and cities, and the Group Areas Act 41 of 1950. Furthermore, life-threatening severe forced removals occurred up to the 1970s and 80s. The inhabitants residents in the so-called 'black spots in the 'white' countryside reserved for white people clung to their land at Doornkop in Mpumalanga, at Mgwali in the Eastern Cape and, at Cremin in KwaZulu-Natal, but the uncertainties created by the Act were experienced throughout the country. Moreover, the 1913 Land Act limited African land ownership to 7%.

According to Rungasamy (2011:16), in 1950, the first Group Areas Act was enacted, and the second came into being in 1966. The Group Areas Act 41 of 1950, described as the "second wave" of evictions, was used by the then National Party government to forcibly remove black, coloured, and Indian people from designated "white areas". The Group Areas Act of 1966 complemented the Group Areas Act of 1950. Its key tenets were racial divisions and control of property transactions. This meant that only a particular race was allowed to occupy a particular area. The Act further exacerbated

forced removals of the majority into reserves. As a result, many families were displaced, and they experienced hardships as no compensation was given to those affected by this act. The 1966 Group Areas Act was the cause of the imbalance in land distribution, and its provisions accrued 102 million hectares of land to 55,000 commercial white farmers, in comparison to the 11.2 million black people restricted to only 17 million hectares of land.

Phala (2013) also agrees with the previous authors, stating that the 1913 Land Act was meant to legitimise into statute the immense land robbery, starting with settler colonialism itself and the wars of resistance and dispossession. Furthermore, for 250 years, the natives have been fighting spear in hand against mounted gunmen over land, cattle, and freedom. This infamous Act was intended to make state law what had already been done by blood, death and sweat, and it ensured that Africans lost ownership and control of their ancestral land to the white settlers. The Act was further intended to confirm what had been achieved with the defeat of the wars of resistance and dispossession; and it was also the basis of a plethora of subsequent segregation and divisive, exploitative, and oppressive legislation. Moreover, the development of the 1913 Land Act 1913 created room to promulgate and implement other repressive laws meant to support it. The legislation included the Natives Urban Areas Act of 1923 which allowed local authorities to regulate and control the so-called influx of Africans from the reserves into the urban centres.

Phala (2013:5) further views the founding of the ANC in 1912 because of the 1913 Land Act 1913. The black intellectuals of the time heard about the highly publicised enactment of the 1913 Land Act which was aimed at rendering the majority landless, and in response to that, they agreed on the formation of the ANC. The Land Act sparked fierce opposition. The looming seizure of 87% of the land belonging to the natives warranted a coordinated effort to fight this repressive legislation. This is reflected by Dr Pixley ka Seme's words in opening the inaugural ANC conference where he said:

In the land of our birth, Africans are treated as hewers of wood and drawers of water. The whites have formed what is known as the Union of South Africa in which we have no voice.

In 1936, the colonial government enacted into law the Development and Trust Land Act 18 of 1936. This led to the extension of reserved land by 5%, and meant that black people would be restricted to the rural areas. This would be governed by traditional or customary law, and the black people would only have user rights and not the full title of the land which they occupied. Such rights were held in trust by the government or it rested with tribal authority. By 1936, nearly half of the African workers in towns had migrated from white farms. African farmers who owned land inside and outside the reserves did not receive any aid from the government in the form of loans. They, therefore, found it increasingly difficult to compete with the white farmers who could use improved methods and expand their farms (Muswaka, 2019).

There is a plethora of legislative frameworks which were advanced by the colonial governments whose aim was to displace the African indigenous people. However, this research only places emphasis on two, namely, the 1913 Land Act, and the 1936 Development and Trust Act. Although it is important to note that the 1950 Group Areas Act, and the 1966 Group Areas Act, which were amongst the basis of racial dispossession before 1994. The need for contemporary land reform is a direct result of the enactment and implementation of these Acts against this background. It is without a doubt that the colonial legacy ought to be reversed to improve the security of tenure. However, land reform without post-land support is a recipe for disaster. The absence of post-settlement support may lead to the beneficiaries of land reform being unable to produce or under-producing, or in the land lying fallow and the beneficiaries not getting any economic benefits from owning the land. The worst-case scenario is the land reform beneficiaries selling the land back to the white farmers. This will, in turn, reverse the gains of land reform.

### **3.8 LAND REFORM IN SOUTH AFRICA**

According to Meadows (2012:2), land reform has been a dominant course and highly emotive issue that has been getting attention in South Africa. However, this is not only limited to South Africa; it resonates across the African continent. South Africa as a young democracy with a well-documented history of land dispossession and apartheid is engaged in a systematic land reform programme to redress the social, political, and economic injustices. In addition, the demise of the apartheid regime post-1994 has led South Africa to make land reform a key pillar towards the reconstruction project.

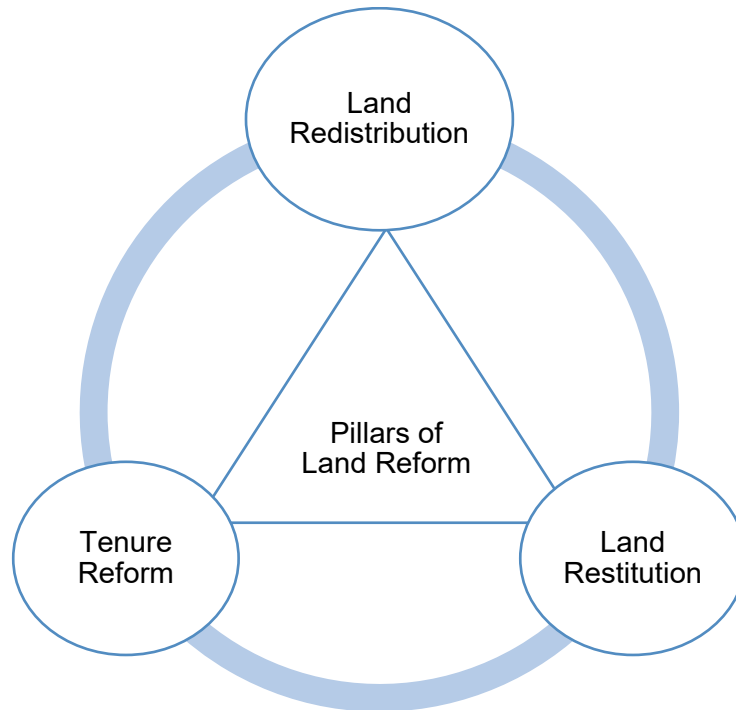


The Abolition of Racially Based Land Measures Act 108 of 1991 which came into operation on 30 June 1991 was promulgated to bring an end to the Land Acts. The Act was enacted to eliminate racial or population-based restrictions on the acquisition and use of land rights. It was further to rationalise or gradually eliminate various racially-based institutions, and statutory and regulatory structures, and to remove most discriminatory land laws. To achieve this aim, Section 1 of the Act repealed the Natives Land Act of 1913 and related laws, while Section 11 repealed the Natives Trust and the Land Act of 1936. Section 12 of the Act contained transitional measures regarding the phasing out of the South African Development Trust (Kloppers & Pienaar, 2014). Land reform was also one of the cornerstones of the African National Congress (ANC) policy when they formed the new democratic government in 1994. Likewise, the ANC's 1994 Reconstruction and Development Programme (RDP) envisioned a national land reform programme that was integral to rural development which is the central driving force of a programme for rural development.

According to Basajjasubi (2017), the Interim Constitution of 1993 which brought about the new democratic era in South Africa did not contain detailed provisions for land reform. It was a compromise negotiated between the main interest groups in the negotiating process, and the ANC and its allies on one hand, and the national party government and its allies on the other. Moreover, the issue of the inclusion of property rights in the Constitution was highly contested. In addition, some in the liberation movements argued against a property clause that would guarantee the existing property rights on the ground that this would deter the efforts by the democratic government to carry out programmes of land reform. Conversely, the government of the day and its supporters argued strongly for the inclusion of such a clause to ensure that the land would not be nationalised and transferred to the land-hungry majority without compensation to the current owners. Furthermore, all parties agreed to include a property clause in the Bill of Rights. However, there were no detailed provisions for a comprehensive programme on land reform in the 1993 interim Constitution. The only provision concerned the right to the restitution of land rights for persons or communities dispossessed of such rights under discriminatory laws. The land reform provisions which were contained in the 1996 Constitution 1996 will be discussed in the subsequent section.

### 3.8.1 Pillars of the South African land reform

The South African land reform has three pillars, namely, redistribution, restitution, and tenure reform. They are discussed in the following subsections.



**Figure 3.1:** Pillars of land reform (Source: Hull et al., 2019a)

### 3.8.2 Land redistribution

According to Dlamini (2016:75), the aim of land redistribution is the reallocation of land to the landless and dispossessed people, and it can also be defined as a reversal of the unequal racial distribution of land. The South African land reform programme also finds expression in the Constitution of the Republic of South Africa of 1996, Section 25(2) which states that property may be expropriated only in terms of the law of general application: for a public purpose or in the public interest; and subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected, decided, or approved by a court. Section 25(3) of the Constitution postulates that, the amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all relevant circumstances. Section 25(5) of the Constitution states that, the state must take

reasonable legislative and other measures within its available resources to foster conditions that enable citizens to gain access to land on an equitable basis. Furthermore, this part of the Constitution empowers the state within its available resources to create conditions that will allow the landless to have access to land, and it propels the state to enact laws that enable the citizens to gain access to land.

According to Jacobs and Lahiff (2003), the legal basis for redistribution is the Provision of Certain Land for Settlement Act 126 of 1993, which was amended in 1998 and is now titled the Provision of Land and Assistance Act. However, this is no more than an enabling Act that empowers the Minister of Agriculture, Land Reform, and Rural Development to provide funds for land purchase. The details of the redistribution programme are thus contained in various policy documents, rather than in legislation. These policy documents are the Settlement/Land Acquisition Grant (SLAG); Land Redistribution for Agricultural Development (LRAD); Pro-Active Land Acquisition Strategy (PLAS); and the Municipal Commonage, Settlement and Production Land Acquisition Grant (SPLAG). The redistribution policy has undergone a series of shifts since 1994, focusing on the provision of grants to assist suitably qualified applicants to buy land in rural areas mainly for agricultural purposes, but also for residential purposes 'settlement'.

Currently, South Africa is using the Proactive Land Acquisition Strategy (PLAS) as a method to execute land redistribution. The PLAS was launched in 2006, with the state acquiring the farms and leasing them to the beneficiaries. This strategy replaced LRAD and all other land redistribution programmes. Furthermore, the state defines this tactic as a direct response to the criticism of the 'willing buyer, willing seller' approach which has not achieved much, and its promise at the National Land Summit that it would now acquire land proactively for redistribution. A proactive strategy had been further advocated by the civil society and academic groups as an alternative to 'willing buyer, willing seller' in a build towards the National Land Summit, but the policy did not adopt the key features of that proposal, specifically that the state be first proactive in engaging with the landless people and small farmers, and only then seek to buy land to meet their needs (Panel & Africa, 2016: 18).

According to the ANC (2012:7), the cost of completing the land reform has huge fiscal implications. The target of achieving the redistribution of 30% of the land to the

previously disadvantaged has been painfully slow due to the problem of land prices. The thrust of the rationale for the review of the willing-buyer-willing-seller principle remains a state priority to ensure that the “land market” functions in a manner that satisfies both the “public” and “private” interests. It may be stated that the willing-buyer-willing-seller principle constrained the pace and efficacy of land reform, and that the market is unable to effectively alter the patterns of land ownership in favour of an equitable and efficient distribution of land. In addition to creating conditions that manage the negative consequences of the imperfections in the land market, a distinct policy option is the use of expropriation “where necessary,” as per the Constitution of 1996. The policy proposal is to institute a land valuation service, including the office of a valuer-general who, in addition to robust monitoring of the land market, is empowered to introduce guidelines and standards for the valuation of land, including the standards based on the constitutional matrix for just and equitable compensation.

The ANC (2012:7) also argues that, over the years, there has been suspected collusion between those selling the land and the property valuers which led to inflated land prices. The establishment of the Office of the Valuer-General (OVG) was established to regulate and monitor land prices. Sehloho (2019) also postulates that OVG exists because of the non-existence of a comprehensive, reliable hub for the assessment of property values in South Africa. Amongst other things, the OVG has the task to perform the following responsibilities:

- the provision of fair and consistent land values for rating and taxing purposes;
- determining financial compensation following expropriation under the 1975 Expropriation Act or any other policy and legislation that complies with the Constitution;
- the provision of specialist valuation and property advice to the government;
- setting standards and monitoring service delivery;
- undertaking market and sales analysis;
- setting guidelines, norms and standards required to validate the integrity of the valuation data; and
- creating and maintaining a database of valuation information.

### **3.8.3 Land tenure reform**

According to the White Paper on South African Land Policy (1997: 13), land tenure reform is a particularly complex process; it includes interests in land and the form that these interests should take. In South Africa, tenure reform addresses complex problems created in the past, and the solutions to these problems bring about new systems of landholding, land rights, and forms of ownership, and may, therefore, have far-reaching implications. Policy, in respect of tenure reform, had to be developed with extreme care, and to ensure this, two years were set aside for consultation on tenure policy, the implementation of test cases, and the preparation of legislation. Whilst the process was unfolding, several measures were introduced to deal with urgent and pressing matters.

According to the 2016 Diagnostic Report on Land Reform in South Africa (2016: 46), communal tenure reform in South Africa is a constitutional imperative. The 1997 White Paper on South African Land Policy sets out an approach that seeks to address the problems inherited from the past, and to give effect to the constitutional right to security of tenure. The policy further lists the following underlying principles that should guide the drafting of legislation and the implementation of a national programme of tenure reform:

- tenure systems should rest on well-defined rights rather than conditional permits.
- a unitary and non-discriminatory system of land rights for all must be constructed, supported by effective administrative mechanisms, including the registration of rights where appropriate.
- tenure systems must allow people to choose their preferred tenure system from a variety of options.
- tenure systems should be consistent with the constitutional principles of democracy, equality, and due process.
- rights-based approaches must assist in ‘unpacking’ the overcrowded situations of overlapping rights through the provision of more land or other resources.
- tenure policy should bring the law in line with realities on the ground.

Notununu (2019:4) identifies land tenure as an important characteristic of the South African land reform programme. Firstly, it is aimed at addressing state land

administration in communal areas in former homelands. Secondly, it strengthened the security of tenure for farm dwellers living on commercial farms. Moreover, with regards to the first objective, it recognises that land in the erstwhile homelands communal land is widely held through a communal set up amounting to approximately a 17 million hectares. The former homelands are home to nearly a third of the South African population, and are viewed as areas of the greatest concentration of poverty in the country. Land tenure refers to an institution that regulated the relationship legal or customary between people and land. Furthermore, the rules of tenure generally regulate how property rights are allocated and exercised, and they define the boundaries to the control, and the use and transfer of property. Land tenure, therefore, determines who can use land, for how long, and under what conditions. The categories of land tenure include private, communal, open access, and state (Hull *et al.*, 2019b:2).

#### **3.8.4 Land Restitution**

The primary task of the new democratic government in 1994 was to redress the imbalances of the past, and land reform was central to that agenda. The preceding sections discussed how land dispossession was advanced by the colonial government, and the racially uneven land patents cannot be overemphasised. Sibande (2017:20) postulates that the enactment of the Restitution of Land Rights Act of 1994 was the tool that was to be used by the democratic government for those that were disposed of by the previous regimes.

The Restitution of Land Rights Act (RLA) of 1994 further attempts to unpack how land restitution will be carried out in line with the Constitution. It also establishes a Commission on Restitution of Land Rights whose primary task is to process claims that are lodged. Moreover, it details processes to be followed by claimants when lodging a claim with the Commission, which is headed by the Chief Land Claims Commissioner. The RLA further gives effect to the establishment of the Land Claims Court whose main task is to arbitrate claims and order land to be restored or grant orders for financial compensation (Sibanda, 2017).

The Land Restitution Act 22 of 1994, amongst other things, outlines the responsibilities of the Commission as to:

- receive and acknowledge receipt of all claims for the restitution of rights in land lodged with or transferred to it in terms of this Act;
- take reasonable steps to ensure that the claimants are assisted in the preparation and submission of claims;
- advise claimants of the progress of their claims at regular intervals and upon reasonable request;
- investigate the merits of claims;
- mediate and settle disputes arising from such claims;
- report to the court on the terms of settlement in respect of successfully mediated claims;
- define any issues which may still be in dispute between the claimants and other interested parties to expedite the hearing of claims by the court;
- draw up reports on unsettled claims for submission as evidence to the court, and present any other relevant evidence to the court; and
- take appropriate steps to make public information regarding the persons entitled to claim the restitution of rights in land, the limitations imposed by the Act, and how claims may be lodged with the Commission.

Lahiff (2016:2) also argues that the Restitution of Land Rights Act 22 of 1994 provides the basis for the restitution to people or communities who were dispossessed under racially based laws or practices since 1913. Interestingly, this Act further states that all restitution claims must be against the state, instead of the past or current land owners. Provision is also made for the restoration of the original land, and the granting of alternative land, or financial compensation. The provisions of Act 22 of 1994 are very succinct in terms of who qualifies to lodge a land claim. Over and above being dispossessed after 1913, the claimant or a community must have been displaced by the erstwhile racial divisive laws, and be the descendant of a person(s) who died before lodging the claim. In addition, the original cut-off date for lodging land claims was the 31<sup>st</sup> of December 1998. It is estimated that 80,000 claims were lodged by this cut-off date, which included both individuals or families and communities. However, over 60,000 of these claims were urban land, of which all were almost resolved by 2009. The majority opted for financial compensation, which means money exchanged hands, and not land.

Even though the land restitution programme has made some progress, it has not been spared from challenges. Lahiff and Rugege (2002) observed that there was a bias towards settling urban claims than rural claims, and most of the beneficiaries were opting for financial compensation than land. The bias towards the urban claims might be informed by the complexities of rural claims which are composed of large communities and the price attached to those claims. These may also include, but are not limited to properties that involve forestry, mineral resources, and highly developed agricultural assets, among others. Furthermore, the option of financial compensation adversely affects the land reform target of 30% which is yet to be achieved since the advent of democracy. Mabuza (2016) is of the view that the government support post land transfer has been a major challenge facing the claimants. As a result, the 1998 land claim cut date was extended to 31 December 2021. According to the Department of Rural Development and Land Reform (2021), the extension of settling land claims to 2018 resulted in 80,664 claims benefitting 2,1 million beneficiaries at the cost of R40 billion inclusive of financial compensation to the beneficiaries being settled.

### **3.9 MACROECONOMIC PERSPECTIVES ON LAND REFORM**

In third-world countries, land is an anchor of development. It is an important asset for most people, and agricultural products make up a large portion of national incomes. The huge impediment, however, in attempting to develop poor countries lies in the rural sector which is exposed to high levels of poverty, unemployment, growing income inequality, low levels of education, and poor health. Due to the undeniable role of land, its distribution has been the centre of many theories that attempt to clarify the favourable outcome of developing nations by analysing rising incomes over time (Azadi & Vanhaute, 2019:2). As a result, since the advent of democracy, land reform has always found expression in the South African macro-economic policies. The series of these policies have always set out land reform targets whose ambitions are unpacked in the subsequent sections.

#### **3.9.1 Reconstruction and Development Programme**

According to the White Paper on Reconstruction and Development Programme (1994:19), land is the most basic need for rural dwellers. The apartheid policies pushed millions of black South Africans into overcrowded and impoverished reserves,



homelands, and townships, while the capital-intensive agricultural policies led to the large-scale eviction of farm dwellers from their land and homes. The abolition of the Land Acts cannot redress inequities in land distribution. However, only a tiny minority of black people can afford land on the free market. A national land reform programme is the central driving force of a programme for rural development which aims to effectively redress the injustices of forced removals and the historical denial of access to land. It also aims to guarantee rural residents' security of tenure. Moreover, by implementing the national land reform programme and providing support services, the democratic government will strengthen the economy by creating jobs, raising rural incomes, and reducing overpopulation. The RDP must implement a fundamental land reform programme which must be, however, demand-driven, and must aim to supply residential and productive land to the poorest section of the rural population and aspirant farmers. As part of a comprehensive rural development policy, it must raise rural incomes and productivity, and encourage the use of land for agricultural, other productive, or residential purposes. The land policy should ensure the security of tenure for all South Africans, regardless of their system on landholding, and eradicate all forms of discrimination in women's access to land.

Following Kloppers and Pienaar (2014:691), the land reform policy, as stipulated in the RDP, is aimed at encouraging the utilisation of land for agriculture, and availing productive land to raise income and productivity. Furthermore, the reform programme is premised on the redistribution of land to those who need but cannot afford it. Based on the country's inequalities, the RDP identified the three main pillars which are mentioned in the preceding sections, namely, land redistribution, restitution, and tenure reform. Regarding redistribution, the RDP set the ambitious target of transferring 30% of all white-owned agricultural land to black South Africans by 2001. Meanwhile, restitution was to restore the land dispossessed by discriminatory legislation and practices since 1913 to South Africans. However, to accomplish these targets, the state required substantial funding to establish the infrastructure that supported land development.

Section 25 of the 1996 Constitution of South Africa guarantees the right of property against arbitrary deprivation, but it also provides for the power of the state to expropriate private property for public purposes or in the public interest, subject to just and equitable compensation. Furthermore, the public interest is specifically defined to

include "the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources." The amount recoverable as compensation in case of expropriation is subject to certain considerations which may have the effect of reducing it considerably below the market value, but which ensure that it is just in the circumstances. Section 25(3) states that the amount, timing, and manner of payment of compensation must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all relevant factors, including (a) the current use of the property; (b) the history of the acquisition and use of the property; (c) the market value of the property; (d) the extent of direct state investment and subsidy in the acquisition and beneficial capital improvements of the property; and (e) the purpose of the expropriation (1996a).

Land management is generally understood in South Africa as how land is controlled, managed, planned for, utilised, and transacted. Land management enables the redistribution of land within cities, and enhances household mobility. Land management is a key driver of planning, land use management, and property disposal/ or acquisition. According to the South African Cities Network (2014), land management should be understood considering the spatial distortion of human settlements, which is one of the key land challenges.

Poorly located and inadequate infrastructure limits social inclusion and rapid economic growth, and spatial challenges continue to marginalise the poor (South African Cities Network, 2014). In response to this challenge, the National Development Plan argues that by 2030, a larger proportion of the population should live closer to places of work, and the transport they use to commute should be safe, reliable, and energy efficient. According to South African Cities Network (2014:125), this requires:

- strong measures to prevent further development of housing in marginal places;
- increased urban densities to support public transport and reduce sprawl;
- more reliable and affordable public transport, and better coordination between various modes of transport;
- incentives and programmes to shift jobs, and investments towards the dense townships on the urban edge; and
- focused partnerships with the private sector to bridge the housing gap market.

The RDP had its fair share of challenges, and chief amongst them was inadequate financial resources to fully implement its objectives. The government was also not fully capacitated to execute this programme, as only 2% of the national budget was allocated to RDP initiatives. The RDP was, in its design, a pro-poor social-driven initiative which, among other things, targeted to uplift the 40% of the people that live below the poverty line. As a result, the RDP was abandoned within two years of its inception, and Growth, employment and redistribution (GEAR) was introduced (Sithole & Sebol, 2019:11).

### **3.9.2 Growth, employment and redistribution**

Ndhambi (2015:29) postulates that GEAR was viewed as an advancement of the neo-liberal agenda, and this was in contrast with the socialist rhetoric of the ANC during the 1970s and 1980s, and the post-apartheid epoch. The adoption of GEAR led to tensions between the ANC and its alliance partners in the years following the 1999 general elections. This formed basis of attacks on the leadership of the ANC led by then President Thabo Mbeki. Furthermore, this was labelled ultra-left within the alliance which was viewed to be treating the government as hostile to the working class. The embracing of GEAR as the macro-economic policy was rejected by Congress of South African Trade Unions (COSATU), and viewed as a betrayal of working-class aspirations. However, the ANC was seen to be betraying the original RDP vision and capitulating to the demands of international capital GEAR, and according to then President Mandela, it was non-negotiable.

The GEAR (1996) states that the land reform programme and combining asset redistribution with the enhancement of tenure has an important role in improving the long-term prospects for employment and income generation in the rural economy. Progress has been made in finalising the procedures for the rapid release of land and the introduction of a settlement grant. Complementary initiatives include emergent farmer support programmes. As this gains momentum, emphasis will shift to marketing support, appropriate technological interventions, and streamlined extension services. Over time, agricultural development associated with land reform will play a key role in improving the distribution of income and economic activity.

According to Cousins (2013), the original 1999 deadline for the redistribution of the 30% of agricultural land to black South Africans was again not met. In 2001, the stated target of land to be redistributed was yet to be achieved. In 2013, the original 1999 deadline for the redistribution of the 30% of agricultural land to black South Africans was again postponed from 2014 to 2025.

Mosala, Venter and Bain (2017:333) postulate that GEAR failed dismally in other areas. The fiscal gains for which the policy was lauded came at a devastating social cost. Furthermore, during the implementation of GEAR inequality and poverty were not improving as expected. Moreover, during this epoch, unemployment reached an alarming level of 30%, and the 6% growth that was projected was not realised. This was evident by an increase in the Gini coefficient from 0,672 to 0.6858 between 1993 and 1999. The envisaged GEAR economic projection was not achieved and, as a result, it was replaced by the Accelerated and Shared Growth Initiative South Africa (AsgiSA) in 2006. Lahiff (2021:7) also argues that the willing-buyer, willing-seller principle was not born out of constitutional provisions, but it was rather a tactic that is in line with the international inclinations and the neo-liberal GEAR policy which was adopted by the ANC in 1996. This principle gained momentum between 1993 and 1996, and it reflected how the ANC viewed things post-apartheid. The 1992 ready-to-govern ANC document suggested expropriation and other non-market methods, but instead, GEAR favoured a market-led approach.

### **3.9.3 Accelerated and Shared Growth Initiative for South Africa**

According to Ndhambi (2015:50), AsgiSA aimed to halve unemployment from 28% in 2004 to 14% by 2014, and to halve the poverty rate through economic development, a comprehensive social welfare system, land reform, and improved household and community assets over the same period. For this target to be realised, the economy was supposed to grow by at least 4.5% between 2005 and 2009, and at least 6% from 2010 to 2014. However, the average economic growth was 5% between 2004 and 2007, 3.1% in 2008, and it declined to about 2% in 2009.

The AsgiSA (2008) annual report also identified the development of the smallholder farmer as key in redressing the imbalances of the past. The planned development proposed the following:

- Investment in the economic infrastructure of rural areas, including, among other things, roads, fencing, land rehabilitation, and access to irrigation as applicable.
- Market-development approaches that facilitate linkages, market access, and the development of appropriate marketing organisations; strategies to address access to market infrastructure such as grain silos and the development of fresh-produce markets; and links to sector strategies.
- Fast-tracking support for the Eastern Cape's proposed model to support the commercialisation of smallholder agriculture, building on the Siyakhula/Massive Programme targeting 70,000 households, and identifying key success factors and the potential to replicate this in other areas.
- As set out in the draft Anti-Poverty Strategy, the target is to achieve improvements in the livelihoods of 300,000 subsistence farmers, and to reach 100,000 people per year through smallholder schemes.

Masters (2019:66) argues that the introduction of AsgiSA as a coordinating policy framework was to enable the government to deal directly with halving unemployment and poverty rates between 2004 and 2014. Furthermore, the government was looking at ways to enhance economic growth and identify ways to share that growth. The AsgiSA was premised on the foundations of RDP's goals of building a democratic society and integrated economy. However, juxtaposed with its predecessors, it was distinguished by its emphasis on defined and specific growth-enhancing projects. It further differentiated itself more as a set of initiatives than an economic policy. However, great social and economic challenges remained, which required further government intervention. The AsgiSA thus replaced GEAR as the new economic framework to respond to a range of ongoing constraints to economic growth, particularly issues of poverty and unemployment, and aimed to improve policy implementation.

#### **3.9.4 National Development Plan**

The National Development Plan (2012) strives to transform human settlements by 2030. The objectives include the development of a strong and efficient spatial planning system that is well-integrated across the spheres of government. It also strives to upgrade all informal settlements on suitable, well-located land by 2030, and have more people living closer to their places of work. Further objectives include the availability

of better-quality public transport and more jobs in or close to the dense urban townships. The NDP further postulates that land reform will unlock the potential for a dynamic, growing, and employment-creating agricultural sector. It bases land reform on the following principles:

- Enable more rapid transfer of agricultural land to black beneficiaries without distorting land markets or business confidence in the agri-business sector.
- Ensure sustainable production on transferred land by making sure that human capabilities precede land transfer through incubators, leadership, mentoring, apprenticeships, and accelerated training in agricultural sciences.
- Establish monitoring institutions to protect land markets from opportunism, corruption, and speculation.
- Bring land-transfer targets in line with fiscal and economic realities to ensure that land is successfully transferred.
- Offer white commercial farmers and organised industry bodies the opportunity to significantly contribute to the success of black farmers through mentorships, chain integration, preferential procurement, and meaningful skills development.

According to Mnikathi (2015:17), the NDP is a government vision for 2030, further reinforcing the call for an inclusive rural economy that integrates rural development into agrarian transformation and an infrastructure development programme. Moreover, its approach to agriculture and rural development is built on successful land reform that would create employment which is rooted in a sustainable environment, as well as support systems to seek economic opportunities and develop the economy based on local capabilities.

The National Development Plan (2012) further suggests an accelerated responsive programme of financing which would answer most of the financing impediments of land-reform beneficiaries. This can be attained by giving successful applicants rent-free probation for two or three years. Moreover, if farmers prove capable, they will move to a long-term lease of about 40 years with the full commercial rental phased in over four years. Part of the rental fee applied to a sinking fund held at the Land Bank will eventually give them a full title.

According to Walker (2012:13), the NDP certainly offers an eloquent analysis of the major development predicaments facing South Africa, and its evidence-based tactic for policy development is welcome. Similar to this is its further recognition of South Africa as a predominantly urban society, notwithstanding one with a strong rural dynamic, as well as its acknowledgement of poverty reduction as a long-term challenge that involves difficult cost-benefit calculations and trade-offs, especially if the imperative of shifting to an environmentally sustainable development path is taken seriously. Moreover, in this regard, the NDP argues that 'successful' land reform must be linked to rural job creation and 'rising agricultural production' in an 'inclusive rural economy. It further recognises that South Africa is a water-challenged region, and that climate change poses major threats to the environment and agriculture. Given the competition for water among different sectors, as well as its commitment to extending irrigation, agriculture will have to increase the efficiency with which it uses water. The NDP also raises legitimate concerns on the capacity of the state to implement ambitious policies, and highlights the importance of shifting from a paradigm of entitlement to a development paradigm that promotes the development of capabilities, the creation of opportunities, and the participation of all citizens.

According to Sibanyoni (2021), the NDP has been riddled with challenges, and chief amongst them are the high levels of unemployment, corruption, and the overwhelmed education and health systems which still bare the apartheid architecture. The NDP set an unemployment target of 14% by 2020, and 6% by 2030, and the country is nowhere close to these targets. Instead, it is moving in the opposite direction. To achieve these targets, the economy must grow by 4.6% annually, and create 450,000 jobs per year. The Covid-19 pandemic worsened the already struggling economy. The Statistics Quarterly Labour Force Survey by Stats SA (2021) states that the number of unemployed persons went up from 584,000 to 7,8 million, compared to the first quarter of 2021. Furthermore, the number of discouraged jobseekers also went up to 186,000 (5.9%), and the number of people who were not economically active for reasons other than discouragement decreased by 571,000 (4.5%) between the two quarters, resulting in a net decrease of 386,000 in the not economically active population.

### **3.10 SOUTH AFRICA'S LAND REFORM POST-SETTLEMENT AGENDA**

Mfuywa and Njara (2017) postulate that whilst land reform intends to stimulate socio-economic growth by allowing farmers to engage in productive land use and by creating employment opportunities through encouraging investment, most land reform projects are not utilising land optimally. In most cases, this is attributed to insufficient post-settlement, either private or government driven. Furthermore, land reform, in its nature, is an emotive issue, and it has become a dominant discourse in the recent past. What is extremely exhilarating is the prominence which the debate has received currently. Despite the overwhelming need for land reform, expertise and solutions remain a challenge. However, there is a lot of work that follows post-land transfer, and the success of land reform is directly linked to post-settlement support. There is a possibility that most of the farms acquired through land reform are not in production, are under-producing, do not have market access, or have been deserted. There can be many contributing factors towards this, and central among them is the lack of or inadequate farmer support, either technically or financially.

The South African post-settlement support is designed to assist land reform beneficiaries. It is defined within the ambit of government in ensuring proper aid to land and agrarian reform farmers post-land transfer. Moreover, good post-settlement support ought to provide farmers with skills so that they can effectively use them to participate in the mainstream economy and eradicate poverty. This would translate into improved sustainable quality of life (Phatudi-Mphahlele, 2016:12).

According to the Comprehensive Agricultural Support Programme (CASP) evaluation study (2015:10), access to agricultural support services is essential for increasing agricultural production and productivity, particularly in smallholder agriculture. Inadequate post-settlement support has been identified as a major contributor to the failure or poor performance of many land reform projects. It is also reasonable to suggest that poor access to farmer support services has negatively affected agricultural productivity and production in the former homelands. Therefore, it is not surprising that numerous efforts have been made by the government to improve access to agricultural support. The post-settlement government initiatives include, amongst other things, extension support which is targeting emerging farmers



concerning technical advisory support. There have also been grants which have been packaged to support farmers with production inputs under CASP.

This section unpacks the post-settlement support strategy of the South African government by discussing the following:

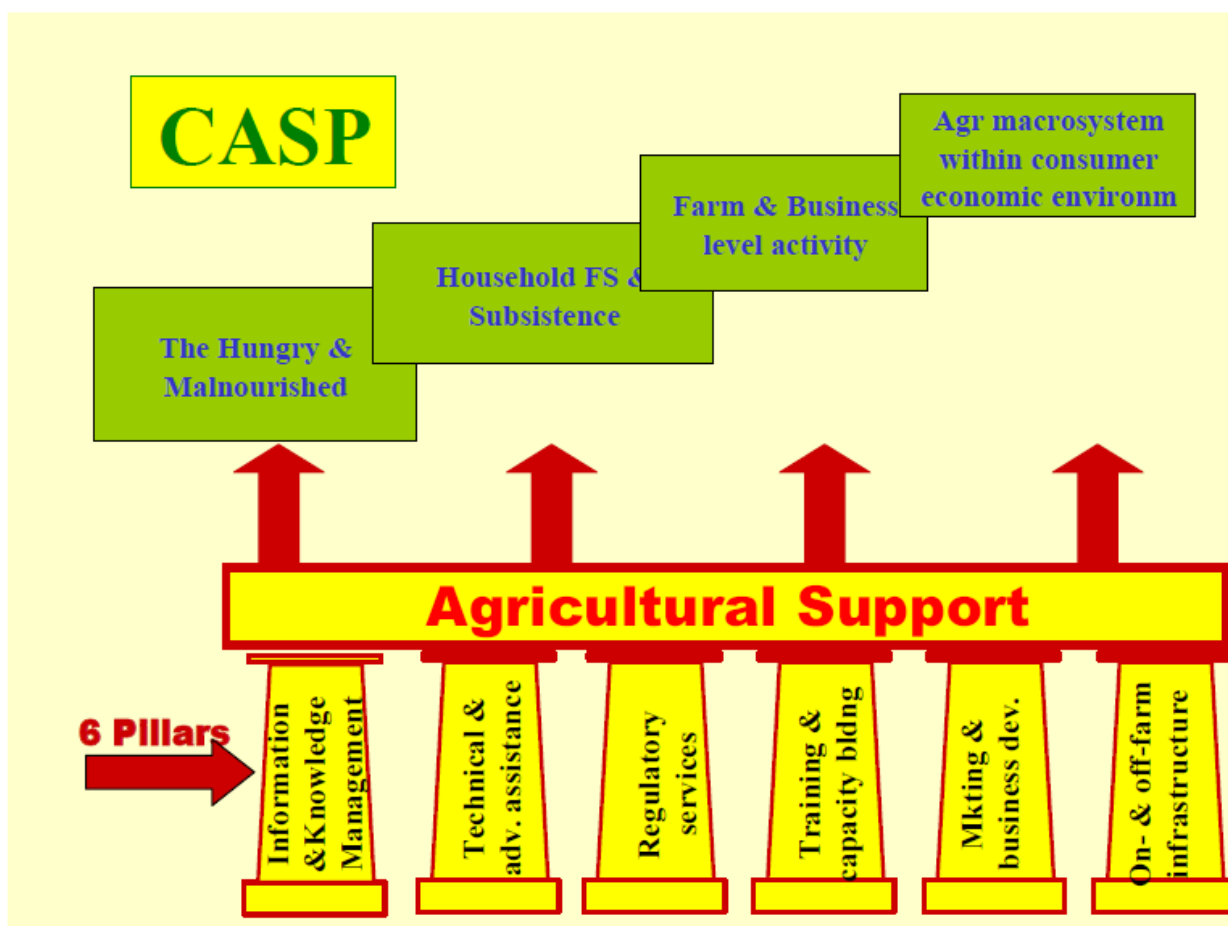
- Comprehensive Agricultural Support Programme
- Recapitalisation and Development Programme
- National Policy on Comprehensive Producer Support

### **3.10.1 Comprehensive Agricultural Support Programme**

Rungasamy (2011) states that the main aim of the Comprehensive Agricultural Support Programme (CASP) is to advance the quality of post-settlement support in agricultural projects, and to streamline the provision of services to the targeted four different levels within the farming continuum. CASP was further designed to enhance the provision of support services to promote and facilitate agricultural development, targeting the beneficiaries of the land reform and agrarian reform programmes. This includes the beneficiaries of restitution, redistribution, and tenure reform being provided with farm-level support. As such, 70% of the Department of Agriculture's (DoA) conditional grant budget for projects was earmarked for land reform projects.

Mncina & Agholor (2021:10) postulate that the CASP envisages six pillars that are aimed at advancing agricultural support for the four categories of its targeted beneficiaries as demonstrated in Figure 3.2. The DoA envisaged that for the sustainability of the land reform programme, these pillars are the necessary enablers and drivers of successful land reform projects. These six priority areas or pillars are:

- (a) information and knowledge management;
- (b) technical and advisory assistance, and regulatory services;
- (c) training and capacity building;
- (d) marketing and business development;
- (e) on-farm and off-farm infrastructure and production inputs; and
- (f) financial assistance.



**Figure 2.2:** CASP Pillars (Source: DoA 2004)

The CASP Progress Report (2005) argues that, to complement Land Redistribution for Agricultural Development (LRAD), the government introduced the CASP framework, a core programme within the Department of Agriculture. Rungasamy (2011) also concurs with the 2005 CASP progress report which defines CASP as a response to the limited agricultural support and aftercare, designed to provide post-settlement support to the targeted beneficiaries of land reform, and to other producers who have acquired land through private means and are engaged in value-adding enterprises domestically or are involved in export. Furthermore, this includes the four levels of clients in the field of farming, namely, the hungry and vulnerable, subsistence and household food producers, farmers, and the agricultural macro-system within the consumer environment, as depicted in Figure 3.2.

Baloyi (2010:33) argues that the inadequacy of studies on CASP suggests that there can be no clear conclusions on the failures and successes of the programme. However, there seems to be a proposition that the pillars of CASP are not being implemented together as a package in supporting smallholder farmers. Moreover, pillars such as marketing and training are not concentrated on, yet they are very important to the success of smallholder farmers. In some instances, farmers would be supported with infrastructure and production inputs, but struggle to penetrate the market. They must sell their produce through intermediaries and become price-takers instead of determining prices for their produce. Inadequate training may lead to a limited understanding of both business requirements and product knowledge. This means that if this support is not given in an integrated manner, it will be difficult to overcome the impediments faced by the emerging farmers. Moreover, the partial implementation of CASP means that the socio-economic costs will exceed the socio-economic benefits, particularly when dealing with poorly resourced farmers.

The CASP was projected to produce several results, including increased wealth production in agriculture and rural areas, enhanced sustainable employment, increased incomes, and increased foreign exchange revenues. The CASP programmes sought to improve farm productivity, raise national and household food security, and eradicate poverty and ownership disparities in land-based businesses. As a result, those who did not have sufficient access to food, and small-scale, large-scale, and agricultural macro-systems within the consumer context, were all addressed. The initiatives promoted civic engagement and ownership, while making sure that the historically marginalised groups received the benefits (Sango, 2022:119).

### **3.10.2 Recapitalisation and Development Programme**

It became clear in the previous section that CASP is not doing enough to respond to the post-settlement backlog challenges. This challenge led to the establishment of the Recapitalisation and Development Programme (RADP) in 2013 also known as Recap, which would be led by the Department of Rural Development and Land Reform. Shabangu, Ojo, Ngidi and Babu (2021:91) state that the significance of RADP is informed by the failure of the land reform post-settlement support programmes which are ineffective. Moreover, the formulation of RADP was an attempt to broaden the participation of several stakeholders, especially those in the agriculture value chain.

These stakeholders would assist in mentoring, facilitating market access and partnering with farmers. This was to augment CASP in trying to revive the underperforming farms by supporting them with capital to improve farm production, machinery, infrastructure, and access to mentorship to gain skills and knowledge on how to sustainably manage the farms. The objectives of RADP are five-fold, namely, to increase production, guarantee food security, graduate small farmers into commercial farmers, create employment opportunities within the agricultural sector, and establish rural development rangers.

Nenngwekhulu (2019:3) also concurs with the view that Recap was established with the sole purpose of putting back into production land reform farms that are in distress. Furthermore, the Recap funds to land reform beneficiaries were in the form of cash grants, mentorship, and capacity building, to financing infrastructure development, the acquisition of mechanisation, entrepreneurial support, production inputs, market support, and value chain integration. The programme is anchored on infrastructure development, and it has no ceiling in terms of the investment amount per project. However, to access the programme, the farmers must develop a five-year bankable business plan. In the first year, Recap funds 100% of the farm business plan which is released in tranches. In the second year, it funds 80%; in the third year, 60%; in the fourth year, 40%; and in the fifth year, 20%. Thereafter, Recap funding of the farm business plan ceases.

### **3.10.3 Blended Funding Scheme**

According to the National Policy on Comprehensive Producer Development Support (2021:40), the blended finance concept is premised on giving meaning to the use of public or philanthropic capital to spur private sector investment in projects aimed at achieving sustainable development goals. The model further suggests a combination of both loans and grant funding informed by a bankable business plan. The overarching goal of the scheme is to ensure the inclusion and participation of black smallholder and medium-scale producers across the agricultural value chains. It is also to leverage government and private sector resources to support investments that will unlock and enhance agricultural production by black smallholder and medium-scale producers through deliberate, targeted, and well-defined financial and non-financial interventions. Moreover, the scheme will adopt the following approach:

- All farmers who have been prioritised for funding through this policy shall be vetted by various financial institutions with whom the department shall have entered into agreements for this purpose.
- Farmers that would have been vetted and indicate a good financial record with less risk shall be evaluated for either approval or support under the blended financing model as first preference.
- The financial institutions shall recommend farmers that are eligible for support through the blended financial model as first preference. Therefore, comprehensive grant funding shall apply only to the farmers who are not qualifying for loans per the vetting results of the financial institutions.
- Farmers who qualify for comprehensive grant funding shall follow the department approval process.
- Farmers who are recommended for blended finance shall approach the financial institutions and follow the approval process as set out in the blended financial scheme manual.

The directly above approach is a newly established method of funding which does not erase CASP. It is not mainly premised on government funding, hence only 40% will be granted, and 60% will be a loan. This fund is administered by the Independent Development Corporation (IDC) and Department of Agriculture, Land Reform and Rural Development (DALRRD) (IDC, 2021). The programme is still in its first year of implementation, and there are not much cases to be examined in the sector. However, one of the key challenges that might be experienced by the farmers is the issue of accessing this fund based on the funding requirements that are not very different from those of commercial banks.

The sector has seen very few blended-like finance approaches, and not a lot is said about them. Other sectors such as manufacturing have also had initiatives of this nature, for example, the Black Industrialist Programme led by the Department of Trade, Industry and Competition (DTIC), and the Industrial Development Corporation. The advancement of blended financing should achieve success by drawing lessons from various funding strategies. Even while extensive and well-coordinated technical help is frequently essential for beginning farmers' success, funding arrangements do

not usually adequately account for it. Blended finance plans are time-bound, and targets to be achieved are explicitly defined. The development of an exit strategy is crucial to preventing farmers from being reliant on such programmes indefinitely. It has become a norm in some instances to fund projects in the sector without a clear exit strategy. Furthermore, immediately after exit, they should move on to commercial financing and make room for other entrants who will be assisted by the same or different blended finance initiatives. To keep beneficiary debt levels under control, the beneficiaries should be treated fairly when the funds are transferred from various partners to them. Blended finance for agriculture goes beyond supporting farmers only, but it is also essential for infrastructure such as dams, transport and trade logistics, and processing and storage facilities. The more lessons that the agri-sector can draw from the recent and current blended finance initiatives, the better equipped the sector would be for the long-awaited government-led blended finance scheme, and to extend financing partnerships beyond production to other critical needs (Simela, 2022).

### **3.11 POLICY IMPLEMENTATION**

These post-settlement support programmes are a government policy. As a result, they undergo the state policy process. The policy-making process entails agenda-setting, issue identification, policy development, policy decision, policy execution, evaluation, maintenance, and succession or termination. The implementation of policies can be defined as the process of carrying out governmental decisions, and it goes through a myriad of change processes. Central to the implementation of government policies is the improvement of socio-economic conditions of the citizens. This is where the government agenda finds expression and is translated into programmes, projects, initiatives, and regulations. Choosing strategies and making decisions are both aspects of public policy (Molobela, 2019:211).

As per the preceding paragraph, it is crucial to remember that the land reform post-settlement programme is carried out in the context of public policy. As a result, it is executed within the ambit of the 7C public policy protocols. The following methodological questions are raised before any public policy is put into action:

- i. What model will be used to carry it out?

- ii. What principal rules govern the application of public policy?
- iii. What are the specific issues and difficulties that decision-makers encounter in achieving their policy goals and outcomes?

The establishment of programmes and policies in South Africa is based on constitutional jurisprudence. This implies that programmes and policies must adhere to constitutional requirements. Stakeholder involvement is crucial for ensuring that all relevant parties support the project and play their respective roles. Before any policy is created and put into effect, policymakers must make sure that they have the support of all relevant parties, including the elected officials, coalition partners, company owners, interest groups, and the public (Skhosana, 2019:15).

The execution of policy can either be rolled out in a top-down or bottom-up approach. However, the top-down framework is oblivious of the important role which the actors on the ground play in implementing policies. The success or failure of any policy is judged by how it achieves its set objectives. It places emphasis on following the hierarchical approach, and does not pay attention to the multiplicity of the role players on the ground. Inputs for policy implementation are generated during policy formulation, including the means and resources. The low-level line managers and the field workers who are typically involved in the virtual execution of policies that produce a flow in the implementation process are not taken into consideration. In addition, it ignores the crucial elements and capabilities that could handle the complexity of the implementation process and the influence of environmental circumstances (Efretuei, 1996).

Those on the coalface of the implementation scale have a much greater potential to influence policy outcomes than the policymakers. In many cases, the latitude given to those in charge of applying policy in different situations is so great that they practically make the policy. When performing their jobs, this group of people engages with the public and exercises real discretion. The bottom-up implementation model begins by identifying a network of actors who are involved and active in policymaking and service delivery at various sectors in one or more places, and inquires of them about their objectives, expectations, problems, activities, strategies, and possibly contacts (Efretuei, 1996:74).

### 3.11.1 The 7C public policy protocols

Cloete *et al.* (2018) identified the 7C public policy protocols as content, context, commitment, capacity, clients/coalitions, co-ordination, and communication. Every one of the seven variables is connected to and influenced by the others to varied degrees, depending on the exact implementation circumstances. Skhosana (2019:23) postulates that the content of the policy may offer the ability for implementation. In other words, the institutional architecture of different stakeholders may contribute to the success or failure of policy implementation. Moreover, if those implementing policy are in synch and committed, gaps in efficiency and capacity can be easily addressed. This demonstrates the need for effective communication, which implies that all parties involved in the policy-implementation process must understand and agree to the process goals, objectives, roles, and responsibilities. Additionally, it is essential for all the parties involved to work together while developing strategies and plans. The following are the 7C public policy protocols:

- a) The actual **content** of the policy includes what it seeks to accomplish, how closely it links to the identified problem, and how it seeks to address it. According to Tshabangu (2020:7), depending on its purpose, a policy may be redistributive, regulatory, or distributive. Distributive policies have a non-zero-sum nature, and produce public benefits for the benefit of all. The rules of conduct are outlined in regulatory policies, and violations are subject to penalties. Policies that aim to redistribute money or power in favour of some groups and away from others are known as redistributive measures.
- b) The characteristics of the institutional **context**, the path that policy must take, and the parameters by which it is constrained during implementation are often expressed as standard operating procedures. Here, the institutional framework is the main concern which, like the other six factors, must be interpreted in the context of the system's broader social, economic, political, and legal reality. An office inside the federal bureaucracy must be the implementing organisation (Tshabangu, 2020).
- c) The **commitment** of the people in charge of implementing the policy at different levels is central in achieving the desired policy objectives. This is also an important aspect in policy implementation, and it is intertwined with allocating



resources to the planned deliverables. Those assigned to implement the policy must be driven and committed to the tasks because if they are not, success will be hindered. The foundation of any policy's success is commitment. Achieving targeted results starts with having management, financial, and political commitment (Cloete *et al.*, 2018).

- d) The **capacity** of the implementers ought to take on the necessary adjustments administratively for policy implementation. The achievement of policy implementation and improved service delivery depends on capacity. It is made up of both material and immaterial resources. Resources such as people, money, materials, technology, logistics, and transportation are just a few examples of tangible resources. Commitment, leadership, inspiration, readiness, guts, endurance, and trust are examples of intangible resources (Molobela, 2019).
- e) The programme's **clients/coalitions** are those who are mandated by policy to adapt to new patterns of interaction. They are the members of organisations or groups who will be most impacted by the policy. To comply with the requirements of the policy, these people must alter. Differentiating between clients who are impacted by policy implementation and those who can use their social influence or status to influence implementation requires consideration of several criteria (Tshabangu, 2020).
- f) The major goal of **communication** is to inform the parties engaged in the implementation of the policy about its purpose, objectives, goals, roles, and responsibilities. The implementation of policies depends heavily on communication. Interaction between departments and their stakeholders, including farmers, traditional leaders, and local communities takes place through communication. Additionally, interactions happen between superiors and their subordinates, and vice versa. The departmental setting offers a variety of communication channels, including written, verbal, and non-written. The appropriate communication strategy depends on the circumstances and the parties involved (Munzhedzi, 2020:10).
- g) The **coordination** of the many stakeholders' plans, strategies, and policies cooperation is frequently a key prerequisite for coordination, and this includes

collaborative effort. Effective coordination is essential for the successful implementation of government policies and programmes. Ties between government stakeholders and among departmental personnel must be fostered to ensure effective coordination. In essence, it should come naturally to assist a fellow official or a subordinate throughout the execution of municipal plans and programmes (Munzhedzi, 2020:11).

The aforementioned factors that researchers in the field of public administration have recognised as being important in the execution of policies are linked and do not function in isolation. For instance, the government's commitment to provide the necessary services may be worthless if it lacks the resources. It is crucial that these 7C protocol variables are connected. Without the other variables, the first cannot operate. The application of these variables must occur before the government's post-settlement programme is put into action. It must find expression through the programme development, and continue through the review and analysis stage (Munzhedzi, 2020).

### **3.12 CHAPTER SUMMARY**

This chapter reviewed literature on land reform and post-settlement support. Chief amongst the things that were unpacked is the history of land dispossession, post-settlement support during the apartheid era, post-1994 land reform, and post-settlement support that is available for land reform beneficiaries. The chapter also discussed the comparisons of land reform in Namibia, Kenya, and South Africa. This was done to determine the parallels and variations between land reform initiatives in various nations. The researcher focused on how land reform and post-settlement support are positioned in South Africa's macroeconomic policies to provide a better understanding of land reform as well. It is undeniable that the discussion on land reform has dominated in recent history, and it would be a mistake for most people to talk about land reform without mentioning post-settlement.

At the beginning of 2018, Cloete *et al.* (2018) developed the 7C policy implementation protocols as a strategy to improve service delivery, with a primary focus on policy implementation. Understanding the 7C protocols is crucial since the South African government has struggled to implement policies, as it may improve the execution of

programmes and policies. The 7Cs were examined in this chapter as one of the instruments for analysing the intricacies of post-settlement support. Implementing policies is not a simple undertaking due to the complexity of the process; research is required. The following chapter unpacks the legislation guiding land reform in South Africa.

## **CHAPTER FOUR: SOUTH AFRICAN LAND REFORM LEGISLATIVE FRAMEWORK**

### **4.1 INTRODUCTION**

In democratic South Africa, land reform has become a focal point of the political landscape. The undoing of the colonial and apartheid regime is very key in building a cohesive prosperous South Africa underpinned by social justice, democracy, and human rights. South Africa is battling with an unemployment crisis, poverty, and inequality. As a result, the ANC government has developed a land reform policy not only to redress, but to also create welfare from the country's agricultural land for its people. Over the years, the ANC has premised its policies on the 1950 freedom charter which postulates that the land must be divided among those who work it. Several laws and policies aimed at redressing historical injustices were enacted because of these political forces. The ANC presented several policy ideas during the constitutional negotiations involving the return and redistribution of land in South Africa. The process of dismantling apartheid and changing South Africa into a democratic, non-racial, and non-sexist society was started by Mr Nelson Mandela soon after he was elected the President of the Republic of South Africa in 1994. This procedure ended up serving as the basis for all policies and procedures used to accomplish land reform to this point (Newborn, 2018:17).

This chapter focuses mainly on the key land reform legislative prescripts that guide the South African Land Reform programme. It does so by discussing the legislation that underpins the three legs of land reform, and post-settlement support. However, it is also important to note that the South African land reform policy was unpacked in the literature review, hence this chapter focuses on the key legislative prescripts.

### **4.2 ABOLITION OF RACIALLY BASED LAND MEASURES ACT 108 OF 1991**

The negotiations between the ANC, other liberation movements, civil society, and the apartheid regime led to the enactment of the Abolition of Racially Based Land Measures Act 108 of 1991, which was a prelude to the 1994 transition. This was an important work that was aimed at making way for the much-needed reforms that were to be part of democratic South Africa. In 1991, the Abolition of Racially Based Land

Measures Act of 1991 was promulgated, and its main objectives were, according to the Gazette Government No. 13341 (1991):

- to repeal or amend certain laws in order to abolish certain restrictions based on race or membership of a specific population group on the acquisition and utilisation of the rights to land;
- to provide for the rationalisation or phasing out of certain racially based institutions, and statutory and regulatory systems;
- to regulate the norms and standards in residential environments;
- to establish a commission under the name of the Advisory Commission on Land Allocation; and
- to provide for matters connected therewith.

The Acts that were repealed are the Native Land Act of 1913; Native Trust and Land Act of 1936; Unbeneficial Occupation of Farms Act of 1937; Coloured Persons Settlement Act of 1946; Asiatic Land Tenure Act of 1946; Black Affairs Act of 1959; Rural Coloured Areas Act of 1963; Group Areas Act of 1966; and the Black Communities Development Act of 1984.

As a result, the Abolition of Racially Based Land Measures Act eliminated some limitations or racial discrimination in terms of access to and ownership of land. This means that people will no longer be granted privileges based on their race. This was accomplished by classifying people according to their skin colour and limiting them to a particular population group which, in turn, prevented some members of that population group from acquiring and using the land. The unequal landholding patterns in South Africa which persist despite the legislative reforms are a result of earlier regimes and biased land distribution. Despite the statutory mechanisms put in place to rectify South Africa's historical inequalities in land distribution, and despite the 29 years of democratic governance, the root causes of those injustices have still not been entirely addressed. This might be the result of several issues such as the slow implementation of land reform policies, the lax enforcement of those policies, the outrageous prices which the state must pay to buy land to make it available for redistribution, and the numerous claimants and counterclaims that have been filed against the same piece of land. As a result, the South African programme for land reform is ambitious, if not over-ambitious (Sihlangu & Sola Odeku, 2021:335).

### **4.3 1993 INTERIM CONSTITUTION OF SOUTH AFRICA**

A plethora of conversations took place between the apartheid regime and the liberation movements, leading up to the 1994 dispensation. The outcome of such engagements was the 1993 Interim Constitution amongst other things. Under this Constitution, every person or community that was deprived of land rights before its implementation under any law that would have conflicted with this Act is entitled to claim the restoration of those rights, if it is done subject to and by the Constitution (South African Government, 1993a).

An Act of Parliament shall provide for matters relating to the restitution of land rights, as envisaged in this section. A person or a community shall be entitled to claim the restitution of a right in land from the state if:

- a) such person or community was dispossessed of such right at any time after a date to be fixed by the Act referred to in Subsection (1); and
- b) such dispossession was effected under, or to further the object of a law which would have been inconsistent with the prohibition of racial discrimination contained in Section 8(2), had that section been in operation at the time of such dispossession.

The date outlined in Subsection (2)(a) may not be set earlier than June 19, 1913. Any rights in land expropriated under the Expropriation Act 63 of 1975, or any other law incorporating that Act by reference, or the provisions of that Act about compensation shall not be subject to the provisions of this section, provided that just and equitable compensation as contemplated in Section 123(4) was paid in respect of such expropriation. No claim under this provision may be brought prior to the Act's passage. Any claims shall be subject to and governed by such limitations, exclusions, and restrictions as may be applicable (South African Government, 1993).

### **4.4 PROVISION OF LAND AND ASSISTANCE ACT 126 OF 1993**

In accordance with Section 10(1)(a) of the Provision of Land and Assistance Act 126 of 1993, the Minister may proactively acquire land using funds that have been appropriated by the parliament. If it is for Act 126, the Provincial Chief Directors have

been granted permission under Section 10 to purchase land without first designating beneficiaries (South African Government, 1993b). This implies that the DALRRD will get into the property market and search for strategically located land which it may buy for redistribution, without first identifying beneficiaries. Act 126 is intimately related to the Proactive Land Acquisition Strategy (PLAS) which the DALRRD uses to acquire land. Additionally, the Provincial Chief Directors are free to decide whether to dispose or donate any land which they have acquired under the terms of Act 126, according to Section 11 of the said law. For example, these disposals or donations could go to the municipalities or other departments for human settlement or any other development. However, it should be understood that Section 11 only delegated some authority; the Minister still has full authority to impose the terms and conditions. In a nutshell, the Act controls the designation of specific lands, their subdivision, and the settling of people there. Additionally, it allows for the provision of financial aid for the acquisition of land, the security of tenure rights, and the provision of items related thereto (Kepe, 2016:9).

#### **4.5 RESTITUTION OF LAND RIGHTS ACT 22 OF 1994**

The main goals of the Restitution of Land Rights Act are to establish a Commission on Restitution of Land Rights and a Land Claims Court; provide for matters related thereto; and provide for the restitution of rights in land with respect to which persons or communities were dispossessed under, or to further the objectives of any racially based discriminatory law. This was the first land reform Act passed under the new political regime (Restitution of Land Rights Act 22 of 1994, 1994).

The South African government states that only land dispositions that occurred after the 1913 Land Act are recognised under the restoration procedure. Its main goal is to give those who were dispossessed and displaced by the previous government their dignity back. This process of dealing with land claims is, therefore, considered as land restitution. The Restitution of Land Rights Act was enacted by the parliament in November 1994 and, together with the Constitution, provides for the settlement of land claims against the state. Section 25(7) of the Bill of Rights in the Constitution of the Republic of South Africa which was adopted on 8 May 1996 and amended on 11 October 1996 by the Constitutional Assembly, states that a person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory

laws or practices is entitled to the rights and benefits of the Constitution of the Republic of South Africa (Nkosi, 2016:3).

There are also other crucial stipulations that are introduced by the Restitution of Land Rights Act. It states that the expropriated party's compensation must consider several factors, including the history of the expropriation, the amount of monetary and/or other compensation received in connection with the expropriation, the hardship the expropriation caused, the viability of regaining ownership, and the need to prevent significant social upheaval. The court must consider issues such as the need to make amends for prior abuses of human rights, as well as the standards of equality and justice. According to Section 33 of the Act, consideration must also be given to the amount of compensation or other consideration, such as a replacement property that was received in connection with the repossession. The Department of Agriculture, Land Reform, and Rural Development would, however, occasionally enable the affected community to retain the properties which they received as replacements for the properties from which they had been expelled, in addition to returning the land to them where this was appropriate. This might have been a way for the Act to compensate them. The requirement to consider the expropriation's aim while calculating compensation is a recent addition to the South African law governing the purchase of state-owned land. Before the passage of this Act, the Expropriation Act's requirements were that the property's state use be disregarded, and that its worth be determined solely by its current or anticipated use (Edward & Belling, 2008: 50).

#### **4.6 DEVELOPMENT FACILITATION ACT 67 OF 1995**

The Development Facilitation Act 67 of 1995 (DFA) sought to eliminate regulatory bottlenecks in the delivery of the allotted land for low-income housing, particularly those caused by the Spatial Planning and Land Use Management White Paper speed and development. Additionally, it implemented rules such as Section 67 to streamline and hasten the acquisition of land for construction projects. The Development Facilitation Act's goal was to guarantee the productive use of land to promote sustainable development (South African Government, 1995). It should be obvious that sustainable development calls for more than just vacant land and cannot be accomplished with just the availability of land. There is a need for support initiatives to help the beneficiaries, and these initiatives should go beyond financial and equipment



donations, to include mentorship and skill-building initiatives. Through the establishment of the provisions for the formation of land development targets that include mechanisms to track the results of such development following Sections 27, 28 and 29, the DFA has demonstrated a strong commitment to accelerating development, particularly in rural regions (Sihlangu, 2021:136).

The state's goal is that present legal incoherence must be changed into an integrated, efficient, and equitable planning and development system that maintains a balance between the public interest and private property rights. Due to its provision that capable local government authorities may establish land development objectives for the concerned area, the Development Facilitation Act is viewed as a crucial tool for attaining this goal. The Act can usher in a new age of principle-led planning by articulating general principles relating to land that has been developed to promote effective and integrated land development. The subject matter of the land development objectives includes the sustained utilisation of the environment, and the optimum utilisation of natural resources (De Klerk, 2003).

#### **4.7 INTERIM PROTECTION OF INFORMAL LAND RIGHTS ACT 31 OF 1996 (IPILRA)**

The Interim Protection of Informal Land Rights Act (IPILRA) was designed to prevent those with insecure landholdings from losing their land rights when land reform is implemented. This Act mainly applies to land in the communal areas that are in the custodianship of the traditional authority and communities. According to Section 2 of the IPILRA, anyone who is subject to the restrictions will be prohibited access to land that is held in commonage until such persons have become familiar with the practices of the community in question (Sihlangu & Sola Odeku, 2021:344).

The IPILRA governs how the South African system of customary land tenure is implemented. As the name implies, this is a stopgap approach to safeguard the imperilled customary land rights while waiting for long-term communal land tenure legislation. It should be noted that there is currently no long-term regulation governing communal areas (Tlale, 2020:1).

A person's informal right to land cannot be taken away without their approval, according to Section 2(1) of the IPILRA. This clause is subject to paragraph (4) of the

IPLRA, the Expropriation Act 63 of 1975, and any other law that authorises the expropriation of land rights. As a result, Section 2(4) specifies that no one's informal property rights may be taken away, unless authorised by the Expropriation Act, another legal land expropriation law, or by a majority of the community's members (South African Government, 1996b).

The national and provincial governments are tasked with allotting and managing land, according to the 1997 White Paper on South African Land Policy. The same White Paper does, however, acknowledge the roles that traditional leadership and all three sectors of the government play in the need for land administration. The White Paper, regrettably, does not specify which roles are to be undertaken by each of these various institutions or, more significantly, which land is to be managed by traditional leaders. Regarding the recognition of traditional leaders under a democratic system of government, Section 181(1) of the Interim Constitution of 1993 declared that a traditional authority that upholds an indigenous legal system and is legally recognized prior to the implementation of this Constitution. It shall also continue as such an authority to exercise and perform the powers and functions vested in it by the applicable laws and customs, subject to any amendment. Therefore, although the Interim Constitution did not address the distribution and management of land, it gave traditional leaders hope that they would have a role to play in post-apartheid South Africa. The Constitution further provides that the national law may be implemented to address the functions of traditional leaders in issues that have an impact on local communities. As a result, the Constitution required the parliament to pass laws addressing the roles and responsibilities of traditional leaders in the new South Africa, hence the enactment of IPLRA (Matengwane, 2021:10).

#### **4.8 LABOUR TENANTS ACT 3 OF 1996**

Landowners who, up until the 1930s, permitted people to live on their farms in exchange for working for them gave rise to the concept of labour tenancy. They were allocated a portion of the farm to utilise for grazing and planting crops. Furthermore, in exchange, they worked for the landowner for six months at little or no pay. A second-

generation worker on a farm who receives the right to reside there and use a piece of it is known as a labour tenant (Phillips, 2016).

The Minister may award advances or subsidies for the purchase of land or rights to land by labour as well as for the development of land that is currently or will be occupied by labour tenants using funds authorised by the parliament for those purposes. The above advances or subsidies may be used to help labour tenants purchase the aforementioned properties, as well as any other properties, and any rights associated with them. The Act also attempts to address issues linked to ensuring the security of tenure of labour renters and those who occupy or use land because of their relationship with labour tenants (South African Government, 1996c).

#### **4.9 1996 CONSTITUTION OF SOUTH AFRICA**

Although the Constitution of 1996 states in Section 25(1) that no one may be dispossessed of property unless it is permitted by a law of universal application and that no legislation may allow for the arbitrary deprivation of property. However, according to Section 25(2) of the South African Government (1996a), property may be expropriated only in terms of the law of general application for (a) a public purpose or in the public interest, and (b) subject to compensation the amount, time and manner of payment which have either been agreed to by those affected, or decided or approved by a court. Subsections (1) and (2) read together clearly highlight the state's intentions to the equal redistribution of land to the previously dispossessed owners. In instances where the land in question or claimed land is held for a better purpose or public interest, restitution in the form of monetary compensation will be given to the claimant, because the land in question is used for public interest and or the developments on such land serve a better purpose. However, that does not mean that the rights of people to have their land returned or restored are superseded by the developments made on the land. In fact, it means that such developments are positively contributing to the sustainable development needed to better the lives of black people. Further, it entails that property may be expropriated only in terms of the law of general application, and that such expropriation must be for the purposes of public interest. Expropriation aims to ensure that land is retrieved from the white minority and made available to the previously dispossessed owners and the public. The said public interest includes, among others, the nation's commitment to land

reform which will bring into existence impartial access to all South Africa's natural resources. Although the provisions of these sections are under parliament's debate for the purposes of amendment in a way that expropriation would not be subject to compensation, such amendments would not have any effect on the initial purpose of expropriation; meaning that expropriation will still be for public interest, that is, making land available and accessible to everyone, including land reform. Moreover, it will inevitably ensure that the provisions of Section 25(7) as provided for in the Constitution are actively achieved (Sihlangu, 2021:108).

According to Boyle (2001:680), the provision of Section 25(5) outlines that the state must take reasonable and other legislative measures within its available resources to foster conditions which will enable the citizens to gain access to land on equitable bases, which would be effectively implemented by the proposed amendment of Section 25 of the Constitution. This would be by making sure that land is distributed to historically underprivileged groups without having to pay landholders more to make up for land that was forcibly taken away from Black people. This will consequently ensure that the funds and resources that are set aside for compensation are saved only for compensating the developments, and not for the value of the land to be expropriated. As a result, the state can be in a better position to increase funds aimed at the redistribution process, and provide adequate post-settlement support services to land reform beneficiaries. Therefore, in this fashion, the state resources will be optimally used to ensure the productive use of the redistributed land, and consequently alleviate poverty among the beneficiaries. This will not change the status of land reform in the Constitution, but it will ensure that land for redistribution is made available to achieve the objectives of land reform. Further, it ensures that there are adequate resources to fund the support services of the land reform beneficiaries to embark on projects that will generate income and, consequently, contribute to the economy.

#### **4.10 1997 WHITE PAPER ON SOUTH AFRICAN LAND POLICY**

According to Young (2017:34), in keeping with the obligations stated by the Constitution, a White Paper on South African Land Policy was published in 1997. It identified three broad areas of reform related to land, namely, restitution, redistribution, and tenure reform. The detailed definitions of the three legs of land reform were

provided in the preceding chapter in sub-section 3.8.1. These were meant to address the following five themes which are prevalent in South African land ownership and use:

- a) the injustices of racially based land dispossession of the past;
- b) the need for more equitable distribution of land ownership;
- c) the need for land reform to reduce poverty and contribute to economic growth;
- d) security of tenure for all; and
- e) land management which will support the sustainable use patterns and the rapid release of land for development.

The requirement to document and register all property rights, as well as the necessity of efficiently managing public land are two more significant issues which the policy addresses. To reverse the many laws that established racial segregation and discrimination in terms of access to land, an Act was undoubtedly passed before the implementation of all these measures. The Natives Land Act 27 of 1913, Natives Administration Act of 1927, Native Trust and Land Act 18 of 1936, Group Areas Act 41 of 1950, and the Group Areas Act 36 of 1966, were among the laws that the Abolition of Racialised Based Land Measures Act passed in 1991, and was intended to repeal (Young, 2017:37).

#### **4.11 EXTENSION OF SECURITY OF TENURE ACT 62 OF 1997**

The Extension of Security Tenure Act (ESTA) provides the tools to control farm dwellers and owners' relationships. People who live in rural or peri-urban areas with the owner's consent have been protected by ESTA since it was enacted in 1997. The Act acknowledges that many individuals living on other people's farms are susceptible to unjust evictions because they lack secure tenure over their properties and the land which they use (Shrinda, 2011:75). The ESTA aims to establish measures with state help to facilitate the long-term security of land tenure, and to govern the conditions of habitation on certain lands. It also establishes the terms and conditions under which a person's right to occupy land may end, and under which they may be evicted from it (Extension of Security of Tenure Act, 62 of 1997, 1997).

The Act further postulates that the minister shall provide subsidies from the funds appropriated by the parliament for that purpose, subject to any conditions that the

Minister may specify generally or decide in a specific instance. These purposes include making it easier to plan and carry out on-site and off-site developments; enabling occupiers, former occupiers, and other individuals who require long-term security of tenure to purchase land or the rights therein; and developing land that is occupied or to be occupied in terms of on-site or off-site developments. When determining whether to grant a subsidy request and, if granted, which application should be given precedence, the Minister will consider how closely an application meets the economic development, and how it involves accommodating the interests of both the owners and occupants.

#### **4.12 RESTITUTION OF LAND RIGHTS AMENDMENT ACT 15 OF 2014**

In May 2011, negotiations with land claimants and different interest organisations were started by the then DALRRD Minister Nkwinti, who also pledged to examine the cut-off dates. This was driven by the fact that many people did not meet the 1998 cut-off date for lodging claims. As a result, a draft Amendment Bill was made public for feedback in May 2013. There was a high number of submissions, some which welcomed the reopening, while the others were very critical. The commissioning of a Regulatory Impact Assessment (RIA) which was necessary for all new laws was the next stage. The RIA assessed the administrative, financial, legal, and socioeconomic viability of reopening the 1998 land claim filing deadline. It made note of several issues with the restitution programme to date, including its slow pace, the subordination of land restitution to property rights, pecuniary compensation instead of the restoration of land or prioritisation in state development initiatives, the inadequate provision of post-settlement support, and a failure to link with more comprehensive development initiatives (Parliament, 2016:44).

The RIA made three recommendations, which were to reopen the lodgement of restitution claims to enable the eligible persons and groups who did not submit claims by the cut-off date of 31 December 1998 to lodge claims for a further period of five years; improve the planning and administrative processes of the restitution programme in order to ensure a more effective implementation, and avoid costly and cumbersome delays; and improve the support provided to the restitution beneficiaries (South African Government, 2014).

#### **4.13 CHAPTER SUMMARY**

This chapter examined some of the most important legal prescripts for land reform which are directly linked to restitution, redistribution, and tenure reform. It is crucial to keep in mind that the 1997 White Paper on Land Policy and Section 25 of the 1996 South African Constitution serve as the foundation for any land reform legislation. The following chapter discusses the research methods that were adopted in this research.

## **CHAPTER FIVE: RESEARCH DESIGN AND METHODOLOGY**

### **5.1 INTRODUCTION**

This chapter provides a discussion on the research design and methodology that was employed in gathering primary data from the target population. The chapter details the research approach, methods, data collection tools and instruments, and the sampling technique employed to collect qualitative data for the research. In Chapter 6, the information gathered is presented as a piecemeal creation of the insider's knowledge of the problems participants confront on land reform farms. The literature discussed in Chapter Three was utilised to establish key themes for data collection. The research design, research approach, and research methodology used in this research are also explained. The best strategy for addressing the variables influencing the successful implementation of government-driven post-settlement support was determined to be the case method study design. The use of the case study methodology, document analysis, and empirical research methods was successful. Further, the chapter discusses the data collection tools and analysis method, as well as the reliability, validity, and legitimacy of the data analysis process, including the population and sampling techniques.

### **5.2 STUDY AREA**

The research was conducted in the Amathole District Municipality (ADM) which is under the Eastern Cape province in South Africa. According to the Department of Cooperative Governance and Traditional Affairs profile and analysis of the Amathole District Municipality (Cogta, 2020: 4), mining and agriculture make up the two major economic sectors that constitute the primary sector. The sector of agriculture saw the most growth between 2008 and 2018, with an average growth rate of 17.2% in 2017. The agricultural sector recorded the lowest growth for the period in 2016 at 16.8%. The ownership of land varies greatly in the Amathole District, and ranges from communal ownership, notably in the old homelands, to private commercial ownership. The reform of land tenure in rural regions is one of the problems with land and space because it makes it risky for private investors to invest in agriculture.



The six local municipalities within the Amathole District, which are depicted in Figure 5.1, are:

- i. Amahlathi Local Municipality – The towns include Cathcart, Kei Road, Keiskammahoek, and Stutterheim. Amahlathi is an isiXhosa name that means forests, which are a key feature of the area.
- ii. Great Kei Local Municipality – The towns include Amatola Coastal, Kei Mouth, Komga, and Morgan Bay. This is the smallest of the six municipalities in the district. Regional access is obtained through the district via the N2 National Route from East London to Butterworth. It is mainly a tourist destination, although the film industry has also shown a keen interest in the area. The municipality is also historically famous for its agricultural sector and cultural heritage.
- iii. Mbhashe Local Municipality – The towns include Dutywa (previously Idutywa), Elliotdale, and Willowvale. It is bound by the coastline, flowing from the Mncwasa River in the north to the Qhora River in the south, along the Indian Ocean. The municipality earned its name from the beautiful river called Mbhashe, which flows through Dutywa, Willowvale, and Elliotdale.
- iv. Mngquma Local Municipality – The towns include Butterworth, Kentani, and Ngqamakhwe. It comprises an amalgamation of the former Butterworth, Ngqamakhwe, and the Centane Transitional Regional Councils.
- v. Ngqushwa Local Municipality – The towns include Hamburg, and Peddie. It is bordered by the Keiskamma River to the east, and the Great Fish River to the west. The southern boundary comprises part of the coastline of the Indian Ocean. Ngqushwa is one of the smaller municipalities in the district, accounting for 10% of its geographical area, and it is predominantly rural.
- vi. Raymond Mhlaba Local Municipality – The towns include Adelaide, Alice, Bedford, Fort Beaufort, Hogsback, Middeldrift, and Seymore. It is the largest municipality of the six in the district, making up a third of its geographical area. This municipality includes the imposing and majestic mountain range of the Winterberg (liNtaba zeNkonkobe). Most of the farming activities take place in the rural areas which consist of partly owned farms, and this plays a major role in the economic growth of the area.



**Figure 5.1:** Profile and analysis of Amathole District Municipality (Source: Cogta, 2020)

### 5.3 OVERVIEW OF SOCIAL SCIENCE RESEARCH

According to Black (2019:5), the process of investigating social topics and social problems in society is known as social science research. Through a methodical scientific process, new knowledge is being derived from social science research, as well as fresh information. This methodical process enables the obtaining of fresh information on any social issue that has an impact on people in society. Social research helps academics comprehend the ‘why’, ‘when’, ‘where’, ‘what’, and ‘how’ of social construction and reconstruction daily. The complexity of society is better comprehended through social science research since it offers knowledge that can support or challenge preconceived notions. Researchers use social science research as a strategic tool to refute previously held beliefs and replace them with fresh information about social reality.

Akanle and Shittu (2020:97) also support the aforementioned author, as they view social research as the primary method used in the social sciences to learn about the social world. However, the numerous theoretical perspectives existing in the research subject have a substantial impact on such knowledge. A researcher's theoretical perspective will determine what and how social problems will be studied, the types of questions to be asked, the methodology to be used in gathering data or facts for analysis, the analytical tools to be used, and ultimately the interpretation that results from these processes. Furthermore, social research is not merely done for fun by social scientists. It is premised on closing knowledge gaps and contributing to knowledge to help in developing policies and effective actions that will ultimately benefit societal development. This establishes the fundamental difference between pure and applied research, the two categories of study based on purpose. Regardless of which one the researcher aspires for, any social research must be reputable and trustworthy in terms of accurate conceptualisation of the issues at hand and the fieldwork's findings.

#### **5.4 RESEARCH DESIGN AND METHODOLOGY**

This research is qualitative in nature, hence it adopted the case study design. This is because quantitative research collects a much narrower and sometimes more superficial dataset, whose results are limited as they provide numerical descriptions rather than detailed narratives, and less elaborate accounts of human perception. According to Kumar (2019:154), a research design is a plan, structure, and strategy of investigation conceived to obtain answers to the research questions or problems. Moreover, it is the complete plan or programme of the research. A research design further includes an outline of what the researcher will do and their operational implications for the final analysis of data. The most common classification of research methods is (i) qualitative, and (ii) quantitative. The differences in the philosophical perspectives in each research method, combined with the aims of a study, to a larger extent, determine the focus, approach, and mode of enquiry which, in turn, determine the structural aspects of a study design. Cropley (2019:6) explains quantitative study as a research strategy for elucidating a phenomenon by the collection of numerical data that is then analysed through statistical methods. Utilising investigational techniques like surveys and experiments, quantitative research methods gather

information on pre-selected instruments to provide statistical data. It also looks at disparities in the quantity or level of the variables under investigation, as well as their causal connections.

According to Almeida, Queirós and Faria (2017:370), the basis of qualitative research is to better understand a particular issue, and it is least concerned with numerical representativity. The researcher is both the subject and the object of investigation in qualitative studies. In an attempt to understand the numerous facets of the subject under research, the qualitative methodology seeks to produce in-depth and illustrative data. Therefore, qualitative research focuses on the comprehension and justification of the dynamics of social relations, and is concerned with parts of reality that cannot be quantified. A deeper area of interactions, processes, and phenomena that cannot be boiled down to the operationalisation of variables are the focus of qualitative research, which deals with the universe of meanings, motives, aspirations, beliefs, values, and attitudes.

Skovdal and Cornish (2015:5) postulate that the qualitative research method is descriptive, and it takes the form of interview notes, observation records, and documents; and the data is analysed inductively. Furthermore, qualitative research aims to investigate the meanings, practices, and experiences that people have on a personal and social level, as well as how the context influences these. Therefore, examining, unravelling, and describing social meanings and perspectives of a phenomenon or programme is seen as beneficial in qualitative research. Not only may qualitative research provide those whose opinions are typically ignored or voiceless a chance to be heard, but it can also shed light on the 'how', 'why', and 'under what circumstances' that a given phenomenon or programme operates in the way that it does. It includes a diverse and representative cross-section of affected persons, in-depth analysis of the rich and detailed information on affected populations, and it allows researchers to explore the views of homogenous, as well as diverse groups of people to help unpack these differing perspectives. Woods (2006:27) is also of the view that the qualitative researcher seeks to discover the meanings that participants attach to their behaviour, how they interpret situations, and what their perspectives are on issues.

A significant portion of the data for the study was obtained from primary sources, which included in-person interviews with people who were knowledgeable on the subject under study, and through project site visits which the researcher made in order to obtain an understanding on the experiences at the resettlement farms. The departmental officials were interviewed online through Microsoft Teams, while the Amathole District Municipality farms were visited by the researcher to conduct face-to-face interviews, with the consent of the owners and pertinent stakeholders. The research also used official documents obtained from the Department of Rural Development and Agrarian Reform; Department of Agriculture, Land Reform and Rural Development; Eastern Cape Socio-Economic Consultative Council; and other relevant sources. The official documents such as policies and Acts were used to lay the foundation for the research as most activities were carried out based on what the national land reform policies dictated. All these documents are available in the public domain.

## **5.5 CASE STUDIES**

The researcher employed the descriptive case study approach as the research involved an in-depth study of a particular situation rather than a random sample of individuals drawn more widely. This further assisted in gathering information about the unit of analysis, and to unpack the issues surrounding the post-settlement support of land reform beneficiaries and detailing the factors affecting the effective functioning of the post-transfer support.

Case studies offer an opportunity to comprehend complex situations that have many elements to consider. Furthermore, they are very appealing for expanding the body of knowledge in each sector. They enjoy great popularity in the applied sciences, social sciences, education, and health. Moreover, case studies present a good chance for innovation, and pose a theoretical challenge. In addition, they can supplement or replace the focus group method in valuable ways (Almeida et al,2017:377).

According to Neuman (2014:42), case study research closely examines one or a few cases, concentrating on numerous specifics within each case and setting. In essence, case study research looks at the specifics of both the external circumstances and the internal qualities of each case. Case studies allows research to connect the macro level, which refers to the elaborate systems and procedures, with the micro level, or

the behaviours of specific individuals. Research using case studies offers various advantages. It makes the researchers' thinking more precise, and enables them to make connections between abstract concepts and the actual details of the examples which they carefully investigate. Additionally, it allows them to calibrate or modify how their abstract notions compare to the actual events and the generally accepted standards of proof. Case study research has the following six strengths:

- **Conceptual validity:** Case studies aid in "flushing out" and identifying the concepts or variables of greatest interest so that one can arrive at their core or fundamental meaning in abstract theory.
- **Heuristic impact:** Case studies contain numerous heuristics, such as providing further learning, discovery, or problem solving. They aid in the creation of new theories, the expansion or development of concepts, and the exploration of conceptual boundaries.
- **Causal mechanisms identification:** Highly heuristic case studies aid in the creation of novel theories, the expansion or development of concepts, and the examination of the boundaries of related concepts.
- **Ability to capture complexity and trace processes:** Case studies help to demonstrate extremely complex, multi-factor events and situations, and for following processes over time and location.
- **Calibration:** Case studies allow academics to translate abstract notions into verifiable, real-world examples, and realistic benchmarks.
- **Holistic elaboration:** Case studies allow for the inclusion of several perspectives or opinions, and can expound on an entire scenario or process holistically.

According to Gerring (2007:20), a case study is a method that is qualitative, holistic, and non-survey based; it uses comprehensive examination, evidence gathering, naturalistic; and it uses a particular type of evidence that is non-experimental. A case study may be understood as the intensive study of a single case, but it may incorporate multiple cases. Moreover, it is based on an in-depth investigation of a single individual, group, or event in order to explore the causes of underlying principles.

According to Eller, Gerber and Robinson (2013:130), a case study is an account that describes, explains, or explores details about an organisation, a programme or policy process, or an institutional arrangement. A case study, to research, can essentially take one of the three forms, namely, exploratory case studies, explanatory case studies, and descriptive case studies. Neuman (2006:42) argues that case studies do not claim to be representative, but the focus is on what can be learnt from a particular case. They are an in-depth examination of an extensive amount of information on every few units or cases for one period or across multiple periods.

Hill (2017:55) is also of the view that the case study approach inherently draws its strength in its ability to enable the researcher to gain a holistic view of a certain phenomenon or series of events. Moreover, the goal of case study research is to fathom the situation under investigation primarily from the participants', and not the researcher's perspective. Descriptive case studies attempt to obtain answers to the questions of 'what' or 'who', and their data collection method is often accompanied by method(s) such as interviews, questionnaires, and experiments.

## **5.6 DATA COLLECTION INSTRUMENTS**

Interviews were the main data collection instrument utilised in this research, and they are elaborated further in the subsequent sections.

### **5.6.1 Interviews**

According to Schroder (2016:3), face-to-face surveys are distinguished by the fact that the interview is conducted over the phone or in person with the participant. Furthermore, as the interviewer reads out the questions, the participants' responses are also recorded. However, compared to self-administered questionnaires, the interviewer can provide considerably more thorough explanations on the tasks and questions. The researcher can encourage the interviewees to answer, check to see whether their responses are accurate, and clarify any questions that the interviewees are unsure of. Additionally, the interviewer's assessments of the participants and their living environment can improve the interview findings. Face-to-face surveys also have the advantage of allowing for lengthier and more in-depth interviews than other survey formats. In the survey literature, in-person interviews are recommended as the

technique that yields the highest response rates when multiple survey delivery methods are evaluated according to international research.

Making use of qualitative research methods means that the researcher collects data in the form of words, rather than numbers. The most relevant and commonly used tools to produce this kind of data are individual interviews with research participants and group discussions (Bricki & Green, 2007). The researcher employed face-to-face interviews with a selected set of cases based on their land reform experiences, with the intent to obtain in-depth and rich information (Valenzuela & Shrivstava, 2005). The interviews were recorded using a digital recording device with the permission of the interviewees, and the data was transcribed verbatim to accurately capture valuable information. The interview schedule had an answer entry field which enabled the researcher to capture the field notes during the interviews. Due to the prevalence of the Covid-19 pandemic, electronic platforms like Microsoft teams to collect data were established, but they were never really used. All engagements with the participants were done physically in offices with the government officials, and on farms with the beneficiaries.

### **5.6.2 Interview schedule**

The interview schedule was composed of open-ended and closed-ended questions, and contingency questions were also included. The format that was employed in conducting the interviews was semi-structured interviews. This means that the interviews were both structured, as is the case of an interview that consists closed-ended questions, and unstructured, such that the interviewee is simply given the freedom to ask further questions based on the responses of the interviewees. In this research, the semi-structured interviews provided topics and questions for the interviewee, which were carefully designed to extract the interviewee's ideas and opinions, as opposed to leading the interviewee towards preconceived choices.

## **5.7 RESEARCH POPULATION AND SAMPLING**

The researcher purposively selected the sample which acquired land through land reform, and benefited from the post-settlement support programme; and based on his knowledge of these farmers and the aim of the research, and the willingness of the participants to provide information based on their knowledge and experience.



According to Haque and Bharati (2010), in purposive sampling, the research selects the best sample representing the goals of the investigation. The Amathole District Municipality area consists of a wide spectra of farms which range from subsistence to large-scale commercial farms, including land reform farms. The researcher purposefully selected four cases of farmers that acquired land through land reform, and benefited from the post-settlement support programme.

According to Johns (2018:5), purposive sampling is an informant-selection tool which is not effectively explained in most studies. In addition, purposive sampling is referred to in many studies as judgement sampling, as the researcher deliberately chooses the informants or participants according to the knowledge and experience they might possess. Moreover, a non-random technique does not require underlying theories or a set number of informants. Simply put, the researcher decides what needs to be known, and sets out to find the people who can and are willing to provide the information based on their knowledge or experience.

This research was conducted in three land reform sites or farms in the Amathole District Municipality, which have received post-settlement support. The interviews entailed on-site visits to the farms, and the researcher requested the participants to go on site tours in order for the researcher to observe how things were done in the project. The researcher also interviewed four (4) officials from the Department of Rural Development and Agrarian Reform, and four (4) officials from the Department of Agriculture, Land Reform and Rural Development. The post-settlement support beneficiaries that were visited are spatially distributed across the district as follows: one (1) in the Ngqushwa Local Municipality, one (1) in the Amahlathi Local Municipality, and two (2) in the Great Kei Local Municipality. The site population, sample size, and sampling technique are summarised in Table 5.1.

**Table 5.1: Population and sample size**

Target group	Nature of the Group involved	Site population size	Age category	Sampling method	Sample size	Justify sample size
Group 1*	<p><b>Public officials:</b> <b>Sub-group A:</b> Eastern Cape Department of Rural Development and Agrarian Reform</p> <p><b>Public officials:</b> <b>Sub-group B:</b> Department of Agriculture, Land Reform and Rural Development (Amathole)</p>	<p>4</p> <p>4</p>	18-65	<p>The research used Purposive sampling which is defined as judgement sampling, in that the researcher deliberately chooses informants or participants according to the knowledge and experience they might possess. The researcher selected the sample of the study based on his knowledge of these farmers and the aim of the research.</p>	<p>Group 1:</p> <ul style="list-style-type: none"> <li>• 4 officials from Sub-group A, and</li> <li>• 4 officials from Sub-group B will be interviewed.</li> </ul> <p>A total of <b>8 officials</b> from Group 1 were be interviewed.</p>	<p>All <u>eight targeted officials</u> are involved in post-settlement programmes.</p> <p>The sample is sufficient to establish the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries in the Amathole District Municipality in the Eastern Cape Province.</p>

Target group	Nature of the Group involved	Site population size	Age category	Sampling method	Sample size	Justify sample size
						The researcher <u>interviewed</u> the officials from both sub-groups physically until saturation was reached. Intuitively the expectation was to interview all eight participants. However, if saturation was not reached the researcher would have continued to interview more participants.
Group 2*	<b>Farmers: Sub-group A:</b> Ngqushwa Local Municipality	24 farmers/beneficiaries	18-65	The research used Purposive sampling which is defined as judgement sampling,	<b>Farmers: Sub-group A:</b> Ngqushwa Local Municipality (1)	The researcher purposefully selected four farmers that acquired land through

Target group	Nature of the Group involved	Site population size	Age category	Sampling method	Sample size	Justify sample size
	<p><b>Farmers: Sub-group B:</b> Great Kei Local Municipality (2 groups)</p> <p><b>Farmers: Sub-group C:</b> Amahlathi Local Municipality</p>			<p>in that the researcher deliberately chose informants or participants according to the knowledge and experience they might possess. The researcher selected the sample based on the knowledge and experience of the farmers, and the main purpose of the research.</p>	<p><b>Farmers: Sub-group B:</b> Great Kei Local Municipality (2)</p> <p><b>Farmers: Sub-group C:</b> Amahlathi Local Municipality (1)</p> <p><b>Total</b> = Three sub-groups were examined with a total of four (4) cases</p>	<p>land reform and benefited from the post-settlement support programme. The participants were willing to provide information by virtue of their knowledge and experience".</p> <p>The researcher conducted the interviews in person.</p>

All the eight (8) government officials that were interviewed are involved in administering post-settlement programmes. The sample was sufficient to establish the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries in the Amathole District Municipality, in the Eastern Cape Province. The researcher interviewed all the officials from both sub-groups in their offices until data saturation was reached. Intuitively, the expectation was to interview all the eight (8) participants. However, if data saturation was not reached, the researcher would have continued to interview more participants.

## **5.8 ETHICAL CONSIDERATIONS**

The following ethical considerations were adhered to when conducting the study:

### **5.8.1 Ethics clearance**

This research fulfilled all the ethical clearance conditions set out by the College of Economic Sciences and Management at the University of South Africa (UNISA) before carrying out the fieldwork. The researcher was provided with an ethical clearance certificate from the Department of Public Administration and Management, signed by the chairperson of the ethics committee (see Annexure A). Permission to collect data was obtained from the Eastern Cape Department of Rural Development and Agrarian Reform (see Annexure B), and the Department of Agriculture, Land Reform and Rural Development (see Annexure C).

### **5.8.2 Informed consent**

The researcher was aware of the importance of providing research participants with sufficient information on the research in a format that is comprehensible to them, and to ensure that they made a voluntary decision to participate in the study. The participant information sheet (see Annexure D) was emailed to the Group 1 participants before the commencement of the interviews. Further, the informed consent form (see Annexure E) were also emailed to the participants, and after they completed and signed them to show voluntary participation, they were emailed back to the researcher before the beginning of the interviews. The researcher also answered any questions which the participants has concerning the research process.

The DALRRD and DRDAR provided the contact details of the land reform beneficiaries who received post-settlement support in the Amathole District Municipality. Upon getting access to the farmers, the researcher explained the contents of the participant information sheet to the potential participants. The farmers made an informed decision on the request by the researcher to be interviewed, and they signed the informed consent to confirm their consent to participate in the study.

### **5.8.3 Confidentiality**

Before an individual becomes a participant, they are advised of the aims, methods, and anticipated benefits of the study; their right to abstain from participation in the research and their right to withdraw from participation; and the confidential nature of their responses. No pressure or inducement of any kind was applied to encourage the individuals to become subjects of the research. The researcher adhered to all relevant elements of the UNISA research ethics code, and refrained from using any tactics to influence the participants to participate in the study. All information provided by the participants was considered confidential, and the data received will serve no other purpose than purely for academic research. The participants were not compensated, except for 250MB of data which they used for the online interviews. The researcher, therefore, prioritised protecting the confidentiality of the participants. In explaining the research focus to them, the researcher informed them that their names would not appear in the study or any other related work.

## **5.9 DATA ANALYSIS**

According to Neuman (2014:472), when studying qualitative data, researchers typically utilise less abstract theory, and construct generalisations or interpretations that are nearer to the specific data and circumstances. To create a realistic picture of social life and to promote understanding, researchers can generate new theories rather than proving causal hypotheses. The explanations usually go into detail, consider context, and can convey the intricate processes or sequences of social life. In addition, the objective is to arrange the particulars into a logical image, model, or collection of concepts that are closely related. Qualitative explanations can be very improbable or extremely plausible. Furthermore, to disqualify some theoretical ideas from consideration, and to make others seem more plausible, supporting evidence is

offered. Qualitative analysis can eliminate an explanation by showing that a wide array of evidence contradicts it. The explanations usually explain a wide range of topics, consider context, and can convey the intricate movements or sequences of social life.

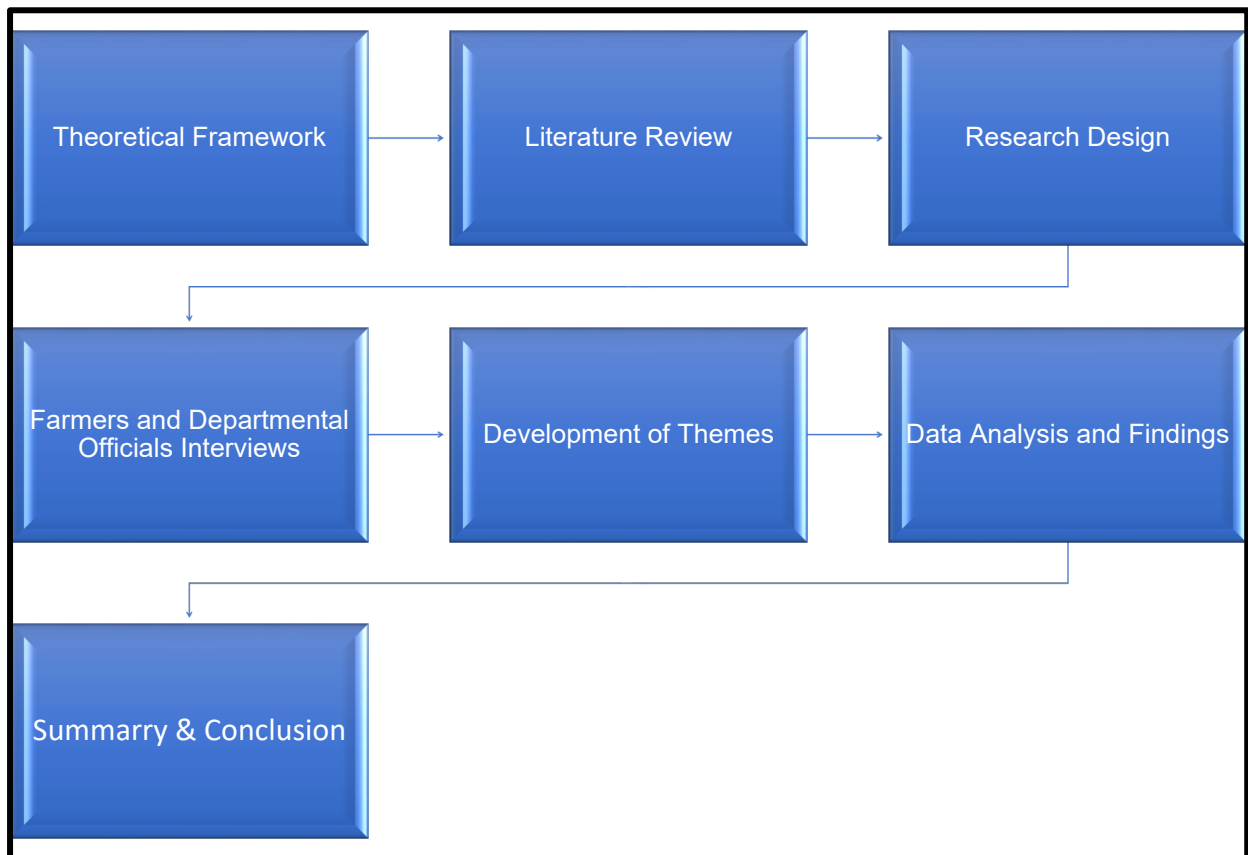
Data was analysed using the AtlasTi software which is commonly used in the analysis of qualitative research such as literature research, document analysis, and analysis of interview transcripts. Interpretations were drawn in line with the aim of the study. In analysing the data, the researcher went over the primary data several times in order to help develop their understanding of the possible themes, patterns, and concepts. Following that, draft sets of concepts were created in accordance with the data. In addition, the themes were created with the research questions in mind, which involved identifying noteworthy details in the data, whether explicit or implicit, that drew the researcher's attention. Following the identification of the themes and the compilation of pertinent data extracts, the researcher examined the connections between the themes, and gained a deeper comprehension of the underlying patterns and meanings in the data. This included contrasting and comparing topics, and figuring out how they related to one another.

After organising and honing the themes, the researcher reviewed them. This implied that some themes would be dropped or merged, while others might require more in-depth analysis. Each theme's data made sense in relation to the others, and there were distinctions between them. Additionally, the researcher examined the data contained in the themes and refined them for use in the analysis. The primary traits and goals in each theme were identified, and the specific data to support it were also identified. After analysing the data, the researcher created the report by interpreting the trends that emerged.

## **5.10 CHAPTER SUMMARY**

This primary goal of this chapter was to address the research objective which sought to determine the most appropriate research design and method to investigate the sufficiency and inadequacy of post-settlement support provided by the government to black land reform beneficiaries. This was accomplished by explicitly laying out the research methodology that the research used, defining the fundamental principles of case studies, the sampling procedure, data analysis, and ethical considerations. In turn, this helped in addressing the question, 'What is the most appropriate research

design and method to investigate the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries, specifically the medium and commercial farmers in the Amathole District Municipality?’ Figure 5.2 depicts the process followed in conducting this study.



**Figure 3.2:** Process followed in conducting the research

The research commenced with a literature review. The research methodology was consequently employed, and the data collection instruments were designed. The researcher continued to engage the research participants which comprised the departmental officials and the farmers. The researcher used the responses from the individual cases to develop themes for data analysis and interpretation. The subsequent chapter presents an analysis of the data collected, and the interpretation thereof.



## CHAPTER SIX: DATA PRESENTATION, INTERPRETATION AND FINDINGS

### 6.1 INTRODUCTION

The previous chapter discussed the research design and methodology that was adopted in gathering primary data from the selected cases. This chapter presents, interprets, and discusses the findings from the study. The qualitative research design was found most suitable to investigate the problem of insufficient land reform post-settlement support provided by the government to black land reform beneficiaries, specifically in the Amathole District Municipality. The interpretation and discussion of the findings allowed the researcher to indicate how the current study reinforces what is already known through the findings, which align and support the body of knowledge; or to reinforce how it differs from other similar studies by bringing unique contributions. The chapter discusses the findings on the legislative framework that governs land reform post-settlement support on farm productivity among black emerging commercial farmers and commercial agriculture transformation in South Africa; the extent to which post-settlement support influences on-farm practices among black emerging commercial farmers in the Amathole District Municipality; and the challenges faced by post-settlement beneficiaries, and establish how the identified challenges impede commercial agriculture transformation. The following objectives were met in this research:

- To assess the extent to which post-settlement support influences on-farm practices among black emerging commercial farmers in the Amathole District Municipality.
- To critically analyse the legislative framework that governs land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation in South Africa.
- To examine the challenges faced by post-settlement beneficiaries and establish how the identified challenges impede commercial agriculture transformation.

## 6.2 DATA PRESENTATION AND FINDINGS

Semi-structured interviews were used to gather data from the government officials from the Department of Agriculture and Agrarian Reform (DRDAR) and the Department of Agriculture, Land Reform and Rural Development (DALRRD); and from the farmers who have benefited from post-settlement in the Eastern Cape Province. The investigator prepared an interview schedule containing questions which were developed according to the objectives of the study, and were mainly used as a guide for the interviews. The questions asked were aimed to address the following research questions of the study:

- What is the legislative framework that governs land reform post-settlement support, on-farm productivity among black emerging commercial farmers and commercial agriculture transformation in South Africa?
- Is there a disconnect between post-settlement support policy and practical practice in the Amathole District Municipality in the Eastern Cape Province?
- How does post-settlement support influence on-farm practices among emerging black commercial farmers in the Amathole District Municipality?
- What challenges are the CASP beneficiaries facing and what are the implications of these challenges on commercial agriculture transformation?'

All interviews were conducted face-to-face on the dates and times determined by the participants. The interviews were conducted between the 2<sup>nd</sup> and 12<sup>th</sup> of May 2023, and in English. The researcher explained the purpose of the study to all the participants, and informed them that their participation was voluntary and that they had the right to withdraw from the study at any point should they feel uncomfortable. The participants were further assured that their personal details and the data which they provided would remain anonymous, and that confidentiality would always be maintained. None of the participants were quoted or identified with any of the responses recorded.

Permission to record the interviews was granted. The audio-tapped recorded responses provided the precise responses and opinions of the participants. The

researcher also took field notes during the interviews to cement the responses of the participants. The summary of the main points raised during the interviews.

### 6.2.1 Demographic information of participants

The researcher conducted interviews at the scheduled times with the beneficiaries at their farms, and the government officials in their offices in the Amathole district in the Eastern Cape Province. Focus group interviews were conducted with the representatives of the beneficiary groups. The DRDAR and DALRRD officials were assigned the codes DRDARO and DALRRDO respectively, while the farmers as beneficiaries were assigned the codes Case and Participant to protect their identity. Table 6.1 provides a summary of the participants interviewed.

**Table 6.1: Summary of the participants**

<b>Group</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
DALRRD officials	3	1	4
DRDAR officials	2	2	4
Farmers as beneficiaries (Case 1)	7	4	11
Farmers as beneficiaries (Case 2)	1	0	1
Farmers as beneficiaries (Case 3)	5	3	8
Farmers as beneficiaries (Case 4)	2	2	4
<b>Total</b>	<b>20</b>	<b>12</b>	<b>32</b>

In total, 32 participants participated in the study. Of the 32, 20 were female and 12 were male. Furthermore, of the 24 farmers, only 9 were female.

### **6.3 FINDINGS FROM DALRRD AND DRDAR OFFICIALS**

Two categories of government officials were interviewed, namely officials from the DRDAR, and the DALRRD. These two departments oversee agricultural development and land reform in the Amathole district. The DALRRD is a national department, while DRDAR is a provincial department. The chosen officials from both departments are either directly involved in, or oversee the implementation of post-settlement support in the region. The interview questions posed to all these government officials were similar.

#### **6.3.1 Theme 1: Legislative framework governing land reform post-settlement support**

Chapter Four of the legislative framework unpacks the prescripts that guide land reform and post-settlement support. As outlined in section 4.4 of the legislative framework, post-settlement support is anchored on the Provision of Land and Assistance Act 126 of 1994. This Act allows for the provision of financial aid for the acquisition of land, and the security of tenure rights. This provision is mainly used to execute the Recapitalisation and Development Programme (RADP), and Land Development Support. The Division of the Revenue Act 5 of 2002 is also used as a guide to transfer funds from the DALRRD to the DRDAR to implement the Comprehensive Agricultural Support Programme (CASP). Building a unified, wealthy South Africa that is supported by social justice, democracy, and human rights depends heavily on the abolition of the colonial and apartheid regimes. The 1950 Freedom Charter which asserts that the land must be distributed among those who work it, has served as the foundation for the ANC's policies over the years. These political dynamics led to the adoption of several laws and regulations that were intended to atone for previous injustices.

The process of ending apartheid and transforming South Africa into a democratic, non-racial, and non-sexist society started with Nelson Mandela not long after he was chosen to serve as the country's president in 1994. It is also argued in section 4.1 of Chapter Four that all strategies and practices to date to carry out land reform have been based on this method (Newborn, 2018:17). There have been several laws and policies aimed at redressing the historical injustices which were enacted because of

the political forces in the country. Similarly, arguments by Sihlangu and Sola Odeku (2021:335) as stated section 4.2 indicated that the South African programme for land reform is ambitious, if not over-ambitious. However, it is imperative to note that the cornerstone of any land reform legislation is the 1997 White Paper on Land Policy and Section 25 of the South African Constitution. The law is influenced by the reform agenda that seeks to rectify a historical injustice that favoured the preferred minority.

To get an informed view on the matter, the researcher solicited views from the DALRRD and DRDAR officials on the legislative framework governing land reform post-settlement support in South Africa. The participants were asked about the legislative framework governing land reform post-settlement support on-farm productivity among black emerging commercial farmers and commercial agriculture transformation. The following question was thus aimed at understanding the legislative prescripts and policies that guide post-settlement support: *'What is the legislative framework that guides land reform post-settlement support?'* This was also to establish policy deficiencies and merits of the programme. Table 6.2 displays the responses which were recorded by the participants.

**Table 6.2: Legislative framework guiding land reform post-settlement support**

<b>Participant Code</b>	<b>Responses</b>
DALRRDO 1	<i>Provision of Land and Assistance Act 106 of 1994, Division of Revenue Act 5 of 2002, RADP and the Land Development Support policy.</i>
DALRRDO 2	<i>CASP and Ilema/letsema which comes in a form of a grant from DALLRD and transferred to DRDAR through DORA</i>
DALRRDO 3	<i>Provision of Land and Assistance Act 106 of 1994, RADP, Land Development policy</i>
DALRRDO 4	<i>Provision of Land and Assistance Act 106 of 1994, Recapitalization and Development Programme (RADP), and Land Development Support (Stimulus Package)</i>
DRDARO 1	<i>Comprehensive Agricultural Programme (CASP)</i>

Participant Code	Responses
DRDARO 2	<i>Comprehensive Agricultural Programme (CASAP) and Ilema/lestema</i>
DRDARO 3	<i>Comprehensive Agricultural Programme (CASAP)</i>
DRDARO 4	<i>Act 126 Provision of Land Assistance Act, Recapitalisation and Development Programme (RADP), and Land Development Support (Stimulus Package)</i>

The officials were subsequently asked to elaborate on the selection or identification of post-settlement support beneficiaries: ‘How are post-settlement support beneficiaries identified or selected?’ This was aimed at determining the accessibility of the support and the process followed by the farmers to benefit from the programme. Table 6.3 depicts the responses from the participants.

**Table 6.3: Selection or identification of post-settlement support beneficiaries**

Participant Code	Response
DALRRDO 1	<i>The study, which was carried out by Intsika and Agricultural Research Council (ARC) and was commissioned by DALRRD in 2018, informs LDS. Farms were evaluated for economic viability and divided into three categories. This report is the foundation for choosing which farms will receive funding. Moreover, only Pro-Active Land Acquisition Strategy (PLAS) farms and those who have never received assistance are given priority. RADP wherein farmers identify mentors develop a joint business and apply for funding.</i>
DALRRDO 2	<i>Walk-in applications and the assessment are done to establish qualification. ilema/letsema farmers apply as a group for production inputs and mechanisation. All of these must be linked to the advertisement period, wherein those interested with</i>

Participant Code	Response
	<i>funding are invited. RADP wherein farmers identify mentors develop a joint business and apply for funding.</i>
DALRRDO 3	<i>In 2018 DALRRD commissioned ARC and Instika to conduct a study that was aimed at profiling all PLAS farms, conduct assessment and recommend intervention/support package that would bring them back into full production. RADP wherein farmers identify mentors develop a joint business and apply for funding.</i>
DALRRDO 4	<i>DALRRD commissioned ARC and Intsika to assess all PLAS farms in 2018. The report made recommendation per project and interventions are aligned to what the report said. RADP wherein farmers identify mentors develop a joint business and apply for funding.</i>
DRDARO 1	<i>Advert is run on newspapers inviting farmers who are interested to be supported to apply, advert runs every year between June and September. Applications are then grouped according to commodities, thereafter for those that meet requirements officials from DRDAR are allocated to develop business plan for them</i>
DRDARO 2	<i>DADAR runs an advert on a local newspaper inviting farmers to express interest in funding between June and September yearly. Extension officers go assess farms of those who have applied. For those that are successful engineering also visit them to assess infrastructure and make recommendations</i>
DRDARO 3	<i>Through an advert which is run between June and September every year, for the next financial year. Thereafter, successful applicants are presented in District, Provincial and national structure</i>

Participant Code	Response
DRDARO 4	<i>Through an advert that is run between June and September. The applicants are then assessed-on site by extension officers for production capabilities and for infrastructure DRDAR engineering section conducts farm visits to assess Infrastructure.</i>

The research sought to establish the relationship between post-settlement support policy and practical implementation. The participants were asked to discuss the relationship between post-settlement support policy and practice by posing the following question: *'Is there a relationship between post-settlement support policy and practice?'* Table 6.4 reflects the responses by the participants.

**Table 6.4: Relationship between post-settlement support policy and practical practice**

Participant Code	Response
DALRRDO 1	<i>To a certain extent even though they do not realize their full potential due to inadequate funding especially on production. Approval committees in most cases reduce the requested funds significantly. The use of implementing agencies and mentors with inadequate skills to execute these projects is problematic.</i>
DALRRDO 2	<i>To some extent besides many challenges. The support is not comprehensive as the policy had envisaged, fencing is mainly prioritized and production to a limited extent. In CASP several pillars seem not to find expression in our support package. The same fencing is stolen and vandalized with a short space of time especially in the communal areas.</i>



<b>Participant Code</b>	<b>Response</b>
DALRRDO 3	<i>Yes, there is but currently the focus is on the identified farms by the Intsika and ARC. There is no project that has been funded through LDS in Amathole, its mainly RADP.</i>
DALRRDO 4	<i>Yes, even though only RADP projects have been implemented in the district and LDS will only start in the 2024/25 financial year.</i>
DRDARO 1	<i>Yes, there is a relationship, CASP mainly focuses on infrastructure development, whilst production inputs are funded through food security budget. In ensuring an enhanced relationship DADAR is also using strategic partners to leverage private sector funding. This helps in sharing the risk and avoiding late procurement of production inputs which is usually experienced when procuring through internal SCM processes.</i>
DRDARO 2	<i>Yes, most CASP pillars do find expression in project implementation.</i>
DRDARO 3	<i>Yes, there is e.g., priority groups are given preference i.e., youth, women, smallholder etc.</i>
DRDARO 4	<i>Yes, to some extent, farmers are not supported comprehensively as the CASP policy envisaged.</i>

### **6.3.1.1 Legislative framework governing land reform post-settlement support**

The interpretation and discussion of findings on the legislative framework that governs land reform post-settlement support on farm productivity among black emerging commercial farmers and commercial agriculture transformation in South Africa are presented according to the following sub-themes:

- Provision of Land and Assistance Act 126 of 1993 (PLAA)

- Recapitalisation and Development Programme (RADP)
- Comprehensive Agricultural Support Programme (CASP)

#### **6.3.1.1.1 *Provision of Land and Assistance Act 126 of 1993 (PLAA)***

The Minister has the authority to acquire land proactively using funds allocated by the parliament as per Section 10(1) (a) of the Provision of Land and Assistance Act No. 126 of 1993. Under Section 10, the Provincial Chief Directors are permitted to purchase land without designating beneficiaries. Furthermore, Kepe (2016: 9) argues that the Act manages the designation of specific lands, their subdivisions, and the settlement of people there; and enables financial assistance for land acquisition, security of tenure rights, and related items. The Provision of Land and Assistance Act 126 of 1993 is closely linked to the Proactive Land Acquisition Strategy (PLAS) which is utilised by the DALRRD to obtain land. This was confirmed by the officials who highlighted that the Provision of Land and Assistance Act is used to govern land reform post-settlement. The findings suggest that South Africa's Provision of Land and Assistance Act is highly significant for regulating post-settlement land reform. This emphasises the significance of the Act which is to advance land reform in South Africa. The Act can assist in addressing previous disparities associated with land ownership and distribution in the country by facilitating the purchase of property, and offering financial and other types of support. However, to fulfill its intended objectives, the Act must be executed properly and efficiently.

#### **6.3.1.1.2 *Recapitalisation and Development Programme (RADP)***

In 2013, the Department of Rural Development and Land Reform established the Recapitalisation and Development Programme (RADP). Shabangu, Ojo, Ngidi, and Babu (2021:91) note that the RADP was necessary because previous post-settlement support programmes for land reform had not been successful. The RADP aimed to involve multiple stakeholders, particularly those in the agriculture value chain in supporting farmers through partnerships, mentorship, and facilitating market access. In order to support struggling farms and promote sustainable management, the RADP provided funding, equipment, infrastructure, and mentorship. Its main goals were to increase output, ensure food security, transform small farmers into commercial

farmers, create job opportunities in the agricultural sector, and establish rural development rangers. The RADP was established due to the failure of previous post-settlement support programmes for land reform which were ineffective in achieving their objectives.

It was established that the selection or identification of post-settlement support beneficiaries was done based on the business plan that was developed by the farmers and mentors under RADP. However, on the Land Development Policy which has not been implemented in the district, the Intsika and Agricultural Research Council (ARC) reports which were commissioned by the DALRRD in 2018 will form the basis. The officials indicated that through this report, farms were evaluated for economic viability, hence the report is the foundation for choosing which farms will receive funding. However, only the Pro-Active Land Acquisition Strategy (PLAS) farms and those which have never received assistance are given priority, while the RADP support is for farmers who identify mentors and develop a joint business plan and apply for funding.

The findings suggest that the Intsika report is the main basis for the selection or identification of post-settlement beneficiaries. These findings have some implications on the efficacy and desirability or best practice. The Intsika and ARC reports are described as forming the basis for choosing farms to receive funding as they are expected to provide valuable information on the economic viability of the farms, which is an important aspect of efficacy. These reports are also expected to provide guidelines which serve as policies for the selection of farms for funding. The aim is to allocate funding to those with the highest potential for success after evaluating the farms for economic viability. Further, the prioritisation of the PLAS farms and those that have never received assistance implies that there is a preference for supporting those who have not yet benefited from assistance. This preference may stem from desirability considerations such as promoting fairness, equal opportunities, and empowering new farmers in the agricultural sector.

In the broader context of best practices, it would be ideal to consider factors beyond economic viability such as social and environmental sustainability, ethical considerations, and community engagement as they aim to maximise positive outcomes while considering the various perspectives and stakeholders involved in the agricultural sector and policy implementation. The findings further suggest that the

selection process for funding is based on an evaluation which may be considered in terms of efficacy, and prioritisation factors that may reflect certain desirable principles within the context of land development. In a best practice approach, it would be critical to consider multiple aspects on the selection of farms to provide funding and support in order to ensure an inclusive and sustainable decision-making process.

#### **6.3.1.1.3 Comprehensive Agricultural Support Programme (CASP)**

According to Rungasamy (2011), CASP aims to improve post-settlement support and aid farmers at all levels in order to promote agricultural development. The programme targets individuals who have benefited from land and agricultural reform initiatives, with a focus on those who have received support at the farm level. Land reform initiatives received the majority of the Department of Agriculture's conditional grant funding for projects at 70%. Mncina (2021: 0) reports that the six pillars of CASP are designed to enhance agricultural support for the programme's four target beneficiary groups. Findings indicate that the Division of Revenue Act (DORA) is used to transfer the CASP from the DALLRD to the DRDAR. This suggests that a clear and well-defined legal framework is critical to ensuring the successful execution of post-settlement support programmes, and the appropriate allotment of funds to encourage agricultural development.

Some participants revealed that walk-in applications and assessments are also done to determine qualification for post-settlement support. The findings further reveal a consensus among the officials that the DRDAR runs adverts in newspapers between the months of June and September, inviting farmers who are interested to apply. The applications are grouped according to the commodities, the successful farms are assessed by the officials and engineers, before officials are allocated to them to develop the business plans. This points to a methodical strategy for supporting farmers and promoting agricultural development. The organisation of applications by commodities suggests that the DRDAR is aware of the significance of tailoring support to each farmer's and each commodity's unique needs, and the evaluation of farms by officials and engineers also indicates a commitment to ensuring that support is focused and efficient. The appointment of authorities to create business plans reveals the worth of organised planning and assistance in fostering agricultural development even

further. With this strategy, it appears that the DRDAR is dedicated to giving the farmers all the support they need, including continued mentoring and guidance to make sure that their operations are successful.

It was also established that there is a relationship between post-settlement support policy and practice. The participants explained that to some extent, there is a relationship, although it is overshadowed by issues such as the uncomprehensive support and focus which is currently on the farmers identified by Intsika. However, despite these issues, priority groups such as women, the youth, and smallholder farmers are given preference. There are efforts to address the problems and give these groups priority, which may have a good effect on these groups. One participant explained that,

Yes, there is a relationship, CASP mainly focuses on infrastructure development, whilst the production inputs are funded through the food security budget. In ensuring an enhanced relationship, the DRDAR is also using strategic partners to leverage private sector funding. This helps in sharing the risk, and avoiding the late procurement of production inputs which is usually experienced when procuring through internal SCM processes.

This indicates that the post-settlement support policy, CASP, and the food security budget have a favourable relationship, with CASP focused on infrastructure development, and the food security budget aiding with production inputs. This relationship is improved by strategic collaborations with the private sector which aid in risk sharing and preventing the late purchase of production inputs.

The next section presents the findings on the effects of post-settlement support on farm practices.

### **6.3.2 Theme 2: Effects of post-settlement support on farm practices**

After the transfer of land, there is substantial work to be done, and post-settlement support is essential to the achievement of land reform. As outlined in Chapter Three section 3.10, the CASP evaluation report (2015:10) states that the smallholder agriculture, in particular, needs access to agricultural support services if it is to increase production and productivity. This is against the backdrop that many land

reform programmes have been found to have failed or performed poorly due to insufficient post-settlement support. Therefore, it is not surprising that the government has made several efforts to increase access to agricultural support.

The participants were asked to discuss the role of post-settlement support in the successes and failures of land reform beneficiaries. The following question was aimed at establishing if post-settlement support has had positive spinoffs, and if not, what contributed to the failures: *‘What role does post-settlement support play in both the successes and failures of land reform beneficiaries?’* Table 6.5 summarises the responses from the participants.

**Table 1.5: Role of post-settlement support in successes and failures of land reform beneficiaries**

Participant Code	Response
DALRRDO 1	<i>The successes are improved infrastructure, improved production and access to markets to some extent. The failures are limited involvement of beneficiaries in business planning by implementing agencies or mentors, as a results beneficiaries are not fully aware of business plan information, some implementing agencies and mentors do not have the required skills to execute the projects, limited or inadequate mentoring and training, and no linkage between beneficiaries and extension officers for technical advice.</i>
DALRRDO 2	<i>Success is improved infrastructure conditions and improved production. The failures include support that is not comprehensive, and some farmers remain underproducing even after support. Under ilima letsema farmers are expected to make a financial contribution which is the portion of the required production inputs and mechanization, this has contributed to a reduction to several beneficiaries due to lack of financial resource; in the same model government pays strategic partners for mechanization, beneficiaries make a</i>

Participant Code	Response
	<i>financial contribution and still they are required to profit 50/50 with these partners; and late delivery of production inputs.</i>
DALRRDO 3	<i>Successes are capital injection which enhances production, improved infrastructure on the farm, and increases market access. The failures are that policy is new and there is not much that I can say.</i>
DALRRDO 4	<i>The successes include capital injection which made some farmers to be bankable; strong control system; improved production; and infrastructure development. But there are also failures which include poor asset management by some beneficiaries, some even sold tractors and implements allocated to them; some of the projects that were funded are no longer producing; and the use of funds for what they were not intended.</i>
DRDARO 1	<i>Successes are, commodity approach is proving to be successful, and it's backed by spatial analysis, and success in value chain addition like construction of feedlots in red meat corridors. The failures are the infighting within group famers, and in some instance operational costs are not allocated in the budget by the department.</i>
DRDARO 2	<i>Successes include that it makes a difference especially to those farmers who are already in production. The failures are budget limitation which lead to inadequate support because not everything in the business plan proposal is funded. As a results farmers are not funded to the full potential or economic viability. Another failure is that DRDAR wants to be everywhere i.e., trying to fund every farmer with extremely limited resources as a result impact is minimal.</i>
DRDARO 3	<i>Success: improved production. The failures are when beneficiaries are not committed, failure is inevitable, limited</i>

Participant Code	Response
	<i>access to information e.g., market trends, production data, limited budget that does not cover all capital and operation requirements. As a result, some farms are left not economically viable.</i>
DRDARO 4	<i>Success is improved production, e.g., quality breed, infrastructure development, veld management i.e., when fencing is installed, farmers can do camp rotation to manage veld, and improved inoculation, dosing &amp; dipping. The failures include the inability to produce independently after the government support has been withdrawn, the focus is mainly on infrastructure and not on production which at time leave some farmers still unproductive, and the lack of collaboration and joint planning between DRDAR and DALRRD.</i>

The researcher further sought to determine the performance of farmers who received the post-settlement support. The following question was aimed at establishing the differences in production improvements for the farmers who received the post-settlement support: *'Are the farmers who have received post-settlement support performing better than before they received support?'* Table 6.6 highlights the responses from the participants.

**Table 6.6: Performance of farmers who received the post-settlement**

Participant Code	Response
DALRRDO 1	<i>There is a difference to some extent and most farmers are still facing a lot of challenges.</i>
DALRRDO 2	<i>Yes, there is some production improvement to some extent which is linked to infrastructure development.</i>
DALRRDO 3	<i>Yes, there is an improvement especially on production.</i>



<b>Participant Code</b>	<b>Response</b>
DALRRDO 4	<i>Some have improved their production.</i>
DRDARO 1	<i>Lots of improvement especially with implementation of commodity approach and linking beneficiaries to other industry players through strategic partners. Following research-based approaches, and wherein farmers are supplied with economic data of the industry. Signing contracts with retailers, linked to auctioneers and feedlots.</i>
DRDARO 2	<i>Only making a difference to those who are already producing. There is linkage to markets and improved production.</i>
DRDARO 3	<i>Yes, especially on production, however there are some farmers who for example receive quality livestock to improve their breed instead they sell the same livestock that is supposed to enhance their production.</i>
DRDARO 4	<i>Yes, improved production in some instances especially if there is some investment channeled towards production and not only on the infrastructure.</i>

The participants were also asked to discuss the policy success and failure factors. The following question was aimed at establishing the benefits and challenges of the policy, and to determine how these factors can be addressed to improve production: *'If any, what are the success and failure factors of post-settlement support?'* Table 6.7 displays the responses from the participants.

**Table 6.7: Policy success and failure factors**

<b>Participant Code</b>	<b>Response</b>
DALRRDO 1	<i>It is difficult to pinpoint given that there are no LDS projects in the district.</i>

<b>Participant Code</b>	<b>Response</b>
DALRRDO 2	<i>Success factors include improved production to a certain extent. Failures factors are insufficient extension support and veterinary services, and the mentors which are commercial farmers in many instances do not give proper guidance because they are the direct competitor of those, they mentor.</i>
DALRRDO 3	<i>[no response]</i>
DALRRDO 4	<i>Very limited.</i>
DRDARO 1	<i>Success factors include the increased investment by the government, and several role players are now supporting famers i.e., sector departments, private funders etc. The appointment of strategic partner, improved training that is commodity focused, improved market access by the farmers, they no longer struggle to sell their produce, and improved relationship with DALLRD unlike before where it looked like the 2 departments were competing. The failure factors are formal markets which are still not fully transformed, climate change affecting production yields, inadequate skills to improved production yields, and in some instances, farmers are struggling to meet market requirements, and stock theft is a serious challenge.</i>
DRDARO 2	<i>There is improved production in some instances</i>
DRDARO 3	<i>Success factors are improved production while the failure factors are that support is not comprehensive enough to cover all capex and opex requirements.</i>
DRDARO 4	<i>Improved production and access to markets</i>

### **6.3.2.1 Effects of post-settlement support on farm practices**

The interpretation and discussion of findings on the effects of post-settlement support on on-farm practices in the Amathole district are presented according to the following sub-themes:

- Successes
- Failures

#### **6.3.2.1.1 Successes**

In the Amathole district, several efforts have been made to increase access to agricultural support. The CASP evaluation report (2015:10) highlights that smallholder agriculture, in particular, needs access to agricultural support services if it is to increase production and productivity. This suggests that providing agricultural support services could potentially improve the outcomes for smallholder agriculture which, in turn, could have broader positive impacts on the agricultural sector. The findings reveal that there are various successes which are the positive effects of post-settlement support on farm practices. The participants indicated that the positive effects include improved infrastructure and improved production, for example, quality breed, infrastructure development, veld management when fencing is installed, camp rotation to manage the veld, and improved inoculation, dosing, and dipping. On livestock improvement, farmers were supplied with animals with large frame animals which are mostly used by commercial farmers. Moreover, the cultivators supplied to the farmers are of good quality, which really improves their yields. DRDARO4 stated that,

Success is improved production, for example, quality breed, infrastructure development, veld management such as when fencing is installed, farmers can do camp rotation to manage veld, and improved inoculation, dosing and dipping.

It was also established that the performance of farmers who received post-settlement support has improved. There was some consensus among the participants that the performance is linked to infrastructure development and investment. The findings

suggest that the improved performance of production came after a series of actions in the district. This suggests that targeted support and investment in infrastructure are key factors in improving agricultural production in the Amathole district. One participant explained that,

There are lots of improvement, especially with the implementation of the commodity approach and linking the beneficiaries to other industry players through strategic partners. Following research-based approaches, and wherein farmers are supplied with economic data of the industry, there is also the signing of contracts with retailers linked to auctioneers and feedlots.

The findings indicate that the agricultural sector has significantly improved, especially because of the adoption of a commodity approach and strategic alliances with other players in the market. The strategy appears to be founded on research, and farmers are given economic information to help them make informed decisions. Contracts with merchants, affiliations with auctioneers, and feedlots are also mentioned. These findings imply that a strategic and data-driven approach has received more concentrated support for enhancing farmers' performance. There appears to be an emphasis on enhancing the value chain in the farming sector, as seen by the signing of contracts with merchants, and linkages with auctioneers and feedlots. Farmers might be able to get better pricing for their produce, and get access to new markets by creating unambiguous agreements with retailers and other industry players. Additionally, it may guarantee that farmers have access to the resources which they require for producing high-quality products that satisfy consumer demand.

The farmers have access to the markets to some extent, capital injection which made some farmers to be bankable and enhance production, a strong control system, a commodity approach which is proving to be successful, and success in value chain addition, such as the construction of feedlots in red meat corridors. The findings show that the agricultural industry derives great benefit from post-settlement support for farm operations, with significant advantages for the farmers.

#### **6.3.2.1.2 Failures**

According to the CASP evaluation study (2015), only 33% of the farms may be classified as commercial-based after benefiting from CASP, and are participating in

the formal markets. This indicates that little progress has been made in encouraging the commercialisation of the farms or farming projects. As a result of the market access promotion programme's failure, there was also little progress made in commercialisation. In general, after participating in CASP, the farms evaluated have had less access to the market. Before CASP, a sizable portion of farmers had trouble accessing the market, and the same issues still exist today.

Although smallholder agriculture needs access to agricultural support services if it is to increase production and productivity, farmers in the Amathole district have experienced a myriad of negative effects of post-settlement support on farm practices. The findings reveal that the failures include issues with funding and resource allocation, the approach and focus, collaboration and information access, beneficiary commitment and involvement, and implementation agencies and beneficiaries.

The participants highlighted that there is a limited budget which does not cover all capital and operational requirements, which leads to inadequate support because not all items in the business plan proposal are funded. Some farms are left economically unviable, and are unable to produce independently after government support has been withdrawn. Farmers may develop a dependence syndrome on government support, which may not always be dependable if they are unable to produce independently once the government help has been discontinued. However, the farmers and policymakers should devise solutions for ensuring the long-term sustainability of the farms once the support is withdrawn. Based on the findings that the budget allocated for farm support is not sufficient to cover all capital and operational requirements, some farms may become economically unviable, while the farmers may be left without a means to sustain their livelihoods. To address this issue, focus should be put on building the capacity of the farmers to become self-sufficient and independent through training, education, and access to markets. Farmers need to be equipped with the necessary skills and knowledge to manage their farms effectively and efficiently, even in the absence of government support. The NDP also identified the need to mobilise more financial resources to assist farmers. Section 3.9.4 of this study mentions that, the National Development Plan (2012) suggests an accelerated responsive programme of financing which would answer most of the financing impediments of the land reform beneficiaries.

Providing farmers with access to training programmes which cover skills such as financial management, marketing, and sustainable farming practices can help them to develop the skills they need to run their farms successfully, even when faced with economic challenges. Further, providing farmers with access to markets is crucial because it is a reliable source of income which also helps them to diversify their products. The government can play a role in this by providing support on the development of local markets, and providing farmers with access to regional and international markets. Similarly, policymakers need to work closely with farmers to develop a long-term plan for the agricultural sector. This plan should include measures that promote sustainable farming practices, support the development of new markets, and provide farmers with the necessary resources to become self-sufficient.

A waste of resources and an aggravation of the problem of insufficient support can result from projects not being funded to their full potential or economic feasibility. The findings reveal that some of the projects that were funded are no longer produced, the operational costs are not allocated a budget by the department, and the farmers are not funded to their full potential or economic viability. This indicates that inadequate funding and support may have a huge influence on the capacity of the farms and other land projects to make a profit, which can eventually limit the production on the farms.

The participants highlighted that there are failures with implementation agencies and beneficiaries. The findings revealed that there is limited involvement of the beneficiaries in business planning by the mentors and implementing agencies, and that some implementing agencies do not have the required skill to execute the projects. Further, the participants explained that there is also limited or inadequate mentoring and training, no linkage between the beneficiaries and extension officers for technical advice, poor asset management by some beneficiaries, the use of funds for what they were not intended for, and infighting within group farmers. The limited participation of the beneficiaries in business planning by implementing agencies may result in a lack of project ownership on their part, which may lower their incentive to guarantee the projects' success. Additionally, since knowledge and skills are necessary for success, a lack of knowledge and expertise in project execution can ultimately affect how well the project is carried out. This also has an effect on the beneficiaries' capacity for effective project execution because they lack the necessary knowledge and training. These findings are supported by literature in section 3.10.1,

where Baloyi (2010:33) argues that the inadequacy of studies on CASP suggests that there can be no clear conclusions on the failures and successes of the programme. However, there seems to be a proposition that the pillars of CASP are not being implemented together as a package in supporting the smallholder farmers. Moreover, pillars such as marketing and training are not concentrated on, yet they are important to the success of smallholder farmers.

The officials also experienced failures in the approach and focus of the post-settlement support on farm practices. The findings revealed that the DRDAR wants to fund every farmer although with extremely limited resources, resulting in minimal impact; and that the focus is mainly on infrastructure, and not on production, leaving some farmers unproductive. However, this has serious implications on the productivity on farms and, consequently, the output. This suggests that there is a need for a more effective approach to post-settlement support that prioritises production and provides adequate resources to ensure the success of land reform.

The findings also revealed that there are failures in collaboration and information access, including limited access to information on market trends and production data, and a lack of collaboration and joint planning between the DRDAR and DALRRD. Due to the farmers' limited access to information, it may have been challenging for them to make informed decisions on the best farming practices, and this might have resulted in lower production and profitability. Additionally, the lack of coordination and shared planning between the DRDAR and DALRRD may have led to missed opportunities for integrated and efficient support programmes for the farmers. Further, there are beneficiary commitment and involvement failures. One participant noted that, "*when beneficiaries are not committed, failure is inevitable.*" The results suggest that the success of the land reform programme is partly and largely dependent on the commitment of the beneficiaries involved, hence their lack of commitment results in the land reform programme likely failing, regardless of the resources and support provided.

Further findings reveal that there are some farmers who received quality livestock to improve their breed, but instead they sold it, yet it was supposed to enhance their production. These findings indicate that the intended result of increased productivity may not always be achieved when farmers are given access to high-quality cattle as

a method of improving their breed. Concerns on the purpose and efficacy of post-settlement support are raised when some farmers who receive the support choose to sell their livestock, rather than using it to increase productivity. This suggests that the farmers could lack the expertise necessary to manage their resources. Further, this indicates that a more focused approach to supporting farmers is required, one that offers them not only high-quality livestock, but also the information and resources which they need to properly care for and breed the livestock, along with other resources that can help them to maximise the potential of the livestock which they receive.

It was further established that there are various policy success and failure factors. Some of the farmers realised successes such as improved production, increased investment by the government, support from several role players such as sector departments and private funders, the appointment of strategic partners, improved training that is commodity focused, improved market access by the farmers, and improved relationships with the DALLRD, unlike before when it appeared as if the two departments were competing. The findings suggest that some farmers have succeeded in raising their agricultural production using several strategies, including greater government investment, support from sector ministries and private funders, and the selection of strategic partners. The farmers have benefited from enhanced training that is concentrated on certain commodities, and has assisted them in increasing their production and market access. Furthermore, the farmers' ability to forge stronger ties with the DALLRD has contributed to lessening competition between the two departments. This indicates the significance of adopting a more strategic approach to agriculture which focuses on improving the value chain and creating new opportunities for growth and development. Through investing in targeted support and infrastructure such as improved training and market access, the farmers can improve their production and increase their income, while fostering collaboration and partnerships between different stakeholders in the agricultural sector, including the government, private funders, and strategic partners. This can help to create a more efficient and effective agricultural system that benefits the farmers, consumers, and the broader economy.

The participants also explained the failure factors such as formal markets which are still not fully transformed, climate change which affects production yields, inadequate



skills to improve production yields, and in some instances, the farmers are struggling to meet the market requirements, while stock theft is a serious challenge. There is also insufficient extension support and veterinary services, and the mentors which are commercial farmers, in many instances, do not give proper guidance because they are the direct competitor of the farmers which they mentor. This suggests that the commercial farmers' mentoring is not always effective since their mentors may view them as direct competition. Therefore, providing farmers with access to objective and useful mentoring, and counselling might help them to overcome the challenges which they encounter.

One participant explained that, *“the failure factor is that the support is not comprehensive enough to cover all capital and operational requirements.”* These findings suggest that one reason why farmer support programmes fail is that they are not broad enough to address all capex and opex needs. Since farmers need access to both capex and opex support in order to increase their production yields and become more financially viable, this presents a big challenge towards fulfilling the farmers' needs. An example to this effect is a farmer who would request to be supported for the full production cycle; instead, the department would not partly cover what is required. This would lead to the farmer not reaching their full potential. Another example is of one citrus farmer who was only provided with a tractor, and no implements, labour costs, or fuel. This poses a serious production challenge given the costs associated with the farming activities.

The next section discusses the findings on the challenges faced by the post-settlement beneficiaries in the Amathole district.

### **6.3.3 Theme 3: Challenges faced by post-settlement beneficiaries**

Although the land reform programme has made some progress, it has not been spared from challenges. As explained in the literature review in Chapter Three, section 3.8, several challenges are faced by post-settlement beneficiaries, specifically black farmers in the Amathole district. Mabuza (2016) is of the view that the government support post land transfer has been a major challenge facing the land reform beneficiaries. Lahiff and Rugege (2002) also argue that when it comes to restitution, there was a bias towards settling urban claims than rural claims, and most of the

beneficiaries were opting for financial compensation than land. During this, one of the key challenges that might be experienced by the farmers is the access of post-settlement funding. Furthermore, great social and economic challenges remain, which require further government intervention.

To get an informed view on the matter, the researcher solicited views from the DALRRD and DRDAR officials on the challenges faced by post-settlement beneficiaries in the Amathole district. The participants were asked to highlight the challenges faced by the farmers. This following question was aimed at finding out the key challenges which they have witnessed to be experienced by the farmers: *‘What are the main challenges associated with the implementation of post-settlement support?’* Table 6.8 reflects the responses from the participants.

**Table 6.8: Challenges associated with the implementation of post-settlement support**

Participant	Response
DALRRDO 1	<i>There is policy recycling without taking lesson learnt from previous policies/programmes; a lack of political will in ensuring that more funds are mobilised to help a number of famers, as a result only a few are benefiting from the programme; no systematic policy development which is research based , with broad consultations from the ground; top down approach, policies/programme developed without the involvement or consultation of districts/implementers, e.g. selection criteria of projects is not discussed with districts; and Intsika report which is used as basis of selecting projects for LDS is in direct conflict with lease policy which speaks about, because only farms which are on category 3 are to be funded.</i>
DALRRDO 2	<i>The CASP does not have a mechanisation component. Support given to farmers is not comprehensive i.e., does not fund all business plan requirements. The attempt to try support many farmers with limited support is on its own problematic. Budget allocated to project is extremely limited and as a result the impact is minimal.</i>

Participant	Response
DALRRDO 3	<p><i>The development structure is still problematic with involvement of commodity organisations as implementing agencies, some of their officials do have the capacity to execute the project assigned to them. There are inadequate skills in some commodity groups. The relationship between farmers and commodity organisations is not the greatest due to lack of skills by this commodity organisation and fully involving them in business planning and other key decisions. Mentors are only allocated for a year and implementing agents must supply them.</i></p>
DALRRDO 4	<p><i>There is inadequate monitoring of projects by DALRRD; inadequate training of beneficiaries, no asset management framework for beneficiaries; no linkage between farmers who are supported by DALRRD and extension officers; and there is no formalized relationship between DRDAR and DALRRD and this adversely affect project implementation because technical skills are with DRDAR</i></p>
DRDARO 1	<p><i>Access to water rights has become a serious problem for crop farmers, and DRDAR can't fund a farmer without water rights especially if that farm needs to use irrigation. It takes a bit of time to be granted water rights by the water affairs department. Climate change has become a serious hindrance as it becomes futile as bad weather conditions seriously affect production. It is also a struggle to find credible service providers with correct credentials to offer training. Loadshedding is also affecting the post-settlement policy e.g., broiler chickens require light 24/7 and climate must be controlled i.e., it must be not too cold or too warm, as a result mortality rate is too high lately.</i></p>
DRDARO 2	<p><i>No focused investment i.e., piecemeal approach. Inability to deliver the required quality infrastructure due to budget constraints. Poor services delivered by some service providers. Community dynamics, external service providers not accepted by some communities</i></p>

Participant	Response
DRDARO 3	<i>Inadequate tools to assess Return on Investment (ROI), on projects that received support. Inadequate departmental monitoring and evaluation staff to track performance. Misleading information supplied by farmers during the application period. Limited training supplied to farmers during the project implementation.</i>
DRDARO 4	<i>Disintegration between DALRRD and DRDAR and some farmers use this to benefit from both departments, and sometime same intervention is approved by both departments. Delays in delivery production inputs and in some instances procuring of things like dam scooping happen in summer does not winter due to cumbersome procurement processes. Inadequate budget allocations, e.g., a local office is only able to support 1 project per financial year. Not approving all business plan requirements that would put a farm in an economically viable position. It takes a very long time to fully fund a project. In fact, it barely happens. Not proper comprehensive mentorship programme</i>

### **6.3.3.1 Challenges faced by post-settlement beneficiaries**

The interpretation and discussion of findings on the challenges faced by post-settlement beneficiaries are presented according to the following sub-themes:

- Policy implementation and governance; and
- Insufficient support.

#### **6.3.3.1.1 Policy implementation and governance**

The 1997 White Paper on South African Land Policy outlines a strategy that aims to resolve the issues left over from the past, and to put the constitutional right to security of tenure into practice. Additionally, it provides a list of some fundamental guidelines that ought to be followed when creating laws and carrying out a national programme for tenure reform. The right to utilise land, together with its duration and limitations, are determined by the land's tenure. However, to put the constitutional right to security of

tenure into practice, there is a need for policy implementation and governance. Contrary to this, this research reveals that post-settlement beneficiaries are faced with the challenge of policy implementation and governance. Some officials noted that there is policy recycling without taking lessons learnt from previous policies or programmes, a lack of political will in ensuring that more funds are mobilised to help the farmers, and the use of a top-down approach in governance. This suggests that the post-settlement support programmes can face significant challenges that can limit their effectiveness and impact on the farmers.

The issue of policy recycling without learning from previous programmes means that the policies and programmes are repeated without incorporating feedback and lessons learned from previous initiatives. This can lead to inefficiencies and missed opportunities to improve outcomes for the farmers. The participants believe that policy recycling should be done after learning from previous programmes, including the mistakes and successes, so that the policies are recycled from an informed perspective through the 'tried and tested' strategies which were implemented in the previous programmes. Without taking such lessons, policy recycling may risk taking a 'blind' approach which is regarded as poor policy implementation.

Poor policy implementation can have a negative impact on the livelihoods, agricultural productivity, and the overall wellbeing of farmers. If policies are not implemented effectively, farmers may not receive the necessary support and resources which they need to be successful. This can include access to credit, inputs such as seeds and fertilizers, and information about the best practices for farming without which, the farmers may struggle to produce enough food to support their families and earn a living.

Moreover, a top-down approach to governance can lead to corruption, which can further exacerbate the challenges faced by the farmers. For example, corrupt officials may demand bribes in exchange for access to resources or services, making it even more difficult for the farmers to succeed. Further impacts can contribute to environmental degradation due to poor policy implementation which has long-term impacts on agricultural productivity and the wellbeing of farmers. For example, if policies are not in place to protect natural resources such as soil and water, farmers may struggle to maintain productive farms over the long term.

Post-settlement beneficiaries are also faced with the challenge of a lack of political will by those in power to mobilise funds to support more farmers. There was a general consensus from the participants that mobilising funds or financial investments is a huge challenge faced by the farmers. The officials feel that there is an absence of political will from the government and the related authorities to assist the beneficiaries to acquire funding or investment opportunities. This shows that the governance of the land reform in providing financial resources is poor. The lack of funding or financial investment puts the land reform programmes and the beneficiaries in jeopardy as they cannot operate without funding. This indicates the limited support for the farmers through the inefficient allocation of resources, which can undermine the effectiveness of post-settlement support programmes.

Policy implementation and governance have always been a political issue since the 1950 freedom charter which asserts that the land must be distributed among those who work it. The charter has served as the foundation for the ANC's policies over the years, and these political dynamics led to the adoption of several laws and regulations that were intended to atone for previous injustices. The lack of political will is one huge challenge for post-settlement beneficiaries as it is an injustice to the land reform programme. While the land can be distributed among those who work it, it does not yield any good if there is no political will to assist the farmers to acquire funding and investment opportunities as farm productivity and land reform success rests on this.

Moreover, the use of a top-down approach in governance can also pose a threat to the effective implementation of post-settlement support programmes. One participant noted that,

There is the use of the top-down approach. Policies and programmes are developed without the involvement or consultation of the districts or implementers, for example, the selection criteria of the projects are not discussed with the districts.

This suggests that the top-down approach used in developing policies and programmes results in choices being taken at a higher level without input from or consultation with those in charge of carrying out the policies or programmes. The strategy employed in the governance of the programme is solely lacking, since there is little engagement of the district or implementer when developing the selection

criteria for the projects. Such an approach may prevent the beneficiaries from participating meaningfully in the creation of policies, which could lead to decisions that fail to consider the local farmers' needs and circumstances into account. This is in direct contrast with the 7C protocols that are described in Chapter Three, section 3.11.1 of the literature study, which places a stronger emphasis on stakeholder participation and coordination. The top-down strategy described in this section is largely opposed to the top-down approach which disregards the crucial role that the local actors play in carrying out the policies and programmes. The effectiveness of any policy is determined by how well it accomplishes the goals it has been given. The top-down strategy also emphasises adhering to a hierarchical approach, and ignores the diversity of the role actors on the ground.

#### **6.3.3.1.2    *Insufficient support***

According to Mabuza (2016), the government support post land transfer has been a major challenge facing the land reform beneficiaries. Without post land support, land reform is doomed for failure. The lack of post-settlement support might result in land reform recipients being unable to produce, underproducing, leaving their land fallow, and not reaping any financial rewards from owning the land. The worst case scenario would be when those who benefited from land reform sell or lease the land back to the white farmers. This would, in turn, reverse the land reform achievements. In agreement with Mabuza (2016), this research reveals that there is insufficient support for the post-settlement beneficiaries. In addition to the lack of political will to mobilise funds or financial investments, the challenge of insufficient support comes in the form of a limited budget and inadequate training and skills. There was a consensus from the participants that there is a limited budget which results in the inability to deliver the required quality infrastructure, and fully fund both operational and capital requirements. There are also inadequate tools to assess the Return on Investment (ROI) on projects that received support. In one case study, it can be explicitly noted that,

The CASP does not have a mechanisation component. The support given to the farmers is not comprehensive; it does not fund all business plan requirements. The attempt to try to support many farmers with limited support

is, on its own, problematic. The budget allocated to the project is extremely limited and, as a result, the impact is minimal.

This suggests that there may be certain restrictions on the CASP that may limit its ability to assist farmers. The absence of a mechanisation component is one such restriction, which implies that the farmers would not have access to the machinery and resources which they need to enhance their production processes.

The extremely limited funding allotted to the land reform programme may further reduce its potential to have an impact. Additionally, the resources are insufficient to deliver the intended outcomes, which limits the farmers' performance. The fact that CASP strives to assist several farmers with limited resources might be problematic since its assistance is insufficient to meet the requirements of all the farmers who need it. Supporting several farmers while having limited resources highlights the need for a more focused and all-encompassing support that caters to the requirements of the farmers on the ground. The risk of spreading resources too thin is one of the key challenges to supporting numerous farmers with limited resources. This implies that the support offered could not be enough to meet the demands of all the farmers in need, which renders the limited impact and outcomes unavoidable. For instance, if assistance is only offered in the form of basic agricultural inputs, it might not be enough to solve more difficult problems such as irrigation or pest control. Furthermore, spreading resources too thin can lead to inefficiencies in resource allocation, such as when resources are given to farmers who do not need assistance, which can have a limited impact and result in poor results for those who need the assistance.

Furthermore, the participants revealed that there is inadequate training and skills. There is limited training provided to the farmers during project implementation, while some of the officials do not have the capacity to execute the projects assigned to them. The findings also reveal that the lack of skills by some commodity organisations and mentors have dire consequences on their relationship with the farmers. The capacity of these organisations to successfully carry out their projects can be significantly impacted by their lack of experience which, in turn, has an adverse effect on the relationship between the commodity organisation and the farmers.

The success of the land reform rests on various mechanisms, and a good working relationship among the stakeholders is also key. Both the farmers and commodity



organisations require a range of technical and broader soft skills in order to effectively manage their agricultural operations, and navigate the complex challenges of the agricultural sector. Without adequate training and skills, farmers may struggle to achieve optimal yields, and may be more vulnerable to crop failure, pest infestations, or other challenges. The farmers also require soft skills such as communication, leadership, and project management. These skills are essential for the farmers to effectively interact with the commodity organisations, government officials, and other stakeholders, and the opposite is true; all which is essential in building strong relationships that can sustain their long-term success. The lack of adequate training and skills for the farmers indicates that they may struggle to communicate their needs and priorities effectively, and that they may be less able to build the networks and partnerships that are critical for success in the agricultural sector, as has been established in this research.

Insufficient support may result in the farmers facing difficulties to produce enough food to support their families and earn a living. This can lead to food insecurity and poverty, which has negative impacts on the overall wellbeing of the farmers. Limited funding makes it difficult for the farmers to invest in their farms and improve their agricultural productivity, and this can create a lack of innovation and a reliance on traditional farming methods which are less productive. Further, the lack of adequate skills and training impacts the farmers' adoption of new technologies and farming practices that have the potential to improve their agricultural productivity. Consequently, this can impact the overall wellbeing of the farmers if they are unable to earn a sufficient income from their farms.

Baloyi (2010), in Chapter Three subsection 3.10.1, argued that it appears that the CASP pillars are not being applied collectively as a whole to benefit smallholder farmers. Even though they are crucial to the success of smallholder farmers, pillars such as marketing and training are rarely given much attention. In some cases, infrastructure and production inputs might be provided to the farmers, but they could still have trouble entering the market. Rather than setting their own prices for their produce, the farmers must sell it through middlemen, hence they end up being price takers. The lack of training may result in a restricted awareness of both business requirements and product expertise. Additionally, this indicates that it may be

challenging to eliminate the obstacles experienced by the beginning farmers if the elimination is not done in an integrated manner.

## **6.4 FINDINGS FROM INTERVIEWS CONDUCTED WITH BENEFICIARIES**

Four (4) beneficiary groups representing four (4) cases participated in focus group discussions. The participants in the beneficiary groups received post-settlement support through CASP and RADP, and are directly involved in the farm practices in the district. The interview questions posed to all the groups were similar, and the focus group discussions were conducted face-to-face with all the group representatives.

### **6.4.1 Theme 1: Effects of post-settlement support on farm practices**

The state can assist the beneficiaries of land reform in two diverse ways, according to White Paper on South African Land Policy (1997:63). The first is to facilitate the flow of capital into a new market that is having trouble and where the private sector would be hesitant to take a financial risk. The second potential area of support is to assist entrepreneurs and the beneficiaries of land reform in getting back on their feet by offering them training and a set of circumstances that help, especially in the early years of their businesses. Additionally, post-settlement aid can be given in the form of funding, educational, training, and capacity-building opportunities, the development and upkeep of physical infrastructure, as well as knowledge in agricultural support. Support services or complementary development support was defined in the 1997 White Paper to include support with sustainable and productive land use, infrastructure support, farm credit, agricultural inputs, and market access for farm outputs. This was addressed in Chapter Two section 2.8. However, post-settlement support has both positive and negative effects on farm practices, although it is understood that positive effects are the most welcomed.

To get an informed view on the matter, the researcher solicited views from the beneficiaries on the effects of post-settlement support on farm practices in the Amathole district. The beneficiary groups were asked to elaborate if they received any post-settlement support. The following questions were aimed at determining the extent of the support received by the farmers in relation to their needs: *'Have you received*

any post-settlement support? What kind of support did you receive?' Table 6.9 summarises the responses from the participants.

**Table 6.9: Post-settlement support**

<b>Beneficiary group</b>	<b>Response</b>
Case one	<i>Yes, infrastructure support and livestock</i>
Case two	<i>Yes, 14 KM boundary fence, 4 ha irrigation, dip tank and borehole.</i>
Case three	<i>Yes, 25 boran cows, a bull, dip tank and cattle handling facilities.</i>
Case four	<i>Yes, 17 000 citrus trees, 5.9 km boundary fencing, soil preparation, 27 ha irrigation, and two tractors.</i>

The beneficiary groups were asked to explain their involvement in the project planning phase. The following question was asked: 'What was your involvement in the project planning phase?' Table 6.10 displays the responses from the participants.

**Table 6.10: The involvement in the project planning phase**

<b>Beneficiary group</b>	<b>Response</b>
Case one	<i>The farmer and the mentor jointly developed the business plan before it was submitted to DALRRD for consideration.</i>
Case two	<i>The business plan was developed jointly by the officials from DRDAR and the farmer.</i>
Case three	<i>The business plan was developed jointly by the farmer and the DRDAR officials, they even agreed on the type of breed to be bought and the location of the dip tank.</i>
Case four	<i>The business plan was developed by the farmer and further enhanced by the DRDAR departmental officials.</i>

Beneficiary group	Response
	<i>Thereafter there was an assessment conducted by economists and engineers.</i>

The beneficiary groups were asked to explain if the support was adequate or not. The following question was asked: 'Was the support adequate or not? If yes, how? If no, how?' Table 6.11 displays the responses from the beneficiaries.

**Table 6.11: Adequacy of support**

Beneficiary group	Response
Case one	<i>No, it [the support] fell short of both capital and operational requirements as a result the period between application to access funds were too far apart and that led to the farmer only getting 50% of production inputs (pigs &amp; feed) that were requested due to price change. The DALRRD had to funds set aside to cater for such changes in price. The feed supplied was not even sufficient for one production cycle. The farmer was also compelled to compromise the quality of the piggery equipment due to the limited budget that was approved.</i>
Case two	<i>Supplied livestock was insufficient given the size of the farm. Irrigation supplied was incomplete, and no apparent reasons were given besides that the department does not have sufficient money, and the other story was that the money was returned to treasury.</i>
Case three	<i>The livestock that was supplied by the department helped the farmer to improve the quality of livestock, as a result the farmer can now participate in the mainstream agriculture through auctions.</i>

<b>Beneficiary group</b>	<b>Response</b>
Case four	<i>Tractors were supplied without any implements, as a result for production the farmer must hire the implements. Most of the items in business plan were not funded i.e., operational costs, implements, trucks etc. The irrigation installed already has problems i.e., one of the two pumps is not working, irrigation not fully automated as per the specification requirements given to the contractor/service provider. No mentor is allocated to the project</i>

The beneficiary groups were asked to highlight if the support they received contributed to the productivity of their farm. The following question was asked: ‘*Did the support you got contribute to the productivity of your farm? If yes, how? If no, how?*’ Table 6.12 highlights the responses from the beneficiaries.

**Table 6.12: Contribution of support to farm productivity**

<b>Beneficiary group</b>	<b>Response</b>
Case 1	<i>Yes, but to a limited extent given that the production inputs supplied were inadequate.</i>
Case 2	<i>Yes, but not full production. Since the post-settlement support there is some improved livestock given that the farm can do camp rotation and able to control reproduction i.e., the bulls are not with cows throughout the production cycle, the whole thing is controlled. Yes, but to a limited extent given that the production inputs supplied were inadequate.</i>
Case 3	<i>Yes, the number of cattle has since multiplied and the farm is functioning to its full capacity, it is also important to note that the farmer also bought livestock personally as part of investing in the farm.</i>

<b>Beneficiary group</b>	<b>Response</b>
Case 4	<i>Yes, this is making a difference given that the land was lying fallow prior this intervention.</i>

The beneficiary groups were asked to explain if their farms were in full production. The following question was asked: *'Is your farm in full production? If yes, how? If no, how?'* Table 6.13 displays the responses from the participants.

**Table 6.13: Full production status of the farms**

<b>Beneficiary group</b>	<b>Response</b>
Case 1	<i>No, piggery not fully functional and the piggery structures are not in good state given that there was a lot of compromise in quality of building material.</i>
Case 2	<i>No, there is few cattle in the farm i.e., there is only 30 cattle in the farm instead of 90 given that the farm is 365 hectares in extent.</i>
Case 3	<i>The farm has more than 300 cattle which is equivalent to its full production.</i>
Case 4	<i>Out of the 120 hectors arable land only 27 hectors are under production.</i>

The beneficiary groups were asked to explain the challenges which they face in accessing the markets. They were asked the following question: *'If any, what challenges are you facing in accessing the markets?'* Table 6.14 displays the responses from the beneficiaries.

**Table 6.14: Challenges faced in accessing the markets**

<b>Beneficiary group</b>	<b>Response</b>
Case one	<i>None, the produce is sold to the local abattoir with no qualms.</i>
Case two	<i>None, produce is sold to the local abattoir and auctions.</i>
Case three	<i>None, produce is sold to the local abattoir with no qualms.</i>
Case four	<i>None, off-take agreements have been signed with the citrus agents to export the produce once its ready for harvest.</i>

The beneficiary groups were asked to highlight the other forms of post-settlement support which they have received besides CASP. The following question was asked: ‘*Besides CASP, what other form of post-settlement support have you received?*’ Table 6.15 shows the responses from the beneficiaries.

**Table 6.15: Other forms of post-settlement support besides CASP**

<b>Beneficiary group</b>	<b>Response</b>
Case one	<i>Recapitalisation and Development Programme, known as Recap, the farmer did not receive CASP funding.</i>
Case two	<i>None, besides CASP</i>
Case three	<i>None, besides CASP</i>
Case four	<i>None, besides CASP</i>

The beneficiary groups were asked what hinders their farms to operate in full optimal production. They were asked the following question: ‘*What is hindering your farm to operate in its optimal production?*’ Table 6.16 displays the responses from the beneficiaries.

**Table 6.16: Hindrances on farms to operate in full optimal production**

Beneficiary group	Response
Case one	<i>Piggery structures need to be refurbished and redesigned. Feeding still labour intensive and everything is done manual which means lot of production cost go to labour which means one must cut on production to cover for labour costs. Mentor was only allocated for 12 months of which majority of that period was construction of the piggery structure, and little production happened during that time. Electricity bill is too high. Maintenance is also high.</i>
Case two	<i>The support that was received was extremely limited especially on production; the farm requires ninety breeding cows to be economic viable in realize its full potential.</i>
Case three	<i>Nothing, all still in order having recently taken occupation of the farm and got the support through CASP.</i>
Case four	<i>Inadequate budget allocated to the project. Project not fully funded, not all items in the business plan were allocated budget. Service provider allocated for infrastructure development does not have the required capacity e.g., irrigation already showing problems, yet it is not even a year old, incorrect fencing installed, service provider took all the pipe fittings that were left on site.</i>

#### **6.4.1.1 Effects of post-settlement support on farm practices**

The interpretation and discussion of findings concerning the effects of post-settlement support on farm practices in the Amathole district are presented according to the following sub-themes:

- Post-settlement support;



- Involvement in the project planning phase;
- Adequacy of support;
- Contribution of support to farm productivity.
- Production status of the farms;
- Challenges faced in accessing the markets;
- Other forms of post-settlement support besides CASP; and
- Hindrances on farms to operate in full optimum production.

#### **6.4.1.1.1 *Post-settlement support***

Post-land support is central to achieving the goals of land reform. After settlement, the beneficiaries of the programme may find it difficult to produce crops, and they may underproduce or abandon their land, leading to monetary loss and food insecurity. In the worst situation, land reform beneficiaries may sell or lease the land back to the white farmers, and reverse any positive effects of land reform. This research revealed that the beneficiaries received post-settlement support, including boundary fence, irrigation, dip tanks, boreholes, boran cows, cattle handling facilities, citrus trees, soil preparation and tractors. The findings suggest that the beneficiaries received an array of post-settlement support which can help them to increase their agricultural production in several ways. It is encouraging that the beneficiaries are receiving post-settlement support that is extensive and customised to their individual requirements. It is crucial to remain cognisant of the fact that merely offering support does not guarantee the post-settlement beneficiaries' success. For the beneficiaries to maximise the potential of the support which they receive, ongoing training and mentorship programmes, support for marketing, and access to the markets is crucial. It is also important to consider the long-term viability of the beneficiaries' post-settlement support. The involvement of the beneficiaries in the selection of post-settlement support is another crucial factor to consider. To fully tailor the support to their unique requirements and give them a sense of control over the process, the beneficiaries should have a role in how the support is provided and used.

#### **6.4.1.1.2 *Involvement in the project planning phase***

Project planning is a crucial phase in the land reform process. It is the foundation for the effective and projected use of the land without which, the success of the land

reform programme is under threat. This research established that the project planning phase involves developing business plans which was done jointly by the mentors, DRDAR officials, and the farmers, before the plans were submitted to the DRDAR for consideration. Thereafter, an assessment was conducted by economists and engineers. The findings also reveal that during the project planning phase, the DRDAR officials and the farmers also agreed on the type of breed to be bought and the location of the dip tanks. There was an elevated level of coordination and cooperation between these two groups, given that the business plan was created jointly by DRDAR officials and the farmers. The business plan may have been more suited to the farmers' unique requirements and circumstances, owing to this collaborative approach, thereby increasing the likelihood that it will be executed effectively. Furthermore, since the findings revealed that the farmers and the authorities had come to a consensus on several project components, it is possible that the process of collaboratively creating the business plan contributed to the development of trust and strengthened relations between the officials and the farmers. This demonstrates that cooperation is, together with other factors such as funding availability, technical support, and market access, beneficial in ensuring the success of the post-settlement support programme.

However, despite the positive outcomes of collaborative planning, there are potential challenges that may arise during the process. One of the most significant challenges is disagreements between the different stakeholders which are involved in the planning process. It is common for stakeholders to have different opinions and priorities which can lead to delays in decision-making and project implementation. For example, if the farmers and DRDAR officials cannot agree on the type of breed to be bought or the location of the dip tanks, this can delay the implementation of the project. Another potential challenge is the lack of trust between the different stakeholders. While collaborative planning can help to build trust and strengthen relationships between stakeholders, it can also be difficult to establish trust initially, especially if there is a history of mistrust or conflict between the stakeholders, thereby making it more challenging to collaborate effectively. Further, with multiple stakeholders involved in project planning, decisions may take longer to make as everyone needs to be consulted, and their opinions considered. This can slow down the planning process, and delay project implementation.

#### **6.4.1.1.3 Adequacy of support**

Numerous lands reform programmes have been found to have failed or performed poorly due to insufficient post-settlement support. According to Mabuza (2016), the government support post land transfer has been a major challenge facing the land reform beneficiaries. Without post-land support, land reform is set for failure. The lack of post-settlement support might result in land reform recipients being unable to produce, underproducing, leaving their land fallow, and not reaping any financial rewards from owning the land. As revealed by this research and discussed earlier, there is insufficient support for land reform beneficiaries in the Amathole district. There was consensus among the participants that the support for post-settlement beneficiaries is inadequate, as findings from the farmers concur with those of the officials. The support is inadequate in terms of capital and operational requirements, feed supply, livestock supply and equipment, irrigation, tractor implements, irrigation, mentorship, and funding.

However, the inadequacy of support has been attributed to the lack of funding. The findings indicate that the support for land reform beneficiaries in the Amathole district is lacking, hence the farmers are unable to meet the necessary requirements in the critical areas mentioned above. This may have dire consequences such as reduced agricultural productivity, lower economic growth, and increased poverty among the farmers. Consequently, the farmers were compelled to compromise on the quality of the piggery equipment due to the limited budget, and to hire the tractor implements as revealed in the study.

#### **6.4.1.1.4 Contribution of support to farm productivity**

According to the Comprehensive Agricultural Support Programme (CASP) evaluation study (2015:10), access to agricultural support services is essential for increasing agricultural production and productivity, particularly in smallholder agriculture. Furthermore, inadequate post-settlement support has been identified as a major contributor to the failure or deficient performance of many lands reform projects. It is also reasonable to suggest that poor access to farmer support services has negatively affected agricultural productivity. Contrary to this and the research findings which revealed that post-settlement support is inadequate, the farmers revealed that the

support which they received contributed to farm productivity. The livestock improved and had since multiplied, and the farms are functioning in their full capacity. The findings suggest that some improvements in livestock production have resulted from the post-settlement support. This development can be ascribed to the farmers' capacity for managing reproduction and camp rotation. The production cycle is more regulated and effective when there are no bulls present with the cows. The participant noted that, *“the number of cattle has since multiplied and the farm is functioning to its full capacity.”* It is also important to note that the farmer also bought livestock personally as part of investing in the farm. The findings indicate that this farmer received support through CASP. The participant further noted that, *“the livestock that was supplied by the department helped to improve the quality of livestock. As a result, the farmer can now participate in the mainstream agriculture through auctions.”*

Furthermore, the farmer has 300 cattle, which are equivalent to full production. This shows that targeted support is crucial for the farmers to maximise the potential of the cattle which they receive. However, some participants revealed that the support contributed to farm productivity only to a limited extent, given that the production inputs supplied were inadequate. This suggests that the support provided to farmers did not have a significant impact on farm productivity due to inadequate production inputs that were supplied as part of the support. This has been revealed by the research earlier that the support is inadequate in terms of capital and operational requirements, feed supply, livestock supply and equipment, irrigation, tractor implements, irrigation, mentorship, and funding. Insufficient production inputs can significantly affect the farmers' capacity to maximise production and profitability.

Contradicting findings reveal that there are deficiencies in the support provided to the farmers. For example, beneficiary groups 1, 2 and 4 highlighted that the support provided was inadequate. However, beneficiary group 1 did not receive CASP funding, but received RECAP, while the rest of the groups only received CASP funding. One participant stated that,

There is inadequate budget allocated to the project; the project is not fully funded. Not all items in the business plan were allocated a budget. The service provider allocated for infrastructure development does not have the required capacity, for example, the irrigation is already showing problems, yet it is not

even a year old, incorrect fencing was installed, and the service provider took all the pipe fittings that were left on the site.

This indicates that the reasons for the variances in farm outcomes is mainly centred on the lack of funding, resources, and skills. This has led to poor infrastructure for livestock production, as another participant stated that,

Piggery structures need to be refurbished and redesigned. Feeding labour is intensive, and everything is done manually, which means that a lot of production cost go to labour, so one must cut on production to cover the labour costs. The mentor was allocated for only 12 months, of which the majority of that period was spent on the construction of the piggery structure, and little production happened during that time. The electricity bill and maintenance is too high.

These findings suggest that adequate support, therefore, allows the farms to be in full production. Deducing from the findings above, adequate support includes the provision of an adequate budget that fully offsets all the items in the business plan, the allocation of a fully capacitated, skilled, and committed service provider, the introduction of innovative farming methods which are less costly, the allocation of a long-term mentor with a specific emphasis on production, as well as the provision of affordable services and resources.

#### **6.4.1.1.5     *Production status on the farms***

Following Kloppers and Pienaar (2014:691), the land reform policy, as stipulated in the RDP, is aimed at encouraging the utilisation of land for agriculture, and availing productive land to raise income and productivity. Considering this, the production status on the farms should be on full. Contrary, the research revealed that the farms are not in full production. The piggery is not fully functional, the piggery structures are not in a good state, there are few cattle on one farm, approximately 33% of what should be there, while only 22.5% hectares of arable land on the other farm is under production. A fully functional facility allows the farmers to be able to maximise production. However, the findings suggest that there are significant challenges facing the post-settlement beneficiaries as their production status on the farms is not on full.

The non-functional piggery and poor condition of the structures which are limiting the potential of these farms could indicate a lack of investment in infrastructure and maintenance. The few cattle on one farm and a small proportion of arable land under production on the other farm could also be indicative of a lack of investment or support in these areas. This is found to be limiting the overall productivity on these farms.

Farm 1 received infrastructure support and livestock which was limited to a certain extent. This may be the reason the piggery is not fully functional, and the piggery structures are not in good state, given that there was a lot of compromise in the quality of building material. Compromising the quality of building materials and equipment results in future maintenance costs and reduced productivity. In this case, the poor quality of building material used for the piggery has reduced productivity and profitability for the farm. The infrastructure support provided should be of high or an acceptable quality, and should meet the needs of the farm. Furthermore, Farm 2 received 14 KM boundary fence, 4ha irrigation, a dip tank, and borehole. The output is that the farm is not in full production as well, as it has only 30 cattle instead of 90, given that the farm is 365 hectares in extent. Farm 4 received 17 000 citrus trees, 5.9km boundary fencing, soil preparation, 27ha irrigation, and two tractors. The output is that out of the 120 hectars of arable land, only 27 hectars are under production. These findings reveal some mismatches and discrepancies between the support provided to the farmers, and the current status of production and output on the farms.

However, Farm 3 received 25 boran cows, a bull, dip tank, and cattle handling facilities. The output is that the farm has more than 300 cattle which is equivalent to its full production. This suggests that this farm is an exception to the findings discussed earlier, as it may be more successful or productive than the others in terms of its cattle rearing operations. However, without further information, it is unclear whether this success extends to other areas of the farm operations, such as crop production or infrastructure maintenance.

However, it is important to note that the success of a farm cannot be solely attributed to the number of livestock that it has. Various other factors such as the quality of the livestock, the management practices employed, and the market demand for the products should also be taken into consideration in evaluating the success of the farms. Considering this, having large number of livestock indicates that the farmer may

have developed the skills and capabilities to maintain productivity over time. This is because managing a large herd of livestock requires a high level of knowledge and expertise in areas such as animal health, nutrition, and breeding. Additionally, it requires effective management practices such as record-keeping, monitoring, and planning. Furthermore, maintaining productivity over time requires a long-term perspective and a willingness to invest in the necessary resources, skills, and infrastructure. This includes investing in high-quality feed, veterinary care, and equipment, as well as implementing effective disease prevention and control measures. Therefore, the long-term sustainability of the support provided to the farmers can be considered in view of the above-mentioned skills.

#### **6.4.1.1.6 Challenges faced in accessing the markets**

The AsgiSA (2008) annual report noted that key to redressing the imbalances of the past is the development of the smallholder farmer through market-development approaches that facilitate linkages, market access, and the development of appropriate marketing organisations; strategies to address access to market infrastructure such as grain silos, and the development of fresh-produce markets; and links to sector strategies. This was premised on the foundations of RDP's goals of building a democratic society and integrated economy. The research revealed that the farmers do not face any challenges in accessing the markets. The participant noted that, "*we do not face any challenges. Off-take agreements have been signed with the citrus agents to export the produce once its ready for harvest.*" Once the product is ready for harvest, off-take arrangements have been made with agents to export it, and the produce is sold to the local abattoir and auction houses without any challenges. It appears from this that arrangements have been made for the export of produce once it is ready for harvest. Furthermore, the produce is being sold to nearby abattoirs and auctions, and it does not appear that there are any difficulties regarding market access. Another participant stated that, "*there are no challenges. The produce is sold to the local abattoir with no qualms.*" This may indicate that the farms are effectively growing and marketing their produce, and that there is a market for it. With this said, accessing the markets is not a challenge.

However, smallholder farmers face potential barriers to market entry such as transaction costs, certification requirements, and access to market information when

trying to enter markets. Transaction costs include transportation, storage, packaging, and marketing expenses. Furthermore, smallholder farmers also lack the resources and infrastructure required to minimise these costs, hence they cannot compete with commercial farmers. The farmers may also be located far from the markets, which increases transportation costs, and reduces the freshness and quality of their produce between the processes of harvesting and transportation to the markets. Moreover, certification requirements are another barrier to market entry for smallholder farmers, since many markets require certifications such as organic or fair trade which tend to be costly and time-consuming to obtain. These certifications may also require a certain level of infrastructure or technology which smallholder farmers may not have access to. Further, the farmers may not have access to information on market prices, demand, or trends, and market requirements and regulations, hence it becomes a challenge for them to make informed decisions on what crops to grow or when to sell their products.

To overcome these barriers, smallholder farmers need support from the government, NGOs, and other concerned organisations, especially with training and education on market access and certification requirements, infrastructure development to reduce transaction costs, and access to market information through market information systems or other information channels. Resultantly, smallholder farmers can improve their competitiveness and increase their income from agricultural production.

Smallholder farmers not only face potential barriers in market entry, but they also face challenges in accessing other markets, such as local retail markets, value-added product markets, and international markets. This is because these markets have their own dynamics and challenges which the farmers need to understand and navigate to be successful. When accessing local retail markets, farmers are usually faced with competition from larger producers who have greater resources and economies of scale, and who may be able to offer lower prices and higher quality produce. On another hand, local retail markets may have strict quality standards and regulations that smallholder farmers may struggle to meet. Furthermore, value-added product markets such as organic or fair-trade products can provide higher prices for smallholder farmers, but may require additional certifications or investments in the production processes. These markets also require a greater understanding of consumer preferences and trends, which can be challenging for smallholder farmers



who may not have access to market research or consumer data. This consequently makes it difficult for smallholder farmers to compete in such markets.

International markets offer opportunities for smallholder farmers to access larger markets and higher prices, but they also come with their own challenges. For example, export regulations and tariffs tend to be complex and costly to navigate, and demand fluctuations and currency exchange rates usually have an impact on profitability. Meeting international quality standards and certifications can be a great investment for smallholder farmers. However, these farmers also face challenges with pricing as they may not have the bargaining power to negotiate fair prices with middlemen or buyers, which consequently lowers the prices of their produce. This has a negative impact on their income as the farmers face challenges with investing in their farms or improving their production processes. Further, smallholder farmers also face the challenge of demand fluctuations. The sudden changes in demand or supply lead to price volatility or oversupply, hence farmers are unable to sell their products at a fair price. This creates food waste or financial losses for the smallholder farmers.

Market access varies depending on the season or type of produce. For example, during the harvest season, there may be an oversupply of certain crops, which often lowers the prices and reduces the demand. Conversely, during the off-season, there may be a shortage of certain crops, which demands higher prices and an increased demand. However, smallholder farmers must be aware of these seasonal variations in demand, and adjust their production accordingly to maximise their market access. In view of this variation, farmers should grow a variety of crops with different harvest seasons to spread their risk and ensure a more consistent income throughout the year. Further, they should consider working with buyers or middlemen to develop contracts that guarantee a minimum price for their crops, regardless of seasonal variations in demand. During peak seasons when there is an oversupply of certain crops, prices may be lower than during off-seasons when there is a shortage of the same crops. Due to this, transportation and storage facilities tend to be overwhelmed, which reduces produce demand and, consequently, creates spoilage. Conversely, during off-seasons when there is a shortage of certain crops, transportation and storage facilities may be underutilised. Therefore, farmers should focus on value-added products. For example, instead of selling raw produce, smallholder farmers can process their crops

into products such as jam, pickles, or dried fruits which command higher prices, regardless of seasonal variations in pricing.

#### **6.4.1.1.7 *Other forms of post-settlement support besides CASP***

Land reform without post-land support is a recipe for disaster. The absence of post-settlement support may lead to the beneficiaries of land reform being unable to produce or under-producing, leaving the land lying fallow, and not getting any economic benefits from owning the land. Corresponding to this, the research established that the farmers did not receive any other form of post-settlement besides CASP. The findings indicate that CASP is the only form of support which was provided to the farmers in the land reform programme. This suggests that the farmers may be facing significant challenges or limitations in their agricultural operations as they are not receiving the comprehensive support which they need to succeed. Land reform requires support without which, the success of the farmers and their operations is at risk. This may be the reason the farms are not in full production, except for only one. Support is central to the productivity of the farms, hence it cannot be overlooked. However, one participant noted that the other form of post-settlement which they have received is the Recap, since the farmer did not receive CASP funding. According to Nengwekhulu (2019:3), Recap was established with the sole purpose of putting back into production land reform farms that are in distress. However, the programme is anchored on infrastructure development, although the farmers must develop a five-year bankable business plan, with funding limited by 20% each year until it ceases altogether after five years.

#### **6.4.1.1.8 *Hindrances on farms to operate in full optimum production***

It was established that for the farms to operate in full optimum production, there are hindrances faced by the farmers, including poor infrastructure, labour-intensive feeding practices, high labour costs, high electricity bills and maintenance costs, limited support, and the incapacitation of the service providers. As revealed earlier by the study, the programme has limited funding due to an inadequate budget allocation. Not all items in the business plans were given a budget, despite the project being partially funded. The service providers responsible for infrastructure development lack the necessary capacity to complete the project successfully. Examples of their

inadequate work include the irrigation system having problems before even being a year old, incorrect fencing being installed, and the service provider taking all the leftover pipe fittings from the site.

The farms are plagued by numerous other hindrances which include poor infrastructure. Poorly located and inadequate infrastructure limits social inclusion and rapid economic growth, and spatial challenges continue to marginalise the poor (South African Cities Network, 2014). The findings revealed that the piggery structures require refurbishment and redesign to improve their functionality. The feeding process is still labour-intensive, resulting in high production costs that are mostly labour-related. This situation necessitates cutting down on production to compensate for labour costs. The current state of the piggery structures and labour-intensive feeding practices are significant factors that hinder optimal production on farms. The structures require refurbishment and redesigning to improve their functionality, which may increase efficiency and productivity. The current state of the structures may also pose a risk to the health and well-being of the livestock, and this can further impact production on the farms. Further, labour-intensive feeding practices attract high production costs which are mostly labour-related. This situation necessitates cutting down on production to compensate for labour costs, which negatively impacts the overall profitability of the farms. Labour-intensive feeding practices can also be time-consuming. This indicates that there is a limit on the amount of the time available for other important tasks such as livestock care and maintenance.

Additionally, the allocated mentor was only available for 12 months during which, much of the time was spent on constructing the piggery structures, leading to limited production. Mentorship is a critical component for any successful agricultural operation as it provides farmers with the knowledge, skills, and guidance that they need to maximise their production and profitability. In this case, the limited availability of the mentor, combined with their focus on construction rather than production may have resulted in the lack of support and guidance for the farmers during the critical preliminary stages of production. This suggests that the delays in the implementation of key production strategies and the lack of knowledge and skills in areas such as livestock management, feed management, and disease control were inevitable. Further, the focus on construction rather than production may have resulted in limited

investment in key production inputs and resources. This could have further hindered the farms' ability to achieve optimum production levels and profitability.

In view of this, mentorship programmes are considered highly effective when they are implemented correctly as they provide farmers with access to expert knowledge and guidance in overcoming the challenges that they face, and in achieving their goals. In this technological era, mentorship programmes may provide insights for the farmers in adopting new technologies and practices, with the aim to improve farm productivity, profitability, and realise long-term sustainability. However, for mentorship programmes to be effective and successful, the mentors allocated to the farmers should be experienced and knowledgeable in the relevant areas of agriculture. These mentors should also be available for an 'adequate' period to provide support and guidance to the farmers throughout the production process. Further, the design of the mentorship programmes should be focused on key production strategies and inputs, rather than just construction, to ensure that the farmers have the resources and knowledge that they need to achieve optimum production levels and profitability.

Further, the participants noted that the electricity bill and maintenance costs are also high. This suggests that high electricity bills and maintenance costs are significant challenges that hinder optimal production on farms. These costs can significantly reduce the profit margins for the farmers, hence it becomes difficult to invest in other areas that could improve productivity. As revealed by the study, high electricity bills can result in a substantial increase in operating costs, especially for the farms that rely heavily on electrical equipment and tools. To top it, high maintenance costs are also a burden for the farmers, particularly those with older equipment and infrastructure. The costs associated with maintaining and repairing equipment and infrastructure appear to be substantial, and they have an impact the overall profitability of the farms. High maintenance costs are commonly associated with delays in repairs which can further hinder optimum productivity. For instance, if a critical piece of equipment breaks down and the farmers cannot afford to repair it immediately, this could lead to delays in production and reduced profits.

These challenges are, however, interconnected. For example, the high electricity bills and maintenance costs both impact the costs, profitability, and productivity on the farms. High electricity bills reduce the profits due to increased operating costs, while

high maintenance costs typically cause delays in repairs, and reduce productivity. These challenges limit the ability of the farmers to invest in other areas that could improve productivity such as new equipment, technological innovations, or training programmes. In the same vein, these challenges may be exacerbated by the limited funding provided to the farmers; while conversely, these challenges also impact the available limited funding as it continues to dwindle. This leaves the farmers with accelerated challenges such as low productivity; poor resources or infrastructure; low sales, income and profits; and ultimately, dwindled funding.

The next section discusses the challenges faced by the post-settlement beneficiaries.

#### **6.4.2 Theme 2: Challenges faced by post-settlement beneficiaries**

The land reform programme has advanced in several ways, but it has not been without challenges. The beneficiaries of post-settlement programmes, particularly the black farmers in the Amathole district experience several challenges, as explained in the literature review in this research. Considering this, Mabuza (2016) is of the view that government support post land transfer has been a major challenge facing the claimants and redistribution beneficiaries. To get an informed view on the matter, the researcher solicited views from CASP and RADP beneficiaries on the challenges which they are facing. The following question was asked to the beneficiary groups with the aim to identify the challenges which they face as farmers: *‘What are the general challenges that you are facing as a farmer?’* Table 6.17 summarises the responses from the beneficiaries.

**Table 6.17: Challenges faced by post-settlement beneficiaries as farmers**

<b>Beneficiary group</b>	<b>Response</b>
Case one	<i>Bush encroachment, there is a lot of alien plants which are invading the farm and therefore reduces carrying costs. Most dams are silted and need to be scooped</i>
Case two	<i>Wild animals that destroy any cash crop the farmer tries to plant. Bush encroachment by alien plants called lantana is</i>

<b>Beneficiary group</b>	<b>Response</b>
	<i>reducing the carrying capacity of the farm. Access road to the farm is in a terrible condition</i>
Case three	<i>Bush encroachment, there is a lot of alien plants which are invading the farm and therefore reduces carrying costs.</i>
Case four	<i>No transparency by DRDAR officials, the farmer is not even aware of how much was the approved budget. No mentor allocated.</i>

#### **6.4.2.1 Challenges faced by post-settlement beneficiaries**

The interpretation and discussion of findings concerning the challenges faced by post-settlement beneficiaries are presented according to the following sub-themes:

- Lack of transparency by the officials; and
- Lack of resources.

##### **6.4.2.1.1 Lack of transparency by the officials**

The National Development Plan (2021) postulates that land reform will protect land markets from opportunism, corruption, and speculation, which can all be regarded to have consequences such as the lack of transparency by the officials. This is because according to Sibanyoni (2021), the NDP has been riddled with challenges, and chief amongst them is corruption. The findings revealed that the beneficiaries face challenges such as the lack of transparency by the officials. One participant noted that, *“there is no transparency by the DRDAR official;, the farmer is not even aware of how much was the approved budget.”* The findings suggest that the farmers are not aware of the authorised budget, and that the DRDAR officials lack transparency in their dealings with them. The farmers have serious concerns about the DRDAR authorities’ lack of transparency on the agreed budget since it may result in a lack of trust and accountability within the group. Without knowledge of the approved budget, the farmers may be unable to plan effectively or make informed decisions regarding their operations, and they may also find it challenging to hold the DRDAR officials

responsible for their actions due to this lack of transparency. However, a lack of transparency could also be a sign of a bigger problem within the DRDAR, including an absence of accountability, communication, or supervision. Combined effort on the part of DRDAR officials to improve transparency and communication with the farmers, as well as a commitment to accountability may go a long way in resolving this challenge.

#### **6.4.2.1.2 Resources**

According to Walker (2012:13), the NDP certainly offers an eloquent analysis of the major development predicaments facing South Africa. The NDP further recognises that South Africa is a water-challenged region, and that climate change poses major threats to the environment and agriculture. Given the competition for water among different sectors, as well as its commitment to extending irrigation, agriculture will have to increase the efficiency with which it uses water. Similarly, the research established that the post-settlement beneficiaries face challenges with environmental issues such as climate change and water rights. One participant noted that,

Access to water rights has become a serious problem for crop farmers, and the DRDAR cannot fund a farmer without water rights, especially if that farm needs to use irrigation. It takes a bit of time to be granted water rights by the water affairs department. Climate change has become a serious hindrance as it becomes futile due to bad weather conditions which seriously affect production.

Access to water rights has become a huge challenge for the farmers. This is a largely concerning issue as water is essential for crop production, especially in areas where rainfall is unreliable or insufficient. Furthermore, having water rights is a requirement for the farmers to receive funding from the DRDAR. The participant revealed that the DRDAR cannot fund a farmer without water rights, which indicates that water rights in agriculture are a necessity which, presently, the farmers do not have. The lack of funding can contribute to the problem of accessing water rights, as farmers may not have the resources to obtain the necessary permits. The findings also reveal that it takes time to be granted water rights by the water affairs department, which suggests that the process is bureaucratic and slow. This can be frustrating for the farmers who need water for their on-farm practices. These findings highlight that a more efficient and streamlined process for obtaining water rights to support crop production is

required to enable the farmers to access funding from the DRDAR. As revealed by the participants, climate change has become a serious hindrance to crop production. This suggests that bad weather conditions seriously affect crop production, making it futile to try to produce crops in these conditions. This highlights the need for the farmers to adapt to the changing weather patterns, and for the government to support the farmers in this process.

Water rights are an essential element in agriculture because farmers need to have access to sufficient water resources for their farm production activities, and to sustain their livelihoods. However, obtaining water rights can be regarded as a complex and bureaucratic process which creates challenges for the farmers, such as delays in production. This is because the application process of obtaining water rights is lengthy and complex since it involves applying for a permit from the relevant government agency, providing detailed information about the farmers' water usage and the impact of the use on the environment, demonstrating a legitimate need for the water, and that it will be used efficiently. Commonly, government agencies deal with a backlog of applications in obtaining water rights, hence the farmers may have to wait for years before their application is even reviewed, let alone approved. This delay can be frustrating for farmers who are facing drought, as it requires them to find new sources of water.

More so, the process of obtaining water rights usually involves multiple stakeholders, each with its own set of regulations and requirements. This compels the farmers to hire consultants or lawyers to help them navigate the process which can be costly and time-consuming. Environmental groups who are concerned about the impact of increased water usage on the environment may also file objections or lawsuits against farmers who are seeking water rights. This suggests that the water rights process should be streamlined to make it more efficient and transparent. Strategies for streamlining the process may include simplifying the application process, consolidating agencies, providing more resources to help the farmers to navigate the process, and finding new ways to manage water resources through promoting water conservation or encouraging the use of alternative sources of water.

Further, the participant noted that loadshedding is also affecting the post-settlement policy. For example, broiler chickens require light 24 hours a day, seven days a week.



The temperatures must be controlled – it must be not too cold or too warm. As a result, the mortality rate lately is too high due to loadshedding, whose impact is specifically on the production of broiler chickens. The findings suggest that the growing of broiler chickens requires light and temperatures which must be controlled to maintain a suitable environment for their growth and survival. However, due to loadshedding, the availability of electricity is inconsistent, which makes it difficult to maintain a stable environment for the broiler chickens. As a result, the mortality rate of broiler chickens has increased, leading to financial losses for the farmers. A reliable and consistent supply of electricity to support the post-settlement beneficiaries and the economic viability of farming is important to addressing this challenge.

Loadshedding is a common challenge in many African countries, where the supply of electricity is disconnected due to a lack of capacity, maintenance issues, or natural disasters. In the case of farmers who rely on electricity to run their poultry farms, loadshedding can have devastating consequences, particularly for broiler chickens. Broiler chickens are a type of chicken that is bred for meat production and are raised in large numbers in specialised poultry farms. The high mortality rates of broiler chickens due to loadshedding can be due to several issues. Firstly, broiler chickens require a regulated temperature to survive, and any disruption in the supply of electricity can lead to a drop in the temperature, causing the birds to become stressed and eventually die. Secondly, the ventilation systems in poultry farms rely on electricity to function properly; therefore, loadshedding can cause a build-up of ammonia and carbon dioxide in the air which can be fatal for the birds. Further, the feeding and watering systems in poultry farms also use electricity, hence the disconnection in the supply of electricity can cause the dehydration and starvation of the birds.

The economic consequences of loadshedding for the farmers are long-lasting as they incur direct losses due to the mortality of broiler chickens. The cost of raising broiler chickens is high, and any loss of birds is a major financial setback for the farmers. In addition, the farmers may incur additional costs to maintain backup generators or other alternative sources of electricity to mitigate the impact of loadshedding. These costs add to the overall cost of production. Loadshedding can cause delays in production, and this decreases the supply and increases the prices. This poses a ripple effect on the entire value chain of agriculture, from feed suppliers to the retailers, hence high

prices for the consumers are inevitable. In addition to these direct economic consequences, loadshedding has indirect economic impacts for the farmers. For example, the loss of broiler chickens decreases their income, and consequently decreases the purchasing power of the farmers. This negatively impacts the local economy, as they may be less likely to invest in their farms or purchase goods and services from local businesses.

The impact of loadshedding goes beyond broiler chicken production. Another area of farm production that is affected by loadshedding is irrigation. Many farmers rely on electricity to power their irrigation systems. The disruption in the supply of electricity creates a shortage of water for the crops, and this reduces crop yields. Further effects include lower quality produce, and consequently, financial losses. In some cases, the farmers may need to invest in alternative sources of electricity to ensure that their irrigation systems continue to function during loadshedding. In addition, the farmers use machinery such as tractors, harvesters, and cultivators to manage their farms efficiently which all require electricity to operate. Loadshedding, therefore, delays planting, harvesting, and other farm production operations. Consequently, this reduces the farm productivity and increases labour costs for farmers who may need to hire additional workers to compensate for the loss of machinery.

The storage of perishable products is also another area of farm production which is affected by loadshedding. Farmers who store their produce in refrigerated warehouses or cold rooms to preserve their quality and extend their shelf life require a constant supply of electricity to maintain the desired temperature. Therefore, the power supply disconnections create a spoilage and waste of perishable products. Other aspects of farming operations such as processing and transportation are negatively affected by loadshedding, as farmers rely on electricity to power their processing equipment, including mills, grinders, and presses. Loadshedding thus delays the processing and transportation of the produce, and increases labour and transportation costs as well. Consequently, the farmers incur financial losses as they may have invested a considerable amount of time and resources in growing and harvesting their produce.

## **6.5 SUMMARY OF FINDINGS FROM DALRRD AND DRDAR OFFICIALS**

This section summarises the findings from the DALRRD and DRDAR officials, and it is based on the themes highlighted in the preceding section.

### **6.5.1 Theme 1: Summary of findings**

The legislative framework governing land reform post-settlement support indicates that the support provided to the land beneficiaries is through RADP, CASP, and the Provision of Land and Assistance Act, all which have the potential to address the historical disparities associated with land ownership and distribution in the country. However, their success is contingent upon proper and efficient execution. The CASP and food security budget also play a critical role in facilitating successful land reform by focusing on infrastructure development and production inputs respectively. The private sector can further improve this relationship by collaborating with the government to share risks, and prevent delays in the purchase of production inputs. The RADP serves as a key programme governing post-settlement for land reform beneficiaries, which is essential given the failures of the previous post-settlement support programmes. In summary, addressing land ownership and distribution disparities requires a targeted approach that includes effective legislation, policies, and collaborations between the government and the private sector in order to achieve successful land reform and promote food security.

### **6.5.2 Theme 2: Summary of findings**

The participants in the research have identified several positive effects of post-settlement support on the farm operations. These include improved infrastructure and production, and access to markets and capital injection, which have made some farmers to be bankable and achieve enhanced production. There is also evidence of strong control systems and success in value chain addition, such as the construction of feedlots in red meat corridors. The results demonstrate the significant benefits that the agricultural industry derives from post-settlement support, with advantages for the farmers. These findings emphasise the importance of continued support for the farmers to address the previous disparities and promote sustainable agriculture in the country. Overall, post-settlement support is seen to have the potential to contribute to

the growth and development of the agricultural sector, thereby benefiting the farmers and the wider economy.

The research also established that there are significant failures of the post-settlement support for the beneficiaries. Farmers in the Amathole district have experienced a myriad of negative effects of post-settlement support on farm practices. The findings reveal that the failures include issues with funding and resource allocation, approach and focus of the support, collaboration, information access, beneficiary commitment and involvement, and implementation agencies and beneficiaries. The lack of funding and support for the farms and land projects can have a significant impact on their ability to make a profit which limits agricultural production. The importance of knowledge and expertise in project execution cannot be overstated, as it can affect the success of the project. The current approach by the DRDAR of funding every farmer with limited resources and a focus on infrastructure rather than production has resulted in minimal impact, and left some farmers unproductive. Findings from the research suggest that there are challenges related to collaboration and information access in the agricultural sector, such as limited access to market trends and production data, and a lack of collaboration between the DRDAR and DALRRD. However, the agricultural sector has improved through the adoption of a commodity approach and strategic alliances. This indicates the need for an increasingly better management of resources, as some farmers are selling their quality livestock rather than using it to enhance their production.

### **6.5.3 Theme 3: Summary of findings**

Post-settlement beneficiaries are faced with the challenges of policy implementation and governance, insufficient support, and issues with stakeholder relationships. There is policy recycling without taking lessons learnt from previous policies or programmes. There is also a lack of political will in ensuring that more funds are mobilised to help several farmers, hence only a few are benefiting from the programme. Furthermore, there is the use of a top-down approach in governance, and insufficient support for the post-settlement beneficiaries which comes in the form of a limited budget, and inadequate training and skills. These challenges may hinder the ability of the farmers to succeed. Addressing these challenges will require a comprehensive approach that

includes learning from previous policies, ensuring adequate funding and resources, and providing the necessary training and support to the post-settlement beneficiaries.

## **6.6 SUMMARY OF FINDINGS FROM BENEFICIARIES**

This section summarises the findings from the post-settlement beneficiaries, and it is based on the themes discussed in section 6.3.

### **6.6.1 Theme 1: Summary of findings**

The research established that the effects of post-settlement support include the involvement of the farmers in the project planning phase, adequacy of support, contribution of support to farm productivity, production status of the farms, challenges faced in accessing the markets, other forms of post-settlement support besides CASP, and hindrances on the farms to operate in full optimum production. Merely offering support does not guarantee the post-settlement beneficiaries' success. For the beneficiaries to maximise the potential of the support which they receive, ongoing training and mentorship programmes, support for marketing, and access to markets, are all crucial components of the support. The farmers' involvement in the business planning phase of the projects may have made the plans more suited to the farmers' unique requirements and circumstances owing to this collaborative approach, thereby increasing the likelihood that it will be executed effectively. However, the support is inadequate in terms of capital and operational requirements, feed supply, livestock supply and equipment, irrigation, tractor implements, irrigation, mentorship, and funding. Contrary to this and the research findings which revealed that post-settlement support is inadequate, the farmers revealed that the support which they received contributed to farm productivity. The livestock improved and had since multiplied, and the farms are functioning in their full capacity.

However, it was revealed by the study that the farms are not in full production. The piggery is not fully functional as the piggery structures are not in a good state; there are few cattle on one farm, approximately 33% of what should be there; while only 22.5% hectares of arable land on the other farm is under production. Conversely, the farmers do not face any challenges in accessing the markets as off-take arrangements have been made with agents to export the produce once it is ready, and it is sold to

the local abattoir and auction houses without any problems. Further, it was established that apart from CASP, the farmers did not receive any other form of post-settlement support. To this end, for the farms to operate in full optimum productions, there are hindrances faced by the farmers, including poor infrastructure, labour-intensive feeding practices, high labour costs, high electricity bills and maintenance costs, limited support, and the incapacitation of the service providers.

### **6.6.2 Theme 2: Summary of findings**

There is a lack of transparency in the dealings between the DRDAR officials and the farmers, with the latter not being aware of the approved budget for the projects. This lack of transparency could lead to a lack of trust and accountability within the group, making it difficult for the farmers to plan and make informed decisions. It may also make it challenging for the farmers to hold the DRDAR officials responsible for their actions. However, the lack of transparency could also be a symptom of a huge problem within the DRDAR, such as a lack of accountability, communication, or supervision. Further, the problem of loadshedding for post-settlement beneficiaries has negatively impacted the production of broiler chickens. Addressing these issues will require an approach that includes improving transparency, communication, and accountability between the DRDAR officials and the farmers to help build trust and foster a more productive relationship between the two groups.

## **6.7 CHAPTER SUMMARY**

This chapter interpreted and discussed the research findings from the study which were according to the objectives presented in Chapter 1 of this research. The discussion was based on the data presented at the beginning of the chapter, the literature reviewed in Chapters 3 and 4, and was (NPM) framework which was explained in Chapter 2. The reviewed literature was consulted to support or argue the findings of this research.

It can be argued that that the legislative framework governing land reform supports the farmers by addressing the previous injustices, and helping CASP's efforts to resuscitate struggling farms by providing them with funding to increase farm productivity, equipment, infrastructure, and mentorship to manage their farms

sustainably. The CASP is focused on infrastructure development, while the food security budget aids with production inputs. The effects of post-settlement support on farm practices shows that the agricultural industry derives benefits greatly from post-settlement support for farm operations, with significant advantages for the farmers. Further, the failures include issues with funding and resource allocation, approach and focus of the support, collaboration, information access, beneficiary commitment and involvement, and implementation agencies and beneficiaries. However, the post-settlement beneficiaries face challenges such as issues with policy implementation and governance, stakeholder relationships, and insufficient support.

The next chapter presents the conclusions and recommendations for the research based on the findings from the study.

## **CHAPTER SEVEN: MAIN FINDINGS, CONCLUSIONS AND RECOMMENDATIONS**

### **7.1 INTRODUCTION**

The preceding chapter presented, analysed, interpreted, and discussed the findings of the study. This chapter provides a summary of the findings and conclusions based on the data presented and interpreted in Chapter Six, as well as the literature review in Chapter Three and Four. This chapter puts forward recommendations that can be made for the improvement of the implementation of the land reform post-settlement support programme. It is hoped that these recommendations will enhance the post-settlement support provided to black farmers. The chapter is structured in line with the objectives of the study, and it includes the following: summary of the findings; conclusions in line with the research objectives; recommendations for improving the implementation of the land reform post-settlement support programme; and suggestions for future research.

The purpose of this research was to establish the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries in the Amathole District Municipality in the Eastern Cape Province. To fulfill the purpose of the study, the following objectives guided the study:

- To identify, collect, and review literature on land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation.
- To evaluate theories and perspectives in the Public Administration discipline that influence land reform post-settlement support in South Africa.
- To determine the most appropriate research design and method to investigate the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries, specifically the medium and large-scale commercial farmers in the Amathole District Municipality.



- To critically analyse the legislative framework that governs land reform post-settlement support, on-farm productivity among black emerging commercial farmers, and commercial agriculture transformation in South Africa.
- To assess the extent to which post-settlement support influences on-farm practices among black emerging commercial farmers in the Amathole District Municipality.
- To examine the challenges faced by the post-settlement beneficiaries, and to establish how the identified challenges impede commercial agriculture transformation.
- To come up with recommendations for the improvement of the implementation of the post-settlement support programme.

## **7.2 MAIN FINDINGS**

The following summary of the main findings is presented in line with the objectives of the study.

### **7.2.1 Legislative framework governing land reform post-settlement support**

The land reform programme has been central to the South African government's redress initiatives which are driven by social justice, human rights, and democratic values. The programme further aims to create welfare from the country's agricultural land. As also mentioned in the preceding chapters, several policy ideas were presented by the ANC government during negotiations which, among other things, involved land restitution and redistribution. In addition, the review of the literature suggests that the policies included the Abolition of Racially Based Land Measures Act 108 of 1991, 1993 Interim Constitution of South Africa, 1997 White Paper on South African Land Policy, Restitution of Land Rights Act 22 of 1994, Restitution of Land Rights Amendment Act of 2014, Provision of Land and Assistance Act 126 of 1993, Development Facilitation Act 67 of 1995, Interim Protection of Informal Land Rights Act 31 of 1996 (IPILRA), Labour Tenants Act 3 of 1996, a Extension of Security of Tenure Act 62 of 1997 (ESTA), and the Expropriation Act 63 of 1975. However, the 1997 White Paper on Land Policy and Section 25 of the South African Constitution are the foundation upon which any land reform legislation is premised.

The findings revealed that the policies and legislative framework governing land reform in the Amathole district are the Provision of Land and Assistance Act of 1993, Recapitalisation and Development Programme (RADP), and the Comprehensive Agricultural Support Programme (CASP), which must be executed properly and efficiently to achieve their intended objectives.

The findings suggest that the policies that have been instrumental in the transfer of land have not received the support to enable the beneficiaries to make productive use of the land. The policies and legislative frameworks are important in guiding land reform. However, there is a gap between policy and practice. The results show that for the proper coordination of the policy framework to be effected, there should be adequate financial resources allocated to support the agricultural projects, including production inputs and farming skills. As opposed to only infrastructural development, the legislative framework ought to put more emphasis on providing farmers with the tools and information which they need to achieve maximum production.

The implementing agencies and mentors do not have the necessary skills and expertise. Furthermore, the farmers do not have the funding to optimise their farm production, while the mentors allocated to them were only available for a limited period of time – one year, which they used to focus on infrastructure rather than on farm production. The gap between policy and support, therefore, becomes the lack of coordination between the two, evident in the experiences and challenges faced by the beneficiaries. It should be noted that the policies govern the post-settlement support for farm practices, although to a limited extent.

### **7.2.2 Effects of post-settlement support on farm practices**

The findings indicate that post-settlement support has had both positive and negative effects on farm practices. The farmers received post-settlement support, including, among other things, livestock, boundary fences, irrigation system, boreholes, dip tanks, citrus trees, soil preparation, and tractors. However, most of the farmers have experienced negative effects as the support fell short of both capital and operational requirements, given the size of their farms. The key driver of these effects is inadequate funding for most items in the business plans, which has resulted in the lack of or the purchase of poor-quality farm inputs. This inadequate funding is also fuelled

by the government wanting to service as many farmers as possible, even before those who have received support reach economic viability farmers.

One of the root causes of inadequate funding for post-settlement support is the lack of political will to mobilise more funding for the post-settlement farm practices. The lack of commitment or prioritisation by the government to allocate sufficient funds for the farms has resulted in the lack of adequate funding for the post-settlement beneficiaries. Political will plays an important role in determining the allocation of resources and funding to the farms. This also results in the government officials not realising the importance or urgency of providing adequate funding for the beneficiaries. This may also be due to various reasons such as competing priorities, limited understanding of the impact of post-settlement support on farm practices, or a lack of interest in supporting agricultural development. Without strong political will, it becomes challenging to secure or lobby the necessary financial resources to meet the post-settlement demands.

The inadequate funding for post-settlement support may also be attributed to the limited budget available for the farmers, which can arise from various factors, including economic constraints, competing demands for resources, or the inefficient allocation of funds within the agricultural sector. When there is a limited budget, it becomes difficult to meet all the financial needs and requirements of the farmers. The size of the farms and the scope of support required may exceed the available funds, hence there may be shortfalls in capital and operational requirements. This limitation can have a detrimental effect on farm practices as farmers may not be able to purchase the required inputs or invest in the necessary infrastructure for their farms. More so, a limited budget may also result in the farmers purchasing poor-quality farm inputs as they may be forced to opt for cheaper alternatives that may not deliver optimal results. This can also hinder their ability to improve farm practices and achieve sustainable and optimal agricultural development and production.

The findings suggest that there are disparities in the support provided to these farms. The type and extent of the support differs from one farm to the other, while the farmers' farming practices are also not the same. The findings reveal that three farms received livestock which was limited to an extent, along infrastructure support such as boundary fence, irrigation, dip tank, soil preparation and a borehole, as well as citrus trees and

tractors. The remaining farm which is in full production received 25 boran cows and a bull, along a dip tank and cattle handling facilities. The output is that the farm has more than 300 cattle which is equivalent to its full production. The farm is in full production because the owners invested their own capital extensively and were able to raise loan funding from the land bank to cover other production and infrastructure costs. As a result, they participate in the mainstream agriculture, and sell their produce through auctions, while other farmers are struggling. This reflects the relevance of investments and support such as cattle handling facilities, which are instrumental in the farmers achieving optimum production.

### **7.2.3 Challenges faced by post-settlement beneficiaries**

It is clear from the findings that the post-settlement beneficiaries are facing enormous challenges, and chief among them is the lack of support which is in the form of a limited budget; and inadequate training and skills which result in the inability to deliver the required quality infrastructure, and fully fund operational and capital requirements. For example, DALRRDO1 stated that, *“they [farmers] do not realise their full potential due to inadequate funding, especially on production.”* Additional significant challenges include the recycling of policies without incorporating lessons and insights from past policies or programmes. Furthermore, insufficient political will exists among political leaders to generate additional funding to assist numerous farmers, and a hierarchical approach also persists in governance. The findings indicate that there are issues with stakeholder relationships such as the lack of transparency in the dealings between the DRDAR officials and farmers, leaving the farmers unaware of the approved budget. The involvement of the farmers is limited in business plan development, and the officials often do not engage farmers after they obtain departmental approval to unpack what is funded and how the project will be implemented.

The farmers also face challenges with resources such as water rights. Farmers who want to produce under irrigation require water rights in order to receive support from the DRDAR, which is a complex and bureaucratic process that can cause delays in production. The application process involves demonstrating a legitimate need for water, and providing detailed information on the water usage and environmental impact. Further, government agencies often have a backlog of applications, causing

the farmers to wait for years before their applications are reviewed or approved, which can be frustrating during droughts.

### **7.3 CONCLUSIONS**

This section provides conclusions to the research based on the completed investigations. The conclusions of the investigations are organised according to the objectives of the study.

#### **7.3.1 Legislative framework governing land reform post-settlement support**

The policies and legislative framework governing land reform in the Amathole district are important for achieving their intended objectives. However, the policies do not provide adequate support as envisaged. Furthermore, these policies are not properly and efficiently executed. This has resulted in the gap between policy and practice, as the policies do not yield much. The selection or identification of the post-settlement support beneficiaries was done based on the business plan that was developed by the farmer and mentor under RADP. Under CASP, the farmers can access the support through responding to adverts. However, this has implications on the efficacy and desirability, or best practices, as the reports are expected to provide valuable and comprehensive guidelines on the economic viability of the farms after considering further issues beyond economic viability, such as social and environmental sustainability, ethical considerations, and community engagement.

#### **7.3.2 Effects of post-settlement support on farm practices**

The policies and legislative framework governing land reform in the Amathole district did not achieve the intended objectives. Post-settlement support was not executed properly and efficiently to ensure that the farmers receive adequate funding for their capital and operational requirements. Without sufficient funding, farmers experience negative effects on their farm practices which have led to low production. Several funded projects have ceased to operate as the department fails to provide sufficient funding for operational costs, while the farmers are not adequately supported to achieve economic viability. In contrast, farmers who invest in their farming activities can transition to commercial agriculture.

The farmers have also recorded positive effects of the post-settlement support. They have been able to achieve quality breed, infrastructure development, veld management when fencing is installed, implement camp rotation, and improve inoculation, dosing, and dipping. This is owed to the targeted support, investment in infrastructure, access to the market, capital injection, strong control system, the adoption of a commodity approach, and strategic alliances with other players in the market. These will enable the farmers to derive benefits from the post-settlement support.

### **7.3.3 Challenges faced by post-settlement beneficiaries**

The lack of post-settlement support, including funding and training, is a significant challenge for farmers, which leaves some farms economically unviable as they are unable to produce optimally. This creates a dependency syndrome on the government as the farms cannot produce without its help. There are also issues with the recycling of policies, which result in inefficiencies and missed opportunities for the farmers. The insufficient political will and a top-down approach in governance are a threat to the effective implementation of post-settlement support programmes, as decisions are made at a higher level without consulting those in charge of implementing the policies or programmes. This means that there is no time spent in establishing the lessons learnt through consulting the farmers and officials on the ground during the policy and programme review. Such an exercise would then inform which areas require improvement and strengthening. When policies and programmes are developed without the input or consultation of the farmers, there is a risk of overlooking the important contextual factors that may impact the success and effectiveness of post-settlement support. This results in the lack of local knowledge and understanding of the specific needs for the farmers at the grassroots level. For example, the selection criteria for the projects may not be discussed with the farmers, which means that the projects may not align with their specific needs and priorities. This can create a mismatch between the support provided and the actual requirements of the farmers, often resulting in the limited impact and potential wastage of resources.

Furthermore, the top-down approach limits the participation and empowerment of the farmers in decision-making processes. When farmers are not involved in the development and planning stages of post-settlement support, they may feel

disengaged and disconnected from the initiatives which are meant to support them. This creates a sense of a lack of ownership and motivation among farmers, and it reduces their willingness to actively engage in and benefit from the support provided. Further, the top-down approach can hinder the adaptation and customisation of support programmes to suit the local conditions and realities. Agricultural practices and challenges vary significantly across different regions, climates, and farming systems. Without sufficient consultation and involvement of the farmers, there is a risk of implementing a one-size-fits-all approach that may not effectively address the unique needs and constraints faced by the farmers in a specific area. This can limit the potential impact and sustainability of post-settlement support.

Stakeholder relationships are not healthy, particularly in terms of transparency. For example, the relationship between farmers and commodity organisations is not the greatest due to the lack of skills by the commodity organisation, and not fully involving the farmers in business planning and other key decisions. This jeopardises the relations, and it has the potential to negatively impact the post-settlement support. More so, the process of obtaining water rights is often long and cumbersome, and this has a direct bearing on the farms that are depending on irrigation for their produce. While the farmers do not face any challenges in accessing the markets, they face potential barriers to the market such as transaction costs, certification requirements, and access to market information. In some instances, the farmers cannot operate in full optimum production due to poor infrastructure. The mentor is also appointed for only twelve months, of which most of that time is dedicated to infrastructure development, with limited time spent on production.

#### **7.4 IMPLICATIONS FOR THEORY, POLICY AND PRACTICE**

The findings of this research may have an influence on policy and practice. Land reform practices in South Africa have experienced numerous challenges which were a result of the injustices experienced during apartheid. The land reform programme was implemented to address the issues of inequality and access to land as the South African government showed commitment to eradicating past injustices, although it has not yet achieved the desired results. The lack of institutional support from the government to the land reform beneficiaries has been the major cause for the unproductive use of land. The Intergovernmental Fiscal Review Process (IFRP) also

made a key observation that there was insufficient support for the farmers in the agriculture budget. This research, therefore, aimed to enhance the understanding on how land reform post-settlement support is provided by the government to black land reform beneficiaries, specifically in the Amathole District Municipality.

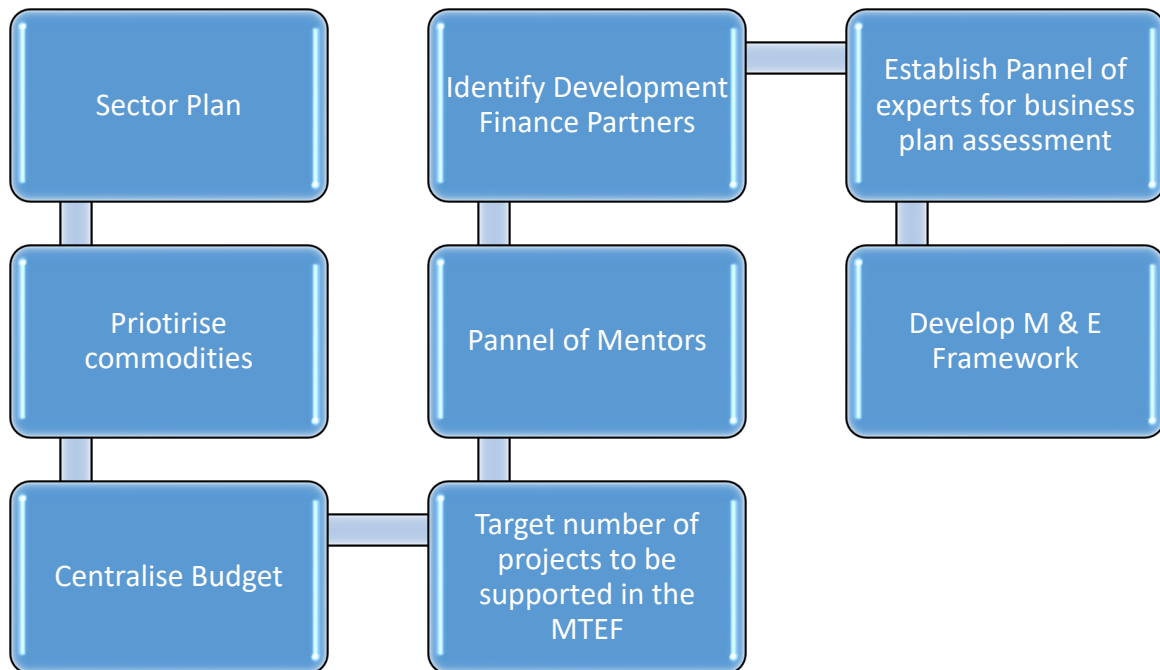
The role of black farmers in the mainstream commercial agriculture was identified by Hall (2005:15) as inactive. This research, therefore, adds to the existing theoretical and conceptual issues that form the on-going dialogue on the land reform programme in South Africa. It adds to the knowledge base of land reform post-settlement support, especially within the Public Administration profession.

The government has put in place the land reform programme, but the lack of comprehensive post-settlement support is a huge weakness of the programme. The research also presented recommendations for the implementation of the post-settlement support programme in South Africa, with the view that the recommendations will increase an understanding of how land reform post-settlement support should be effectively implemented. If the recommendations made in this research are taken into consideration, they could help the post-settlement beneficiaries to acquire the support which they need.

It is important to additionally recognise the achievements and fruitful results of the land reform post-settlement support programme. These include quality breeding, infrastructure development, veld management, and enhanced inoculation, dosing, and dipping, as well as improved production. The positive outcomes in livestock improvement are a result of the quality breed support provided to the farmers, while the cultivar supplied to the farmers are of good quality which improves their yields. The positive performance of the farmers who received livestock can be attributed to infrastructure development and investment. Figure 7.1 presents the proposed post-settlement model to this effect.



### 7.4.1 Proposed Post-Settlement Support Framework



**Figure 7.1:** Proposed post-settlement model (Synthesised by the Researcher)

The following is proposed:

- The post-settlement support programme should be in line with the sector plan. It would do so with the assumption that the sector plan would have conducted a value chain analysis, and identified the development nodes. It would then prioritise the commodities outlined in the sector plan, which will assist in ensuring that the support is prioritised for the commodities where the province has a competitive advantage.
- The budget from all sector departments supporting agriculture should be in once kitty i.e. centralised under one authority
- After knowing the budget allocation and projections, a number of projects to be supported in the medium to long term should be identified.
- A panel of mentors should then be established for various commodities.
- Further, a panel of experts should also be established to look at various business plan proposals. These can be from sector departments, banks, agriculture sector.
- Monitoring and evaluation tools should then be put together.

Figure 7.2 illustrates the process to be followed by the land reform beneficiaries who want to access post-settlement support.



**Figure 4.2:** Process to be followed by the beneficiaries to benefit from the support (Synthesised by the Researcher)

## 7.5 RECOMMENDATIONS FOR IMPROVING THE IMPLEMENTATION OF THE LAND REFORM POST-SETTLEMENT SUPPORT PROGRAMME

This section makes recommendations to address the issues identified in the study. The recommendations are in line with the objectives of the study.

### 7.5.1 Legislative framework governing land reform post-settlement support

The research established that the policies and legislative framework governing post-settlement support are not properly and effectively implemented. This is evident in the production status of the farms and experiences of the farmers. With this said, the following recommendations are made:

- The policies and legislative framework passed by the government should be implemented properly and effectively. The policy documents should engrain a plan for their implementation, and make clear provisions that account for the lack thereof. This will help to close the gap between policy and practice by ensuring that the policies achieve their objectives.
- There is a need to develop a mechanisation policy to guide the adoption and implementation of technology in the agriculture sector to support economic growth and development in the industry. The policy should promote the use of machines and other automated systems to increase productivity, efficiency, and competitiveness. It should also provide guidelines on the type of technology to be adopted, the training required for the farmers, and the regulatory framework for the use of machines. The mechanisation policy will also help to address issues such as environmental impact and social equity.
- CASP must be implemented to its entirety for the support to be comprehensive, for example, no pillars should be overlooked.
- The mentorship strategy must be built-in in the post-settlement policy to emphasise its importance. The duration of the mentorship should not only be one year; instead, it should be linked to the production cycles. Mentorship should be anything between three and five years, and during this time, focus should be on production, markets, business management, people management, and other soft skills which would ensure that when mentors leave, the farmers are fully equipped with both business and production skills.
- Involving stakeholders such as farmers, commodity groups, farmer unions, and community representatives in the development and implementation of programmes and policies is crucial for the success of post-settlement support programmes. Their input can help to ensure that the mentorship programme is tailored to the specific needs of the agricultural community, and that it effectively addresses their challenges and aspirations.
- To prevent incoherent implementation such as the inability to implement programmes comprehensively and avoiding top-down approach, the 7C policy protocols should be key to the execution of post-settlement programmes.

### **7.5.2 Effects of post-settlement support on farm practices**

The research established that there are deficiencies and discrepancies in the type and extent of the support provided to the farmers. Further, the research established that the effects of post-settlement support are both negative and positive, and these include the farmers' involvement in the project planning phase, adequacy of the support, contribution of the support to the farm practices and production status on the farms, and access to the market. In view of this, the following recommendations are made:

- Enhance the involvement of the beneficiaries in business planning by the implementing agencies, mentors, and departmental officials. This would lead to project ownership, and it would simplify the business planning process by eliminating the top-down approach as the farmers would be extensively involved in the project planning process. However, the lack of capacity and knowledge among the beneficiaries to effectively participate in business planning may create confusion and inefficiency in the process; potential conflicts and disagreements among the beneficiaries regarding the direction and priorities of the business plan, which may hinder consensus-building and decision-making; time constraints and logistical challenges in organising and coordinating the involvement of a large number of beneficiaries, especially in remote or rural areas; and resistance from the beneficiaries who may be sceptical or resistant to change, leading to a lack of active participation and engagement in the planning process.
- Improve quality of business plan as some appear as if they are desktop products. In some instances, there is a huge difference with what is on the business plan and what capital requirements cost in the market. This often results in the gap between policy and practice as mentioned earlier.
- The support must be linked to extension and veterinary services which will help improve livestock farming and healthcare. This may, however, have challenges such as limited availability and accessibility of the extension and veterinary services which makes it challenging to effectively link support to these services.
- There should be focused training which encourages the farmers to invest in their farms, especially with profits realised post-settlement. The training should

also encompass how to successfully run and manage the farms to increase profits and productivity. However, the challenges that may arise include resistance from farmers who may be resistant to change or reluctant to invest the time and resources in training programmes, especially if they perceive them as irrelevant or unnecessary. There may also be a lack of access to high-quality training programmes or trainers, particularly in remote or rural areas where resources and expertise may be limited.

### **7.5.3 Challenges faced by post-settlement beneficiaries**

The research established that the farmers face a myriad of challenges which include the lack of funding, inadequate training, lack of political will, policy recycling without taking lessons from previous policies, a hierarchical approach in governance, lack of resources, and a lack of transparency by the officials. Considering this, the following suggestions are offered in order of highest priority:

#### **7.5.3.1 Government, investors and/or funding agencies**

- Fund business plans comprehensively until the stage of economic viability. This means that as part of the business plan evaluation, it should be determined when the farm will begin to break even and turn a profit. The timing of the department's financial support withdrawal would then be determined by this.
- Secure focused investment that will be available for at least three years. The focus should not be to support everyone, but to have a comprehensive targeted support that will leave the farmers in an economically viable status. However, there may be uncertainty in securing long-term funding commitments from investors, especially in volatile economic conditions, and difficulty in aligning the focus of the investment with the changing needs and priorities of the farmers over a three-year period.
- There should be subsidies in operational costs such as electricity consumption, production inputs, and certifications for market access. However, this may have challenges in determining the appropriate level of subsidies to ensure that they are effective without creating dependency on government support, and the

potential misuse or misallocation of subsidies which may cause inefficiencies and a lack of impact.

- Invest in yellow fleet construction vehicles that will help farmers with de-bushing, blading roads, and other activities. The farmers' expenses will be reduced as a result, which they can use to increase production. This will save money by centralising this operation rather than, for instance, hiring a yellow fleet every time a farmer needs a dam scoop, bush clearing, on-farm roads maintenance, and other related infrastructure maintenance. However, this may result in high upfront investment costs for purchasing and maintaining the yellow fleet construction vehicles, as well as challenges in ensuring equitable access to the vehicles among the farmers, especially if there is limited availability or high demand.

#### **7.5.3.2 Policymakers**

- Develop a comprehensive mentorship programme which should also be embedded in the policy and legislative framework. This will ensure that the mentorship is prioritised among other provisions, and that the farmers acquire the knowledge and skills which they require to produce optimally. However, there could be resistance or a lack of support from the policymakers and legislators to prioritise and integrate the mentorship programme into existing policy frameworks, and limited capacity or resources to develop and implement a comprehensive mentorship programme.

#### **7.5.3.3 Government officials**

- DRDAR officials must be transparent and communicate with the farmers on the amount that is approved for the projects. This will enable the farmers to operate from an informed perspective, which will help them to calculate the risks and make projections for their activities. However, there could be a lack of trust or scepticism among the farmers regarding the accuracy and reliability of the information provided by the DRDAR officials, as well as difficulty in ensuring consistent and timely communication on the approved project amounts due to administrative constraints.

- Emphasise and promote partnerships with the private sector to leverage more funding. This will help to bridge the production gap in ensuring that the land is used to its full production. It is difficult for the government alone to generate the necessary capital investments and technological know-how to reform the agriculture industry; this requires capital and expertise from the private sector. Access to soft loan by the farmers should be made available, and in some instances, the private sector should partner with farmers to enhance production yields. However, there could be limited interest or willingness from private companies to invest in agricultural projects, especially if the incentives provided are not perceived as attractive; as well as challenges in identifying suitable private sector partners; and ensuring the alignment of goals and objectives which may also arise.
- Prioritise key enterprise in each farm that will have a huge impact on production. This is because not all farms are the same, hence prioritising the key enterprises will ensure that the farmers leverage on their strengths to improve production. However, the challenges associated with this include difficulty in determining the key enterprises that will have the most significant impact on production as it may vary, depending on factors such as location; market demand; resource availability; and potential resistance from farmers who may have different perspectives on which enterprises should be prioritised.
- The programme should opt for direct sourcing rather than tenders. However, the challenges that may arise include the lack of competition and potential for favouritism or corruption in the direct sourcing process, and difficulty in ensuring transparency and accountability in the selection and procurement of goods and services through direct sourcing.

## **7.6 RECOMMENDATIONS FOR FUTURE RESEARCH**

The research established that the post-settlement support provided to the land reform beneficiaries is not adequate as the farms are not in full production. The research was delimited to the post-settlement beneficiaries in the Amathole district which is situated in the Province of the Eastern Cape in the Republic of South Africa. The research thus brings numerous issues that require further research. The following suggestions for further research are made:

- This research used the post-settlement beneficiaries and government officials as the participants of the research, and did not include other associations of agriculture or land reform that may be directly or indirectly involved, or that provide direct and indirect support to the farmers. These may include the farmers' union, or associations for sustainable agriculture, and rural advancement. Further research may also look at private farmer support packages from the banks, development finance institutions, and other role-players. It is recommended that further studies investigating post-settlement support should involve the above-mentioned stakeholders who may provide diverse perspectives on the issue.
- The research was delimited to the Amathole district in the Eastern Cape Province. It is recommended that a multiple case study be conducted that involves other districts in the Eastern Cape province, other provinces, a combination of all provinces, or a combination of post-settlement beneficiaries and non-post-settlement beneficiaries. This will allow the research to draw the similarities and differences on the implementation of post-settlement support across different cases – cultures and provinces, and land reform status in South Africa.
- The research established that there are various policies and legislative framework that governs land reform post-settlement support



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## ANNEXURES

### ANNEXURE A: Ethics Clearance Certificate



#### COLLEGE OF ECONOMIC AND MANAGEMENT SCIENCE RESEARCH ETHICS REVIEW COMMITTEE

15 August 2022

Dear Mr Sigqibo Onward Mfuywa

**Decision: Ethics Approval from  
2022 to 2027**

NHREC Registration # : (if applicable)  
ERC Reference #: 2022\_CRERC\_048(FA)  
Name: Mr Sigqibo Onward Mfuywa  
Student No#: 10010564

**Researcher(s):** Mr Sigqibo Onward Mfuywa; [10010564@mylife.unisa.ac.za](mailto:10010564@mylife.unisa.ac.za) ; 0713468903  
College of Economic and Management Sciences  
Department of Public Administration and Management  
University of South Africa

**"Implementation of land reform post-settlement support programme in the  
Amathole District Municipality"**

**Qualification: PhD**

Thank you for the application for research ethics clearance by the Unisa College of Economic and management Sciences Research Ethics Review Committee for the above-mentioned research. Ethics approval is granted for 5 years, from **15 August 2022 until 14 August 2027**).

*The low risk application was reviewed by the College of Economic and management Sciences Research Ethics Review Committee on 18 July 2022 in compliance with the Unisa Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment.*

The proposed research may now commence with the provisions that:

1. The researcher(s) will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.
2. Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study should be communicated in writing to the

College of Economic and management Sciences Research Ethics Review Committee.

3. The researcher(s) will conduct the study according to the methods and procedures set out in the approved application.
4. Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.
5. The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study. Adherence to the following South African legislation is important, if applicable: Protection of Personal Information Act, no 4 of 2013; Children's act no 38 of 2005 and the National Health Act, no 61 of 2003.
6. Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data requires additional ethics clearance.
7. No field work activities may continue after the expiry date (**14 August 2027**) Submission of a completed research ethics progress report will constitute an application for renewal of Ethics Research Committee approval.
8. Permission is to be obtained from the university from which the participants are to be drawn (the Unisa Senate Research, Innovation and Higher Degrees Committee) to ensure that the relevant authorities are aware of the scope of the research, and all conditions and procedures regarding access to staff/students for research purposes that may be required by the institution must be met.
9. If further counselling is required in some cases, the participants will be referred to appropriate support services.

*Note:*

*The reference number 2022\_CRERC\_048 (FA) should be clearly indicated on all forms of communication with the intended research participants, as well as with the Committee.*

Yours sincerely,



**Dr Vaola Sambo**  
Chairperson, CRERC  
E-mail: [Esambovt@unisa.ac.za](mailto:Esambovt@unisa.ac.za)  
Tel: 012 429 4355



**Prof Goonasagree Naidoo**  
Acting, Deputy Executive Dean: CEMS  
E-mail: [Naidog@unisa.ac.za](mailto:Naidog@unisa.ac.za)  
Tel: 012 429 6746

## ANNEXURE B: Gatekeeper permission letter from Eastern Cape Department of Rural Development and Agrarian Reform



OFFICE OF DEPUTY DIRECTOR: PIMS

Waverly Office Park, SARS Building, Chibellurst, Private Bag x 3032 East London, 5200, Republic of South Africa. Tel: +27(0)43 706

8715 Fax: +27(0)43 743 7550 Email: [Mfundof03@gmail.com](mailto:Mfundof03@gmail.com) or [Murda.Mgidlana@dardar.gov.za](mailto:Murda.Mgidlana@dardar.gov.za)

Subject: Letter of Authorization to Conduct Research:

Dear Mr. S. Mfuywa

This is to certify that I received your letter dated April 22, 2022, requesting permission to do research on the implementation of the Land Reform Post-Settlement Support Programme in the Amathole District Municipality in our district. This document authorizes you to undertake academic research in our district.

The contact details of our officials who are responsible for farmer support (CASP) in our district are as follows:

### Email addresses

[terryntantiso@yahoo.com](mailto:terryntantiso@yahoo.com) - Ms Ntantiso - BCMM & Great Kei

[zintathu.gilman@dardar.gov.za](mailto:zintathu.gilman@dardar.gov.za) / [gilmanzintathu@yahoo.com](mailto:gilmanzintathu@yahoo.com) - Ms Gilman- Ngqushwa LM

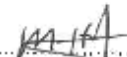
[ckk.mafu1962@gmail.com](mailto:ckk.mafu1962@gmail.com) - Mr Mafu -Raymond Mhlaba

[anda312@outlook.com](mailto:anda312@outlook.com) - Mr Ngxeba-Amahlathi

You may engage with them directly to set up interviews as and when required.

If we have any concerns or require additional information, feel free to contact me.

Sincerely,

  
.....  
M.H. MGIDLANA  
DEPUTY DIRECTOR: PIMS  
DATE 03/05/2022

Vibrant, equitable, sustainable rural communities and food security for all.

Page 1 of 2



## ANNEXURE C: Gatekeeper permission letter from Department of Agriculture, Land Reform and Rural Development



### agriculture, land reform & rural development

Department  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE DEPUTY DIRECTOR GENERAL  
Private Bag x250, Pretoria, 0001; 30 Hamilton Street, Arcadia, Pretoria, 0002  
Tel: 012 – 319 6000; E-mail: [queries@dalrrd.gov.za](mailto:queries@dalrrd.gov.za); Website: [www.dalrrd.gov.za](http://www.dalrrd.gov.za)

#### LETTER OF AUTHORIZATION TO CONDUCT RESEARCH AT THE DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

Dear Mr. S. Mfuywa

This is to certify that I received your letter dated 09 May 2022, requesting permission to research the implementation of the Land Reform Post-Settlement Support Programme in the Amathole District Municipality. As a result, this letter gives you permission to do your study in the Amathole district.

You can get the contact information for the officials responsible for post-settlement support in the Amathole district by contacting the Eastern Cape provincial office directly. The head of Eastern Cape is Mr. Zukile Pityi, he can be reached at [Zukile.pityi@dalrrd.gov.za](mailto:Zukile.pityi@dalrrd.gov.za)

If you have any concerns or require additional information, feel free to contact me.

Sincerely,

DIRECTOR GENERAL

Letter signed by: Mr. M.J. Kgobokoe

Designation: Deputy Director General: CSS

Date: 19/05/2022



Department of Agriculture, Land Reform and Rural Development: Departement van Landbou, Grondhervorming en Landelike Ontwikkeling  
Muhesho wa zwa Vhulimi, Mbuedzedzo ya Mavu na Mveledziso ya Mahayeni, uMnyango Wezolimo, Izinguquto Kwezomhlabo  
Nokuthuthukiswa Kwezindawo ZaseMakhaya Ndzawulo ya Vurimi, Amandiso wa Misava na Nhlavukiso wa Matikozikaya- Liko  
Letekulima, Tingucuko Kutemhlabo Nekuthuthukiswa Kwezindawo ZaseMaphandleni -Umhlango wsezokulima, ukuBuyiselwa kweNarha  
nokuThuthukiswa kwezindawo zamaKhaya- Kgoro ya Temo, Peki anyoliswa ya Naga le Thabollo ya Dinaga- magae- Lelapha le  
Temothuo, Kabobotjha ya Naha le Thabollo ya Dibaka tsa Mahae- Lelapha la Temothuo, Puelodinege le Thabollo ya Mabaemage-  
isebe lezoLimo. uSuyekizo lwemiHlabo noPhuhliso lamoPhandle



## **ANNEXURE D: Participant Information Sheet for Government Officials**

**Ethics clearance reference number: 2022\_CRERC\_048(FA)**

**TITLE: Implementation of Land Reform Post-Settlement Support Programme in the Amathole District Municipality**

**Dear Prospective Participant**

My name is Siggibo Mfuywa, student number 10010564, and I am doing research with Dr C Alers, a senior lecturer in the Department of Public Administration and Management towards a PhD Public Administration at the University of South Africa. We are inviting you to participate in a study entitled Implementation of Land Reform Post-Settlement Support Programme in the Amathole District municipality.

### **WHAT IS THE PURPOSE OF THE STUDY?**

The main purpose of the research is to establish, the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries in the Amathole District Municipality in the Eastern Cape Province.

### **WHY BEING AM I INVITED TO PARTICIPATE?**

The selection of research participants is based on the fact that you are a public official at the Eastern Cape Department of Rural Development and Agrarian Reform or at the Department of Agriculture, Land Reform and Rural Development (Amathole), and are directly involved with the post-settlement support to farmers.

Four farmers in the Amathole District who received the government post-settlement support will also be participating:

- One farmer at Ngqushwa Local Municipality
- Two farmers at Great Kei Local Municipality
- One farmer at Buffalo Local Municipality

## **WHAT IS THE NATURE OF MY PARTICIPATION IN THIS RESEARCH?**

The research involves face-to-face semi-structured interviews with the farmers. The interviews will be recorded and will focus on the following questions:

- What is the legislative framework that guide land reform post-settlement support
- How are Post-Settlement Support beneficiaries identified or selected?
- Is there a relationship between post-settlement support policy and practical practice
- What role does post-settlement support play in both successes and failures of land reform beneficiaries?
- Are the farmers who have received the post-settlement performing better than before they received support?
- What policy challenges associated with the implementation of Post-Settlement Support?
- If any, what are the success and failures factors of Post-Settlement Support?
- What can be suggested to improve the implementation of the programme?

The interviews will not go beyond 60 minutes.

## **CAN I WITHDRAW FROM THIS RESEARCH EVEN AFTER HAVING AGREED TO PARTICIPATE?**

Participating in this research is voluntary and you are under no obligation to consent to participation. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a written consent form. You are free to withdraw at any time and without giving a reason.

## **ARE THERE ANY NEGATIVE CONSEQUENCES FOR ME IF I PARTICIPATE IN THE RESEARCH PROJECT?**

There aren't any negative consequences associated with participation in the research.



## **WILL THE INFORMATION THAT I CONVEY TO THE RESEARCHER AND MY IDENTITY BE KEPT CONFIDENTIAL?**

You have the right to insist that your name will not be recorded anywhere and that no one, apart from the researcher and identified members of the research team, will know about your involvement in this research, and your name will not be recorded anywhere. No one will be able to connect you to the answers you give. Your answers will be given a code number, or a pseudonym and you will be referred to in this way in the data, any publications, or other research reporting methods such as conference proceedings.

The researcher will take ethical issues into account before undertaking the study; this is a very important aspect of research; informed consent will be obtained, and confidentiality will be guaranteed. The research may be published in academic journal articles, search report, and conference proceedings but the identity of the participants will not be exposed. Before an individual becomes a participant, he/she shall be advised of the aim, methods, anticipated benefits; his/her right to abstain from participation in the research and his/her right to withdraw at any time his/her participation; and the confidential nature of his/her replies. No pressure or inducement of any kind shall be applied to encourage an individual to become a subject of research.

## **HOW WILL THE RESEARCHER(S) PROTECT THE SECURITY OF DATA?**

Hard copies of your answers and the researchers' notes will be stored by the researcher for a minimum period of five years in a locked cupboard/filing cabinet in Pretoria for future research or academic purposes; electronic information will be stored on a password protected computer. Future use of the stored data will be subject to further Research Ethics Review and approval if applicable. Hard copies will be shredded, and electronic copies will be permanently deleted from the hard drive of the computer after five years.

## **WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS RESEARCH?**

There are no incentives or inducements associated with the study (except for 250MB of data for the online interview).

## **HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?**

If you would like to be informed of the final research findings, please contact Sigqibo Mfuywa on 0713468903 or email [10010564@mylife.unisa.ac.za](mailto:10010564@mylife.unisa.ac.za).

Should you have concerns about the way in which the research has been conducted, you may contact Dr C Alers on 012 429-6286 or 071 915 1544 and email [alersc@unisa.ac.za](mailto:alersc@unisa.ac.za).

Thank you for taking time to read this information sheet and for participating in this research.

Thank you.

Mr Sigqibo Mfuywa

Email: [10010564@mylife.unisa.ac.za](mailto:10010564@mylife.unisa.ac.za)

## **ANNEXURE E: Participant Information Sheet for Post-Settlement Support**

**Ethics clearance reference number: 2022\_CRERC\_048(FA)**

**TITLE: Implementation of Land Reform Post-Settlement Support Programme in the Amathole District Municipality**

### **Dear Prospective Participant**

My name is Siggibo Mfuywa, student number 10010564, and I am doing research with Dr C Alers, a senior lecturer in the Department of Public Administration and Management towards a PhD Public Administration at the University of South Africa. We are inviting you to participate in a study entitled Implementation of Land Reform Post-Settlement Support Programme in the Amathole District municipality.

### **WHAT IS THE PURPOSE OF THE STUDY?**

the main purpose of the study was to establish, the sufficiency and inadequacies of post-settlement support provided by the government to black land reform beneficiaries in the Amathole District Municipality in the Eastern Cape Province.

### **WHY BEING AM I INVITED TO PARTICIPATE?**

The selection of research participants is based on the fact that you as a farmer has received the government post-settlement support one way or the other. The departmental government officials (eight in total) who will also be participating are involved in administering the post-settlement support initiatives. A total of 4 farmers (case studies) will be studies in the Amathole District:

- One farmer at Ngqushwa Local Municipality
- Two farmers at Great Kei Local Municipality
- One farmer at Buffalo Local Municipality

### **WHAT IS THE NATURE OF MY PARTICIPATION IN THIS RESEARCH?**

The study involves face-to-face semi-structured interviews with the farmers. The interviews will be recorded and will focus on the following questions:

- How did you access land?
- How many people is/are employed in the farm?
- Have you received any post-settlement support?
- What was your involvement in the project planning phase?
- What kind of support did you receive?
- Was that support adequate or not?
- Did the support that you got contributed to the productivity of your farm?
- Is your farm in full production?
- Do you have access to markets?
- If any, what challenges are you facing in accessing the markets?
- Besides CASP, what other form of post-settlement support have you received?
- What is hindering your farm to operate in its optimal production?
- What are the general challenges that you are facing as a farmer?
- What can be suggested to improve the implementation of the programme?

The interviews will not go beyond 60 minutes.

### **CAN I WITHDRAW FROM THIS RESEARCH EVEN AFTER HAVING AGREED TO PARTICIPATE?**

Participating in this research is voluntary and you are under no obligation to consent to participation. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a written consent form. You are free to withdraw at any time and without giving a reason.

### **ARE THERE ANY NEGATIVE CONSEQUENCES FOR ME IF I PARTICIPATE IN THE RESEARCH PROJECT?**

There aren't any negative consequences associated with participation in the research.

## **WILL THE INFORMATION THAT I CONVEY TO THE RESEARCHER AND MY IDENTITY BE KEPT CONFIDENTIAL?**

You have the right to insist that your name will not be recorded anywhere and that no one, apart from the researcher and identified members of the research team, will know about your involvement in this research, and your name will not be recorded anywhere. No one will be able to connect you to the answers you give. Your answers will be given a code number, or a pseudonym and you will be referred to in this way in the data, any publications, or other research reporting methods such as conference proceedings.

The researcher will take ethical issues into account before undertaking the study; this is a very important aspect of research; informed consent will be obtained, and confidentiality will be guaranteed. The research may be published in academic journal articles, search report, and conference proceedings but the identity of the participants will not be exposed. Before an individual becomes a participant, he/she shall be advised of the aim, methods, anticipated benefits; his/her right to abstain from participation in the research and his/her right to withdraw at any time his/her participation; and the confidential nature of his/her replies. No pressure or inducement of any kind shall be applied to encourage an individual to become a subject of research.

## **HOW WILL THE RESEARCHER(S) PROTECT THE SECURITY OF DATA?**

Hard copies of your answers and the researchers' notes will be stored by the researcher for a minimum period of five years in a locked cupboard/filing cabinet in Pretoria for future research or academic purposes; electronic information will be stored on a password protected computer. Future use of the stored data will be subject to further Research Ethics Review and approval if applicable. Hard copies will be shredded, and electronic copies will be permanently deleted from the hard drive of the computer after five years.

## **WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS RESEARCH?**

There are no incentives or inducements associated with the study.

## **HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?**

If you would like to be informed of the final research findings, please contact Sigqibo Mfuywa on 0713468903 or email [10010564@mylife.unisa.ac.za](mailto:10010564@mylife.unisa.ac.za).

Should you have concerns about the way in which the research has been conducted, you may contact Dr C Alers on 012 429-6286 or 071 915 1544 and email [alersc@unisa.ac.za](mailto:alersc@unisa.ac.za).

Thank you for taking time to read this information sheet and for participating in this research.

Thank you.

Mr Sigqibo Mfuywa

Email: [10010564@mylife.unisa.ac.za](mailto:10010564@mylife.unisa.ac.za)

## **ANNEXURE F: Informed Consent**

### **CONSENT TO PARTICIPATE IN THIS RESEARCH**

#### **TITLE: IMPLEMENTATION OF LAND REFORM POST-SETTLEMENT SUPPORT PROGRAMME IN THE AMATHOLE DISTRICT MUNICIPALITY**

I, \_\_\_\_\_ (participant name), confirm that the person asking my consent to take part in this research has told me about the nature, procedure, potential benefits and anticipated inconvenience of participation.

- I have read and understood the study as explained in the information sheet.
- I have had sufficient opportunity to ask questions and am prepared to participate in the study.
- I understand that my participation is voluntary and that I am free to withdraw at any time without penalty (if applicable).
- I am aware that the findings of this research will be processed into a research report, journal publications and/or conference proceedings, but that my participation will be kept confidential unless otherwise specified.
- I agree to the recording of the semi-structured interviews.
- I have received a signed copy of the informed consent agreement.

Participant Name & Surname..... (please print)

Participant Signature.....Date.....

Researcher's Name & Surname: Mr Sigqibo Mfuywa

Researcher's signature.....Date.....

## **ANNEXURE G: Interview schedule for government officials**

### **GENERAL RULES**

1. This interview is based on research about the implementation of land reform post-settlement support programme in the Amathole District Municipality.
2. You have been invited to participate in this research because of your extensive experience about land reform post-settlement support programmes.
3. You are kindly requested to answer the interview questions as honestly and completely as possible.
4. The interview will take place online on MS Teams and will be recorded. The interview will take a maximum of 60 minutes to complete.
5. Participation is anonymous: You are not requested to disclose your identity. Your privacy will be respected.
6. No one will be able to connect you to the answers you give.
7. The information collected from you will be treated with strict confidentiality and used for research purposes only.
8. You have the right to withdraw your participation at any time. Hence, your participation is regarded as voluntarily.
9. You will not receive any payment or reward, financial or otherwise (except for 250MB of data for the online interview), and the study will not incur undue costs to you.
10. Electronic data that are stored in a computer, will be protected using a password.
11. The survey data will be destroyed when it is no longer of functional value (after five years).
12. An electronic copy of the dissertation will be available in the library of the University of South Africa (Unisa)



### **Semi-structured interview questions:**

1. What is the legislative framework that guide land reform post-settlement support
2. How are Post-Settlement Support beneficiaries identified or selected?
3. Is there a relationship between post-settlement support policy and practical practice
4. What role does post-settlement support play in both successes and failures of land reform beneficiaries?
5. Are the farmers who have received the post-settlement performing better than before they received support?
6. What are the main challenges associated with the implementation of Post-Settlement Support?
7. If any, what are the success and failures factors of Post-Settlement Support?
8. What can be suggested to improve the implementation of the programme?

Thank you for participating in this research.

Mr Siggibo Mfuywa

Tel: 071 346-8903

Email: [10010564@mylife.unisa.ac.za](mailto:10010564@mylife.unisa.ac.za).

## **ANNEXURE H: Interview Schedule for Post-Settlement Beneficiaries**

### **GENERAL RULES**

1. This interview is based on research about the implementation of land reform post-settlement support programme in the Amathole District Municipality.
2. You have been invited to participate in this research because of your extensive experience about land reform post-settlement support programmes.
3. You are kindly requested to answer the interview questions as honestly and completely as possible.
4. The interview will take place in person and will be recorded. The interview will last approximately 60 minutes.
5. Participation is anonymous: Your privacy will be respected. Your identity will not be disclosed in the study.
6. No one will be able to connect you to the answers you give.
7. The information collected from you will be treated with strict confidentiality and used for research purposes only.
8. You have the right to withdraw your participation at any time. Hence, your participation is regarded as voluntarily.
9. You will not receive any payment or reward, financial or otherwise, and the study will not incur undue costs to you.
10. The survey data will be stored in a locked cupboard and the data stored in a computer will be protected using a password.
11. An electronic copy of the dissertation will be available in the library of the University of South Africa (Unisa).

**Face-to-face Semi-structured interview questions:**

**1. How did you access land?**

1.1 Land Redistribution	
1.2 Land Restitution	
1.3 Tenure Reform	
1.4 Other	

**2. Farm information**

2.1. Land extent (ha): \_\_\_\_\_

2.2 Source of water

2.3 Type of Farming

2.3.1 Livestock	
2.3.2 Crop	
2.3.3 Mixed	
2.3.4 Other	

2.4. Land under no production (ha) \_\_\_\_\_

2.5 Land under irrigation (ha) \_\_\_\_\_

2.6 Are you a commercial or emerging farmer?

2.7 How many people is/are employed in the farm?

2.7.1 Permanent?          Seasonal?

**3. Post-settlement support**

3.1 Have you received any post-settlement support?

3.2 What was your involvement in the project planning phase?

3.3 What kind of support did you receive?

3.3.1 Infrastructure	
3.3.2 Production Inputs	
3.3.3 Machinery	
3.3.4 Extension	
3.3.5 If other, specify	

3.4 Was that support adequate or not?

3.4.1 If yes, how? \_\_\_\_\_

3.4.2 If no, how? \_\_\_\_\_

3.5 Did the support that you got contributed to the productivity of your farm?

3.5.1 If yes, how? \_\_\_\_\_

3.5.2 If no, how? \_\_\_\_\_

3.6 Is your farm in full production?

3.6.1 If yes, how? \_\_\_\_\_

3.6.2 If no, why? \_\_\_\_\_

3.7 Do you have access to markets? YES  NO

3.7.1 Formal markets  informal markets

3.8 If any, what challenges are you facing in accessing the markets?

---

---

3.9 Besides CASP, what other form of post-settlement support have you received?

---

---

3.10 What is hindering your farm to operate in its optimal production?

---

---

3.11 What are the general challenges that you are facing as a farmer?

---

---

3.12 What can be suggested to improve the implementation of the programme?

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Thank you for participating in this research.

Mr Siggibo Mfuywa

Tel: 071 346-8903

Email: [10010564@mylife.unisa.ac.za](mailto:10010564@mylife.unisa.ac.za).