



Investigating land reform challenges: a case study in the Limpopo province

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PREFACE

The basis of this study stemmed originally stemmed from my passion for rural development. Rural development has been a game changer in South African policy regarding redressing the apartheid policy in terms of land ownership. The effects of land reform have not only been to land ownership but have economic and social impacts as well. I embarked on this study to find out the challenges that prevent the successful implementation of this legislation as envisioned.

I firstly acknowledge my Heavenly Father for the strength, wisdom and prudence he bestowed upon me throughout this study. In truth, I acknowledge that I could not have achieved the success of completing my Masters in Business Administration without a strong support group. My mother, Eunice, whose love and understanding kept me going. My son, Rito, who had to spend the better part of his first year in this world in my absence as I strived to complete the study. And also, Mr Botha, my supervisor, who patiently guided and advised me throughout the research process.

ABSTRACT

In South Africa, since the end of Apartheid in 1994, a wide range of state, community and private sector initiatives have aimed to redistribute wealth and extend social and economic opportunities to previously disadvantaged black people. One such policy is land reform, which aims to redistribute agricultural land among the broader population, restore ancestral lands to individuals and communities, and strengthen land rights more generally. The highly-developed nature of the commercial agricultural sector in South Africa provides opportunities for previously marginalised groups to engage in the production of high-value commodities for domestic and international markets but also presents major challenges in terms of capital, skills and competitiveness.

The study utilised the qualitative research methodology of an exploratory and narrative nature. A case study method was used where the key informant interviews were conducted people involved in the Ravele CPA project. The study had seven respondents.

From the responses given in the interviews, it is clear to see that there is a disjuncture between the leadership of the CPA and the community at large. The top-down approach to participation leaves the community frustrated as they do not have the know-how to fully participate in the project. Rather, they can only wait for the leadership to feed them with information. Capacity building in terms of bursaries is doing very well. However, the people who are at grassroots level, who just need help to support their families and have no education, have been left out of the loop. The government has set up programmes through the department of agriculture and some educational institutions for the community to be helped, but too much bureaucracy has created delays. The government departments cannot be left out from the day-to-day running of the projects because if serious problems arise, it might be too late to save the project as seen from other land reform projects that have dismally failed.

Keywords: Land reform, Challenges, Beneficiaries, Strategic partnership, Capacity building, Post-transfer support, Participation

TABLE OF CONTENTS

PREFACE	I
ABSTRACT	III
CHAPTER 1: INTRODUCTION TO THE STUDY	1
1.1 INTRODUCTION	1
1.2 BACKGROUND TO THE STUDY	3
1.3 PROBLEM STATEMENT	4
1.4 RESEARCH OBJECTIVES	6
1.4.1 Primary objective	6
1.4.2 Secondary objectives	6
1.4.3 Literature objectives	6
1.4.4 Empirical objectives	7
1.5 SCOPE OF THE STUDY	7
1.5.1 Location	7
1.6 RESEARCH METHODOLOGY	8
1.6.1 Literature review	8
1.6.2 Empirical study	9
1.6.2.1 Research approach	9
1.6.2.2 Research participants	9
1.6.2.3 Research procedure	10
1.7 LIMITATIONS OF THE STUDY	10

1.8	LAYOUT OF THE STUDY.....	10
CHAPTER 2:	LITERATURE REVIEW	12
2.1	INTRODUCTION	12
2.2	INTERNATIONAL PERSPECTIVE	13
2.3	SOUTH AFRICAN PERSPECTIVE.....	15
2.3.1	Background on South African land reform programme	15
2.3.2	The three legs of land reform	16
2.3.3	Legislative Framework	21
2.3.4	CPA and strategic partnership models.....	27
2.4	A LIMPOPO PROVINCE PERSPECTIVE	29
2.5	LAND REFORM CHALLENGES	30
2.5.1	Ability to make effective and productive use of land acquired	31
2.5.2	Financing the enterprise on the land.....	31
2.5.3	Ownership structure of the land.....	31
2.5.4	Post-settlement support and mentoring	32
2.5.5	Elite capture	32
2.5.6	Capacity	33
CHAPTER 3:	RESEARCH METHODOLOGY	34
3.1	INTRODUCTION	34
3.2	EMPIRICAL STUDY	34
3.2.1	Research design	35

3.2.2	Method of data collection	36
3.2.2.1	KII (Key Informant Interviews)	37
3.2.2.2	Secondary data.....	40
3.2.3	Validity and Reliability	40
3.2.4	Sampling method.....	41
3.2.5	Data analysis.....	42
3.3	RESEARCH ETHICS.....	43
3.4	CONCLUSION	44
CHAPTER 4: PRESENTATION AND ANALYSIS OF RESULTS.....		45
4.1	INTRODUCTION AND PURPOSE OF THIS CHAPTER	45
4.2	FINDINGS FROM THE DOCUMENT ANALYSIS	46
4.2.1	Compliance to the Communal Property Act (1996).....	46
4.3	FINDINGS FROM THE INTERVIEWS	48
4.3.1	Demographics of the respondents.....	48
4.3.2	Participation.....	49
4.3.3	Capacity Building	51
4.3.4	Post-transfer Support	55
4.3.5	Challenges	56
4.3.6	General.....	59
4.4	RESEARCH OBJECTIVES.....	60
4.4.1	To investigate the level of participation by the beneficiaries in the project.....	60

4.4.2	To assess the capacity building initiatives that the beneficiaries have been involved in	61
4.4.3	To identify the type of post-settlement support available to the beneficiaries	61
4.4.4	To identify different challenges confronting land reform beneficiaries	61
4.5	RECOMMENDATIONS	61
4.6	FUTURE RESEARCH AND LIMITATIONS	63
4.7	SUMMARY	63
	REFERENCE LIST	65
	ANNEXURE A: INTERVIEW GUIDE	72
	ANNEXURE B: LETTER FROM RAVELE CPA	73
	ANNEXURE C: LANGUAGE EDITOR'S CERTIFICATE	74

LIST OF TABLES

Table 3-1:	Primary data versus Secondary data	37
Table 3-2:	Themes of the interview guide.....	38
Table 4-1:	National compliance trends.....	47
Table 4-2:	Limpopo province compliance trends.....	47
Table 4-3:	Limpopo Province 2016-2017 registered CPAs	47
Table 4-4:	Ravele CPA compliance details.....	48
Table 4-5:	Demographics of the respondents	48
Table 4-6:	Relation to the project.....	49
Table 4-7:	Number of employees	52

LIST OF FIGURES

Figure 1-1:	Location of the study area.....	7
Figure 2-1:	Land Reform legislations and policies.....	22
Figure 2-2:	Key elements of a typical JVC.....	28

CHAPTER 1: INTRODUCTION TO THE STUDY

1.1 INTRODUCTION

The brutal wars of 1952 fought against the native people of South Africa have left them without land while the land was seized for the exclusive use of the white settlers. The colonial authorities left Africans without independent means of production other than for subsistence. This was done so that their availability as a low-cost and submissive workforce to provide service in the agricultural market is assured (Department of Land Affairs, 1994:6).

In South Africa, since the end of Apartheid in 1994, a wide range of state, community and private sector initiatives have aimed to redistribute wealth and extend social and economic opportunities to previously disadvantaged black people. One such policy is land reform, which aims to redistribute agricultural land among the broader population, restore ancestral lands to individuals and communities, and strengthen land rights more generally. The highly-developed nature of the commercial agricultural sector in South Africa provides opportunities for previously marginalised groups to engage in the production of high-value commodities for domestic and international markets but also presents significant challenges in terms of capital, skills and competitiveness. It is in this context a variety of strategic partnerships have come up between mainly underprivileged black landowning communities and mainly white partners from the large-scale commercial sector, many of which take the form of joint ventures (Lahiff *et al.*, 2012:4-5).

At the beginning of the new democracy in South Africa when the land reform programme was launched, the white people who owned farms were hesitant and to a greater extent unwilling to put up for sale their lucrative farms for the land restitution process. But ultimately the government did manage to purchase these farms from the white farmers (Matukane, 2011:4).

Aliber and Cousins (2013:140) said that redistributive land reform had been pursued in South Africa over the past twenty-two years. There is near-consensus that land reform has been unsuccessful, but a startling lack of agreement as to the problems and what remedies should be administered. Land reform is criticized for its pace and performance. About 8 per cent of commercial farmland has been redistributed over 18 years versus the 30 per cent over five years initially targeted (Bester, 2011:1). The focus of this paper is the livelihoods (and production) outcomes on the 8 per cent of redistributed land. Bester (2011:4) and Matukane (2011:5) have

discussed a number of explanations that have been offered for poor livelihoods and production outcomes, including: poor extension and other support to land reform beneficiaries, inadequate beneficiary skills, too little money spent per beneficiary, an economy that is hostile to small-scale entrepreneurs, a lack of access to credit and a lack of market access.

The primary purpose of land reform in South Africa is to redistribute agricultural and other land to address the racially distorted pattern of land holding and promote development. This involves three key elements: the redistribution of agricultural land to new farmers, the restoration of land, or cash compensation to claimants who were dispossessed after 1913, and securing of tenure rights for residents of commercial farms and communal areas (Rugege, 2004:7-15). Restitution provides for the restoring of land rights to a person who was or communities who were disposed of rights to land after 19 June 1913 from racially-based laws or practices. Restitution is part of redressing the injustice of the past, and at the same time, it is considered to be a process of change in rural societies. It seeks to integrate economic and social objectives in attempting to create better and diverse livelihoods for poor people (Kloppers and Pienaar, 2014:680-681).

According to Lahiff *et al.* (2012:3) the land reform programme's aim is to include poor people into value chains as producers, employees or consumers, in ways that are both equitable and sustainable. The agricultural sector was widely seen as a means of providing access to capital, information and markets for smallholders and communities who may otherwise be marginalised from the economic mainstream and are therefore seen by many as an effective means of rural development. This programme also seeks to ensure that previously disadvantaged communities are given land security, and land is one of the biggest issues in South Africa today. Such initiatives can see resource-poor communities having an opportunity to participate in the mainstream economy (Cousins, 2016:2).

The Levubu farms are an important economic hub in terms of the agricultural sector for the Limpopo Province. Ensuring that the Levubu farms are thriving will have a big impact in South Africa as a country because the government has spent a lot of money on this programme. This was done to use it as a reference to other areas in the country and lessons regarding rural development will be learnt from its successes and/or failures. Matukane (2011:7) has indicated that there has been progressing made but also concerns that need attention. The issues hampering the success of the business enterprises are mainly fourfold; fights between the Community Property Associations (CPAs) and the traditional leadership, the large number of claimants, lack

of support from the government and capacitation of the beneficiaries. These problems have made most of the farms to be not profitable thus making it hard for new owners.

1.2 BACKGROUND TO THE STUDY

This study deals with an important issue in the agricultural sector because if the land reform programme fails, the economy of the country will be negatively affected. There have been many successful land claims, but it has been discovered that acquiring the land is not the issue but keeping the farming enterprises sustainable and economically viable in a way that will benefit all parties involved is a concern. The beneficiaries' lives should be improved through employment opportunities, education and skills that will assist them to get out of poverty. If this is not achieved, the injustices of the past will not have been addressed. As the late former President Nelson Mandela said in his speech at Harvard in 1998: "For to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others."

The Limpopo Department of Agriculture in Makhado Local Municipality indicates that the Ravele project forms part of the Levubu farms of about 258.789 hectares which has seven CPAs namely; Ravele, Masakona, Tshakhuma, Shigalo, Tshivhazwaulu, Tsitwani and Ratombo (Matukane 2011:6). This research will focus on the Ravele CPA. The 2007/08 Annual report shows that R14.6 million has been used up by the government to give the Levubu farms back to the previously disadvantaged people. The Levubu community claim has 401 families and about 1820 persons.

Ravele community was founded by Vhavenda Ravele, who was also its first chief. Before the 1913 Native Lands Act, the people of this Venda-speaking, farming and hunting community had lived in old Mauluma, in the north-eastern part of Louis Trichardt. Dispossessed of its land by the Act, the community was displaced to another location in the Nzhelele valley, 20km from Levubu. The environmental conditions of the Nzhelele valley—its heat and lesser rainfall—made farming difficult, and then, during the 1940s, shortly after the complete removal of the community in 1938, the majority of the old population died as a result of intolerable heat (Basu, 2016: 738).

There are several different types of institutions within the Ravele community, including the tribal council, the burial society, the land claim committee, the CPA, the executive committee and the asset management committee. A very important social structure of this community is the Ravele royal family, the descendants of Vhavenda Ravele, which holds the Chieftaincy. The Chieftaincy

plays a crucial role in the social and political organisation of the community. Their influence has also been reflected in the composition of the executive committee, where eight of the twelve members are from the Ravele royal family (Basu, 2016:739).

The Ravele community lodged a community-based land claim in 1994, acknowledged by 1995. In 2001, the government declared that land transfer would take place only if the community enters into a joint venture arrangement with a commercial partner (Basu, 2016:739-740). In 2005, the South African Farm Management (SAFM) was appointed as an interim strategic partner with 344 hectares of land given back to the Ravele community. In 2007, an agreement was signed to form the operating company, named Imperial Crown Trading 43 Private Limited (Lahiff *et al.*, 2012:24).

The first board meeting of this company took place in February 2008, but the strategic partner failed to provide either the audited financial statements or their investments into the joint venture for the interim period. At the second meeting, in May 2008, the community discovered that R5.8 million worth of development grants were transferred to the operating company. SAFM failed to account for the money, and in September 2008, withdrew joint venture. The community property association further learnt that the rental money that was paid to the community by SAFM was borrowed from ABSA bank in the name of the operating company. In October 2008, it had become clear that the operating company had a debt of over R5 million (Lahiff *et al.*, 2012:25).

1.3 PROBLEM STATEMENT

Since the land that is given to the black people is economically viable, the failure of the land reform programme leaves the beneficiaries in a worse state than before they benefited, the environment is damaged and infrastructure degraded. The farms are large-scale agricultural enterprises that export their produce to American and European markets hence have a huge input to the gross domestic product of South Africa (Wegerif, 2004:41). Employment is also another factor, the failure of these farms leaves thousands of employees jobless, and this will, in turn, have a ripple effect on other industries. A valid reason for the need of government's considerable backing is that the black communities neither possess adequate skills nor the capital to successfully take over the farms. As a result, malfunctioning of the farms could adversely affect the economy as well as the employment situation in Levubu (Matukane, 2011:5).

Even though there can be a few skilled and/or educated beneficiaries mostly are unskilled and uneducated. Turner (2001:2-3) states that the lack of skills is the main challenge that has

confronted the land reform programme. These skills include but are not limited to technical and training skills for the most parts of agriculture and tourism. They also lack business skills which makes them unable to produce business plans. It has been reported that 30% of all land reform projects lacked business plans, 58% lacked working capital, 50% lacked equipment and 34% experienced internal conflicts (Department of Land Affairs, 2007:21).

Internal conflicts are mostly seen where there are haves and have-nots' members that have benefited from the same land. Most times, the educated beneficiaries turn to cheat the less educated out of their share where the uneducated find themselves treated as employees. Ownership mentality plays a big role in land reform as it is the work ethic that will push the people who have benefited from acquiring the skills necessary to make a success of the opportunities provided. It means that the people understand that their contribution will have an impact on the business as a whole, on its people, on its customers, and its extended network. Many people well equipped and confident and thus step back. But believing that one's isolated role is somehow only important to what tasks they are performing is ignorance. The CPA should be encouraged to improve communication on all levels of the project (Matukane, 2011:66-67).

Unexpected challenges such as government leading the land reform programme have been raised. According to Sikor and Muller (2009:1313) since the inception of the land reform programme, the emphasis is on the government being the initiator and implementer of the programme. This model of government-led land reform was imagined as the big win in development by the government as the bureaucratic implementation of the programme was seen as most efficient. Hall and Kepe (2017:5) argued that this very emphasis on top-down government action and bureaucratic modes of implementation may limit the potentials of land reform to achieve desirable changes in land tenure and land use in practice.

The absence of secure land rights impedes production support for beneficiaries. This is due to the lack of clarity about the status of beneficiaries' tenure. It has practical implications such as the delivery of services or investment in land uses from other government departments. People are not able to access credit as financial institutions require some proof of their right to occupy. This has resulted in emerging commercial farmers, including those who have capital from other sources, being hindered in their farming operations (Hall & Kepe, 2017:6).

Farmworkers face increased tenure insecurity and livelihood uncertainty as this programme progresses. This challenge pertains to the living and working conditions of farmworkers and

their families. In South Africa, many of these farm workers are wage earners. When the farms are no longer financially viable, these are the people who suffer the most as they not only lose their jobs but homes as well (O’Laughlin *et al.*, 2013:6). In contrast, the (usually white) farm owners who sell to the government are paid out in full and can find other sources of revenue. Farmworkers, who have no capital of their own to invest and have no leases or any recognised rights to the land, are therefore excluded from development opportunities. Thus, the argument is that land reform would be better conceived as a strategy to expand wage employment and to improve the conditions of workers on commercial farms, rather than as a radical redistributive shift in the ownership of agricultural land. Whatever the vision of land reform, it will affect farm workers (Hall & Kepe, 2017:6).

1.4 RESEARCH OBJECTIVES

The research objectives drive all aspects of the methodology, including research design, data collection, analysis, and eventually the recommendations.

1.4.1 Primary objective

The primary objective is to investigate land reform challenges: a case study in the Limpopo Province.

1.4.2 Secondary objectives

The secondary objectives are discussed below. These are the things that need to be achieved in order to fulfil the primary objective. The secondary objectives are divided into literature objectives and empirical objectives.

1.4.3 Literature objectives

- To conceptualise land reform in an international context
- To conceptualise land reform in a South African context
- To conceptualise land reform in a Limpopo Province context
- To evaluate the current land reform legislation
- To conceptualise from literature, the challenges associated with land reform projects

1.4.4 Empirical objectives

- To investigate the level of participation by the beneficiaries in the project
- To assess the capacity building initiatives that the beneficiaries have been involved in
- To identify the type of post-settlement support available to the beneficiaries To identify different challenges confronting land reform beneficiaries

1.5 SCOPE OF THE STUDY

The scope looks at the specific geographical area of the study.

1.5.1 Location

The study area is the Levubu farms in Makhado Municipality in the Vhembe district of Limpopo Province in South Africa. The Ravele CPA is one of seven other CPAs in the Levubu farms. Figure 1 below indicates the location of the Levubu farms.

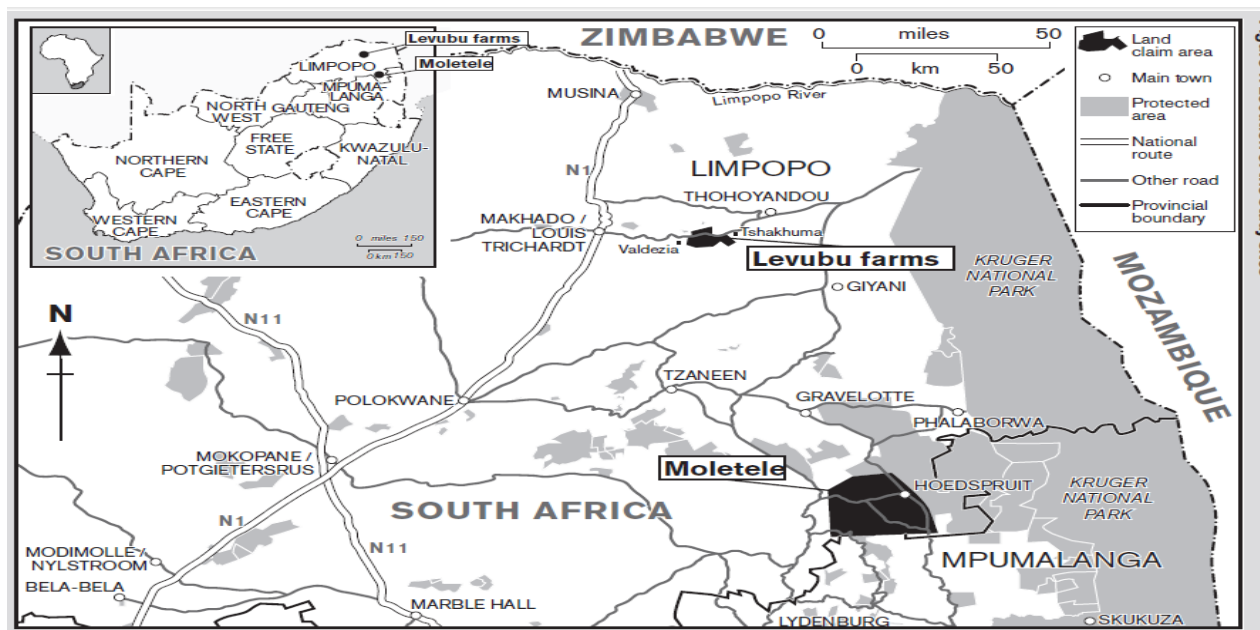


Figure 1-1: Location of the study area

Source: Lahiff *et al.* (2012:5)

1.6 RESEARCH METHODOLOGY

The research methodology deals with the specific procedures and techniques used to identify, select, process, and analyse information for the study. This will allow the reader to critically evaluate a study's overall validity and reliability.

1.6.1 Literature review

A critically evaluating what has been published on the subject by scholars and researchers. A literature review is not descriptive but analytical in nature as it uses secondary sources.

In phase 1 a review regarding land reform, land restitution, land tenure and land redistribution will be done. The sources that will be consulted include:

- Journals
- Books
- Internet
- Government publications
- Articles

The keywords used are:

- Land reform
- Challenges
- Beneficiaries
- Strategic partnership
- Capacity building
- Post-transfer support
- Participation

1.6.2 Empirical study

The empirical part of the study includes the collection and analysis of primary data based on direct observation or experiences.

1.6.2.1 Research approach

The qualitative research approaches will be used. The reason for using this method is that using qualitative data can help one to understand unanticipated results. A qualitative approach will be used to gain insight into underlying reasons and motivations needs to be gained and also to provide insights into the setting of a problem. Qualitative research is used to gain insights into people's feelings and thoughts. A significant argument about qualitative research is that the researcher should not try to make a sweeping statement of the findings to a wider population (Sutton & Austin, 2015:4).

The study will be cross-sectional in nature. The type of data that will be used will be both primary and secondary. Most of the data will be primary. Secondary data will be analysed from the Ravele CPA documents. For data analysis will use the grounded theory and its later modified versions use face-to-face interviews to explore what is happening and this may help in clarifying a problem, situation, or context (Given, 2015:20).

1.6.2.2 Research participants

The unit of analysis for this study is the individual beneficiaries of the Ravele CPA. The total population of the Ravele CPA has 877 beneficiaries. These beneficiaries make up 324 households.

The sample size is 5 to 10 individuals. This is the number of people to be interviewed using the one-on-one method. The rationale used to determine this number is data saturation. Key stakeholder organisations have been identified, and people will be interviewed.

The sampling frame is the list of beneficiaries for the Ravele CPA who are registered with the Department of land affairs. The sampling procedure to be used will be the probability of simple random sampling procedure. In probability sampling, every member of the population has an equal chance of being selected into the sample. The simple random sampling method will be used. The sampling frame is the beneficiaries registered.

1.6.2.3 Research procedure

(i) Primary data:

- KII (Key Informant Interviews)

The Key informants are people who will be able to give valuable information about the project. This includes the management of the CPA, an elder from the community, strategic partners and representatives from the Department of Land Affairs and the Department of Agriculture.

There is an interview guide developed. It is open-ended so that the respondents can provide as much information as possible without restrictions. Care is taken to ensure that the questions will be constructed in such a way that they will not be misleading or ambiguous.

(ii) Secondary data:

The following documents will be reviewed:

- South African Land Reform Policy of 1997;
- Restitution of Land Rights Act, 22 of 1994;
- CPA Act, 28 of 1996;
- Annual report of Ravele restitution claim settlement; and
- Articles

1.7 LIMITATIONS OF THE STUDY

This study is limited to the Ravele CPA and the beneficiaries thereof. The criteria focused on the beneficiaries, but references can be made about stakeholders outside this bracket.

1.8 LAYOUT OF THE STUDY

The chapters in this mini-dissertation are presented as follows:

Chapter 1: Introduction to the study

Chapter one includes an introduction to the research and motivation for the study. It also has the background information and an overview of the study. It further reflects on the problem, aim and objectives of the research design.

Chapter 2: Literature review

Chapter two covers the review of applicable literature on land reform. Ownership and participation literature as well as case studies of similar land reform models implemented elsewhere are also reviewed. This is aimed at providing a theoretical podium and framework to the problem statement.

Chapter 3: Research methodology

Chapter three provides a detailed research design and methodology for this research.

Chapter 4: Presentation of findings and Recommendations

Chapter four presents the results, research findings after data analysis and interpretation. This is where the research's findings are incorporated with the documents review. Furthermore, this chapter will seek to provide recommendations to the findings. It also includes concluding statements in the form of the researcher's final thoughts on the research.

CHAPTER 2: LITERATURE REVIEW

2.1 INTRODUCTION

The subject of land reform has provoked debate all over the world. Some see this concept as a way of reallocating property or rights in property so that the landless, tenants and farm labourers can benefit (Links, 2011:2). Land reform arose mainly because of inequalities of resources or to some extent, the control of resources. According to Holden and Ghebru (2016:27), access to land is a vital indicator of household welfare in agricultural markets where off-farm employment opportunities are limited. This is due to the widespread limitations of the labour market in agriculture driven by vulnerability to unethical conduct, seasonality of work and limited work outside of the farms (Borras, 2005:101). A more democratic distribution of land where people can have access to equal opportunities to land will avoid landlessness because the land-poor and landless tend to be the poorest in communities (Holden & Ghebru, 2016:36).

This study is however directed on answering the following question: What are the challenges faced regarding the land reform programme to achieve the intended output? There are varied opinions on whether the land reform programmes have been implemented effectively and efficiently. In all the countries where the programme has been implemented, it has received criticism, but there have been successes which need to be drawn from.

In some parts of the world, land reform is seen as the redistribution of property or rights in property for the benefit of the landless, tenants and farm labourers (Borras, 2005: 126). Thus, this is an inclusive programme which purpose is to restructure the institutional framework of agriculture to assist the process of social and economic progress by the philosophy, values and creed of the community concerned (Links, 2011:2).

Links (2011:6) quoted the United Nations' definition of land reform as "comprising an integrated programme of measures designed to eliminate the obstacles to economic and social development arising out of defects in the agrarian structure". Collier and Dercon (2013: 2) defined land reform as "a rapid process of transfer of land rights to landless individuals and communities". Land reform, however, differs from one country to another.

2.2 INTERNATIONAL PERSPECTIVE

Looking at land reform in an international context will shed light on the state of the programme and evaluate its success and failures. In the research on the variety of land reform, Peters (2009:1321) noted that there are many countries that have initiated some type of reform programme. Several countries' reform programmes were aimed at redistributing land to correct past injustices that have led to inequalities about allocation of resources. On the other hand, Hartvigsen (2014:332) identified that other countries wanted to get rid of the development inequalities when they initiated the reform programme and still, others chose to redistribute rights to the land instead of the land itself to leave the properties uninterrupted while facilitating the growth of the market. All these types of reform programmes will have significant effects on land development.

According to Obeng-Odoom (2012:162), governments in underdeveloped countries tend to follow policies that weaken long-term economic growth. Albertus *et al.* (2016:154) argued that governments do so to strengthen their political survival, especially in democratic nations. Land distribution tends to be higher during election years and where the threat of rural unrest was greater. Obeng-Odoom (2012:163) supports the notion that while land redistribution bred dedicated political supporters, it generated steep costs thus lowering long-term economic growth.

There are countries in which land reform has worked well. Good examples are Japan, South Korea and Taiwan where the land reform programme facilitated growth by ensuring asset equality. The flip side of this coin can be seen in countries like Mexico, Spain, Zimbabwe and Zambia. The challenges faced by these countries although different left the economy of those countries in dismay (Nnzeru, 2010:36). Radical tenure reforms in China, Vietnam and Ethiopia aimed at equal opportunities in terms of distribution of land and provision of household food security through subsistence production while minimising the dependency on the market (Holden and Ghebru, 2016:21).

Mexico had an enormous land reform programme which proved unproductive. Controls in the form of monopolies were created by the governing alliances that ensured that economic entry favoured certain citizens to get rent on land (Dell, 2012: 31-32). The prices were distorted, and it prevented competitive markets, created overvalued currencies, inflated pay for government employees and impose financial market regulations that prevent these markets from financing enterprise creation (Albertus, 2015: 136). Mexico's land reform failed to spur long-term growth.

This was mainly due to policies that withheld property titles and made inefficient community property rights by saying that beneficiaries could not rent out, sell or use land as collateral for loans (Kurtz, 2004: 11). Outside of the provision of credit and professional inputs, the disadvantaged beneficiaries found themselves dependant of government. This resulted in the land reform programme failing to become the major factor to reinforce economic development (Albertus, 2015:137).

Spain dealt with the land reform programme differently and faced a different challenge of rural conflicts. According to Domenech and Herreros (2017: 103) the policies that the Spain government came up with acceded to the demands of the bottom-up revolutionary pressures. Boone (2014:16) argued that drastic land ownership redistribution thus found itself creating more conflict. Land reform went together with other pro-poor policies and this facilitated the organisation and rise in political activism among citizens of a country (Peters, 2009:1030). Additionally, land reform raised the expectations of the previously disadvantaged while making inequality more noticeable, which led to more demands from the landless (Finkel *et al.*, 2015:66).

Perhaps the biggest failure of the land reform was in Zimbabwe. The primary goal of Zimbabwe's land reform was to transfer land ownership, rather than increasing agricultural productivity, as large commercial land owned by whites was redistributed to black smallholder farmers (Thouvenot, 2014:19). The main reason for Zimbabwe's continuing failure to increase agricultural production according to Chinsinga (2011:391) is as a result of inadequate government support and land ownership uncertainties following the land reform. Similar to Spain, the warning that the reform would be a difficult process was the unfair redistribution of land towards elite farmers, investors, agricultural graduates or individuals who had gained social connections. Poor individuals and actual farmers were not selected as beneficiaries (Nnzeru, 2010:33-35). Most of the new landowners lacked the skills and experience. Again, the government failed to provide new farmers with the necessary capacity required. The Zimbabwean government refused to compensate most of the previous white owners and hence they were not willing to offer support in terms of capacity building and skills transfer (Pedersen, 2016:105).

At the same time as this was happening, (Paulo, 2004:5) noted that Zimbabwe suffered from the pulling out of Western countries' financial support, droughts and violent land grabs. Moreover, while the land transfers were made in principle, there was no legal land tenure system that

secured the tenure of the new landowners (Chinsinga, 2011:389). This then caused problems even when the landowners tried to get loans to help with the running of the farms (Thouvenot, 2014:29). Without official title deeds, most landowners were hesitated to invest in the farms because they feared that the government might seize their land at any moment.

Although it is clear that a strong land ownership framework would not only promote investment into the agricultural sector, it would also allow beneficiaries to obtain loans, access input from private and international companies, governments have failed to deal with this effectively (Makunike, 2014: 100). As a result, farmers have been given land but have been denied the legal rights and resources they need to efficiently exploit the land (Thouvenot, 2014:30).

2.3 SOUTH AFRICAN PERSPECTIVE

Land reform in South Africa is the promise of “land for all” in order to reduce inequality. The South African perspective looks at land reform 25 years into democracy. Almost since its inception, the programme has been criticised for failing to reach its targets or deliver on its multiple objectives of historical redress, redistribution of wealth and opportunities, and economic growth (Lahiff, 2008:1).

2.3.1 Background on South African land reform programme

In South Africa, “the importance of land reform arose from the scope of land dispossession of black people which took place at the hands of white colonizers” (Kloppers & Pienaar, 2014: 677) thus the need for land reform started as early as 1658, where blacks were not afforded equal opportunities as white people and therefore were forced off farmland and properties. According to Links (2011:49), it is clear that since 1994 when South Africa’s first democratic Government came into power, one of its goals was to redress the injustices of the past and give back land to the previously disadvantaged people through various land reform programmes.

Land reform in South Africa could be viewed as an act of development, as it focuses on meeting the basic needs of the marginalised and underdeveloped people, which is, in turn, an objective of development (Manedzhe, 2007:26). Marginalised and underdeveloped people, as well as communities, need land to ensure that their living conditions improve. Programme evaluation is used to evaluate land restitution, land redistribution and land tenure reform to determine the successes and failures of the land reform programme in South Africa. It is clear that even though

the land has been restored and redistributed to claimants and beneficiaries, it has not been occurring at a fast-enough pace (Links, 2011: 74).

Land reform is a central pillar of South African radical economic transformation programme launched in 2016 by the ANC-led government (CDE, 2008:9). The country needs to drastically alter the patterns of land ownership, control and management so that future problems are eliminated. Bold steps need to be taken that will transform the economy (Sikhipa, 2012:22).

Although in other parts of the world it could be used by governments as a political tool of oppression and ordering (Arogundade, 2006:3). Adams (1995:1) viewed land reform in South Africa as “an example of land reform where the primary concern was correcting the imbalance of agricultural land as South Africa has a history of subsistence farming”. Millions of black South African farmers were forced to crowd onto plots too small and with “soil qualities too marginal for even subsistence farming” (Baines, 2001:1).

O’Laughlin *et al.* (2013:12) indicate that Restitution of Land Rights Act was passed in 1994, and the process works as follows: claims had to be registered with the land claims commissioner before 31st December 1998; the Commissioner should do the verification of the rightful claimants and validity of the claim; identify the beneficiaries and determine the extent of land claimed. The claim is then gazetted, and no further development is allowed until the claim has been settled. The Commissioner then attempts to settle the claim through mediation. Settlement or outcome of a legitimate land claim could be in the form of the restoration of actual title to the claimants or the provision of alternate state-owned land to the claimants and then finally the financial compensation is granted.

This radical economic transformation aims to include poor people into value chains as producers, employees or consumers, in ways that are both equitable and sustainable (UNDP 2010: 3). Inclusive business models in the agricultural sector are widely seen as a means of providing access to capital, information and markets for smallholders and communities who had been ostracised in the past from conventional economic activities.

2.3.2 The three legs of land reform

Land reform is designed to bring about a more equitable distribution in land ownership and access. This is usually achieved by changing legislation that governs land ownership and rights (Nnzeru, 2010:26). According to Manendzhe (2007:4) the land reform programme was

introduced in the Constitution of the Republic of South Africa by the ANC led Government, through the Department of Land Affairs with three components which are:

- Restitution
- Redistribution
- Tenure Reform

These three legs of land reform in South Africa are managed by the Department of Land Affairs. Before these topics are dealt with extensively, the process of lodging the claims are presented as per phases below:

Phase 1: Lodgement and registration

Lodgement and registration include the application with a description of the land in question lodged by 31 December 1998. An acknowledgement was issued.

Phase 2: Screening and categorisation

Compliance with the Restitution of Land Rights Act is checked, and verification of documentation is done. Research on the community/households is done at this phase.

Phase 3: Determination of qualification

The claim will either be accepted or declined. The claimants will be notified. The accepted claims will be published in the Government Gazette and relevant newspapers.

Phase 4: Negotiations

The claimants will be given various options, and they need to choose how they wish to deal with the claim.

Phase 5: Settlement

An agreement is signed in terms of Section 42 (d). The Minister of Land Affairs approves or the Land Claims Court renders a decision in the form of a court order.

Phase 6: Implementation of settlement

Detailed land planning, transfer of land, development funds, grants, post-award support and hand over is done.

The process is followed for the three components of land reform that are expanded on below:

1 Land restitution

Matukane (2011:7) defined land restitution as the process of restoring land and providing other remedies to people dispossessed by racial discriminatory legislation and practices. It aims to restore land or provide comparable redress for rights in land which were dispossessed after 19 June 1913. This is intended to give back land rights or make available other fair redress to those unlawfully dispossessed of their rights after the introduction of the Native Land Act 27 in 1913. Sikhipha (2012:9) stated that restitution aspires to address the legacy of forced removals. It also seeks to support the importance of land not only for economic reasons rather a consultative element of identity, culture, history and tradition as well.

According to O’laughlin *et al.* (2013:10), the Restitution of Lands Act (22 of 1994) was one of the first pieces of legislation passed by the newly elected democratic government in 1994 as this was very important to the people of the country. The Land Claims Court is the authority that has been tasked with resolving claims and making orders on the form of restitution or claims. It is expected to drive the progress of the reconciliation and historical justice by undoing some of the legacies of dispossession and the social turmoil that had been inflicted (Sikhipha, 2012:13). Furthermore, it is important to note that there has been little basis on which to critic how successful these measures have been as the progress has been slow (Links, 2011:10).

Beneficiaries of a restitution settlement claims had to organise themselves and form a legal entity known as Communal Property Association (CPA), to transform and registering their restored land. Matukane (2011:8) defined a CPA as a legal body through which members of disadvantaged and poor committees may collectively acquire, hold and manage a property in terms of a written constitution. It provides a relatively simple and accessible mechanism through which such group ownership systems may be recognised.

Manenzhe (2007:21-22) stated that according to the DLA (2006) 63,455 claims were lodged by communities, households, groups or individuals by the cut-off date of 31 December 1998. The CDE (2008:8-10) also cited DLA (2006) referring to the almost 80,000 claims for restitution that were lodged with the Land Claims Commission on the Restitution of Land Rights, which was established by the Act to request and investigate claims for restitution and to prepare them for settlement. Additionally, by the end of August 2004, a cumulative total of 56 650 claims had been settled, resulting in the transfer of 810 292ha at the cost of R1 557 648 437. Of the claims

lodged, 80% were urban (Lahiff, 2007:4). Most of the land claims remaining are complicated rural claims while those already settled were mainly urban claims that received cash compensation. Of the settled land claims, 59% accepted financial compensation, 5% obtained alternative remedies and 36% involved land restoration (Manenzhe, 2007:23).

2 Land redistribution

The Land Redistribution programme aims to reallocate land to the landless poor, labour tenants, farm workers and emerging farmers for residential and productive uses to improve their livelihoods and quality of life (Hall and Kepe, 2017:3). The Redistribution leg of land reform responds to various needs and aspirations of people for land in both rural and urban areas, equitably and affordably while at the same time contributing to poverty alleviation and national economic growth. Nnzeru (2010: 26) indicates that Land Redistribution for Agricultural Development (LRAD) is a programme designed to provide grants to black South African citizens who were disadvantaged/poor/underprivileged to access land specifically for productive purposes. The LRAD grant per household is R16 000 once off payment (DLA, 2000). For the reason that land was both relatively costly and unavailable in small parcels, people wishing to acquire land with the grant had to form themselves into groups to acquire land. Aliber *et al.* (2017: 3-4) stated that LRAD had been based on a willing seller-willing buyer approach with the government providing a discretionary grant to enable black people to buy land. Initially, redistribution targeted the poor, but over the years it has shifted to involve the provision of grants to any black people who wish to acquire land. This has put more emphasis on establishing a class of black commercial farmers. Nnzeru (2010:27) described that the LRAD took several different forms, i.e. group settlements with some production, group production, commonage schemes, on-farm settlements of some workers and farm workers' equity.

Rugege (2004:8) and Manenzhe (2007:32) criticised LRAD as not being focused on smallholder agriculture and poverty alleviation, and they argue that it lacks a pro-poor approach. It has been argued by Hall and Kepe (2017:9) that redistribution is no longer an anti-poverty venture but an effort to change the racial profile of the large-scale commercial agricultural sector. This is seen in instances where the beneficiaries of are not able to invest in and operate commercial farms, they are sidelined in favour of agribusinesses that can do so. Since 1994, the land redistributed amounted to 1 477 956 ha (Lahiff *et al.*, 2012:17).

3 Land Tenure

Links (2011:16) defines Land Tenure reform as a government programme that is aimed at upgrading the different land tenure arrangements currently restricting tenure security for the previously disadvantaged, in both urban and rural areas. This component of land reform is designed to provide greater security of tenure to rural dwellers as a whole, to those of white-owned farms, those in the former reserves and peri-urban dwellers in the squatter settlements bordering cities to prevent arbitrary evictions (Buys, 2012:8). This is to fulfil the constitutional requirement that all South Africans have access to legally secure tenure in the land (RSA, 2004). This programme deals directly with the means through which land is owned. Specifically, it seeks to address issues relating to the uncertain, overlapping and disputed land rights resulting from the previous systems of governance, mainly in the former Bantustans (Sikhipha, 2012:11).

In South Africa, many of those who live from agricultural production are wage workers on commercial farms. The grant-based approach developed out of the notion that there were communities in existence that were keen and able to take advantage of opportunities to acquire farms and put them to productive use (Cliffe, 2007:282). However, Hall and Kepe (2017:6) indicated that when farms become state property, all commercial operations cease, with profound impacts on farm workers who are usually also residents on the farm. When the government buys farms, farm workers lose their jobs and often their only sources of income. In contrast, the white farm owners who sell to the state are paid out in full and can create alternative livelihoods elsewhere. Farm workers who do not have their own capital to invest or leases or any recognised rights to the land are isolated from development opportunities. Looking at this, the argument made by O’Laughlin *et al.* (2012:11) is that the tenure leg of land reform would be better to consider a strategy to grow wage employment and to improve the circumstances of workers on commercial farms, rather than a radical redistributive shift in the ownership of agricultural land.

Cousins (2002:15) contends that tenure insecurity in the communal areas of South Africa takes two forms: a relatively small number of high profile cases where conflicts and contestations over land rights are explicit and obvious, and a larger number of chronic, low profile situations where lack of clarity and certainty are constraining land-based livelihoods. This insecurity extends to farm workers and labour tenants (Manendzhe, 2007:36). To address the tenure insecurity, specific legislations have been passed and are being used to prevent evictions by owners of the land, namely:

- The Land Reform (Labour Tenants) Act (No. 3 of 1996) provides for the protection of the rights of labour tenants and gives them the right to claim land.
- The Extension of Security of Tenure Act (ESTA) of 1997 aims to protect people who live on land with the consent of the owner or person in charge against unfair eviction and to create long-term tenure security through on-or-off-site settlement assisted by a government grant and the landowner; and
- The Interim Protection of Informal Land Rights Act (IPILRA) (No. 31 of 1996) was passed as an interim measure to protect people in the former “homelands” against such abuses (Manendzhe, 2007:36-37).

2.3.3 Legislative Framework

A brief background of the legislations that govern land reform is given to highlight the discriminatory laws and practices associated with land which gave rise to the need for land reform. Through this background, the main legislations for dispossession and segregation policies formulated by the pre-1994 government are discussed.

Land reform in South Africa started because black people’s land was dispossessed by white colonizers. Blacks in their millions were obligated to vacate their lands and settle in areas of land which were over-crowded and unproductive in terms of agriculture. Even though the dispossession of black people primarily took place through being overthrown at war and deception, it came to be a key policy of the then government supported by a collection of legislations and regulations from the early days of colonization (RSA, 2011:2).

Makhado (2014:3) details the systematic land dispossession by the colonist government that came into effect in 1913 where the Native Land Act of 1913 apportioned 8% of the land of the country as reserves for the Africans and excluded them from the rest of the country’s land, which was made available to the white minority population. Land available for use by Africans was increased by 5% in 1936 bringing the total to 13% of the total area of South Africa, although much of the land remained in the ownership of the state through the South African Development Trust supposedly held in trust for the African people. Thus, more than 80% of the population was confined to 13% of the land while less than 20% owned over 87% of the land. Black people were prohibited from buying land in areas outside the reserves (Kloppers & Piennar, 2014:679).

According to Rugege (2004:1-3) the Group Areas Act of 1950, passed soon after the National Party took over the government in 1948, was used by the apartheid government to execute forced removals of black people from land declared to be white areas. Pockets of black farmers, who had escaped the 1913 Land Act because they had title deeds to their land, were removed under this Act in a process that was termed “cleaning up the black spots”. The "black spots" were usually agriculturally productive land while the areas in the Bantustans where the people were relocated to were over-crowded, over-grazed and over-cultivated. The Prevention of Illegal Squatting Act of 1951 amplified other racially based land laws by making provision for the eviction of people who had no formal rights on the land. It is estimated that 3.5 million people were forcibly removed under various apartheid laws between 1960 and 1983 (Ayuk, 2007:9). The figure below illustrates the legislations and policies that govern the land reform programme.

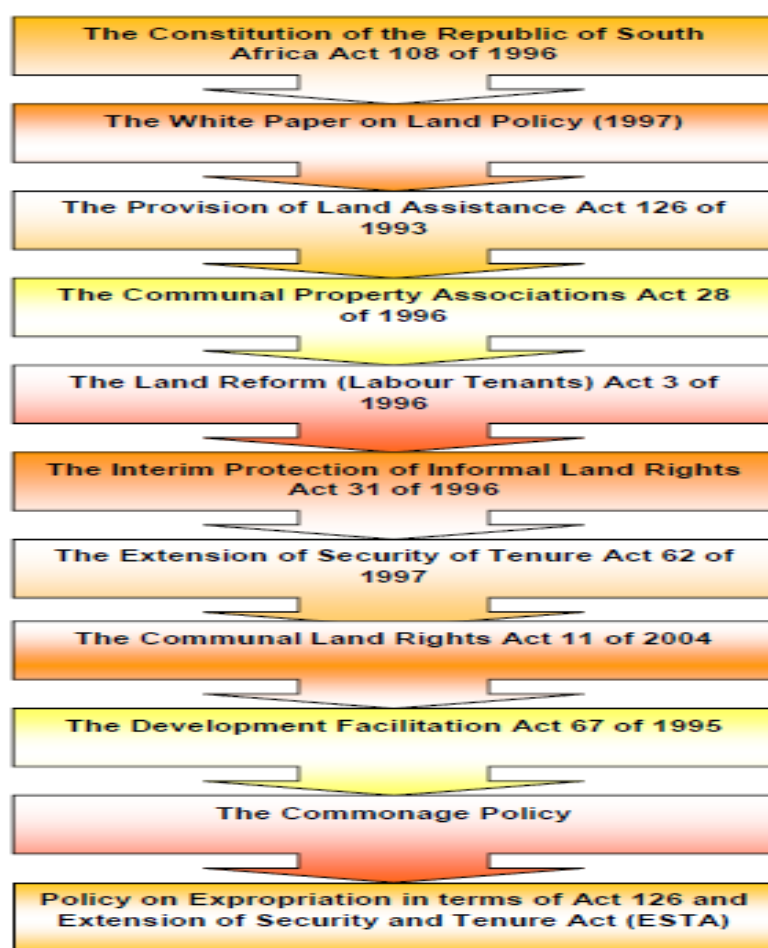


Figure 2-1: Land Reform legislations and policies

Source: Links (2011:43)

The Constitution of the Republic of South Africa (No 108 of 1996)

The Constitution of South Africa (RSA, 1996) is what South Africa's multiparty constitutional negotiators approached when determining how to reverse the wrongs done to millions of people. The first step was to draw up a Constitution which gave the landless people. Section 25(4) of the Constitution of 1996 records the nation's commitment to land reform and bringing about equitable access to all South Africa's natural resources. It further compels the state to utilise available resources in such a way as to foster conditions which enable citizens to gain access to land on an equitable basis to redress the results of past injustices (Matukane, 2011:26).

There are three fundamental rights clauses on land reform written in the Constitution. These principles form a pivotal point in the development-orientated approach endorsed within the Constitution as a mechanism for service delivery through which the government has to respond to people's needs through community involvement and participation. Links (2011:43) noted the three fundamental principles related to land as:

- enabling citizens to gain access to land equitably;
- people and communities whose tenure is legally insecure can get it back legally or through comparable redress, and
- people or communities who lost their land after 1913 can either regain the property through restitution or through equitable redress.

This gave beneficiaries legal ground to stand on to make sure they were able to lay claim on either land made available for redistribution or funds allocated for compensation (Links, 2011:44).

The White Paper on Land Policy (1997)

The White Paper on Land Policy (RSA, 1997) focuses on creating measures which reduce poverty, redresses the injustices of the past and contributes to Governments' Growth, Employment and Redistribution Strategy. According to Kloppers and Pienaar (2014:692), the White Paper was responsible for establishing the overall land reform policy, and it addressed among other things the injustices caused by racially-based land dispossessions, unequal land ownership, and the need for the sustainable use of land. It also deals with distributing land

ownership more equitably, securing tenure and using land reform to deal with land dispossession and poverty (Department of Land Affairs, 1997:7).

The White Paper on Land Reform of 1997 indicates that land is an important resource that forms the cornerstone for the Reconstruction and Development strategy and the success of land reform contributes to economic development (Matukane, 2011:30).

The Provision of Land Assistance Act (No 126 of 1993)

This Act aimed to designate certain land and regulate the subdivision of such land, as well as regulate the number of people settling on it. It also provided financial assistance for the acquisition of land as well as securing tenure rights (The Provision of Land Assistance Act 126, Act of 1993 (RSA, 1993). This act was amended in the year 2000, and this was done to speed up the land reform process (The Provision of Land Assistance Act 126, Act of 1993 as amended by Act 11 of 2000 (RSA, 2000).

The Communal Property Associations Act (No 28 of 1996)

The purpose of the Communal Property Associations Act (No 28 of 1996) seeks to assist communities to form juristic persons who would be known as communal property associations (CPAs). These associations were formed to obtain, hold and manage the property on a basis agreed to by its members (The Communal Property Associations Act 28) (RSA, 1996). This is done in terms of a written constitution, and to provide for matters connected in addition to that (RSA, 1996).

The Land Reform (Labour Tenants) Act (No 3 of 1996) and the Extension of Security of Tenure Act (No 62 of 1997)

The purpose of the Land Reform (Labour Tenants) Act (No 3 of 1996) was to provide tenure security to labour tenants inhabiting private land (farms); giving the labour tenants the right to apply to acquire complete ownership and make use of the land they reside on (Links, 2011:45).

The aim of the Extension of Security of Tenure Act (No 62 of 1997) was to protect the tenure of farm workers and people living in rural areas as well as their rights to reside on the land. The Act intended to support them to obtain long-term secure tenure rights on the farm they are living on or in another place. The Act controls the conditions and circumstances under which people whose right of tenancy has been terminated, may be evicted. The Act also protects farm workers and people residing in rural areas against arbitrary evictions (RSA, 1997).

Cousins (2016:5) duly noted that the tenure reform programme was the least focused on among the three. Few resources were devoted to executing the Land Reform (Labour Tenants) Act of 1996 or the Extension of Security of Tenure Act of 1997 (ESTA), and subsequently, CPAs and land-holding trusts were neglected. Evictions of workers from commercial farms continued indicating the weakness of the legal system.

The Interim Protection of Informal Land Rights Act (No 31 of 1996)

The purpose of the Interim Protection of Informal Land Rights Act (No 31 of 1996) (RSA, 1996) was to be responsible for and protect the tenure rights of those people who lived on land (for example; land given to them by the Chief of the village), have informal rights to the land. The Act provides temporary protection of certain rights to land.

The Communal Land Rights Act (No 11 of 2004)

The aim of this Act was to provide for legally securing the tenure of people by transferring communal land to communities living there, (especially those from KwaZulu-Natal Ingonyama land and former homelands) or by granting similar redress on the initiation of the Minister (The Communal Land Rights Act (No 11 of 2004) (RSA, 2004).

The Development Facilitation Act (No 67 of 1995)

The purpose of this Development Facilitation Act (No 67 of 1995) (RSA, 1995) was to introduce extraordinary measures to facilitate and speed up the implementation of Reconstruction and Development Programmes and projects in relation to land reform.

The Development Facilitation Act also provided for establishing a development and planning commission to advise the Government on policy and laws concerning land development at national and provincial levels (RSA, 1995). Another purpose was to provide for the establishment of development tribunals, which have the power to make decisions and resolve conflicts in respect of land development projects (The Development Facilitation Act) (RSA, 1995).

The Commonage Policy

The term municipal commonage is traditionally given to land owned by a municipality or local authority that was usually acquired through state grants or from the church (Municipal Commonage: Policy and Procedures, 1997).

Municipal commonage provides opportunities for land reform primarily because it is public land, which does not need to be acquired. There is an existing institution that can manage the land. Needy residents live next-door and have certain rights to this land. A reallocation of commonage to poor residents, who wish to supplement their incomes, could help address local economic development and provide an inexpensive land reform option. However, there are some constraints, primarily related to the fact that not all local authorities are willing to assist poor residents to obtain access to the commonage (Municipal Commonage: Policy and Procedures, 1997).

Apart from this, historical differences between races also mean that certain individuals within the communities are not always happy to see concessions of commonages granted to needy members because of the impact of this on property values or prestige of the communities (City of Cape Town, 2007).

Policy on Expropriation in terms of Act 126 and Extension of Security and Tenure Act (ESTA)

Expropriations are complex processes, and there is a procedural framework to which the Minister should adhere to. The property owner should be given a hearing and a notice of expropriation, as well as a memorandum justifying the expropriation. The landowner has twenty-one days to respond to the notice and once this period has lapsed, the minister can proceed with expropriating the property. The amount, time and manner of compensation, as well as the date of expropriation, should be delivered to the property owner.

The State takes possession of the property on the date of expropriation and the beneficiaries can move onto the land. A conveyancer must be appointed to assist in transferring the property onto the name of the beneficiaries (Policy on Expropriation in terms of Act 126 and ESTA, Act 126 of 1997, RSA, 1997).

Restitution of Lands Rights Act 22 of 1994

As stated in Matukane (2011:10) this Act enforces restoration of land or provides some other form of compensation, for example, money to individuals and communities who had lost land after 19 June 1913 as a result of racially-based legislation. In terms of this Act, a community is a group or part of a group having shared rules relating to land held in common. The state is the one that purchases the land from landowners, thus all restitution claims are against the state (rather than against past or present landowners) and can be settled by either cash compensation,

restoration of the land in question or other appropriate remedies, depending on circumstances (Lahiff *et al.* (2012:10).

The Act, established a Commission on Restitution of Land Rights (CRLR) to manage the land claims processes; to provide advice on restitution claims; to appoint mediators in the event of conflicting or overlapping claims and to advise the responsible Minister if restoring the actual land or providing alternative land to claimants is feasible. It also established a special court, the Land Claims Court (LCC), to hear land claims cases (Barry, 2010:66). The Restitution of Land Rights Amendment Act of 2014 opened up land claims for another five years, until 2019. Cousins (2016:6) argues that this could risk thousands of existing claims that have not been settled as well as those that are settled already.

2.3.4 CPA and strategic partnership models

Basu (2016:735-736) stated that the land was to be returned not to individuals but to the community, which would result in a large group of people holding large properties, aiming to prevent the division of the land and break-up of the farms. The idea was that a single entity, the CPA, would manage the restored land on behalf of an entire community. This is a specific institution designed under the land restitution legislation to enable communities to hold land collectively. Its members are elected from the community, and they work with the state agencies and commercial partners for the restitution programme (Derman *et al.*, 2010:22). In the strategic partnership model, claimant communities form a joint venture company (JVC), often referred to as the ‘operating company’, with the commercial partners, in which the community, commercial partners and farm workers all have shares. The commercial partners are expected to bring working capital and a skills transfer plan for the community members (Vermuelen, 2009:16).

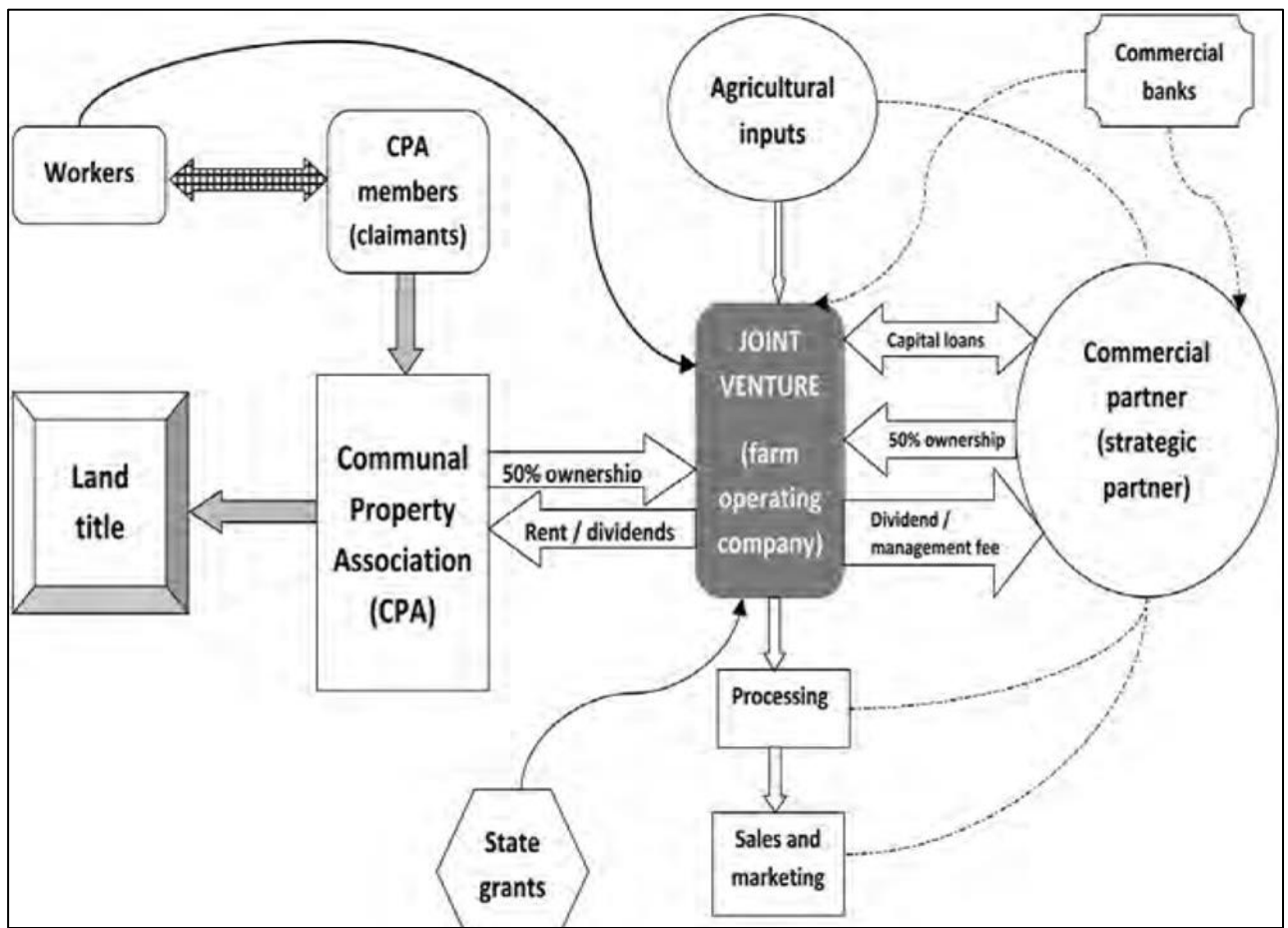


Figure 2-2: Key elements of a typical JVC

Source: Lahiff *et al.* (2012:11)

These enterprises can see resource and capacity poor communities partnering with an agribusiness company to form strategic partnerships. South Africa, as the result of a political transformation, has ensured the possession of large, valuable agricultural assets, to which they have secured freehold title but often lack the necessary management and financial resources, and are therefore in need of commercial partners (Vermuelen, 2009:25). Both the community and the strategic partners will have shares in the JVC. Profit will be distributed according to the percentage of shares in the JVC (Basu, 2009:12). The strategic partners will bring working capital that is needed for the operating the business and a skill transfer plan for the community members. People from the community will be employed as employees of the JVC. The strategic partners that have linked up with such communities are also unusual in that many are fairly small in scale and some are former owners of the land in which they are assisting (Basu, 2016:737). Basu (2009:6) states that the Strategic Partnership Model is set for fifteen years with the government insisting on the following conditions:

- the beneficiaries cannot resettle the land for the reason that it has high and commercial value;
- the communities cannot after getting the land lease it back to the white farmers; and
- the claimants must accept a strategic partner to manage their land.

The basic objective of the “Strategic Partnership model” is to create a new group of black farmers who will take over those farms after the completion of fifteen years’ time period. This model was aimed at ensuring the empowerment of the black population (Basu, 2009:22).

2.4 A LIMPOPO PROVINCE PERSPECTIVE

One area of the country in which numerous claims for restitution have been lodged and yet remain largely unsettled is in the far north of Limpopo province. Limpopo province has a population of 5.635 million people (Matukane, 2011:22); almost half of the labour force of around 1.4 million people is unemployed. Just over 3 000 white farmers own farms outside of the densely populated former homeland areas; they employ around 75 000 workers (Matukane, 2011:23).

The Integrated Rural and Regional Development Human Sciences Research Council (2003:37-38) has done research of the Limpopo Province and concluded that a large part of Limpopo Province is constituted by the former homelands of Venda, Gazankulu and Lebowa with the exception of Waterberg, there is little land available for redistribution in the other districts, and where land is available it is largely state land.

According to Lahiff (2007:3), a huge number of claims had been lodged and remained unsettled in the Limpopo province of northern South Africa. These claims had been filed by the dispossessed tribal people or their descendants from 1913 onwards. The major problem for this unsettlement is due to the fact that these lands constituted large-scale agricultural enterprises. Products of those farms regularly were exported to the European market. Thus, these enterprises have a substantial contribution to the nation’s export economy. Lots of people are being employed in those farms for the day to day operations. Thus these farms have a key role in the employment generation of the country also. Moreover, purchasing of the essential commodities of farming like the equipment, seeds, fertilisers also contribute to the economy of the nearby towns.

Basu (2016:736) affirms that around ten thousand hectares of these productive agricultural farms are located in Levubu, Limpopo province. The climate and plenty of water in this area make it favourable for commercial farming. Although in the beginning, the white owners were not keen on selling these profitable farms, eventually the government has succeeded in acquiring those farms as a part of the land reform programme. Aliber *et al.* (2013:28) said that Levubu signified an example for the South African land reform programme by offering lessons for rural development policies established around the handover of highly lucrative agricultural enterprises to community members.

Background on how the claim was lodged has been articulated in Chapter 1. It is, however, good to note that after the Ravele community was entered into more than R5 million debt by the strategic partner who then left, by 2010, the community was the exclusive owner of the enterprise as well as the land. When the community took total control, payment of rental to the community would not be possible as it meant taking money out of the enterprise (Limpopo Department of Agriculture, 2016).

Production at Ravele is now more focused on just three key crops – bananas, avocados and macadamias – although this has not been without some tension between the community and the general manager (Limpopo Department of Agriculture, 2016). In June 2010, Ravele community was approached by Green Farms Nut Company, located on neighbouring land, to enter into a joint venture that would engage in the production of nuts farmers in the area, but with Ravele as ‘preferred suppliers’ to the factory. Export-grade fruit is costly to produce, due to the spraying requirements, and is vulnerable to a sudden drop in prices or currency fluctuation, as recent experience has shown (Lahiff *et al.*, 2012:32). Lower grade fruit sold locally for juice still returns a profit due to much lower handling costs and involves little risk (Lahiff *et al.*, 2012:32).

The farm is effectively running on the basis of current revenues, which covers wages, production inputs and support services, but has also yielded sufficient capital to replant 15ha of bananas. Machinery is still in short supply (Limpopo Department of Agriculture, 2016).

2.5 LAND REFORM CHALLENGES

The land reform challenges are discussed in this section. These have been identified in order to assist the reader better understand the slow pace of land reform as research shows that targets set by government are not being reached effectively.

2.5.1 Ability to make effective and productive use of land acquired

Roux (2014:16) identified the failure of claimant communities to make productive use of their land after restoration as one of the identified challenges encountered in land reform. According to Manendzhe (2007:27), the beneficiaries might not have the necessary ability in terms of human capacity and skills suitable for smallholder agriculture and clear delineation of responsibility for production results. Even in circumstances where the beneficiaries were farm workers before when they do become owners, they are not used to making entrepreneurial decisions because of a lack of former exposure to such levels of decision making. This is a limitation that cannot be ignored if making the land profitable is the ultimate goal. Realising land reform benefits requires significant business acumen.

Also, the composition of participants in the CPA indicates that the beneficiaries are made up of people who do not live permanently in the claimed areas. As a result, the group unity that is vital to till the land is hard to achieve (Aliber *et al.*, 2013:46).

2.5.2 Financing the enterprise on the land

Basu (2009:42) points out that an immense challenge for government is that billions of Rands (R) have been spent on the land reform programme – to acquire the land as well as set communities up – and the black communities neither possess the capital to take over the farms nor operate them successfully. Therefore, failing of the farms could adversely affect the economy as well as employment rates.

In many cases, lack of capital prevented beneficiaries from significantly increasing the efficiency of production. Critical support in terms of production loans was identified as being important for the sustainability of land reform projects (Lahiff *et al.*, 2012). Financial assistance can be in the form of grants and credit to assist with farming operations, infrastructure support such as irrigation and fencing.

2.5.3 Ownership structure of the land

The communal ownership associated with land reform is a noted challenge because this includes maintaining complex social and economic relationships. Rural livelihoods are often intended at managing risk, reducing vulnerability and enhancing security (Kleinbooi, 2007:11). These livelihoods are mediated in terms of communal ownership; this can be on the whole difficult,

especially when clarity of roles for stakeholders and role players is not articulated properly. Strategies are required that will link individuals, family members, social networks and community institutions, and sometimes involve participation in a variety of both local and more distant markets are required.

According to Kleinbooi (2007:21), more prominent issues that lie within the CPAs are the lack of a proper remuneration system, corrupt executive members who abuse their positions for personal gain and failure to sustain the enterprises.

2.5.4 Post-settlement support and mentoring

Criticism has been expressed that the Department of Land Affairs (DLA) and Regional Land Claims Commission (RLCC) does not take sufficient account of post-settlement support. These departments separate the distribution of land and the providing of complementary support services processes. Land reform beneficiaries experience challenges concerning access to complementary services such as infrastructure support, farm credit, agricultural inputs, training, extension advice and access to markets and ploughing services. According to Kleinbooi (2007:15), the lack of clear and comprehensible strategy on post-transfer support has resulted in government enlisting private companies to help communities to manage the farm. These companies are called strategic partners. Derman *et al.* (2006:36) have argued that strategic partnership arrangement is in simple terms privatisation of post-settlement support.

2.5.5 Elite capture

A controversial topic at best but Hall and Kepe (2017:7) argue that there are cases where the government has concluded leases with the strategic partners rather than with 'beneficiaries' themselves, who therefore neither own the land nor lease it, but remain workers on state farms, working for strategic partners. In these cases, the people involved as strategic partners are established farmers or representatives of large agribusinesses. This phenomenon created an understanding (for the first few years of the land reform programme in South Africa) that strategic partnerships were successful and later, communication with the beneficiaries themselves revealed the contrary. Beneficiaries in these strategic partnership projects lack control over land, capital and production (Hall & Kepe, 2017:8). Cousins and Walker (2015:15) state that strategic partners and mentors garner tangible benefits: mentors receive monthly cash payments from the state for playing this role, while strategic partners hold shares in joint ventures while benefiting from state subsidies and access to state land.

2.5.6 Capacity

Enemark and Williamson (2004: 640) define capacity “as the capability of people or organisations to accomplish tasks well, competently and sustainably.” Thus, the term capacity building which is divided into three features: it is an on-going process; ensuring human and financial resources are available and central to capacity development, and it calls for strategies.

Mwenda, et al. (2014:16) identified the main capacity challenges as knowledge of the land policy and administration. On a general level, capacity challenges include soft skills, integrity, customer care and attitude change.

CHAPTER 3: RESEARCH METHODOLOGY

3.1 INTRODUCTION

The purpose of this chapter is to discuss the research methodology utilised to address the research problem and to achieve the primary and secondary objectives. The primary objective of this study was to investigate the challenges of land reform of the Ravele land reform project in the Limpopo province. To address this recognised primary objective of the study, it was critical to analyse the existing situation in the Ravele CPA, as carried out in the literature study in the previous chapter. The literature study and the empirical study will assist in answering the secondary objectives (Seaman, 2013:4). The sample will be described followed by the data collection method and analysis to answer the research questions identified (Farber, 2006:12). According to Hammarberg (2016:500), what will be included is an explanation of the ethical procedures that were abided by in commissioning this study, and description of the respondents who took part in the survey will also be provided.

Social studies strive for the improved understanding in an engaged and deliberate way (De Vos *et al.*, 2011:10). It is further discussed that outcomes from research studies are every so often, more precise than general knowledge obtained somewhere else (De Vos *et al.*, 2011:10). It can, for that reason, be understood that social studies are intended to reveal an occurrence with the intention of discovering answers that are more likely to be unquestionable seeing that these answers are more likely to be valid and dependable. However, Volsoo (2014:299) argues that the ways in which a study is conducted should provide a design or blueprint. The researcher should also plan and expect a suitable research design to make sure that the answers to the study are valid (Cooper & Schindler, 2014:36). According to Du Plooy-Cilliers (2014:10), it is important that the study method is debated and different views are deliberated and examined.

In the next section that contains the empirical part of the study, the research approach, the method of data collection, sampling method, a method of analysis and results of the study will be discussed.

3.2 EMPIRICAL STUDY

This stage of the study focussed on the data obtained from first-hand experience or observations of the researcher rather than from theory or belief (Seaman, 2013:15). The critical issue regarding the empirical study is that the study should be able to be recreated or the results

obtained from such a study can be tested (Bengtsson, 2015:10). According to Thomas (2006:94), the aim of an empirical study is to define and clarify occurrences using specific procedures and practices that researchers implement focusing on achieving study goals in an efficient and rigorous way. Hence, the empirical study is based on these characteristics:

- Research questions that the researcher aims to answer are explicit
- The population being studied is clearly defined
- The methodology used in the study clearly described

3.2.1 Research design

The research design provides the scholar with a clear study framework while guiding the ways, choices and sets the base for analysis (Vosloo, 2014:316). Vosloo (2014:299) stated that the research design is applied so that appropriate study methods are used to ensure the accomplishment of the goals and objectives set out for the study. The research design and methodology provide the plan for the study and enable the scholar to anticipate the appropriate research design that makes sure the legitimacy of the ultimate outcomes (Vosloo, 2014:299). The research design can be achieved either through quantitative, qualitative or mixed methods. This study utilised a qualitative approach that will be discussed in more detail.

De Vos *et al.* (2011:397) define qualitative data analysis as ‘the process of bringing order, structure and meaning to the mass of data’. The most common methods of qualitative data analysis are reduction, organisation, interpretation and substitution (Du Plooy-Cilliers *et al.*, 2014:232). Maree (2010:78) describes the qualitative research method as real-life and as try to find ways to understand occurrences in context or real-life settings. A qualitative approach was used in this instance because an understanding of underlying reasons and motivations needs to be gained and also to provide insights into the setting of a problem (Farber, 2006:18-19). The qualitative methodology provides depth to a study of perceptions. Also, limited time and resources were also key factors considered before the selection of the methodology (Farber, 2006:21 and Hammerberg, 2016:499).

The study took on an exploratory nature combined with the narrative. From the review of the literature, it is clear that the topic of challenges of land reform projects has not been clearly defined in the context of this country. This is clear from the constant policy changes that seek to

address it (Young, 2017:42-45). So, the researcher aims to explore the research questions and does not intend to offer final and conclusive solutions to existing problems. The reader will, therefore, find that the story of the respondents is told to give context to the responses that were given. The approach to collect the data through qualitative method intends to give insights that would otherwise not be presented in a quantitative research method.

A case study method was used as it involved looking at a specific set of issues in a specific context in a community (Moore & McCabe, 2005:22). The selected case study represents a community which was involved in the land reform programme that was undertaken by the South African government as a form of redress past inequalities that were done by the colonial government, as has been referred to in Chapter two. The selected case study represents an interesting continuum of the sustainability of land reform projects (Madletyund, 2011:35). The specific farm that was given back to the Ravele CPA is a former large-scale commercial farm. The research has limited its focus to documentation of challenges of the Ravele land reform project as seen through the eyes of the beneficiaries and non-beneficiaries in the area. Only specific informants were interviewed to highlight their understanding of challenges experienced in the Ravele CPA farming enterprise.

The study was cross-sectional in nature (Creswell, 2013:6). Nevertheless, limitations to the study were acknowledged. Human error is highly involved in content analysis since there is a risk for researchers to misinterpret the data gathered, thereby generating false and unreliable conclusions (Krippendorff & Bock, 2008:52-59).

3.2.2 Method of data collection

The method in which data is collected serves as an important aspect in the process of data analysis. Sutton and Austin (2015:227) have identified the different methods used to gather information, and these can be categorised into primary data and secondary data. Hox and Boeije (2005:593) describe primary data as data that is collected for the first time by the researcher whereas secondary data is the data that already exists as others produced it. There is not much debate on the definition of these two methods of data collection from other authors thus the essential difference between primary and secondary data are summarised in the table below:

Table 3-1: Primary data versus Secondary data

PRIMARY DATA	SECONDARY DATA
Present day data	Existing data
Addresses the research problem at hand	Meant for other purposes but gives good insight to the research problem at hand
The process of collecting the data is very elaborate	The process of collecting data is rapid and easy
Sources of data: surveys, observations, experiments, questionnaire, personal interviews	Sources of data: government publications, websites, books, journal articles, internal records
Costly in time, cost and workforce	Inexpensive and quickly available
always specific to the researcher's needs and the controls the quality of research	is neither specific to the researcher's need, nor he has control over the data quality
available in the raw form	the refined form
More reliable	Less reliable

Source: Sutton and Austin, (2015:231-232)

The type of data that will be used for the study was both primary and secondary data. To produce data in the qualitative study, the tools used in the collection of the data included interviews and archival records.

3.2.2.1 KII (Key Informant Interviews)

The Key informants are people who will be able to give valuable information about the project. Key informant interviews were conducted with authority figures involved in the project to acquire official viewpoints of issues. Interviews were audiotaped, with the interviewee's consent having been obtained first, to capture their statements and perceptions accurately for the write-up. These were later transcribed with the resulting texts used for analysis purposes to assist with the revealing of insights which would otherwise have escaped the interviewer in the interview process.

The key informants include the leadership of the CPA, beneficiaries (community members) and representatives from the Department of Land Affairs, Regional Land Claims Commission and the Department of Agriculture.

- **Interview guide**

A semi-structured interview guide was developed in this regard to guide the researcher during the interviewing process and data collection for the study. Annexure 1 is the semi-structured interview guide. The use of semi-structured interviews provided the researcher with an opportunity to see through the eyes of the participants. Interviews can be a valuable source of information in a research study. They provide data that can be helpful to the researcher in understanding the participant's construction of knowledge and social reality (Maree, 2010:87).

The interview guide was categorised into different themes that were linked to the literature review done in Chapter 2. This was to ensure that the aim of the study is achieved with consistency in the information being gathered. The first part was the demographics of the respondents. These were limited to just the organisation, position and level of education because the usual demographics were seen as not to be adding value to the aim that the study seeks to achieve. Table 3.2 below illustrates the structure of the guide while showing the reader what the interviewer was aiming to achieve in each theme.

Table 3-2: Themes of the interview guide

THEME	DESCRIPTION	# OF QUESTIONS	PROMPTED FOR
Participation	The extent to which the participant in involved in the Ravele CPA lad reform project	4	<ul style="list-style-type: none"> • Clear examples • Understanding • Emotional words: “like” or “dislike” or “satisfied”, etc. • Emotional expressions: anger, excitement, boredom, ect.
Capacity building	How the people that are involved in the project are obtaining, improving and retaining skills, knowledge, tools and equipment needed to do their work	4	<ul style="list-style-type: none"> • Details • Examples • Competency level • Team culture • Understanding
Post-transfer support	Public and Private sector backing regarding funds and manpower	2	<ul style="list-style-type: none"> • Understanding • Knowledge • References to management, plans, strategies, etc.
Challenges	The things that make it difficult for the project	1	<ul style="list-style-type: none"> • Examples and understanding • Emotional words: “like” or

THEME	DESCRIPTION	# OF QUESTIONS	PROMPTED FOR
	to be a success		“dislike” or “satisfied”, etc. • Emotional expressions: anger, excitement, boredom, ect.

Source: (Own)

The general questions that were asked at the end of the interview were intended to close off the interview so that if there is any more information that the respondent feels was not covered during the interview process; this was an opportunity to provide it.

• Conducting interviews

Before conducting the interviews, permission from the Ravele CPA was requested and granted in the form of a letter (see Annexure 2). The interviews were conducted in a three day period because of logistical and administrative arrangements that needed to be made. The respondent from the government departments was located in Louis Trichardt town and was interviewed at their offices. The management and farm workers of the Ravele CPA: Mauluma Farming Enterprise were interviewed at the farm which is located in Levubu. The community leader was interviewed at the royal council offices at Ravele village.

The first steps while conducting the interviews were to establish rapport, set the tone, discuss confidentiality, discuss the purpose of the interview and address any concerns that the respondents had. The interviews were scheduled for an hour and a half for each respondent. This was intentional and made known to the respondents so that they are aware that everyone had the same amount of time to give their responses. The interviews were audio-recorded. Verbal permission was granted by the respondents for the session to be recorded. An audio recording of the session assists when writing out the results of the interview. Even with the audio-recording, notes were taken on a notepad during the interview.

Although the interview guide was set up in English, the interviewer allowed the respondents to answer in their home language which is Tshivenda. The interviewer also elaborated the questions in Tshivenda to ensure that the respondents understand the questions. This was done so that the respondents are comfortable enough to give information without language being a limitation.

The respondents were thanked for their participation in the study. Again, their confidentiality was assured.

3.2.2.2 Secondary data

To supplement the in-depth interviews, secondary data was also used in the study. The secondary data was collected from the Ravele CPA documents. The following documents were reviewed:

- South African Land Reform Policy of 1997;
- Restitution of Land Rights Act, 22 of 1994;
- CPA Act, 28 of 1996; and
- Ravele CPA annual report 2016/2017.

Analysis of the secondary data was also conducted. Land reform records obtained from the Department of Rural Development and Land Reform (DRDLR) as well as Department of Agriculture were analysed. This data assisted the researcher in identifying and discussing common trends to point out their implications to the challenges being faced by the Ravele CPA. This data became relevant because it was representative of the context in which the case study used in this study is situated. Various government newsletters were also consulted to get updated information on the progress of the land reform process.

Chapter 2 tackled previous studies done on land reform projects by other authors. There were quite a few studies done on the Levubu land reform projects in which Ravele CPA is a part. Such literature helped in the exploration of the different schools of thought on the topic.

3.2.3 Validity and Reliability

Gathering of data refers to the method of collecting the data and includes the identification of the appropriate measuring instruments that will be used in a study. To obtain valid and reliable data, the researcher should make sure that the measurement procedures and the measurement instruments have acceptable levels of reliability and validity (De Vos *et al.*, 2011:172). The methods and tools that were developed and applied to assess challenges of land reform of the Ravele land reform project in Limpopo province have to answer the research question that they were meant for accurately.

The concept of validity and reliability are commonly used in quantitative research because they are entrenched in the positivist viewpoint. Golafshani (2003:597) contended that they should be redefined for their use in a naturalistic approach to reflect the multiple ways of establishing the

truth. Reynders (2017:35) sees validity and reliability as an imperative feature of empirical data as it reveals the accuracy of the concept intended for study. This is in line with Golafshani (2003:602) who sees the need for some kind of qualifying check or measure for qualitative research. Unlike in qualitative studies, authors such as Davies & Dodd (2002:284), Seale (1999:466) and Stenbacka (2001:554) have chosen to take on what they consider as suitable expressions, like quality, rigour and trustworthiness.

3.2.4 Sampling method

Sampling is defined by Creswell (2013:3) as “the process of selecting a representative group from the population under study.” A population is defined by Du Plooy-Cilliers *et al.* (2014:132) as “the total group of people or entities from whom information is required”. A sample is a group of people, a part of the population, who are drawn to take part in the study. It is easier to contact a smaller part of the population for data collection. It can be done within a limited time, effort and budget. The people who take part are referred to as “participants”. There should be extra care taken when selecting a sample, making sure that every segment of the population is included without having too large a sample.

In this study, the unit of analysis for is the individual beneficiaries of the Ravele CPA. The target population is 650 Ravele CPA beneficiaries. These beneficiaries are from 324 households.

Non-probability, purposive sampling was used as information-rich participants were required. Participants for this study were selected for a specific reason and not randomly. These selected participants would be able to provide the information needed. The sampling frame used is a list of all registered beneficiaries of the Ravele CPA. However, for a holistic view of the situation, government departments had to be represented as well. Thus, the officials from government departments who dealt with the land reform process for the Ravele community from the start were also included in the sampling frame.

In qualitative research, an indicator of sample size is the point where no more new information is being received from the respondents, better known as theoretical saturation of data. This then required the data to be interpreted on a continuous basis during the interview process to determine this point.

In this study, seven participants were interviewed. Data saturation was reached when interviewing the sixth participant, however the interviewer continued to conduct an additional interview in order to validate the point of saturation.

3.2.5 Data analysis

Content analysis was used to analyse the data which was gathered from the interviews. According to Moore and McCabe (2005:16), data gathered is categorised in themes and sub-themes, to be able to be comparable. Additionally, the content analysis gives the ability to researchers to assemble the qualitative data collected in a way that satisfies the achievement of study goals.

The narrative analysis method was chosen to examine content from interviews of respondents and observations from the field. It focused on using the responses and experiences shared by during the interview process. The data analysis method applied involved six steps, namely: translation, transcription, checking and editing, analysis and verification.

Step 1: Translation

The information that was gathered from the interview was first translated from the home language, Tshivenda to English.

Step 2: Transcription

The audio-recorded data was transferred from audio to paper.

Step 3: Checking and Editing

The data was then categorised into related units to fit into the themes that were developed. This step looks for the most common responses, identifying data or patterns that can answer research questions, and finding areas that can be explored further.

Step 4: Analysis

Data analysis is a process the use of analytical and logical reasoning to evaluate data with the objective of learning valuable facts that can be used to guide recommendations given, conclusions taken and support decision-making. The researcher's understanding of the themes that have been presented is used to analyse.

Step 5: Validation

The validity of data was done by going through the transcripts again.

3.3 RESEARCH ETHICS

Thomas (2006:90) defines ethics as moral principles that are intended to guide a person's behaviour in a society. According to Du Plooy-Cilliers *et al.* (2014:263), ethics are crucial in research because it potentially affects all the stakeholders involved in research. The typical stakeholders in research include participants, broader public, employer, academic institutions, professional bodies and policymakers.

The very basis of this study has the potential to strike the ethical cord due to the sensitive nature of the topic, especially now where the land issue in South Africa is a big debate. Land reform is being re-looked at, to this end, ethical research practices were followed. Before the research taking place, permission had to be sought to conduct the interviews from the authorities concerned. Relevant authorities were approached to seek the necessary permission to conduct the study. A letter requesting permission to conduct the study was sent to the Ravele CPA and permission was required from the interviewees concerned. The respondents were fully informed regarding the objectives of the study; an explanation of the purpose of the interviews was made clear before the interviews. From then on, the respondents' informed consent was sought before the interviews. Informed consent required explaining the purpose of the research; that, the responses would be used only for academic purposes and only for this particular research. The respondents were also made aware of their right to decline or accept taking part in the research would be respected. The following aspect was complied with in this research study:

- **A prescribed application was submitted to the Research Ethics Committee of the North-West University for approval to conduct the research.**

For the chosen method of collecting data for the study, the researcher ensured that all the participants in this study were not subjected to any risk of unusual stress, embarrassment or loss of self-esteem and that they remained anonymous throughout the reporting of the findings of this study. Given the above, the respondents were not harmed or abused, both physically and psychologically, during the conduction of the research. However, the researcher attempted to create and maintain a climate of comfort.

Confidentiality of respondents would be respected following applied regulations and ethics of research. To support this, their identity is protected by maintaining confidentiality throughout the research process and in writing the mini-dissertation. Therefore, all the persons interviewed did so freely, knowing that the information they gave was for academic purposes. The real names of interviewees were not used to preserve anonymity and protect the individuals' privacy.

Finally, there is the situational atmosphere that faces the researcher in the politically volatile context of South Africa where the land issue is concerned. To navigate this atmosphere, the researcher took great care to respect respondents and their opinions. What was given precedence was the respondents' welfare rather than the academic gains of the researcher. As a result, fairness was sought in the research process by distributing equally the risk of participation for respondents and the need for gaining access to their information and knowledge. As such, findings from the study have been presented with accuracy as far as possible to include opinions that are at variance with the researcher's prepositions and expectations. The interviewees were assured that if they would want to see the results of the study, a report was going to be made available to them on request.

3.4 CONCLUSION

This chapter explained the research methodology used in this study. It was further explained that to address the research problem and the related research questions, a single case study strategy with a qualitative research design was adopted. This study made use of interviews and archival documents as methods of gathering the data. The interview guide used in this study was developed from the literature study. Also, interviews have been conducted with identified persons while the review of archival records was also conducted. The data collected for this is tabled, analysed and discussed in the next chapter.

CHAPTER 4: PRESENTATION AND ANALYSIS OF RESULTS

4.1 INTRODUCTION AND PURPOSE OF THIS CHAPTER

Chapter 1 discussed the issues that brought about the implementation of this programme by the South African government. The land reform programme has been one of the core programmes that the South African government has implemented since the democratic governance in 1994. Almost 25 years later, the programme has seen more failures than successes. The government has spent billions of Rands (R) in acquiring land from white people, often buying out profitable enterprises to give back to the previously disadvantaged black communities. There have been different approaches, and this study seeks to investigate the method(s) that the Ravele community has chosen to manage the CPA and the challenges thereof. The problem statement in this study indicates that the purpose of the research was to investigate the participation, capacity building, the post-transfer support and challenges of the land reform situation.

This chapter describes the analysis of data and a discussion of the research findings. The findings relate to the research questions that guided the study. Information was obtained from document analysis. The documents were made available to the researcher by the management of the CPA and government departments. The interviews conducted with persons involved in the Ravele CPA land reform project.

Information was analysed to identify, describe and explore the issues of land reform through the four predetermined themes of participation, capacity building, post-transfer support and challenges. The interview guide comprised of five sections and the information generated will be presented as follows:

- The first section comprises of demographic data that would be relevant to the study. Thus the focus was mainly on gathering information about the respondents' connection with the project in terms of organisation, position and qualifications;
- The second section comprises data describing the participation of the respondents in the project;
- In the third section data obtained from the analysis of the capacity building variables are discussed;

- Fourthly, the post-transfer aspects are dealt with;
- The fifth sections deal with the analysis of the challenges that were identified by the respondents; and
- Then finally, there are some general questions.

The researcher engaged in this study to investigate, as a first step, the different variables which are related to land reform (as discussed above) and the challenges that prevent the success of CPAs. This is done to address issues such as land tenure, poverty alleviation and unemployment issues of the beneficiaries. The investigation was conducted in the following ways: firstly, a review of Ravele CPA documents was carried out; and secondly, one-on-one interviews were conducted to collect first hand, on the ground information.

The purpose of this chapter is to present and analyse the information gathered using the interviews. The interview guide was developed as a guide to conduct the semi-structured interviews. The questions were not limited to those questions listed in the guide because the respondents were prompted during the interview to elaborate on their answers as they went along.

The presentation of the findings is twofold: presentation of the findings from documents that were analysed and findings from the interviews conducted.

4.2 FINDINGS FROM THE DOCUMENT ANALYSIS

The following section will provide findings from documents that were reviewed as part of the analysis process of the study.

4.2.1 Compliance to the Communal Property Act (1996)

Before presenting the analysis of data, the following is a summary of the compliance trends of the Ravele in comparison to the rest of the country as well as the province. In Table 4-1 below, the number of CPAs that do comply with the Communal Property Act shows to have been on the decline since the 2014-2015 financial year. This decline is attributed to the number of CPAs that have sold or leased their land (DRDLR, 2017).

Table 4-1: National compliance trends

Year	2009-2010	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
South Africa	100	158	209	171	284	208	141

Source: DRDLR (2017)

Table 4-2 below shows the compliance trends of the Limpopo province. After a five year rise in the number of complying CPAs, the 2016-2017 financial year saw a decline. This is in line with the national trends. This negative trajectory implies that the problem might not necessarily lie with the individual CPAs; rather it might be on a policy level. All provinces have experienced the decline, with the exception of Mpumalanga that saw an increase from 42 complying CPAs in 2015-2016 to 57 in 2016-2017. The worst performing province is the Northern Cape province which had 30 complying CPAs in 2015-2016, and in 2016-2017 there was none.

Table 4-2: Limpopo province compliance trends

Year	2009-2010	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
Limpopo	10	24	34	35	53	42

Source: DRDLR (2017)

As illustrated in Table 4.3 below, during the 2016/2017 financial year, the Limpopo province had 191 registered CPA's, 42 of these are complying while 149 are not complying with their reporting obligations as required by the Communal Property Association Act, Act No. 28 of 1996. The Ravele CPA falls under the CPAs that are compliant.

Table 4-3: Limpopo Province 2016-2017 registered CPAs

Registered CPAs	Complying CPAs	Non-complying CPAs
191	42	149

Source: DRDLR (2017)

As of 2016/2017 the number of beneficiaries for the Ravele CPA is recorded at 877 as indicated in Table 4.4 below. However, the initial number of beneficiaries that was registered with the DRDLR in 2006, when the land claim was lodged, was 650. These were the people that could

directly be linked to the forced removal of the Ravele community from the land that is currently known as Levubu during the 1950s using the Natives Land Act of 1938.

Table 4-4: Ravele CPA compliance details

Reg no.	Members	Extend of land	Program	AFS	AGM	Committee List	Membership List	Land Transaction
04/0690/A	877	5 549.93	Restitution	Yes	Yes	Yes	Yes	No

Source: DRDLR (2017)

The Ravele CPA is doing very well in terms of compliance as required by the Communal Property Associations Act, 1996 (Act 28 of 1996). Respondent 6 seemed to highlight that everything in the Ravele CPA seems to be “okay on paper.” This gave the impression things are not as they seem in reality. More responses are dealt with in the next section where the findings of the interviews are discussed.

4.3 FINDINGS FROM THE INTERVIEWS

In the next sections, the results as gathered from the interviews will be discussed. First, the demographic profile of the respondents will be provided, followed by the responses relating to participation, capacity building, post-transfer support, challenges that the Ravel CPA is facing and then answers to the general questions.

4.3.1 Demographics of the respondents

Table 4-5: Demographics of the respondents

	Respondent 1	Respondent 2	Respondent 3	Respondent 4	Respondent 5	Respondent 6	Respondent 7
Organisation	Ravele CPA	Ravele CPA	Community	Community	Department of Agriculture	Department of Agriculture	DRDLR
Position	Management	Community leader	Farm Worker	Farmworker	Assistant Director	Extension officer	Extension officer
Highest Qualification	High School	Bachelor's Degree	High School	Primary School	Master's Degree	Diploma	Bachelor's Degree

Source: (Own)

It is clear from Table 4.5 above that out of the seven respondents; four are beneficiaries of the CPA. One of the respondents has completed primary school, another two have high school

qualifications, while one even has a master's degree. The respondent's qualification levels show that they are, to a certain extent, able to understand and articulate their responses to the interviews.

4.3.2 Participation

Participation in the project was one of the themes that were part of the interview guide. The questions asked were (a) to establish whether the respondents were a beneficiary of the project, (b) their level of participation on the project, and (c) to gain some information about the compensation structure of the project.

Results: Beneficiary or other relation to the project (a)

Of the seven respondents that were interviewed, four are beneficiaries of the Ravele Land reform project, either as a first hand or inherited. Table 4.6 below indicates that most of the people that are involved in the project are beneficiaries. A point was made by Respondent 5 that it would be a conflict of interest if, as a member of government working closely with the Ravele CPA, was a beneficiary as well.

Table 4-6: Relation to the project

Respondent	Level of participation
1	Beneficiary
2	Beneficiary
3	Beneficiary
4	Beneficiary
5	Non-beneficiary – Monitoring and evaluation
6	Non-beneficiary – Advisory
7	Non-beneficiary – Monitoring and evaluation

Source: (Own)

The next questions dealt with their level of participation on the project and the results of those questions are described below.

Results: Level of participation (b)

Respondent 7, from the DRDLR, indicated that “the number of beneficiaries from the initial 650 increased because some of the beneficiaries had not been verified at the cut-off date in 1998 that was set by the government.”

“The beneficiaries are not all actively participating in the farming enterprise. But they are all consulted,” said Respondent 2. There are structures that have been set up to ensure that participation and consultation take place. The community is kept abreast of what is happening in the farming enterprise. One of these methods is the Annual General Meeting. Respondent 5 addressed the issues of participation by making the researcher aware that as a department tasked with assisting the CPA in terms of farming expertise, they have been dealing with a group of beneficiaries, 15 members in total, known as the “concerned group” who have been suspended from participating in Ravele CPA or Mauluma Farming enterprises activities. This group has made formal allegations of lack of transparency and nepotism against the management of the CPA. Respondent 1, however, indicated that the CPA and farming enterprise had disclosed all documentation required regarding reporting to its constituents as well as government.

From the responses given in the interviews, it is clear to see that there is some contrast between the leadership of the CPA and the community at large. The top-down approach to participation leaves the community frustrated as they do not have the know-how to participate in the project rather fully, they can only wait for the leadership to provide them with information.

The next question has to do with the compensation structure of the project. This question about the compensation structure solicited a lot of comments especially from the farm workers who were interviewed.

Results about the compensation structure (c)

“We always hear from the meetings and newspapers that our CPA has made millions of Rands, but we do not receive it.” – Respondent 3.

“The board members of the CPA are corrupt because we see that their lives have improved drastically since they took charge. – Respondent 3.

“At least I get a salary as a permanent employee. But I know that there is a lot of need in my community because a lot of people are unemployed and depend on a government grant for survival. And it is not much because there are many mouths to feed.” – Respondent 4.

The CPA management indicated that although the community is not compensated financially from the profits of the farming enterprise monthly or annually, the community or beneficiaries are compensated through development. This includes the building of schools, community halls and clinics. This is seen as a way that is sustainable and has a widespread and long-term effect.

“The board members are the ones who get cash payments in the form of a stipend when they attend meetings,” Respondent 1 explained. This is for compensation for travel and their time. The stipend is determined at the beginning of the board members’ appointment and adjusted for cost of living.

The responses given by the community are different from those given by the management. The reports from members of the “concerned group” that have been made on radio and submitted to the government department claim that there is a lack of transparency, corruption and nepotism within the leadership and management structures. These claims are not easy to dismiss, on the other hand, there is meticulous documentation that supports the contrary.

Participation in the project gives the impression that is of a tokenism nature. The beneficiaries are given only a symbolic effort of being consulted. Whether their views on how the project is run are taken into consideration can be questioned.

After covering the first theme, the next theme addressed issues of capacity building.

4.3.3 Capacity Building

This section dealt with capacity in the Ravele CPA project. This concerned with issues of skills, knowledge, equipment and other resources. In this theme, four questions were asked according to the interview guide. The questions dealt with whether sufficient human capacity was available (a); whether training was provided (b); what about the financial resources and if the financial resources would be perceived as adequate (c) and lastly something about the infrastructure and equipment availability on the project. The results about the availability of different categories of capacity needed on the project are presented according to the four questions.

Results Human resource capacity (a)

These results were obtained from the secondary data, namely the documents that were studied. There is an elected board mandated by members that run the Ravele CPA. This board was democratically elected at a meeting of beneficiaries and is made up of ten claimant members. These are further complemented by a team of permanent and seasonal staff members which constitute of a general manager, secretarial and administrative staff as well as farm workers. Of the 187 farm workers that the farming enterprise has employed, 122 of these employees are employed on a permanent basis while 65 are seasonal workers. Table 4.7 below illustrates the number of employees regarding gender.

Table 4-7: Number of employees

	Office	Farm workers
Male	3	81
Female	3	106
Total	6	187

Source: Ravele CPA annual report (2017:36)

According to the regional office of the Department of Agriculture in Makhado, an extension officer has been placed in the area to provide support regarding agricultural expertise to the project. This is the person who liaises between the department and the CPA. When the department has products, projects, events and training that the CPA can benefit from, the extension officer will be the person to engage the CPA and work with them.

Results: Training of employees (b)

“Also, training has been provided for community members at the Madzivhandila College of Agriculture and Tompi Seleka College of Agriculture, where members were trained in crop farming.” – Respondent 5

Respondent 1 stated that “AgriSeta has funded corporate governance workshops for both the CPA executive committee, CPA general members and the beneficiaries.” Furthermore, Respondent 5 indicated that the Department of Agriculture had engaged KPMG to provide entrepreneurial training to both the board members and management of the project.

Respondent 1 said that the CPA has also budgeted R400 000 to fund 40 students who are the children of beneficiaries studying at tertiary institutions across the country in the form a bursary.

“Running Business Today has also run an entrepreneurial workshop with the leadership of the CPA,” Respondent 6 said. The extension officer (Respondent 6) explained that he has tried to assist members to access grants under the Comprehensive Agricultural Support Programme (CASP) of the Department of Agriculture. They are still awaiting results for this.

Respondent 2 said that there are workshops that they attend as leadership in the community. When questioned as to whether the workshops were beneficial to them, he said: “The workshops that we attend are focused on entrepreneurship. I do not plan to start a business. But I wish the young people in the community would also get to attend because they can benefit a lot. Unemployment in our community is rife, and starting business will really help deal with this problem.” Respondent 2 further explained that as a community leader, the skills that he needs are not on how to start a business, rather conflict resolution and negotiation skills.

Respondent 4 indicated that they had not attended any training. When asked about the workshops that were held for all beneficiaries and why she had not attended those, Respondent 3 said: “I have attended those workshops once but it was not for people like me. What I prefer is to get computer training so that one day I can work in an office.”

Capacity building regarding bursaries is doing very well. However, the people who are at grassroots level, who just need help regarding supporting their families and have no educational aspects, have been left out of the loop. The government has set up programmes through the department of agriculture and some educational institutions for the community to be helped, but too much bureaucracy has created delays.

Results: Financial Resources (c)

The farming enterprise is making a good profit from the farms that are being operated. It does, however, become obvious that more profit can be made if the other farms can be operated as well. This will need a financial injection into the business. But as it stands, the CPA receives grant funding from the DRDLR, but the management of the Ravele CPA (Respondent 1) specified that the farming enterprise is being self-funded.

“Financial resources will never be adequate, and the management of the farming enterprise is planning in terms of the available financial resources to ensure high-quality production and increase in volumes,” – Respondent 1.

“If more farms are also used, it would make the CPA more money, and this will help the community because more people will be employed. In theory, this would be good but it was very difficult to implement and manage.” – Respondent 2

“The CPA employs 189 workers full-time and their annual salary bill is R8 million. Most of the workers are beneficiaries of the project. None of the workers earns less than the prescribed minimum wage by the department of labour.” – Respondent 1

The DRDLR, Respondent 7, had indicated that when the transfer of the land was finalised, there was a cash injection at the beginning of the project but with the Ravele CPA self-funding the farming enterprise, it has given them autonomy with their responsibility only to report back to government in terms of compliance with the Communal Property Association Act, 1998 (Act 28 of 1998). Respondent 7 further explained that it is not easy for the department to get too involved in the day-to-day running of the project as they are only invited in the meetings to observe and give comments where necessary.

“After the strategic partner left the CPA, the board decided to only focus on farming the two produce. We had researched to see what the factors that caused other CPAs to fail were and we identified that managing too large a farming scale was challenging. We have seen success with what we are doing and can replicate it to include other produce at a later stage.” – Respondent 1.

“The CPA has reported to have bought four spraying tankers with their tractors, tipper truck, a truck, TLB, and four quad bikes.” – Respondent 6

Results: infrastructure and equipment (d)

With the current activities happening on the farms, infrastructure and equipment is not a major challenge. “It was one of the biggest challenges that we dealt with as leadership in the beginning,” Respondent 4 laughed, “people who had their own farms were taking the farming equipment and using it for their own farms. It was very difficult to manage the use of that equipment and even more difficult to tell people who have been told that the farm belongs to them that they can’t just take stuff. And this is not just small things like spades and forks but tractors as well.” Respondent 7 mentioned that as soon as the farming enterprise was separated

from the CPA, it was easy to deal with the business part of the claim separately hence bringing about accountability.

The responses from the management and community leadership were not elaborated upon. It was beginning to be clear why some of the beneficiaries were thought they were not being transparent. The figures mentioned were broad and general. The farmworkers were not aware of the specific figures either. They seemed to be aware that the farm is making a profit, to the millions even, and this gave them the impression that the beneficiaries should be getting money.

4.3.4 Post-transfer Support

Post-transfer support for the project looks to see the support that the government is giving to the Ravele CPA so that it is sustainable and profitable. The interview questions dealt with (a) government department providing support and the type of support being provided, and (b); the management of the CPA and/or farming enterprise.

Results: departments providing post-transfer support (a)

The assistance that the Ravele CPA receives from the government since they appointed a General Manager and they decided to self-fund the farming enterprise has been limited to the advisory. The government departments do monitor and evaluate the progress of the project. The main departments that provide this assistance are the Department of Agriculture and the Department of Rural Development and Land Reform.

According to the management, the Ravele CPA has received awards since 2011. These include being nominated in 2012 by the Limpopo Department of Agriculture as the best land reform project in terms of profitability. In 2015, the CPA received a certificate from Productivity SA for being the best land reform project in the corporate sector. “All the above-mentioned milestones were achieved ... without government financial assistance,” says Respondent 1. This was a point of immense pride for the management of the CPA. The success and recognition that they have received since getting rid of the strategic partner have validated the decision taken.

The CPA has employed a General Manager who works hand-in-hand with the board members. The decision-making powers still lie with the board. This management style that the Ravele CPA has chosen has led to a diminished involvement from the Department of Agriculture. Respondent 5 said: “If they were self-managing, then as a department we would play a bigger role in assisting the CPA run the farms, but the General Manager is very skilled.”

“After what has happened with the strategic partner that was appointed by the government, we decided to run the farm ourselves by appointing a manager. The strategic partner left us with a more than R5 million debt. The current manager reports to us rather than the department. Plus, he has a lot of experience and a good track record.” – Respondent 1

Further claims by the CPA are that when the strategic partner left the Ravele CPA in 2008, it not only owed them R5 million but left them with a further R8 million in accumulated debts. The general manager is not a beneficiary of the Ravele land reform project.

The government departments cannot be left out from the day-to-day running of the projects because if serious problems arise, it might be too late to save the project as seen from other land reform projects that have dismally failed.

4.3.5 Challenges

This section was important because one of the research questions seeks to investigate the challenges of land reform projects. The questions asked was (a) what are the challenges that the respondents experienced. The question was left open to allow the respondents to give as much information as possible. Their responses were categorised in that similar responses were grouped.

DRDLR (2017:9) have identified the challenges experienced by CPAs range from low literacy level, lack of understanding of the legal framework, lack of accountability, incomplete/incorrect verification processes, and inability to handle and manage large sums of money amongst others.

The following are the challenges that arose from the respondents:

- **Elite capture**

The challenges above may be true for the general cases when dealing with CPAs in South Africa, but the prevailing challenge for the Ravele CPA is what can be described as elite capture. “The board members are corrupt because the farm appears to be doing very, but on the other hand the community is unhappy.” – Respondent 4.

To a community that is traditional, the royal council is an institution to be revered. They are seen to be the ones taking the leadership role to the whole project. In this day and age of democracy, the traditional authority has lost most of its power and played more of a custodian, not owner, of

land. The owner of the land is the community, and all must have an opportunity not just to benefit from it, but to have a say on how it is run. “We viewed this as intimidation – that is a sacred place where there should be no conflict, and we must show respect. Also, that place is far for the majority of people. Since they can’t afford to travel there, the meetings are usually not a good representative of the community of Ravele.” – Respondent 3.

This response was directed to the issue of the board reporting to the community during the annual general meeting. There is strong evidence talking about “supposed” beneficiaries have not benefited a cent from the profits of the farms. “We’re told of certain households that received R800, and we don’t know what for. I’m a beneficiary, and I’ve never received any money. I don’t see any improvements in my community,” said Respondent 4.

- **Corruption and Nepotism**

Respondent 3 said that jobs in the company are never advertised. “We just see people in management positions. When we do our investigations not only are they unqualified but they’re related to members of the executive committee.” The Department of Agriculture is also aware of such claims, but Respondent 6 said: “the community has structures that have been set up to deal with job distribution, especially for jobs that need unskilled or semi-skilled labourers.” The process referred to is done through the traditional council. This process is not only used for the jobs on the farm but all jobs that require labourers from the community.

Respondent 1 highlighted that even though there have been workshops about the aspects of fiduciary responsibility and how appointments should be made, it is still a struggle to appoint board members.

- **False reporting allegations**

There are allegations that the Ravele CPA is not conducting its business in a transparent manner. “The CPA holds four quarterly general meetings and annual general meetings to present reports regarding developments on the farms as well as audited financial statements,” Respondent 1 says.

According to the government officials mandated to assist or advice the CPA, the DRDLR officials are invited to attend all such meetings and are furnished with the reports and statements. The Department of Agriculture also does attend these meetings. Even when everything looks good on paper, the government officials indicate that they know that things are not perfect

because the community is raising concerns. The government departments could not say anything against the CPA as they are no longer playing a leading role in the project. They can only comment on what is given to them.

- **Lack of skills and understanding**

Agriculture is a specialised field. It requires a certain level of know-how, expertise and experience to produce at the level that the Levubu farms were producing when the previous farmers had ownership. “The skills that the CPA needs to have are not only for farming, but because it is a business, they need marketing, sales, human resources and other skills that make a business work,” said Respondent 5. This seems to be the challenge, even with assistance from experts in terms of agricultural production; it is a challenge to run the business itself.

“The CPA was established to hold land restored to the Ravele Community,” explains Respondent 1, from the management team of Ravele CPA. Respondent 1 further elaborated that the CPA aims to ensure that the community’s needs are protected during all transactions related to the land that has been given back to them.

The Ravele CPA and the Mauluma Farming Enterprise are different entities of the same land reform project. There seems to be a general lack of understanding of how to deal with these two entities. Respondent 5 stated that: “the Ravele CPA was established regarding the Communal Property Act while the farming enterprise was established regarding the Companies Act. Even though the management of the farming enterprise report to the CPA, the legal requirements of these are not the same.” This was reiterated by Respondent 1 who stated that: “the CPA has acquired land which an on-going concern business and there is always a temptation by the CPA members to cross the line and interfere in the management of the enterprise. The CPA is limited to holding the land in terms of the Communal Property Act and the farming enterprise is a legal entity that is run in term of the Companies Act.

Furthermore, Respondent 1 explained that “it seems that when beneficiaries have been employed in the project some of them could not understand that they are now regarded as workers and have to be managed in terms of the labour laws and policies of the company.”

The community and leadership of the CPA need to understand these differences to operate within the bounds of the law. People working on the farm are employees while in the CPA, the

people are beneficiaries. Other distinctions include the fact that the farming enterprise as a business is required to make a profit while the CPA is a not-for-profit entity.

Nepotism and corruption have been highlighted as a major challenge. The major challenges relate to nepotism where the community feels that there are people that have benefitted unfairly because they are related to members that are on the board of the CPA. However, the lack of understanding of how the CPA and farming enterprise are supposed to be run makes the suspicions for corruption even worse.

The last theme was general questions that were asked as a form of closure for the interview.

4.3.6 General

Closing off the interview with general questions helped get any more information that the respondents felt needed to be included but not covered in the other sections of the interview — these questions aimed to get information on (a) when the respondent was last at the farm, (b) their analysis of what is currently happening on the farm, (c) their view on whether the land reform project has addressed issues of hunger poverty alleviation and finally, (c) if the respondents have suggestions to overcome the challenges.

- **Results: last visit to the farm (a)**

The two respondents (Respondents 6 and 7) from the Department of Agriculture that were interviewed indicated that they visit the Mauluma Farming Enterprise of the Ravele CPA at least once a month. “I was last there in June of this year (2018). I normally visit the farm twice a month,” said Respondent 6 when he was interviewed in July 2018. The beneficiaries that were interviewed are on the farm on a daily basis as they work there.

- **Results: current activities on the farm (b)**

All seven respondents were confident in answering that the farm is currently harvesting macadamia nuts and avocados. The farms are situated on very fertile land and previously produced macadamia nuts, avocados, mangoes and bananas. The management company decided to only focus on two of the produce. This has worked well for them for the reason that they can specialize.

Respondent 1, who is part of the farming enterprise management team said, “It is harvesting time in the farms, and the company is projecting around R10 million in profits for 2018. The projection is quite realistic considering that the company is in the middle of harvesting and has already supplied 340 tons of Macadamia nuts to three factories in the area, namely Macridge, Green Farms and Royal Macadamia.”

- **Results: poverty and hunger alleviation (c)**

Respondents from the supporting government departments indicated that the Ravele CPA had shown success in terms of poverty and hunger eradication, since the transfer of the farm to the community because the project has created employment opportunities. This is a harsh contrast to the other land reform projects in the areas that have closed the businesses or sold the land. Respondent 5 said: “The Ravele CPA has managed to keep all the employees from the previous farmer. The CPA has even employed more people, permanent people. In addition to that, there are seasonal workers on the farm.”

Respondent 4, however, feels that the CPA can do more for the community in terms of employment opportunities. “Most of our children are sitting at home, unemployed but we are so-called beneficiaries of a project that is said to be making millions of Rands. The jobs that are given to foreign nationals could be given to our children.” This was further supported by Respondent 3 who said that the farming enterprise as a business does not want to pay fair wages so they employ foreign nationals because they can pay them less.

The next section highlights the research objectives that were identified in chapter one and showed how these had been achieved during the empirical study.

4.4 RESEARCH OBJECTIVES

The analysis of the findings was done in the previous section. The main objective of this study is to investigate land reform challenges using a case study of Ravele CPA in Limpopo province. This section will indicate whether or not the objectives that were identified in the chapter have been achieved.

4.4.1 To investigate the level of participation by the beneficiaries in the project

Research objective 1 was achieved during the study. The respondents were able to indicate their level of participation in the Ravele CPA land reform project. Respondents from government

departments, management of the CPA, community leaders and general beneficiaries were identified. The level of participation ranged from advisory, monitoring and evaluation, management and workers.

4.4.2 To assess the capacity building initiatives that the beneficiaries have been involved in

Capacity building initiatives by both government and the Ravele CPA were identified. The study also gave information regarding the amount of money that the CPA has allocated to funding education. It was made clear that there have been workshops held for the beneficiaries, although the impact of those workshops was not clearly brought out.

4.4.3 To identify the type of post-settlement support available to the beneficiaries

The government departments that assist the Ravele CPA were mentioned. Also, the type of support that they provide was shown.

4.4.4 To identify different challenges confronting land reform beneficiaries

The respondents were very forthcoming in describing the challenges that they see in the project — the major challenges related to how the beneficiaries interact; nepotism, corruption, lack of skills and understanding.

Recommendations discussed in the next section are intended to assist the Ravele CPA to move beyond just a government programme that seeks to redress injustices of the past, to a profitable business that sees the community benefit from a successful black-owned business. The next section deals with recommendations, conclusion, areas for future research and limitations of the study.

4.5 RECOMMENDATIONS

With the findings and analysis as the basis, recommendations are therefore outlined to offer advice on how to tackle the challenges of land reform. Recommendations to this study are a combination of the suggestions given by the respondents and the researcher's assessment of the situation at the Ravele CPA. These are divided into the short, medium and long-term. Short-term refers to a period of 0-3 years, medium term is 3-5 years and long-term is 5 years and beyond.

Short term

- Improved corporate governance. The core principles of corporate governance (fairness, accountability, responsibility and transparency) go a long way in differentiating a successful institution to an unsuccessful one. The supporting government departments should place high value in providing training, in the form of workshops, that equip the leadership on how to practice these four principles. Also, the beneficiaries need to be taught their rights and how to enforce these rights. This capacity building initiative will ensure that the beneficiaries participate more effectively and gain a sense of ownership attitude where they will take responsibility as well.
- Appoint a mediator who will facilitate talks between the community and the leadership of the CPA. This will assist so that both parties feel heard during meetings. This person/company should be neutral/independent, appointed by the Department of Rural Development and Land Reform. This is a crucial point because then the community will have a sense of ownership to the project and will not resist the developments that the business seeks to achieve.
- Develop a Quality Management System that can easily be implemented. The Department of Agriculture can facilitate in this regard as they have the expertise of what is required for a business of this nature to succeed. The main focus of the QMS should be market orientation so that the produce sells at a good price, especially because of Ravele CPA's farming enterprise exports some of their produce.
- The Department of Agriculture has appointed a service provider to do business plans for all the Levubu farms. This process is not finalised yet. Although this is a good start, the Ravele CPA should extend on that by appointing their own service provider to tailor-make a business plan that speaks to their vision and mission.

Medium term

- Collective agriculture is a phenomenon where small-scale farmers are grouped to provide the required amounts for the market. Since the Ravele community is a rural community and most of them are engaged in small-scale farming, people who are interested in participating in the collective agriculture project should be identified and given access to parts of the farms that are currently not being used by the Mauluma Farming Enterprise. The produce that they harvest should be included into the bigger part of the farm, at a price, so that they do not have

to compete directly at the market. This promotes entrepreneurship spirit within the community rather than people waiting for the CPA to provide jobs.

Long-term

- Extend the business model to include manufacturing. This will ensure that instead of sending out produce, they will be sending out finished products. This will in turn-over and also assist regarding job creation.

4.6 FUTURE RESEARCH AND LIMITATIONS

This study is limited to the Ravele CPA. The findings from the empirical study are not generalised to all CPAs. Limitations of the study were the collection of data where the interviews were conducted in the vernacular (Tshivenda) and the distance because the farm and the community are located at a distance of about 100 kilometres apart.

Future research that can further contribute to the field of land reform should be dealing with land policies after the land has been given back to the community as well as sustainability of projects that are conducted on that land. Below are a few suggestions for future research:

- Feasibility of access to commercial markets for land reform farming enterprises;
- Approaches to instilling ownership mentality to the beneficiaries as a route map to sustainability;
- Determining types of appropriate extension support and training for beneficiaries of restitution projects; and
- Determining types of job creation and to ensure the economic viability of farms received through land reform.

4.7 SUMMARY

The extent to which the research questions have been explored throughout this study strives to look at all aspects of a land reform project from the government, leadership (CPA) and community. So, this conclusion does not intend to revisit the findings rather offer the researcher's view of the study regarding the land reform imperative in South Africa.

This research profusely clarified that although there had been issues in acquiring the land, in general, the people have embraced land reform. They understand this as a necessity for establishing sustainable business enterprises. This is an important observation as it highlights their understanding that a sustainable solution in South Africa is an intergroup solution rather than a division-of-material-goods solution.

The economic benefits of functional Communal Property Associations, which can put the land they own into productive use, can result in the alleviation of the high levels of unemployment and poverty within a community. There is a high incidence of dysfunctionality and non-compliance within CPAs which warranted interventions by the government and other stakeholders. The success of the Ravele CPA can be built upon to ensure that the community benefits more.

REFERENCE LIST

- Albertus, M., Diaz-Cayeros, A., Magaloni, B. & Weingast, B.R. 2016. Authoritarian survival and poverty traps: land reform in Mexico. *World development*, 77:154-170.
- Aliber, A. & Cousins, B. 2013. Livelihoods after land reform in South Africa. *Journal for agrarian change*, 13(1):140-165.
- Aliber, M., Maluleke, T., Manenzhe, T., Paradza, G. & Cousins, B. 2013. Land reform and livelihoods: trajectories of change in northern Limpopo province, South Africa. Cape Town: Human Sciences Research Council.
- Basu, S. 2016. Community, Conflict and Land: exploring the strategic partnership model of South African Land Restitution. *Journal of international development*, 28:733-748.
- Bengtsson, M. 2016. How to plan and perform a qualitative study using content analysis. *Nursing plus open*, 2:8-14.
- Bester, J.C. 2011. Land Reform in South Africa: A Contemporary Analysis. (Mini-dissertation – MDM). Potchefstroom: NWU.
- Binswinger-Mkhize, H.P. 2014. From failure to success in South African land reform. *African journal of agricultural and resource economics*, 9(4):253-269.
- Buys, M. 2012. An analysis of land redistribution projects in Modimolle Municipality, Limpopo Province. Polokwane: University of Limpopo.
- Chinsinga, B. 2011. The politics of land reforms in Malawi: the case of the Community Based Rural Land Development Programme (CBRLDP). *Journal of international development*, 23(3):380-393.
- Cliffe, L. 2007. Policy options for land reform in South Africa: new institutional mechanisms? *Review of African political economy*, 27(84):273-286.
- Cooper, R. D. & Schindler, S. P. 2014. Business research methods. Boston, MA: Irwin McGraw Hill.

- Cousins, B. 2016. Land reform in South Africa. Can it be saved?
https://www.nelsonmandela.org/uploads/files/Land__law_and_leadership_-_paper_2.pdf
 Date of access: 31 Oct. 2018.
- Cousins, B. & Walker, C. 2015. Land divided, land restored: prospects for land reform in 21st century South Africa. Cape Town: Jacana media.
- Creswell, J.W. 2013. Research design: qualitative, quantitative, and mixed methods approaches. London: Sage.
- Davies, D. & Dodd, J. 2002. Qualitative research and the question of rigor. *Qualitative health research*, 12(2):279-289.
- De Vos, A.S., Strydom, H., Schulze, S. & Patel, L. 2011. The sciences and the profession: research at the grass roots for the social sciences and human service professions. Pretoria: Van Schaik.
- Department of Agriculture. 2016. Strategic Plan for the Department of Agriculture. Pretoria: Government Printers.
- Department of Land Affairs. 2007. Sustainable Development Consortium: Settlement and Implementation Support (SIS) Strategy for Land and Agrarian Reform in South Africa. Pretoria: Government printers.
- Department of Rural Development and Land Reform. 2017. Community Property Associations Annual Report 2016/17. Pretoria: Government printers.
- Derman, B., Lahiff, E. & Sjaastad, E. 2010. Strategic questions about strategic partners: challenges and pitfalls in South Africa's new model of land restitution. Mason, OH: Ohio University.
- Domenech, J. & Herreros, F. 2017. Land reform and peasant revolution: evidence from 1930's Spain. *Explorations in economic history*, 64:82-103.
- Du Plooy-Cilliers, F., Davis, C. & Bezuidenhout, R. 2014. Research matters. Paarl: Paarl media.

- Enemark, S. & Williamson, I.P. 2004. Capacity building in the land administration: a conceptual approach. *Survey review*, 39(294):639-650.
- Farber, N.K. 2006. Conducting qualitative research: a practical guide for school counselors. Charleston, IL: Eastern Illinois University.
- Ghebru, H. & Holden, S.T. 2016. Land tenure reforms, tenure security and food security in poor agrarian economies: casual linkages and research gaps. *Global food security*, 10:21-28.
- Golafshani, N. 2003. Understanding reliability and validity in qualitative research. *The qualitative report*, 8(4):597-606.
- Hall, R. & Kepe, T. 2017. Elite capture and state neglect: new evidence on South Africa's land reform. *Review of African political economy*, 44(151):122-130.
- Hammarberg, K., Kirkman, M. & De Lacey, S. 2016. Qualitative research methods: when to use them and how to judge them. *Human reproduction*, 31(3):498-501.
- Hartvigsen, M. 2014. Land reform and fragmentation in Central and Eastern Europe. *Land use policy*, 36:330-341.
- Hox, J.J. & Boeije, H.R. 2005. Data collection, primary vs. secondary. *Encyclopaedia of social measurement*, 1:593-599.
- Kessler, R.C., Mickelson, K.D. & Williams, D.R. 1999. The prevalence, distribution and mental health correlates of perceived discrimination in the United States. *Journal of health and social behaviour*, 40(3):208-230.
- Kloppers, H.J. & Pienaar, G.J. 2014. The historical context of land reform in South Africa and early policies. *Potchefstroom electronic law journal*, 17(2):677-706.
- Krippendorff, K. & Bock, M.A. 2008. The content analysis reader. London: Sage.
- Lahiff, E. 2007. Business models in land reform. Date of access: 23 Jun. 2018.
http://repository.uwc.ac.za/bitstream/handle/10566/78/Lahiff_Business2007.pdf?sequence=1&isAllowed=y

- Lahiff, E., Davis, N. & Manenzhe, T. 2012. Joint ventures in agriculture: lessons from land reform projects in South Africa. Date of access: 6 Jul. 2018.
file:///C:/Users/13077376/Downloads/joint_ventures_in_agriculture.pdf
- Lavers, T. & Boanah, F. 2016. The impact of agricultural investments on state capacity: a comparative analysis of Ethiopia and Ghana. *Geoforum*, 72:94-103.
- Links, H.L. 2011. An outpost-based evaluation of delivery of land reform in South Africa over the period of 1994-2010. Stellenbosch: US.
- Lubambo, P. C. 2011. An appraisal of post-transfer production trends of selected land reform projects in the North West Province. (Dissertation - Masters). Pretoria: University of Pretoria.
- Madletyund, P. 2011. Race, gender, class and land reform: a case study approach on the land reform for agricultural development (LRAD) sub-programme. Johannesburg: University of the Witwatersrand.
- Makunike, B. 2014. Land reform and poverty alleviation in Mashonaland, Zimbabwe. (Thesis-PhD). Bloemfontein: University of the Free State.
- Manenzhe, T.J. 2007. Post-settlement support challenges for land reform beneficiaries: three case studies from Limpopo province. (Mini-dissertation – Masters Philosophy). Cape Town: University of the Western Cape.
- Maree, K. 2007. First steps in research. Pretoria: Van Schaik.
- Matiwane, M.B. & Terblanche, S.E. 2015. A comparison of project participants and extension officers' perception about participation in agricultural projects in the North West province, South Africa. *South African journal of agricultural extension*, 43(1):78-106.
- Matukane, T.E. 2011. Sustainability of land restitution with reference to Shigalo land restitution project in Makhado Municipality, Limpopo province. (Mini-dissertation – Master of Development). Turfloop: University of Limpopo.
- Mmbengwa, V.M. 2009. Capacity building strategies for sustainable farming SMMes in South Africa. (Dissertation – PhD). Bloemfontein: University of the Free State.

- Mokotedi, T. 2016. Investigating supply chain management in local municipality. (Mini-dissertation – MBA). Potchefstroom: North-West University.
- Moore, D. S., & McCabe, G. P. 2005. Introduction to the practice of statistics. New York, NY: Freeman & Company.
- Nwenda, J.N., Ngau, P.M. & Mattingly, M. 2014. Training and human capacity building in the land sector in the context of implementation of new land policies and reforms in land administration systems: some reflections from Kenya. FIG Congress 2014, engaging the challenges - enhancing the relevance. Kuala Lumpur, Malaysia, 16 – 21 June 2014.
- Obeng-Odoom, F. 2012. Land reform in theory, practice and outcome. *Habitat international*, 36:161-170.
- O’Laughlin, B., Bernstein, H., Cousins, B. & Peters, P.E. 2013. Introduction: agrarian change, rural poverty and land reform in South Africa since 1994. *Journal of agrarian change*, 13(1):1-15.
- Paulo, W. 2004. Land reform in Zimbabwe: a development perspective. (Dissertation – Master of Arts). Pretoria: University of South Africa.
- Pedersen, R.H. 2016. Access to land reconsidered: the land grab, polycentric governance and Tanzania’s new wave land reform. *Geoforum*, 72:104-113.
- Republic of South Africa. 1913. Native Lands Act, no 27 of 1913. Pretoria: Government printers.
- Republic of South Africa. 1950. Group Areas Act of 1950. Pretoria: Government printers.
- Republic of South Africa. 1993. The Provision of Land Assistance Act 126, Act of 1993. Pretoria: Government printers.
- Republic of South Africa. 1994. Restitution of Land Rights Act, no 22 of 1994 as amended to Commission on Restitution of Land rights. Pretoria: Government printers.
- Republic of South Africa. 1995. The Development Facilitation Act (No 67 of 1995). Pretoria: Government printers.

Republic of South Africa. 1996. Communal Property Associations Act (No 28 of 1996). Pretoria: Government printers.

Republic of South Africa. 1996. CPA Act, 28 of 1996. Pretoria: Government printers.

Republic of South Africa. 1996. Interim Protection of Informal Land Rights Act (No 31 of 1996). Pretoria: Government printers.

Republic of South Africa. 1996. The Land Reform (Labour Tenants) Act (No 3 of 1996). Pretoria: Government printers.

Republic of South Africa. 1996. The Land Reform (Labour Tenants) Act (No. 3 of 1996). Pretoria: Government printers.

Republic of South Africa. 1997. South African Land Reform Policy of 1997. Pretoria: Government printers.

Republic of South Africa. 1997. The Extension of Security of Tenure Act (No 62 of 1997). Pretoria: Government printers.

Republic of South Africa. 2004. The Communal Land Rights Act (No 11 of 2004). Pretoria: Government printers.

Reynders, K. 2017. Determining customer needs for a niche supplier in the mining industry. (Mini-dissertation – MBA). Potchefstroom: North-West University.

Rugege, S. 2004. Land reform in South Africa: an overview. *International journal for legal information*, 32(283).

Seale, C. 1999. Quality in qualitative research. *Research inquiry*, 5(4):465-478.

Seaman, C. 2013. Using qualitative methods in empirical studies of software engineering. Baltimore, MD: University of Maryland Baltimore County.

Sikor, T. & Muller, D. 2009. The limits of state-led land reform: an introduction. *World development*, 37(8):1307-1316.

Stenbacka, C. 2001. *Qualitative psychology: a practical guide to research methods*. London: Sage publications.

- Sutton, J. & Austin, Z. 2015. Qualitative research: data collection, analysis, and management. *The Canadian journal of hospital pharmacy*, 68(3):226-231.
- Terblanche, S.E. 2008. A comparison of project participants and extension officers' perception about participation in agricultural projects in the North West Province, South Africa.
- Thomas, D. 2006. A general inductive approach for analysing qualitative evaluation data. *American journal of evaluation*, 27:237-246.
- Thouvenot, A. 2014. Land reform and agricultural development: Zambia versus Zimbabwe. *Global majority e-journal*, 5(1):18-32.
- Turner, S. 2001. Policy brief: sustainable development: what's land got to do with it? (Mini-Thesis – Master of Philosophy). Cape Town: University of the Western Cape.
- Vosloo, J.J. 2014. A sport management programme for educator training in accordance with the diverse needs of South African school. (Mini-dissertation – MBA). Potchefstroom: North-West University.
- Wegerif, M. 2004. A critical appraisal of South Africa's market-based landform policy: the case of the Land Redistribution for Agricultural Development (LRAD) programme in Limpopo. (Thesis – PhD). Cape Town: University of the Western Cape
- Young, G. 2017. South African land reform as peace building: integrating perspectives from social identity theory and symbolic politics in a peace building conceptual framework. (Thesis – PhD). Stellenbosch: University of Stellenbosch

ANNEXURE A: INTERVIEW GUIDE

DEMOGRAPHICS

1. Organization.....
2. Position.....
3. Highest qualification.....

THEME ONE: PARTICIPATION

4. Are you a beneficiary of the Ravele CPA project?
5. What is your level of participation?
6. Are all beneficiaries fully participating in the project?
7. What is the compensation structure?

THEME TWO: CAPACITY BUILDING

8. Are there sufficient human resources available?
9. What training(s) have been provided to the beneficiaries?
10. Is there an adequate financial resource available? How is the project currently being funded?
11. Do you have sufficient infrastructure and equipment available? If not, what are the infrastructure and equipment identified to be lacking?

THEME THREE: POST-TRANSFER SUPPORT

12. Does the project receive assistance/support from government departments?
 - a) Which departments?
 - b) What kind of assistance/support?
13. How is the project being managed?

THEME FOUR: CHALLENGES

14. What are the challenges you experience?

GENERAL QUESTIONS

15. When last did you visit the farm? Date
 16. Can you describe what is happening on the farm presently?
 17. What changes have you seen, in terms of poverty and hunger eradication, since the transfer of the farm to the community?
 18. What are your suggestions to make this project a success or to overcome these challenges?
-

ANNEXURE B: LETTER FROM RAVELE CPA



Ravele Communal Property Association

Registration No. CPA/04/0690/A

P.O. Box 363, LEVUBU, 0929, RSA.

Appelfontein 8(3) 35 LT, B1, Road D1806, LEVUBU, 0929, RSA.

Contact Details: Tel: + 27 (0) 79 205 0377; Fax: 086 562 9562
E-mail: info.ravelecpa@gmail.com Website: <http://www.ravelecpa.co.za>

Enquiries: Executive Administrator
Cell: 082 357 1154
Ref: RCPA 06/2018

To: Miss. Charmaine Kulani Mabasa (student no: 26916657)
North West University
Potchestroom Campus
NWU Business School
Private Bag X6001
POTCHESTROOM
2520


Dear Madam,

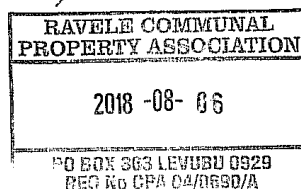
RE: APPROVAL TO CONDUCT RESEARCH FOR MASTERS DEGREE

1. The matter above bears reference.
2. We acknowledge receipt of your letter dated 02 July 2018 requesting to conduct research for your Masters Degree.
3. Kindly take note that permission has been granted and you are therefore requested to liaise with the Executive Administrator, Mr. Ravele T.B. at 082 357 1154 for your introduction to the HR of the subsidiary company of the CPA so that you interact with the workers in your research.
4. Trusting in your kind understanding and cooperation

Regards,

Ravele T.B.


Executive Administrator



ANNEXURE C: LANGUAGE EDITOR'S CERTIFICATE



Dynamic Language &
Translation Specialists

Antoinette Bisschoff
71 Esselen Street,
Pretoriusfontein
Tel: 018 293 3046
Cell: 082 878 5183
Language@dlts.co.za
CC No: 1995/017794/23

Sunday, 09 December 2018

To whom it may concern

Re: Confirmation of language edit, typography and technical precision

The MBA dissertation **Investigating land reform challenges: a case study in the Limpopo Province** by C K Mabasa (26916657) was edited for language, typography and technical precision after post-examination corrections made by the author. The referencing and sources were checked as per NWU referencing guidelines.

Final, last minute corrections remain the responsibility of the author.

Antoinette Bisschoff

BA Languages (UPE – now NMU); MBA (PU for CHE – now NWU); Translation and Linguistic Studies (NWU)

Officially approved language editor of the NWU since 1998
Member of SA Translators Institute (no. 100181)

Precision ... to the last letter