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CONSIDERATIONS WITH REGARD TO LAND REFORM IN THE FREE STATE : LAND USE, AVAILABILITY AND NEEDS

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The objective of this paper is to contribute to the process of land reform through highlighting important considerations with regard to land reform in the provincial context of the Free State. It deals with land use, ownership, tenure and availability as well as land needs. Some considerations regarding some major groups of beneficiaries are crucial in the land reform process; equity, and political and economic stability may be enhanced through land reform in the Free State. To a lesser extent, efficiency may also be improved if problems with regard to land utilisation are addressed, particularly land tenure and security of farmers. Land markets, natural resources and administrative infrastructure appear to be adequate to facilitate market assisted land reform. However, agro-ecological diversity agro-ecological and pressures on local TLC's to provide services, strongly suggest that environmental aspects and town and regional planning must be important considerations in the land reform process. It is important to involve communities in the process of generating solutions that take into account the uniqueness of their situations.

OORWEGINGS MET BETREKKING TOT GRONDHERVORMING IN DIE VRYSTAAT : GRONDGEBRUIK, BESKIKBAARHIED EN BEHOEFTES

Die doel van hierdie referaat is om 'n bydrae te maak tot die grondhervormingsporses deur die beklemtoning van belangrike oorwegings met betrekking tot grondhervorming in die Vrystaat. Dit behandel grondgebruik, eienaarskap, besetting en beskikbaarheid sowel as behoeftes aan grond. Sommige oorwegings rakende belangrike groepe bevoordeeldes is van deurslaggewene belang in die grondhervormingsproses; billikheid en politieke en ekonomiese stabiliteit kan bevorder word deur grondhervorming in die Vrystaat. Doeltreffendheid kan ook tot 'n kleiner mate bevorder word indien probleme met grondgebruik aangespreek word veral grondbesetting en sekuriteit van boere grondmarkte, natuurbronne en administratiewe infrastruktuur skyn voldoende te wees vir die fasilitering van markgedrewe grondhervorming. Agro-ekologiese diversiteit en druk op plaaslike owerhede van dienste te voorsien suggereer egter sterk dat omgewingsaspekte en dorp- en streeksbeplanning belangrike oorwegings in die grondhervormingsproses moet wees. Dit is belangrik om gemeenskappe te betrek in die proses om oplossings te genereer wat die uniekheid van hul situasies in ag neem.

1. Introduction

The objective of this paper is to contribute to the process of land reform through highlighting important considerations with regard to land reform in the provincial context of the Free State. The paper is based on research commissioned by the Land and Agricultural Policy Centre (LAPC). Sections two and three deal with land use, ownership, tenure and availability, while section 4 addresses aspects with regard to land needs. It is believed that these aspects should be considered jointly in dealing with land reform.

2. Contrasts in functional land use, ownership and tenure[1]

2.1 Functional land use

Of the 11,684 million hectares of farm land in the Free State, 36% is regarded as potentially arable and 62% as grazing land. Only 2,1% of the total surface area is allocated to conservation, the lowest of all the provinces. Approximately 1,6% of total Free State farm land is found in the (ex-homeland) areas of Qwa-Qwa and Thaba Nchu, encompassing 18,6% arable, 58% grazing and 14,2% conservation land. These areas thus have proportionately less arable and more conservation land than the rest of the province. While (ex-white) commercial areas have the highest per capita area of arable land of all provinces, severe population pressures exist in the ex-homeland areas. Notwithstanding these contrasts, arable land is under- utilised and grazing land over exploited in the communal farming areas of both Qwa-Qwa and Thaba Nchu, while there is practically no unutilised arable land in commercial farming areas (Potgieter, 1995b).

2.2 Ownership

While 99,3% of the 10 486 farming units in the commercial areas is privately owned, the same is true for only 10% of farm land in the developing areas, comprising 68 private commercial farmers in Thaba Nchu. Large portions of the ex-homelands consist of state land (43% of surface area, ±100 000 hectares) and communal land (56% of surface area, ±130 000 hectares).

2.3 Tenure

Approximately 72% of the commercial farming surface area is farmed by property owners, 25% is leased and 3% is farmed on a shared basis. It is estimated that 10 - 15% of farm land is farmed on a part time basis. In the former homeland areas security of tenure exists for 211 private commercial farmers, either through private ownership (68 farmers) or long term lease arrangements with the State (144 farmers). Lease arrangements provide security of tenure, heredity, sub-leasing, farmer mobility and transferability (Agriqwa, 1992). However, in the communal areas of both Thaba Nchu and Qwa-Qwa lack of security of tenure is one of the primary reasons for under-utilisation of cropland and over-utilisation of grazing land. Crop production land is under-utilised because of lack of tenure and theft (breaking down of fences, plundering of crops, etc.). Grazing land is over-utilised because of population pressure and a resulting break-down of the tribal

authority system, easy access to grazing and unprotected grazing rights. Unsecured tenure systems constrain the acquisition of credit and other farm inputs. The fact that men work in the urban areas and women are left behind to farm, aggravates the situation. In many instances tribal authorities do not recognise women's tenure rights (Moahloli, 1995; Van Niekerk, 1995; Committee for the investigation of privatisation of agricultural land, 1991).

Security on farms in certain commercial farming areas, for example farms near the Lesotho border and farms that surround urban areas (especially shack peripheries of small towns), is a problem (rendering some farms "unfarmable").

3. Land availability

Analysis of land availability is complicated by diversity of potential beneficiary groups and the importance of mobilisation, capacity development and participation by communities involved in land reform (Van Rooyen, 1994). However, circumstances that should be taken into account, include the following:

3.1 State and indebted land

There is little state or indebted land available in the Free State for land reform purposes (Potgieter, 1995b). In April 1995 there were 12 (former SADT) farm units comprising 14 000 hectares and 16 000 hectares (53 farm units) in the possession of the Land Bank. Possessed Land Bank land could be obtained at its productive value for land reform purposes (Dillan, 1995). All possessed Land Bank land is situated in the Central and Southern Free State (Walker, 1995), as were most of the 80 farm units possessed since 1983 (Department of Land Affairs, 1995). The location of state and indebted land means that it is generally of low to medium cropping potential and better suited for extensive livestock farming. *Land for reform purposes will thus largely have to be acquired on the open market.*

3.2 Land market and price patterns

Free State land prices have stagnated in nominal terms over the past decade. Although farm prices showed an average annual growth of 11% from 1987 to 1991, prices have declined since and are now approaching 1987 values. This trend prevails on average for the province as a whole, as well as on a sub-regional level (Potgieter, 1995b). Van Schalkwyk & Van Zyl (1994) showed that market values of land are approaching productive values (based on national averages). *Indications are that market value of high potential land in the Free State is close to or even below productive value, while that of low potential land is still above productive value* (over valued) (Potgieter, 1995b; Janse van Rensburg, 1995; Pieterse and Retief, 1994).

Between 1073 and 1412 properties have been transferred annually in the Free State from 1988 to 1992. In the Northern and Eastern Free State 3,8% of land was transferred annually, compared to just over 4% in the Central/Southern Free State (see Table 1). *Transfers were evenly spread throughout the province.*

3.3 Potential beneficiaries: Aspects for consideration

3.3.1 Emerging commercial farmers [2]

Commercial farmers in Qwa-Qwa farm on units of approximately 300 hectares. Ideally, a relatively strong livestock factor is needed to serve as liquid assets and security. A mix of 25% crop land and 75% grazing seems to be ideal.[3] Maize, dry beans and vegetables (on a small scale) are favoured crops. *From this one may derive that medium to high potential land in the mixed cropping areas of the province, should be "preferred" when land for the settlement of emerging commercial farmers is considered. Moreover, because high potential mixed crop land is valued close to its productive value, it may in general be more economic and financially feasible to purchase high potential, rather than low potential land* (this statement is supported by a quantitative illustration from Pieterse and Retief (1994)).

A detailed investigation with regard to agro-ecological conditions in the Free State, showed that land that conforms to the above mentioned characteristics, is found in the Eastern, Northern and North-western Free State, comprising approximately 6 million hectares (see Le Roux *et al* (1995) for detailed description of land attributes, potential, carrying capacity, expected cropping problems and farm practices on district level). If for instance, 10% of land transfers in the "suitable" cropping areas is acquired, it means that ±24 000 hectares is available per year. This relates to more or less 80 commercial farming units per annum or 400 over a five year period (although an active land market exists throughout this area, one should take into account that not all transfers represent land sold on the market, and that participation in the market from external sources will put upward pressure on land prices). *Taking into account that between 700 and 800 existing commercial farmers are likely to leave agriculture in the near future because of financial problems, one is lead to the conclusion that land markets are adequate to support market assisted land reform in the Free State.* This supports a similar suggestion (made in national context) by Van Zyl (1995).

It is widely advocated that enhancing of institutional capacity and farmer support systems are important ingredients in successful land reform. Potgieter (1995c) concluded that an extensive institutional and administrative infrastructure with the potential to facilitate land reform exists in the Free State. Major policy changes are taking place to co-ordinate efforts between organisations and to redirect efforts to service emerging farmers and disadvantaged communities.

Table 1: Percentage of land transferred on a regional basis (1988 - 1993)

Region	88/89	89/90	90/91	91/92	92/93	Avg/year	Highest	Lowest
Northern OFS	3,41	4,49	3,33	3,75	6,71	3,83	6,71	3,33
Southern OFS	4,39	4,34	3,66	3,18	3,94	3,88	4,39	3,18
Central OFS	6,67	4,28	3,41	3,47	4,98	4,34	6,67	3,41

However, these efforts have yet to develop into specific actions.

Neither physical land availability, nor the land market or administrative infrastructure are seen as primary restrictions in the land reform process. Instead, mobilisation, capacity and means (equity and skills) of potential beneficiaries represent the real difficulties. If experience of commercial farmers in Qwa-Qwa is anything to go by, the profile of an emerging commercial farmer, with a reasonable chance of leasing land successfully, depicts a relatively wealthy and skilled person.[4] Given provincial income and skills distribution, emerging commercial farmers, such as those found in Qwa-Qwa and Thaba Nchu, are a small group in relation to other potential beneficiary groups (such as urban people who receive no known income (620 000 or 29% of the provincial population), farm workers (560 000 or 26% of the population), and those who live in rural or peri-urban ex-homeland areas (370 000 or 17% of the population) (Potgieter, 1995d)). *Not only does this mean that emerging commercial farmers with such characteristics form a small group of potential beneficiaries, but also that care should be taken not to base policy on predetermined perceptions of beneficiaries. In the words of Binswanger (1994) it furthermore suggests that "beneficiaries must receive partial grants to enable them to buy land without starting out with impossible debt equity ratios".*

3.3.2 The urban "poor of the poor"

Land reform has an important potential role to play to alleviate food insecurity. Free State levels of malnutrition for African and Coloured people are higher than the national average, while the human development index is lower (0,66 compared to 0,69) (Pretorius, 1995). Apart from community needs and land constraints, garden farming in the Free State will be restricted by availability and cost of surface and ground water (see Le Roux *et al* for discussion). With regard to land, there is 141 000 hectares of town commonage in the Free State, which is currently mostly leased to white farmers as grazing. With the changing face of local authorities, it is envisaged that town commonage will play an important role in addressing the need for small scale farming around urban areas (for example, garden farming, grazing camps for small scale part time livestock farmers or urbanised livestock owners). However, Botes, De Wet & Heunis (1995) concluded from a social survey in one urbanised Free State community (Maokeng, Kroonstad) that urban community members have a lesser land need when compared to that of other potential beneficiary groups (see table 2) and are more in need of general socio-economic upliftment. *Given the diverse needs of communities, poverty, varying agro-ecological conditions and the fact that Local Transitional Councils (TLC's) are already under budgetary pressure , peri-urban farming needs careful planning from a town planning, environmental and community point of view.*

3.3.3 Farm workers

Between 1986 and 1991 at least 250 000 people have left Free State farms. Estimated population figures from (Krige, 1995: Le Roux *et al*, 1995).

TLC's show that a substantial outflow has taken place since then. This created population pressures and shack sprawl (especially around small towns, as the nearest township became the catchment of ex-farm workers). An exchange of farm life (formal job, but no or little security) for township life (social security, but little or no hope to find a formal job) is materialising (Krige, 1995; Murray, 1995). *Aspects such as addressing the social security position of farm workers (for example, possibilities for farm workers to obtain property in townships), farm worker participation schemes and rural infrastructure need urgent attention.*

4. Land needs

One of the major objectives of the LAPC-research was to provide information about the nature and scope of the land needs of marginalised people and to investigate how communities and groupings of people with land related problems see solutions being affected. The research comprised both qualitative and quantitative components. Qualitative research took the form of community workshops, while quantitative research was done by means of interview surveys.

Approximately fifty local residents were interviewed in each of four case study sites (up-to-date lists of residential plots were used as sampling frameworks in most cases). The approach was that each of the case studies should as far as possible represent a population from one of four main settlement patterns of marginalised communities which then simultaneously represent four potential settlement groups to benefit from land reform: The **Tseki**-village in Qwa-Qwa was selected to represent a marginalised quasi-rural village or peri-urban settlement in a former homeland area. **Tshiame** (B) was identified to represent a township area in a semi-rural setting, characterised by the dominance of white commercial agriculture. The **Viljoenskroon-farming area** was earmarked as a case study site to determine the land needs of workers on white commercial farms. **Maokeng** in Kroonstad was selected as a case study site to investigate the land needs of urbanised township inhabitants. While people in the last mentioned case study site do not closely fit the definition of a marginalised and deprived rural community, they often do originate from rural areas, where factors such as mechanisation and prevailing drought or semi-drought conditions during the larger part of the past decade forced them to leave.

Although no claim to a representative sample is made, the data, nevertheless are noteworthy and revealing, and do provide a base for preliminary comparison of the land needs in the concerned settlement situations. The data presented is the first which sheds light on land needs of a randomly sampled marginalised population in the Free State.

The differential need "profile" for land may be described as follows (see table 2):

In the survey, approximately 4 out of every 10 **Tseki** residents expressed a need for land. The land needed, averaging 32 hectare, is to be used mainly for cultivation and grazing. They would like to own land outside the Tseki area and feel that land should be given to them by the state. However, more often than not, they are also prepared to move in order to obtain land. During the Theki-workshop a need for land for communal or co-operative farming was expressed.

Table 2: The nature of land needs in the case study sites*

	TSEKI	TSHIAME	VILJOENSKROON	MOAKENG
Percentage who wants (more) land than currently accessed**	43%	48%	79%	10%
Average size of land needed	32 ha	52 ha	99 ha	1 ha
Land is mostly needed for:	Cultivation (45%) and grazing 21%	(Food-) gardening (29%) and schack farming (29%)	Cultivation (54%) and grazing and (food-) gardering (22%)	Cultivation (40%) and (food-) gardening (40%)
How should land be acquired?	Be given by the state (68%)	Be given by the state (68%)	Be given by the state (64%)	Be given by the state (38%)
Where is the land needed?	Anywhere else as survey area (66%)	In survey area (52%)	In survey area (63%)	In survey area (53%)
Willing to move to get land?	Yes (58%)	No (76%)	Yes (48%)	Yes (67%)
Who should get land first?	Those who lost land in the past (24%)	People with farming skills (27%)	Those who wish to farm (26%)	The very poor (38%)

* **Data mostly reflect mode values or categories**
** **Question also interpreted as wanting ownership of property currently accessed**

Communal farming is seen as a solution for high unemployment and for poverty and to provide the community with much needed fresh produce at affordable prices.

In **Tshiame** approximately 5 out of every 10 people interviewed stated that they want more land (on average 52 hectare) than currently accessed. They mostly indicated that they would use such land for (food-) gardening and shack farming. Like all the other case study populations they also mostly felt that the land should be given to them by the state. The land they need is in the survey area, itself. Unlike the other case study populations they are mostly not prepared to move to get land. A workshop with Tshiame community members brought forth a clear indication that they are in favour of the Tshiame area being developed into smallholdings that can be privately owned and utilised for a wide variety of purposes, not necessarily "farming".

The great majority of farmworkers household representatives interviewed in the **Viljoenskroon** white commercial farming area, stated that they have a need for land (on average 99 hectare). Land is mostly to be utilised for cultivation, grazing and (food-) gardening. When asked how the land should be acquired, the response most often forthcoming, was that it should be given to them by the state. They mostly would like to access land in the survey area, i.e. on the farms where they are currently residing. A large proportion are also prepared to move to get land. During the workshop with farmworkers in Viljoenskroon they expressed their main "land need" as a desire to obtain ownership of a residential property - either on the farm where they currently reside, or elsewhere.

A relatively small proportion (10%) of the people interviewed in the urban community of **Maokeng**, want more land. They are mainly interested in small plots of land - on average 1 hectare. Such land is to be utilised for cultivation and (food) gardening. Although the most frequently stated response was that the land should be given to them by the state, they were less inclined to hold this opinion than people in the other case study areas. They generally also prefer access to land located in the survey area, but are willing to move in order to get land. At a workshop with Maokeng community representatives the general sentiment was that socio-economic problems such as high unemployment overrided the need for land, as such. Promotion of urban agriculture, in the urban area itself and on adjacent plots would be supported in as far as such an endeavour will create jobs.

While it is difficult to make clear-cut inferences from the research data, it is clear that marginalised communities seem to realise that the mere allocation op plots of land to individuals will not go far in alleviating socio-economic hardship in the community at large. Individuals, when interviewed, often responded affirmatively if asked if they wanted (more) land - but, then again, who would not? When discussing the land reform issue in more depth in workshop setting, however, it became clear that communities more often than not view land acquisition as secondary to other problems. Certainly land is desired, especially among groups such as farmworkers, but their is also a realisation that other forms of resource distribution is more needed. The land need is diverse to say the very least, and land reform in the Free State will require earnest endeavours to iron out priorities and solutions with communities themselves.

5. Conclusion

Norton and Alwang (1993: 204) states that, *"Land reform is needed for improved economic efficiency, equity, and political and economic stability. Unless there is evidence that incentives have been created for farmers to undertake hard work and increase their capital investment, and, unless poverty has been reduced and social status improved for the rural poor, a successful land reform has not occurred".* Given provincial contrasts in land distribution, poverty and food insecurity, social security, size and characteristics of potential beneficiary groups as well as land needs of marginalised communities, it becomes clear that equity, and political and economic stability may be improved through land reform in the Free State. Restitution cases described by Murray (1995), especially the Herchel and Thaba Patshuwa communities, underline this finding Given utilisation of land, land tenure and security positions of farmers, improving efficiency and sustainability of resource use, is also possible. Given

land markets and values, natural resources as well as administrative infrastructure, suggested policy changes and commitment of organisations, it may be concluded that means to facilitate market assisted land reform do exist. However, diversity of agro-ecological conditions and pressures on local TLC's to provide services, strongly suggest that environmental aspects, town planning and regional planning must be important considerations in land reform. Finally, communities must be involved in the generation of solutions that take into account the uniqueness of their situations. *Mobilisation and capacity development* (Van Rooyen, 1995) and *negotiations and compromise* (Williams, 1993), should be the hallmark in search of a "blueprint" for land reform in the Free State, leaving ample room for local participation in the process of evolving viable solutions.

Notes:

1. Sections 2 and 3 are based on Potgieter (1995a).

2. In order to put this section in perspective, land availability is discussed within the context of experience in Qwa-Qwa and ThabaNchu (area visits and discussions with Van Niekerk (1995) and Moahloli (1995)). The purpose is not to depict a model for emerging commercial farmers.

3. Contrary to common believe, irrigation land may not be "best" suited for emerging commercial farmers, because of management and capital restrictions. Notions to "settle" emerging commercial farmers on under utilised irrigation land (e.g. to produce apples in Eastern Free State), are actually advocating project farming, a settlement type which failed to generate sustainable development (Singini & Van Rooyen, 1995).

4. This person may be described as someone who has technical knowledge of farming, who is eager to farm is literate, has R20 000 to R30 000 in cash to invest in farming and owns a LDV, at least some tractor component and 20 to 30 head of cattle. Ideally, off-farm employment of family members, is needed.

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