

**The Impact of the Land Restitution Programme on the Livelihood
of Rural Communities -A case study of Ga-Makgato community in
Limpopo Province of South Africa**

by

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DECLARATION

I, Tshamano Donald Mandiwana, hereby declare that the mini-dissertation for the degree of Master of Development hereby submitted to the University of Limpopo (degree & field of research) has not previously been submitted for a degree at this or any other university, and that this is my own work in design and execution and that all reference materials contained therein have been duly acknowledged.

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ABSTRACT

This study aimed to assess the impact of the Land Restitution Programme on the livelihoods of the rural communities of Ga-Makgato village in the Molemole Municipality, Limpopo Province. As a basis of assessment, the primary and secondary data were collected and analysed. Electronic and non-electronic sources were used to collect secondary data while primary data were collected through pre-tested questionnaires. The study found that both males and females who are 38 in number participate in the land restitution programme. Of this number, 8% was found to be the youth, while the elderly and adults population of the beneficiaries of the CPA constitute 92%. Females constitute 47%, while the percentage of their male counterparts stood at 53%. In terms of the level of literacy, 11% of the total number of beneficiaries could not read or write and this is a serious concern of this study. Analysis of number of jobs created was also carried out. It was found in this study that the CPA managed to create on 38 jobs. In as far as income generating ability of the CPA is concerned, R1,5million was generated during the period under review. Of this amount, R710 000-00 came from the sales of Nguni cattle while the Bonsmara generated R650 000- 00. The following challenges were established in this study, i.e., lack of sufficient grazing space, lack of access to adequate funding, lack of technical and financial management skills, lack of sufficient government support, lack of access to adequate water sources, lack of access to markets, high electricity bills and lack of proper record keeping systems.

The following recommendations are provided:

- The CPA should review the lease agreement;
- LEDA should in consultation with other financial institutions assist the CPA in accessing funding;
- The Department of Agriculture should provide the CPA with technical assistance;
- The Department of Water Affairs and Agriculture should ensure supply of water and infrastructure;
- The Department of Agriculture and LEDA should provide the beneficiaries of the CPA with market infrastructure and information;
- The Molemole Local Municipality should provide subsidy for electricity bills; and
- Policy makers should consider implementation of the job creation model provided in this study.

If these policies can be successfully implemented, the land restitution programme in the Capricorn District, particularly at Ga-Makgato and surrounding villages, can become a major strategy for improving the livelihoods of the rural poor.

DEDICATION

This mini-dissertation is dedicated to my late grandparents, Jack Mutangwa and Shandukani Nyatshavhungwa; my parents, Wilson Ratshidaho and Salphinah Mavhungu; my wife, Tshilidzi, my son Vusani, daughters, Lusani and Luvhani; and all my brothers and sisters for their moral support throughout the period of my studies.

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LIST OF ABBRIVIATIONS AND ACRONYMS

ABET	Adult Based Education and Training
ANC	African National Congress
BoG	Balance of Grants
CCRDR	Cabinet Committee on Resettlement and Rural Development
CDW	Community Development Workers
CFU	Commercial Farmers Union
CPA	Communal Property Association
DLA	Department of Land Affairs
ESAP	Economic Structural Adjustment Programme
HSRC	Human Science Research Council
IMCRRD	Inter- Ministerial Committee on Resettlement and Rural Development
LED	Local Economic Development
LIBSA	Limpopo Business Support Agency
LRRP	Land Redistribution and Resettlement Programme
LTFM	Land Task Force of Ministers
NECF	National Economic Consultative forum
NGO	Non-Governmental Organization

NLAC	National Land Acquisition Committee
NPCCC	National Provincial Command Centre Committee
RDC	Rural District Council
RSA	Republic of South Africa
SADC	Southern African Development Communities
STATS SA	Statistics South Africa
ZANU PF	Zimbabwe African National Union – Patriotic Front
ZJRI	Zimbabwe Joint Resettlement Initiative
ZAPU	Zimbabwe African People’s Union

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CHAPTER 1

INTRODUCTION

1.1 The Aim of this Chapter

The aim of this chapter is to introduce the study, starting off by presenting some information on the Land Reform Programme. The first part of the chapter presents a brief discussion of the land reform in the new era of government in South Africa. Some challenges of the implementation of the Land Reform Programme also forms part of this chapter. This is followed by a discussion of the statement of the problem, the research questions, the research objectives, study area and the significance of the study. Other issues covered in this chapter are, namely, the limitations of the study, definition of concepts and chapter outlined. The last part summarises the chapter.

1.2 Background of the Study

The majority of Black people in South Africa since the 1652 colonial model were forcefully removed from their ancestral land and resettled in what became overcrowded and environmentally degraded (Lahiff, 2000). The South Africa Native Land Act of 1913 which gave more rights to the apartheid government to forcefully remove the Black masses from their land saw the Blacks occupying 7% of the land spaces while their White counterparts occupied 93% of the total land space (Hall, 2003). However, this act was replaced by the 1936 Native Trust and Land Act, which allowed Blacks to occupy 13% of the land space. The act prescribed that blacks cannot buy the land but can occupy it as employees of their White masters. So, it is against this background that the masses of Black people in South Africa found themselves displaced in their own land. However, the first term of office of the ANC-led government abolished these laws, bringing in new hope to the millions of Black people in South Africa to take back their ancestral land (Hall, 2003). Legislations governing the Land Reform Programme were promulgated. The main purpose for the Land Reform Programme is to redistribute land in

order to address the racially distorted pattern of land holding in South Africa (Matukane, 2011). The government, through the department of land affairs announced a Land Reform Programme with three components as entrenched in the constitution of South Africa, namely:

- Land restitution which aimed to provide equitable redress to victims of racially motivated land dispossession in line with the restitution of Land Rights Act 22 of 1997(DLA, 1997);
- Land redistribution which aimed at providing the previously disadvantaged members of communities with land for residential and agricultural purposes; and
- Land tenure reform which deals with land rights of people in communal areas, farm workers and labour tenants governed by the Extension of Security Act 62 of 1997.

Despite the availability of the Land Reform Programme and policies, implementation of this is still a challenge. Various academics have argued that the challenge for implementation of Land Reform Programme in South Africa is the absence of clear and coherent strategy on post-transfer support (Hall, 2003). Here, the legislation does not have the plan and the design of agricultural and rural development strategies. Thorner (1976) argues that different groups of farmers have different needs. Therefore, needs of farmers; and marginalized groups, such as women and farm workers, should be prioritized when designing programmes and projects (Hall, 2003). The absence of a post-settlement strategy has resulted in the government getting private companies to assist communities to manage their farm in the name of strategic partners. This is a serious problem as this kind of arrangement has potential for land reform beneficiaries' status to be reduced to mere farm workers (Derman, 2006; and DLA, 1997).

A number of challenges that the land restitution projects are faced with have been identified by this study. These include the following:

- Lack of technical skills;
- Lack of financial, marketing, risk management and records management skills;
- Beyond land reform, the challenge is to find technologies and socio-economic frameworks that spread all the rural opportunities more equitably and make them economically viable (Thorner, 1976); and
- There is lack of support system for agriculture and other land-based livelihood, together with limited access to input and output marketing.

The consequences of the foregoing are under cultivation and lack of interest in farming amongst the youth (Kepe, & Cousins, 2002).

1.3 Statement of the Problem

Although the community of Ga-Makgato in the Molemole Local Municipality has successfully re-claimed its land, very little seems to have been done in as far as the improvement of the livelihood of the poor masses is concerned. Other literature sources suggest that agriculture is the main driver of economic growth which is capable of providing jobs and food (Derman, 2006). Accordingly, the problem of this study is, namely, what is it that makes it difficult for the Land Restitution Programme in Ga-Makgato village to improve the livelihoods of the poor people in that area?

1.4 Research Questions

- (i) What are the ages and educational levels of participants of the CPA members at Ga-Makgato community in the Molemole Municipality?
- (ii) To what extent are females and youth participating in the Land Restitution Programme at Ga-Makgato community in the Molemole Municipality?
- (iii) To what extent has the Land Restitution Programme succeeded in creating jobs for females and youth?
- (iv) To what extent has the Land Restitution Programme at Ga-Makgato community succeeded in generating income?
- (v) What are the challenges facing members of the CPA at Ga-Makgato village?

1.5 Objectives

The primary objective of this study was to assess the impact of the Land Restitution Programme on the livelihoods of the rural communities, while specific objectives of this study were, namely, to:

- (i) Assess the ages and educational levels of participants of the CPA at Ga-Makgato community in the Molemole Municipality;
- (ii) Assess the level of participation by the females and youth in the Land Restitution Programme at Ga- Makgato community in Molemole;
- (iii) Assess the extent to which the Land Restitution Programme has succeeded in creating jobs for females and youth;

- (iv) Assess the income-generating ability of the Land Restitution Programme at Ga-Makgato village; and
- (v) Identify the challenges that the beneficiaries of the CPA of Ga- Makgato community in the Molemole Municipality are faced with.

1.6 Significance of the Study

Some studies that were conducted in the past revealed that the Land Restitution Programme in Limpopo Province has long been a controversial issue to the beneficiaries (Hall, 2003). Here, most of the Land Restitution Programmes are said not to be capable of improving the livelihoods of the poor; the study of Chauke (2006) also confirms this. It has been established in this study that most farms that were acquired through this programme were either abandoned or underutilized (Chauke, 2006). So, it is for this reason that this study has been found to be more significant in order to find the root-cause of this problem.

1.7 Limitations of the Study

Ideally, the present study should have covered all the Land Restitution projects in the Molemole Local Municipality, but due to time and financial constraints, only one project was selected as a case study.

1.8 Definition of Key Concepts

- **Sustainable development**

Aihood (1994) mentions that sustainable development, particularly in agriculture means different things to different people. Some people view sustainable agriculture as just a philosophy and not a farming practice. However, the most prevalent definition of sustainable agriculture is one that is ecologically sound, economically viable and socially humane (Aihood, 1994). Le'le' (1991), on the other hand, describes sustainable development as a means to sustain the economy as well as an ecological system. Another definition which is in line with these views is that sustainable development is the kind of development that is people-centered, concentrating on improving the quality of life of poor people and conservation based on maintaining the variety and productivity of nature (Brundtland Commission, 1987). Bases on these definitions, one could conclude that sustainable development suggests that development should be capable of sustaining the livelihoods of the present and future generations. Such development should aim at improving the quality of life of the present and future generations (Brundtland Commission, 1987).

- **Community**

The concept-community is hereby defined. According to McKay (1999), the concept-community is described as a group of people who have certain things in common. The community can be loose-knit or close-knit depending on the environment in which they are found (McKay, 1999). A community is said to be close-knit when there is a strong bond

between its members. Also, the community could be loose-knit when there is no strong bond between its members (McKay, 1999).

- **The concept – impact**

A precise definition of the concept of impact is an influence or results that emanate from an intended engagement in a certain activity (Chauke, 2006). The term can also be defined as sets of emerging programme results or intermediate improvements that can be observed on beneficiaries. The other view is that the term impact could also refer to observable economic benefits and personal well-being accruing directly or indirectly to beneficiaries (Chauke, 2006). Hall (2003) describes the term impact as the force of collision or the influence of something or affection. Based on these definitions, the term impact in this study refers to the change that the Land Restitution Programme made to the livelihoods of the people of Ga-Makgato village.

- **The Land Reform Programme**

The concept of the land reform refers to a programme which was designed by government to redress the past injustices of forced removals of the majority of black people by the previous government of South Africa (ANC, 1994). It is aimed at ensuring security of tenure for rural dweller, eliminating overcrowding and supply residential and productive land to the poorest

section of the rural population (ANC, 1994). The Land Reform Programme comprises three legs, namely, the Land Restitution, Land Redistribution and Land Tenure (DLA, 1997).

- **Land Restitution**

Land restitution deals with claims lodged in terms of the Restitution of Land Rights Act, 22 of 1994. It aims at processing claims lodged by persons or community dispossessed of property after 1913 as a result of racially discriminatory laws (DLA, 1997).

- **Land Redistribution**

Land redistribution on the other hand can be described as a sub-programme of the Land Reform Programme aimed at providing the previously disadvantaged communities or persons with land for residential and productive purposes. The land redistribution sub-programme took several forms, including group settlement; group production; commonage schemes; and on-farm settlement of farm workers (DLA, 1997).

- **Land Tenure**

Land tenure is a sub-section of the Land Reform Programme which aims at providing people with secure tenure where they live or farm with the purpose to prevent arbitrary evictions which is in compliance with the constitutional requirement that all South Africans have access to legally secure tenure in land (DLA, 1997).

- **Livelihoods**

The concept is defined as a condition where all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preference (Hall, 2003).

- **Claimants**

The term claimant refers to individuals, groups, tribes or clan that have submitted claims to get their land which was forcefully taken by the previous order of government in South Africa (DLA, 1997).

- **Beneficiaries**

The concept beneficiary refers to individuals or group of people that have been verified from the verification list of claims lodged with the government and who were found to be entitled to benefit from the claim (Hall, 2003).

- **Communal property Association**

Community Property Association can be described as a structure through which claimants of the land who are the previously disadvantaged people collectively acquire and manage property in terms of a written constitution (Matukani, 2011). Such an association is regulated by the Communal Property Act, Act, no 28 of 1996.

1.9 The Structure of the Mini-dissertation

The mini-dissertation is divided into five chapters as outlined below:

Chapter 1 presents a background of the Land Reform Programme in South and goes on to introduce the statement of the research problem, the research objectives and questions, significance of the study and definition of concepts used in this study.

Chapter 2 provides an extensive literature review regarding the legislations that govern land issue in other countries. Zimbabwe and Namibia were selected for this purpose. Literature on Land Reform in Taiwan, India, Japan, Korea and South Africa also formed part of this chapter.

Chapter 3 presents the methodology of the study, giving a background of the concept of research design and goes on to outline the research methodology used in data collection and analysis. Other issues discussed include the sampling procedures followed in selecting participants.

Chapter 4 presents an analysis of data, using tables and graphs. The presentation starts by analyzing the demography of participants and goes on to analyze the value of properties and number of jobs generated by the land restitution project at the Molemole Local Municipality. The last part of this chapter discusses the results.

Chapter 5 presents the summary of the findings of this study, policy recommendation and issues for further research. The last part concludes the study.

1.10 Summary

This chapter presented the background to this study. It started off by giving a synopsis of the origin of Land Reform Programme in South Africa and went on to identify the statement of the problem, objectives, definition of concepts and the significance of the study. It also indicated the limitations of this study.

CHAPTER 2

LITERATURE REVIEW

2.1 The Aim of this Chapter

The aim of this chapter is to present literature on best practices of the land reform in other countries. It started by presenting the legislations governing the Land Reform Programme in other countries. Discussion of the impact of the Land Reform Programme in Zimbabwe and Namibia was made. The presentation went on to discuss the Land Reform Programme in South Africa. The last part of the chapter presents a summary.

2.2 The Impact of the Land Restitution in International Countries and in SADC

The land restitution is deemed to be a success if it improves the livelihood of poor people (Binswanger & Elgin, 1992). According to the views of Carter and May (1999), empirical studies in different countries have identified a positive link between access to land and income; Bouis and Haddad (1990) also confirm this. The following section presents the impact of the Land Reform experience in international countries and in SADC.

2.2.1 The impact of the land restitution in international countries

The success and failure of the land restitution depends on post-land restitution implementation plans and strategies. According to Chauke (2006), the land restitution process should be accompanied by appropriate post Land restitution support programmes and strategies. The success of the Land Reform Programme in Taiwan could serve as an example. After the

Taiwanese got their land back from Japanese nationals and local large-scale farmers in early 1950s, the government of Taiwan rented out and later sold land to the tillers (Chauke, 2006). Two challenges facing these new farmers were identified and they were the lack of access to credit to buy inputs and lack of access to appropriate markets (Chauke, 2006). As an intervention, farmers were provided with inputs by the government of Taiwan. Also, government has assisted farmers in accessing local and international marketing. As a result of this, increased productivity was during the periods 1952 and 1956 realised (Chauke, 2006). The money so generated from the produce was invested into the development of an industrial economy that led to Taiwan being transformed into one of the major players in the world economy. Perhaps the lesson that could be learned from the Taiwanese Land Reform is the commitment of the post-land reform policies by government as well as investment in industrial economy (Chauke, 2006). Another country that has recorded a high rate of success in as far as implementation of the Land Reform Programme is concerned is India. Here, the programme has made major improvements on productivity in the Indian state of West Bengal (Thorne, 1976). Other countries where the impact of the land restitution is visible are Japan (World Development Report, 2006).

2.2.2 The impact of the land restitution in SADC

The experience of the Land Reform Programme implementation in SADC countries was also found to be more appropriate for this study. Two countries, namely, Zimbabwe and Namibia were due to their proximity to the area of this study selected to look at issues of common interest that these countries might have.

2.2.2.1 Land Reform Programme in programme in Zimbabwe

The country of Zimbabwe had, with the first arrival of the European settlers, two major tribes, namely, Shona and Ndebele, with agriculture as the main source of their livelihood. At that time, the nucleus of the government in Zimbabwe was composed of a chief, supported by tribal councillors and headmen. This system was destroyed by the British, and subjected the people of Zimbabwe to economic subordination. The Land Apportionment Act of 1930, which formalized racial separation of land, was the starting point. During this period, the majority of black people in Zimbabwe lost their land as they were driven to marginal areas with inherently poor soils and poor rainfall. Although agriculture was the main source of food and income, a series of repressive legislation prohibiting them from participating on the mainstream of the economy were promulgated (Gonclaves, 1993; and Campbell, et al., 1997). .

After the people of Zimbabwe had attained political independence in 1980, the new ZANU PF government came into being, promising the people their land back. The land redistribution and resettlement programme were the main policies to drive this process. The process was planned to be implemented in two phases (Gonclaves, 1993). The first phase of the resettlement programme in Zimbabwe aimed to provide a guide on the process that government should follow in land redistribution. The phase also intended to design economic strategy to improve agricultural productivity among the resettled families (Tshuma, 1997). Although the Land Reform Programme in this phase was well planned and that it was supported throughout by the

majority of the Zimbabweans, it failed to achieve its targets. Consequently, the issue of land redistribution almost vanished from the national agenda in the mid-1980s (Tshuma, 1997).

In 1989, when the opposition party i.e. Zimbabwe African People's Union(ZAPU) was formed in Zimbabwe, the government amended the constitution to accommodate the new plan to re-introduce the land redistribution programme. The amended constitution outlined the plan to ensure that all land, not just under-utilized land is subjected to compulsory acquisition. The constitution also dictated that all land for sale should be offered to the government first, before they could be sold to a third party. The amended constitution further provided that: "no law shall be called into question by any court on the ground that the compensation provided by that law was not fair" (Tshuma, 1997).

Following this, the Land Acquisition Act of 1992, which implemented the principles set out in the amended constitution, was legislated. Further amendments on the constitution were made in 1993. However, these amendments did not bring much progress in terms of resettling the needy people. It is quite ironic to note that, of the 400 farms that were acquired, the bulk of these were alleged to have been allocated to the senior party members. Frankly, much could have been achieved in the first 20 years after independence if it were not for the corrupt practices by the senior party members as alleged, although the government defends this by laying the blame of slow progress of land redistribution on lack of resources, limited capacity of implementing agencies, constitutional constraints, e.g., willing-buyer/ willing seller-basis and the rise in land prices (Tshuma, 1997).

The other challenge that came with the land redistribution in Zimbabwe was the lack of consultation and participation of non-Government stakeholders. Prior to the launch of the National Economic Consultative Forum (NECF) in 1998, there was no significant non-government stakeholder participation in the Land Redistribution and Resettlement Programme (LRRP). The key actors then were the central government and its various line ministries and the ruling party, ZANU PF, through the land identification committees and national committee, chaired by its national chairperson. The process thus was highly politicized (Gonclaves, 1993).

Poor ministerial co-ordination was another challenge that the programme was phased with. Here, too many ministries and government departments were involved without clear roles and mandates. For instance, there was lack of institutional clarity and division of labour between central government and Rural District Councils (RDCs) as well as between the RDC and the communities as represented by traditional authority that make up the RDC. The process was highly technocratic, centralized and was concerned more about numbers of people given land rather than the empowerment process (Tshuma, 1997).

Although government was the main driver of the programme, the implementation responsibilities were fragmented among government agencies with inadequate co-ordination. For example, land identification was ZANU PF driven; Land acquisition was done by the Ministry of Lands and Agriculture (MLA); Land use planning was done by the Department of Extension Services, Settler selection was done by the Ministry of Local Government and settler placement was done by the Ministry of Rural Resources. This fragmentation created problems of synchronization and co-ordination. Further, the institutions did not create space to tape ideas from intended

beneficiaries, which are the rural poor and the landless. As a result, a coherent vision of the programme that would move the resettled farmers out of subsistence into commercial activities failed to emerge as planned (Tshuma, 1997).

The first phase of the resettlement programme failed to address the issue of tenure among the resettled farmers. Land was vested in the hands of the government, whereas the beneficiaries were only given permits to reside and work on the land. The uncertainty of tenure and the possible abuse that could result from a renewal system created a sense of insecurity and limited farmers' ability to access credit for farming activities. The Land Tenure Commission, among the other findings, noted that the insecurity of tenure among the resettled farmers grossly affected their commitment and long-term investment. This resulted in many farmers not surrendering their customary entitlements to land in the communal areas (Masiwa, 2003)

The second Phase of the Land Reform and Resettlement Programme came into being at a time when the ruling government was reeling under a number of negative developments. Among such developments was the introduction of the Economic Structural Adjustment Programme (ESAP), whose impact on the economy and the general populace was negative (Tshuma, 1997). On the other hand, new political parties emerged that were determined to challenge the vanguard ZANU PF government. The efforts from the opposition parties were complimented by the rise of the private media and civil organizations that also helped to disseminate information to the general public. These helped to a large extent in molding the second Land Reform and Resettlement Programme. Apparently, the rising political opposition forced the government to

seriously think about resuscitating the resettlement programme that had slowed down over the years (Tshuma, 1997).

In April 1996, the National Land Acquisition Committee was formed at the ruling party's congress. The committee was sanctioned with the task of identifying land for resettlement. The tasks of this committee were complimented by the Provincial Land Acquisition Committees at provincial levels. The formation of these institutions and the amendment of the Land Acquisition Act of 1996 accelerated the rate at which land was identified for acquisition. Hence by November 1997, the National Acquisition Committee had identified close to four million hectares of land countrywide (Tshuma, 1997). This was a very important preparatory stage for the second Land Acquisition and Resettlement Programme. Once the farms were identified and listed for acquisition, a preliminary notice of acquisition was sent to the property owners who were expected to respond. The preliminary notice of acquisition remained in force for a period of one year before the initial acquisition process began as stipulated in the provisions of the Land Acquisition Act. Some authorities argue that this was the formal initiation stage for the second phase of the Land Reform Programme. However, the farm owners claimed most of these farms in the court of law. Although government was now determined to deal with the land problem; it was again dogged by financial problems. The government estimated that it would need about \$US 1, 9 billion (about \$ZW 42 billion), which it hoped to raise from international donors. The government went on to unveil a \$US1, 9 billion budgets in the Revised Phase II (Tshuma, 1997).

The failure of the inception phases of the land redistribution programme in Zimbabwe and the rising pressure from people for land, forced government to legitimize the violent farm

invasions through an accelerated resettlement programme named “Fast Track”. The main purpose for this programme was to fast-track the land redistribution process (Tshuma, 1997). A document entitled “Accelerated Land Reform and Resettlement Implementation Plan” was drafted and distributed at the Mini-Summit which was held in New York during September 2000. The document explained what the accelerated resettlement programme entailed as well as to specify the time frame for the completion. The fast track resettlement programme was officially launched on 15th July 2000. Some targets were set to acquire 1 million hectares and resettle 30000 families. The programme also aimed at the acquisition of additional 4 million hectares of commercial farm land in which about 120000 families would be resettled (Tshuma, 1997).

When the fast-track resettlement programme was implemented, it did not have any legal backing. Due to political pressure, judges who initially gave judgments for removal of farm invaders were allegedly no longer free to exercise their powers and as a result, commercial farmers, whose land had been gazetted for acquisition, challenged the legality of the land reform in general and the fast track resettlement in particular. According to these farmers, the invasion was according to the constitution of the country illegal and as a result, the government was through the Commercial Farmers Union (CFU), taken to court. Presidential Powers were also challenged, indicating that these powers were being abused whenever it was convenient for the government to do so, e.g., the Land Acquisition Amendment Bill was amid protracted debate passed in the parliament. The fast track was on 10 November 2000 through the decision of the Supreme Court instructed to stop unless the necessary legal requirements had been put in place. Despite this instruction, illegal farm occupations continued as the ZANU PF government did not

have the will and courage to evict war veterans that occupied the farms since they formed a crucial power base of its presidency. The executive, government ministers and members of the War Veterans Association had instead attacked the country's judiciary system, alleging that it was serving the interests of the white minority. The argument here was that the land issue in Zimbabwe was a political issue, which should not be solved through the courts and due to political pressure; the Chief Justice went on early retirement (Tshuma, 1997). Although the country had such an elaborate institutional framework put in place by the government to implement the Fast Track Land Reform and Programme, events unfolding on the ground were beyond any logical comprehension. Here, events were characterized by nationwide farm invasions and occupations that were initiated by the war veterans. This move was legally supported by government and the Rural Occupiers. The Act was passed in 2001 to legalize this. The main purpose of this act was to prevent the eviction of people who have invaded a particular farm until the issue is determined in the Administrative Court (Masiwa, 2003).

A team of the United Nations Development Programme was sent to Zimbabwe in 2000 to determine the feasibility of establishing a sound technical basis for furthering the Land Reform Programme and it was found that the fast-track resettlement programme was causing severe economic damage as it was done in an unplanned and violent manner (Masiwa, 2003). According to the findings of the team, the programme was spawning massive unemployment and reducing agricultural production. It was on this basis that the team recommended to government to abandon this programme to avoid international isolation and get the much needed financial backing for the land reform programme. In response, government vowed to continue with the fast-track resettlement programme even without international donor support. Conditionality

attached to donors' aid, in the government's view, are an attempt to undermine the country's sovereignty by imposing on the government how it must solve the land issue. Another attempt to discourage government to discontinue the fast-track land restitution programme was made (Masiwa, 2003).

In September 2001, the Commercial Farmers Union made a historic step towards breaking the impasse between its members and the Zimbabwe Government in Harare. The Union proposed to the government to form the Zimbabwe Joint Resettlement Initiative (ZJRI), a home-grown solution land solution. Key features of ZJRI were:

- Commercial farmers offered the government 531 farms, representing a total area of 967 452 hectares out of the pledged one million hectares of uncontested land for resettlement purposes. These farms were distributed across all provinces and agro-ecological zones;
- One hectare of free tillage for each of the resettled families, would be offered;
- A \$ZW 60 million grant for agricultural inputs will be made available to beneficiaries;
- Establishment of a Z\$1.375 billion revolving soft loan to support the capital development on commercial farms;
- Provision of at least three consultants per province to assist new settlers with technical advice;
- Mounting international publicity to convince and attract the international community to support and land reform with financial and technical support; and
- Dispute settlement that might arise during the implementation process (Masiwa, 2003).

On the 5th of September, acting President, the Honourable Joseph Msika issued a statement on behalf of the Zimbabwean Government accepting ZJRI. Both parties reaffirmed absolute commitment to play a constructive role in support of an internally driven resettlement programme. A joint technical sub-committee to build an atmosphere of confidence and trust was set up. However, the initiative made no impact as the fast-track resettlement went on as usual (Masiwa, 2003).

Although it could still be early to say whether the resettled farmers would match the productivity levels achieved by white commercial farmers previously, there is doubt on whether the land redistribution exercise in Zimbabwe improved the livelihoods of the poor masses or not. A significant decline in tobacco production, a drop in agricultural production and a gross shortage of foreign currency directly through a diminish in agricultural exports and the use of scarce foreign currency to important maize and other commodities of which the country is normally self-sufficient are some of the negative impact of fast-track resettlement scheme in that country (Scott, 1985). Other effects of the Land Reform Programme are massive unemployment, liquidation of many enterprises whose operations are dependent upon the supply of inputs normally required by the agricultural sector, diminished revenue flow to the fiscus, a worsening balance of payment position, depreciation of the Zimbabwe dollar an increase in inflation etc., (Scott, 1985). Clearly, the fast-track resettlement scheme seems to have negative impact on all sectors of the economy.

2.2.2.2 Land Reform Programme in programme in Namibia

After its inauguration, the Republic of Namibia has developed land reform policies to assist Black people in getting back their land which was forcefully taken away from them. Two hundred and ninety three farms consisting of 1.8 million hectares were bought from the white commercial farmers for resettlement purposes (Derman et. al., 2006). The willing buyer/willing seller approach were used to buy these farms. Despite the effort to acquire more land, the number of families that were settled on these farms were relatively small, taking into account the fact only 4790 out of 200 000 families that were displaced were settled (Cater & May, 1999). In the rural areas of Windhoek for example, communities are said to be clamouring for access to farm land through expropriation and on the basis of ancestral land rights. It is quite clear that the Land Reform Programme has not made any significant change since independence hence this high demand. In the national conference which was held in 1991 the civil society group took a resolution that government should take steps to accelerate the process of expropriating land from absentee landlords. Also, government should act more decisively to address what is considered to be crises in the resettlement programme (Philip, 2003). The resolutions also wanted reforms in communal areas to make them more productive and finally, they wanted the government to prioritise farms of absentee landlords for expropriation. Despite these efforts, the resolutions so adopted could not be effective (Thorner, 1976). A number of challenges of the Land Reform Programme in Namibia were identified by some critics. According to their views, the land offers might have increased, but due to budgetary constraints, government could not be able to afford the prices that the white farmers charge as they are exorbitantly high. Apart from budgetary constraints on the part of government, there are some other challenges that make it difficult for the Land Reform Programme in Namibia to improve the livelihoods of the poor. The first challenge that Namibia

has is that the infrastructure on most farms bought through the Land Reform Programme cannot be used for agricultural production as they are very old. Also, due to the previous background, land reform beneficiaries do not have technical skills and knowledge of farming and this affects productivity very sharply. The lack of adequate market for their produce is another challenge. Based on challenges of the Land Reform Programme as alluded to before, it has become very clear that the programme is not making any impact to improve the livelihoods of the poor people of Namibia(Masiwa, 2003).

2.2.2.3 The Land Reform Programme in South Africa

Before the new government in South Africa could come into power, 87% of South Africa's land space was in the hands of whites who constituted only 12,6% of the total population while black people were cramped in a small portion of land constituting 13% of the total land space (Levin & Weiner (1991). According to their views, approximately 82 million hectares of agricultural land were in the hand of the White minority while millions of Black South Africans occupied only 13% of the land space. The Native Land Act of 1913 which was used as a basis created a system of land tenure that deprived the majority of South Africans of the right to own land (Collins, 2007). Other legislations which were used to perpetuate unequal distribution of land in South Africa were the 1936 Native Trust Land Act which expanded the native reserves to 13.8% of the total land space; the Group Areas Acts of 1950 and 1957; the Native Resettlement Act of 1954 the Native Trust and Land Amendment Act of 1954 were used as a basis for forced removals of majority of Black people from their ancestral land (Baldwin, 1975).

After the 1994 general elections that brought about the new democratic government in South Africa, a Land Reform Programme was developed. The document that was crafted by the ANC-led government aimed to redress the past injustices of forced removals of the majority of Black people by the previous government of South Africa by ensuring security of tenure for rural dwellers, eliminating overcrowding and supply residential and productive land to the poorest section of the rural population (DLA, 1997).

2.2.2.3.1 Land restitution

The main purpose of the Land Restitution Programme is to restore land dispossessed through racially discriminatory legislations. The government's policy and procedures for land claims are based on the provisions of the Constitution and the *Restitution of Land Rights Act, 22 of 1994*. According to these pieces of legislations, restitution claims submitted should be investigated by the Commission on Restitution of Land Rights to check if qualifying criteria are met by applicants. The Act stipulates that the claim for restitution of land will be considered provided that the claimant was dispossessed of a right in land after 19 June 1913. Restitution can take the form as follows:

- Restoration of the land from which claimants were dispossessed;
- Provision of alternative land;
- Payment of compensation; and
- Alternative relief comprising a combination of the above; or priority access to government housing and land development programmes.

The state aims to compensate certain successful claimants where restoration of the land and other remedies are not appropriate. Landowners whose land is expropriated for the purposes of restoring land to successful claimants are compensated in a just and equitable manner.

2.2.2.3.2 Land redistribution

In the first term of the ANC-led government in office, Land Redistribution aimed to provide the previously disadvantaged and the poor with land for residential and productive purposes. A single, yet flexible, grant mechanism was developed by government to embrace the wide variety of land needs of applicants. Land redistribution took several forms i.e. group settlement with some production; group production; commonage schemes; on-farm settlement of farm workers and farm worker equity schemes. Under the *Provision of Land and Assistance Act, 126 of 1993*, the government assisted eligible persons to obtain a Settlement/Land Acquisition Grant to a maximum of R16 000 to purchase land directly from willing sellers, including the State. Because land was unavailable in small grant-sized parcels, therefore people wishing to acquire land formed groups to purchase farms. By mid-1999, some 600 000 hectares had been redistributed to about 35 000 households, about 0.6 per cent of the country's total area of arable and natural pastures.

2.2.2.3.3 Land tenure reform

The Constitution requires the South African Government to develop laws which sets out the interests on land issues which were undermined by apartheid laws and ensure that such interests in land are legally secure. The Land Tenure Reform seeks to address a range of problems that arose from settler colonization and dispossession (DLA, 2004). Communal areas which served as reservoirs for cheap migratory labour were a deliberate creation for furthering of colonial policies. Under these laws, officials of provincial governments still issue 'permissions to occupy'. Without the *Interim Protection of Informal Land Rights Act, 31 of 1996*, the great majority of people (31.4%) of the national population would have no right, independent of the will of the state, to occupy or use their land. Work is in progress on the drafting of legislation which, it is hoped, will provide for far reaching land tenure reform in the rural areas of the ex-homelands and the former South African Development Trust, all of which is registered in the name of the State.

2.2.2.4 The Challenge of post-settlement support under South African Land Reform

The post-settlement of the Land Reform Programme in South Africa is said have numerous challenges. According to Hall (2003), land restitution beneficiaries have some challenges on access to services such as infrastructure support, farm credit, agricultural inputs, training and sustainable land use. Turner (2001) and Jacobs (2003) acknowledge that Land Reform Programme in South Africa has indeed provided the rural poor people to access some land space but argue that land-based livelihoods strategies and support after land transfer has been neglected and this is a serious challenge that affect land reform beneficiaries. Vink and Kirsten (2003) support this statement by arguing that the land reform beneficiaries some of whom are small

scale farmers have been left alone struggling with access to services and resultantly, private companies were hired by government to assist communities in managing their farms in the name of strategic partners (Derman et al., 2006). According to Derman et al., (2006), this kind of arrangement is in simple terms privatisation of post-settlement support. Hall (2003) has also added that absence of post-settlement support has led to serious problems of the new owners of land being unable to use land as a basis for their livelihoods. Hall (2003) identified institutional support to legal entities as another key area of support for land reform beneficiaries. Andrew et al., (2003) have argued that weak institutional capacity and conflicts have a direct, deliberate impact on the ability of beneficiary groups to develop and implement land use management strategies and make productive use of their resources such as the acquired land.

The South African Land Reform Programme, particularly restitution is expected to restore vast amounts of land, including prime agricultural land, to the previously disadvantaged communities and victims of land dispossessions. This presents a mammoth task of provision of support to the new farmers and settlements that will be created by land reform. Turner (2001) has identified issues such as the use of intermediaries in the process of land reform, design agents (consultants) involved in business planning and design of projects for the new land owners as necessary for effective implementation of post land restitution support mechanism(DLA, 2004). Lahiff (2000) has amongst others identified the problem of inappropriate design of most land reform projects as a weakness in the South African land reform. The Minister of Agriculture and Land Affairs has in November 2005 presented to Parliament the information that 70% of land reform projects in Limpopo Province were dysfunctional. The minister found poor design, negative dynamics within groups and non-existent of post-settlement support as major causes for

this collapse of land reform projects. Hall (2003) also added that absence of post-settlement support has led to serious problems of the new owners of land being not able to use this land as a basis for their livelihoods. The minister further identified institutional support to legal entities as another key area of support for land reform beneficiaries. Andrew et al., (2003) have argued that weak institutional capacity and conflicts have a direct impact on the ability of beneficiary groups to develop and implement land use management strategies and make productive use of their resources such as the acquired land. Hall (2003) argues that there are a lot of contestations on decisions on land use and how such decisions are made. In addition, the problems regarding representations and feedback to the community in general, and access issues have been seen as a problem for weak and dysfunctional institutions.

A survey by DLA (1997) known as Quality of Life, has found out that, critical support services such as production loans, agricultural extension, infrastructure, and project management training were identified as being important for the sustainability of land reform projects. In similar veins Turner (2001) identified key functional areas of support for land reform beneficiaries; namely, extension services, skills development and capacity building; including training and mentoring programmes, financial assistance in the form of grants and credit to assist with farming operations, infrastructure support such as irrigation and fencing, and access to markets ranging from local sales which are mainly informal to marketing arrangements with commodity organizations.

Various studies have found that post-settlement support is a key weakness in South African Land Reform. A land rights NGO, Nkuzi Development Association undertook a pilot project to do

alternative approaches to land reform. In the Land Reform Initiative Report, Nkuzi (2003) argues for a need to shift from emphasis on pre-project planning to an integrated strategy for post-land transfer support, where pre-settlement and post-settlement planning becomes part of the implementation of land reform. Nkuzi (2003) also argues that a critical challenge for post-settlement support is the co-ordination of services for land reform beneficiaries. The report argues for a need to decentralize roles and responsibilities to the local sphere of governance for co-ordination of services. Various studies have also found that the problem in co-ordination stems from poor communication between the National Department of Land Affairs and the National Department of Agriculture, resulting in a rigid distinction between land delivery and agricultural development (Turner, 2001).

The current land policy assumes that local government will be the leading role player in service delivery after the transfer of land to beneficiaries (DLA, 1997). Yet local Government policies and programmes give only marginal attention to this. Across the countries many land reform beneficiaries are unable to access municipal services such as water, sewerage, electricity and roads after land transfer. This has been exacerbated by the confusion in the local government as to whether the local municipalities are allowed to provide services on private land or whether they are not obliged to do so (Turner, 2001).

Land-use management poses another challenge for post settlement under South African land reform. A study by Campbell et al., (1997) found that rural communities in Southern Africa are no exception to other rural dwellers in the developing countries in procuring varieties of natural resources for household consumption and/or sale. The situation is equally true for the rural beneficiaries of land reform. Hassan (2002) argues that state agencies internationally accord a

low value to natural resources in people's livelihoods. He argues that it is evidenced by the fact that these items are not accounted for in development plans and land reform projects. Most of the business plans that the beneficiaries of land reform are required to develop, with the assistance of the consultants outsourced by the government, are usually orientated along commercial farming lines with little or no account for natural resources (Shackleton, 2001; and RSA, 2007). In the post-transfer period, a key challenge is that planners and policy makers should begin to appreciate the importance of natural resources to rural people so that rural reforms do not fall short of meeting the needs of the people these are supposed to support. Based on this scenario, it could be concluded that the challenge of land reform in South Africa is a sign of absence of clear and coherent strategy on post-transfer support.

2.2.2.5 Similarities of the Land Reform in South Africa, Zimbabwe and Namibia

The Republic of South Africa, Zimbabwe and Namibia have many things in common in as far as land reform is concerned. All African countries have experienced settler colonization where the Black majority in these countries were dispossessed of their land. Land was a form of disempowerment for the Blacks. In SA, the Black Land Act of 1913 placed vast areas of land under the sole control of whites. Blacks were given traditional lands where they were believed to have traditional lifestyle. The 1913 Act was followed by the Black Trust and Land Act of 1936, which allocated 13% of SA land to blacks although they comprised 80% of the population. Similar Acts were put in place in Namibia and Zimbabwe. The Land Apportionment Act of 1930 formalized racial separation of land and pave way for economic subordination for blacks. In these countries, blacks lost substantial economic power as they were driven to marginal areas

with inherently poor soils and erratic rainfall. Although farming was part of the livelihoods of the poor people, and the sole source of food and income, a series of repressive legislation prohibited them from participating on the mainstream economy. The extent of land dispossession in both countries inevitably led to economic subordination of the black people and this had a severe impact on poverty, environment and human rights. As a result, black people in South Africa, Namibia and Zimbabwe engaged in armed struggle to correct these injustices. The current land reforms in these countries thus, cannot be taken in an economic context alone. If a broader picture is taken, land reform is about addressing historical social injustices, human rights violation, as well as restoration of the dignity of the black people in these countries. People in these countries view land reform as strive to build freedom from poverty, dependence, economic deprivation and exploitation.

Despite historical similarities between Zimbabwe and South Africa, there are also fundamental differences in their economies, which can impact on land reforms in the two countries. For example, the economy of Zimbabwe is based on agriculture. More than 70% of its people earn a living from agriculture and this may explain why there was so much pressure for land, leading to farm invasion. South Africa's economy on the other hand is based on mining and industry. As a result, there is more land pressure for residential purposes than for agriculture. In addition, the framework for land reform in South Africa is more advanced than in other countries. This means that there is greater potential in South Africa to address the land issue more efficiently than in Namibia and Zimbabwe. To a lesser extent, there are some illegal land occupations in South Africa. However, mass land occupations, as it was the case with Zimbabwe, can be avoided if

current modes of land reform (restoration of ancestral land, acquisition of land and securing land tenure) can deliver results to the satisfaction of the black majority.

This section compared land reform management in South Africa, Namibia and Zimbabwe - the three countries in southern Africa sharing a similar history of race-based minority rule which was characterized by extensive land expropriation that pushed indigenous Black population into unfertile reserves during the colonial era. Although each of the three countries has pressure for land redistribution, they have very little different reaction and approaches to management of land reform issues that they face. While Zimbabwe supported and encourage land invasion, resulting in chaotic land management process, both the Namibian and South African governments have very little sympathy with land invaders and have insisted on an orderly process.

2.3. Summary

Presentation of post-land restitution challenges in this study is quite critical as this has potential to undermine the aims and objectives of the land reform in as far as improvement of the rural livelihoods is concerned. It is argued in this chapter that land reform is not just about improving access of land by the poor but to improve their livelihoods through job creation. Looking at the presentation of the literature on land reform in South Africa, it has become clear that the programme has no post-settlement support and, as a result, intervention strategies are required to close this gap.

CHAPTER 3

RESEARCH METHODOLOGY

3.1 The Aim of This Chapter

This chapter provides the methodology used in collecting and analysing both primary and secondary data. It starts off by presenting the demographic information, research design, population and sampling procedure. The chapter also explains how the impact of the land restitution on the rural livelihood was assessed. Other aspects covered in this chapter are the research methods for this study, data collection and analysis. The last part presents a summary.

3.2 Description of the Study Area

The area of study is located in the Molemole Municipality which forms part of the Capricorn District. It is situated on the northern part of Limpopo Province, with the following municipalities constituting its borders: Makhado in the north, Blouberg in the west, Polokwane in the South and Greater Letaba Municipality in the east. The municipality comprises 37 settlements in 13 wards and is predominantly rural, covering an area of 3,347km. The population of the Molemole Local Municipality stands at 108 321. According to Table 3.1, Blacks are in the majority - constituting 98,65% of the total population. This is followed by the white population group which stood at 1.11%. The other population groups, i.e., Indians and Coloured constitute 0.12 % respectively (STATS SA, 2012).

Table 3.1: Total population of Molemole Local Municipality

Population group	Number	%
Black	106 838	98,65
Coloured	139	0,12

Indian/Asian	134	0,12
White	1 210	1,11
Total	108 321	100

Source: STATS SA (2012)

3.3 Analyses of the Level of Education

With regard to level of education, the municipality has a higher percentage of people who have passed primary education followed by those that have passed junior and senior secondary education who constitute 25% and 22% respectively. Only 5% of the total population has tertiary qualifications. Of much concern to the statics in this regard is the high percentage of illiteracy that accounts for 14%.

Table 3.2: Level of Education of the Population of Molemole Municipality

Category	Number	%
No schooling	13 389	14
Primary education	31 888	34

Junior secondary education	23 368	25
Senior secondary education	20 311	22
Tertiary education	4 969	5
Total	93 925	100

Source: STATS SA (2012)

3.4 Analyses of the employment profile of the adult population

An analysis of the profile of employment shows that the majority of people in Molemole is economically inactive (73%). The implication here is that most of this could either be pensioners or school going children

Table 3.3: Employment profile of the adult population

Employment status	Number	%
Employed	15 225	14
Unemployed	14 293	13
Economically inactive	78 803	73
Total	108 321	100

Source: STATS SA(2012)

3.5 Research Design

The concept of research design is, according to Babbie (1994), a plan for scientific enquiry on the research methods to be used in a particular study. Rawal (2001), on the other hand, views the

concept of research design as a plan for collecting and analyzing data in an attempt to get answers to the research questions. This is in line with what was said by Kerlinger (1986), who also describes the concept as a plan, structure, and strategy to be followed in order to obtain answers to research questions; other researchers who share the same sentiment are Johnson and Christensen (2000). In line with what has been said by these researchers, the concept of the research design is an overall plan followed in a particular research. Based on these views, the research design in this study is a plan that outlines the research processes from the design of questionnaires, to the collection and analysis of data.

3.6 Research Methodology

The concept 'research methodology' refers to a specific research method that the researcher proposes to use to collect, to analyse and to interpret data in a particular study (Rawal, 2001). The research method can be either qualitative or quantitative. But there are instances whereby the research requires the use of both qualitative and quantitative methods, and this is referred to as triangulation (McKay, 1999). Qualitative research is, according to Rawal (2001), a research method which places its emphasis on processes and meanings that are not rigorously examined or measured in terms of quantity, amount, intensity or frequency as this establishes the socially constructed nature of reality. The quantitative research method, on the other hand, is used to measure and to analyse causal relationships between variables within a value-free context (Rawal, 2001). So, the main purpose for the quantitative method of research is to evaluate objective data consisting of numbers, while qualitative research on the other hand deals

specifically with subjective data that are produced by the minds of respondents or interviewees (Rawal, 2001). The following characterizes both quantitative and qualitative methods:

- In quantitative research, flexibility is limited to prevent any form of bias in presenting the results, while qualitative research is based on flexible and explorative methods (Rawal, 2001).
- Qualitative research enables the researcher to change the data so that a deeper understanding of what is being investigated can be achieved (Rawal, 2001).
- Despite these differences, both qualitative and quantitative research methodologies are aimed at ensuring reliability and validity of the findings of the study (Wegerif, 2004).

As this study sought to check the perception of people on level of impact that the Land Restitution has made on the livelihoods of the people of Ga- Makgato in the Molemole Municipality, qualitative method of research was used to analyse both primary and secondary data.

3.7 Population and Sampling Procedure

3.7.1 Population

The concept of the population has been described by various scholars. According to McKay (1999), the term population refers to all the organisms that belong to the same species living in the same geographical area. Rawal (2001) on the other hand describe the concept as the study object which consists of individuals, groups, organisations, human products and events. The other view is that the concept refers to a full set of cases from which a sample is made (Rawal, 2001). Rawal (2001) goes further to describe the concept as a large collection of individuals or objects that are the main focus of a scientific query. Wegerif (2009) also defines this concept as a well-defined collection of individuals or objects with similar characteristics. Based on these definitions the population of this study is the selected members of the Communal Property Association for Ga-Makgato village in Molemole Municipality, the officials within the municipality, extension officers, ward councillors, and community development workers.

3.7.2 Sampling procedure

The concept of sampling is hereby described in this study. According to Rawal (2001), sampling refers to a process whereby a group of people, objects, or items are taken from a larger population for measurement. Here, a sample should be representative of the population. The other view is that a sample can be described as people, events or records that contain the desired information and can answer the measurement questions (Aihoon, 1994). Probability sampling determines the probability that any member of the population will be included in the sample and non-probability sampling which, by contrast, cannot specify the probability that any element or member of the population will be included in the sample (Rawal, 2001). Examples of

probability sampling are simple random sampling, stratified random sampling, systematic sampling and cluster sampling (Rawal, 2001). Examples of non-probability sampling on the other hand are accidental sampling, quota sampling, purposive sampling, snowball sampling, self-selection sampling and convenience sampling (Rawal, 2001). Probability sampling, specifically random sampling, was used to select respondents who are additional members of the Communal Property Association. Non-probability sampling method, i.e., purposive sampling method, was also used to select participants who are members of the executive committee. The reason for using purposive sampling in this study is that the researcher had interest on people who were knowledgeable about the subject matter (Rawal, 2001). Fifty-six (56) respondents were selected from the total population of 1 440. The process started by enlisting all stakeholders (See Table 3.1). Fifty-six (56) respondents were selected from this list. Of this number, 38 members of the Communal Property Association were sampled, followed by 10 municipal officials responsible for the Land Reform Programme, followed by 4 Extension Officers, 2 Ward Councillors, 2 Community Development Workers. Purpose sampling was used to select respondents who are members of the CPA, while simple random sampling method was used to select respondents in the other stakeholder-categories.

Table 3.4: Sampling Procedure Followed

No	Stakeholders group	Population	Sample
2.	Communal Property Association	400	38

3.	Municipality officials	110	10
4.	Extension officers	8	4
5.	Ward Councilors	12	2
6.	Community Development Workers	10	2
Totals		1 440	56

(Own source, 2013)

3.7.3 How impact was assessed in this study

As the main purpose for this study is to measure the impact that the Land Restitution has on the livelihoods of the people of Ga-Makgato Village, measures were used to assess this and they are, namely:

- An assessment of the level of females and youth participation in the programme;
- An assessment of number of jobs created for females and youth;
- An assessment of income generating ability of the CPA; and
- Assessment of the value of property accumulated.

3.8 Data Collection

Three methods of data collection were used in this study. These include the pilot study, secondary and primary data collection methods.

3.8.1 Pilot study

A pilot study is one where a researcher conducts a study on small scale. It is a mini version of a full scale study that researchers conduct before the actual study could commence” (Rawal, 2001). The purpose for the pilot study is to test the adequacy of the research instrument and to assess the feasibility of the full-scale study (De Vos, 2002). A pilot study was conducted at Ga-Makgato Village to check its feasibility as well as to check the adequacy of the research instruments.

3.8.2 Secondary data collection

The concept of secondary data refers to the information gathered by the researcher for purposes other than the completion of a research project. This can be referred to data that were collected by someone other than the user (De Vos, 2002). Examples of sources of secondary data include censuses, surveys, organizational records and data collected through qualitative methodologies or qualitative research (De Vos, 2002).

In this study, secondary data were collected through the review of project documents from the Ga- Makgato CPA, Molemole Local Municipality and the Department of Agriculture.

3.8.3 Primary data collection

The concept of primary data on the other hand refers to the data collected by researchers through interactions with respondents (HSRC, 2003). It is quite important to note that primary data can only be collected through interviews and surveys. For the purpose of this study, primary data were collected from beneficiaries of the Ga–Makgato CPA and other institutions, such as the Department of Agriculture, and the Molemole Municipality. Structured and unstructured questionnaires were used to collect the data.

3.9 Data Analysis

This concept involves examining the database to address the research questions. Qualitative data analysis begins with coding the data, dividing the text into small units (i.e., phrases, sentences, paragraphs) and assigning a label to each unit” (Wegerif, 2004). As this study did not require statistical analysis, Microsoft Excel was used to produce tables for analyzing the data.

3.10 Summary

This chapter presented an outline of the research methodology used in collecting and analysing both primary and secondary data in this study. It started with a description of the study area, the research design, the population, and sampling procedure followed in selecting samples, and the research methodology used in this study.

CHAPTER 4

PRESENTATION OF RESULTS

4.1 The Aim of this Chapter

This chapter presents the findings of an assessment that was carried out at Ga-Makgato Communal Property Association. The findings include the beneficiaries' demographic information, their level of education, participation and the number of jobs that the CPA has generated. Other issues covered in this chapter include the income-generating ability of the CPA and the challenges that this CPA is faced with.

4.2 Demographic Representation of Beneficiaries

An analysis of important data in this study is hereby presented. This includes the age analysis of beneficiaries of the CPA, their level of education and gender spread. The results of the findings in this regard are summarised as per Tables: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7.

According to Table 4.1, the adult population is in the majority (66%), followed by the elderly with 26% while the youth constitutes only 8% of the total population. The high percentage of elderly members of the population aged 60 years and above is a serious concern for this study as this has potential for decline in productivity. As such, there is a need for economically active category of the population particularly young people to be in the programme.

Table 4.1: Demographic representation of the beneficiaries of the co-operative

Age group	Number	%
Youth (15–34 years)	3	8
Adults (35–59 years)	25	66

Elderly (60 years and above)	10	26
Total	38	100

Source: Field survey (2013)

Table 4.2: Analysis of the level of education of the beneficiaries of the co-operative

Level of education	Number	%
No schooling	4	11
Primary education	16	42
Secondary education	13	34
Tertiary education	5	13
Total	38	100

Source: Field survey (2012)

4.3 Analysis of Level of Education of the CPA Beneficiaries

An analysis of the level of education of beneficiaries of this project is hereby presented. According Table 4.2, the level of illiteracy is very high (11%). This is a serious concern of this study. However, the findings of this study shows that 13% of the total population obtained tertiary qualifications while the percentages of that those that acquired secondary and primary education to stood at 34% and 42% respectively. The high level of illiteracy in this study poses serious challenges of lack of adoption of new technologies by farmers and as such the policy makers should consider alternative strategies that would help in improving the literacy level.

These could include the provision of ABET lessons and training programmes in the field of farming.

4.4 Level of Participation in Terms of Gender and Youth

The level of participation by females and youth in this study is hereby presented.

4.4.1 Analysis of level of participation by females

The findings of this study show that females are in minority. According to Table 4.3, the percentage of females who are members of the CPA is 47% as compare to 53% of their male counterparts. This is not in line with the legislations of government that seek to address the plight of the poor who are females and youth.

Table 4.3: Analysis of Participation of Females

Gender	Number	%
Males	20	53
Females	18	47
Total	38	100

Source: Field survey (2013)

4.4.2 Analysis of level of participation by youth

The level of participation of youth in the land restitution programme is very low. According to the findings of this study, the youth constitute 8% of the total population while the percentage of the adults and the elderly stood at 92%. This is a serious challenge that needs to be attended to as a matter of urgency. The view of this researcher is that strategies to attract youth in the programme should be made. These may include provision of capacity to young people on farming skills, provision of production inputs, and the Department of Agriculture is the relevant institution to can provide this. To ensure participation of the youth in this programme, there is need to provide them with stipend and the Community Work Programme could be the appropriate programme for this purpose. The Community Work Programme is a South African government programme that provides an employment safety net. The main aim of the programme is to supplement existing livelihood by providing a basic level of income security through work. This programme could be used to provide immediate cash to participants/beneficiaries of the Land Restitution Programme.

Table 4.4: Analysis of Level of Participation by Youth

Age category	Number	%
Youth	3	8
Adults and the elderly people	35	92
Total	38	100

Source: Field survey (2013)

4.5 Analysis of Number of Jobs in terms of Gender and Youth

An analysis of the number of jobs in terms of gender and youth is hereby presented. Tables 4.5 and 4.6 were used to analyse this. The aim of this presentation is to make an analysis of the contribution of the land restitution programme in providing jobs to the members of community of Ga-Makgato in the Limpopo Province. The first part of the analysis presents the level of number of jobs for the females in the project, whereas the second part presents that of the youth.

4.5.1 Analysis of number of jobs in terms of youth

Youth employment in the Makgato land restitution project is relatively speaking very low. According table 4.6, youth constitute 8% of the total population while the adults and the elderly stood at 92% of the job market. It is worth noting that the programme has one person living with a disability. According to the findings of this study, the said member who lives with disability and acting as the chairperson of the project, is said to be instrumental in ensuring sustainability of the project. The fact that he served on two terms as a chairperson confirms his ability and skill to drive the activities of the project.

Table 4.5: Analysis of the Number of Jobs Created for the Youth

Category	Number	%
Youth	3	8
Adults/Elderly/Disability	35	92
Total	38	100

Source: Field survey (2013)

4.5.2 Analysis of number of jobs in terms of gender

Analysis of the number of jobs in terms of gender shows that the CPA has provided more jobs to the male. According to Table 4.6, 47% of the total number of jobs was allocated to females while the percentage for their counter parts stood at 53%. Looking at the high rate of unemployment at Ga-Makgato village (13% of the total population), the number of jobs which is 38 in number is just a drop in the ocean. So, there is a need for policy makers to come up with alternative strategies that could assist in creating more jobs.

Table 4.6: Analysis of the Number of Jobs Created for the Females

Gender	Number	%
Males	20	53
Females	18	47
Total	38	100

Source: Field survey (2013)

4.6 Income Generating Ability of the Land Restitution Project at Ga-Makgato Village

Analysis of the ability of the CPA to generate income was made. The findings of this study were that beneficiaries were reluctant to disclose the financial status of the project. Here, some scrap of papers was produced as evidence of income generated during the period of this study as shown in Table 4.7. It was established during interviews that the original land size handed over to the people of Ga-Makgato was 1 000 ha and of this number of ha, more than 300 were leased out to a White commercial farmer at a fee not disclosed to this researcher. It is quite ironic to note that the land space which was bought by government as compensation for the loss that the poor people of Ga-Makgato had as a result of forceful removal is now being leased out. The CPA is currently operating on 700ha farm space which is according to some members not sufficient for cattle grazing. However, the available land space is used for breeding and rearing both the Bonsmara and the Nguni cattle.

According to this Table 4.7, the project has managed to generate about R 1 360 000.00 during the period under review. Of this amount, R650 000.00 was generated from the sale of Bonsmara cattle while the Nguni type of cattle generated R710 000.00. The study established that R 1140 000.00 was paid out as dividends to the beneficiaries of the project. According to these analyses, the Nguni cattle seem to be marketable.

Table 4.7: Analysis of Income Generated in Terms of Items Sold (livestock)

No	Items sold(livestock)	Total sales (R)	Sales (%)
1.	Bonsmara Cattle	650 000.00	48
2.	Nguni Cattle	710 000.00	52
Grand total		1 360 000.00	100
Less dividends (38 members x R30 000.00)		R1 140 000.00	
Balance		R 220 000.00	

Source: Field survey (2013)

4.7 Challenges Facing the CPA at Ga-Makgato Village

A number of challenges that the member of the CPA at Ga-Makgato are faced with were during the interview established. These include the lack of sufficient land for cattle grazing, lack of access to adequate funding, lack of technical and financial management skills, lack of sufficient government support and lack of access to adequate water. Presentation of these follows below.

4.7.1 Lack of sufficient land for cattle grazing

As the main economic activity of the CPA is to breed and grow livestock for sale to the market, sufficient land space for grazing need to be made available. It was established during the interviews that a 1 000ha land space was acquired by the CPA. However, this land space was apportioned and leased out to a White commercial farmer who happened to be the previous

owner. About 300ha land space was leased out as result, leaving the beneficiaries with only 700ha. According to the views of other beneficiaries, the available land space is not sufficient for cattle grazing. For the livestock to have sufficient grazing camp, more land space should be made available.

4.7.2 Lack of access to adequate funding

Shortage of funds is one other challenge that the CPA is faced with. Although the CPA has at some stage received funding from government, there is need for the association to acquire funds as it continuously has a problem of cash flow. It was established during the interviews that the larger portion of the money that the CPA generates is mostly spent on construction of crush pen, dipping tank, equipping and testing of boreholes. According to the view of beneficiaries, the available income is not sufficient to can meet all the running costs of the CPA.

4.7.3 Lack of technical and financial management skills

Lack of technical and financial management skills is another challenge that the CPA beneficiaries are faced with. It was established during interviews that beneficiaries do not have sufficient technical skills and, as a result, subsistence methods of livestock farming are being practiced. The problem of lack of skills could be another factor that contributed to the failure of the association to have audited financial statements. On the day of the visit by this researcher, financial records of the CPA could not be made available. Instead, some pieces of scrap papers

were produced. So, financial record-keeping is quite crucial for the institution as this assist in assessing organizational performance.

4.7.4 Lack of sufficient government support

The CPA beneficiaries raised the concern that the Molemole Local Municipality do not provide support but commended the Department of Agriculture for support that the association received though the nature of support might not be adequate to can meet all the its needs. It is their view that the LED unit within the municipality should take a lead in providing this kind of initiative. So, for this project to grow, government institutions, in partnership with other stakeholder, should support it.

4.7.5 Lack of access to adequate water

Lack of access to adequate water is one area of concern for the CPA beneficiaries. As they do not have adequate water sources for irrigation, the CPA is not able to expand its economic activities. It is the wish of the CPA to engage in crop production. For the activities of the CPA to expand, the Department of Agriculture, in partnership with other stakeholders, should assist the association in acquiring more water resources. It is their view that, with sufficient water resources, the economic activities of the association would expand.

4.8 Views of Government Institutions and other Stakeholders on Challenged that the CPA is Faced with

The government institutions and other stakeholders who participated in the interviews also raised some challenges that make it difficult for the CPA to perform adequately in as far as creating jobs for the poor and the unemployed people of Ga-Makgato village is concerned. These include the lack of grazing land space for cattle, lack of access to adequate markets, lack of access to funding, lack of access to water, high electricity bills and lack of proper access roads to the farm. Table 4.8 was used to analyse these.

4.8.1 Lack of sufficient land space for cattle grazing

The challenge of lack of sufficient land space for cattle grazing has during interview raised as a serious concern that affects performance of the CPA. Their view is that for sustainability of the project's activities use of graze, the land space should be sub-divided into grazing camp to allow for grazing to be rotated. So, the current situation is that there is high stocking rate with low grazing capacity. Acquisition of more land space can be sited as possible solution to the challenge that the CPA is facing.

4.8.2 Lack of access to markets

The lack of access to markets is another challenge that the CPA is faced with. As the beneficiaries do not have sufficient resources, they find themselves in a situation where they cannot take their livestock to the national market and as a result, they end up selling their livestock at prices below the market value. For good returns, the Department of Agriculture in consultation with LIBSA needs to provide the necessary infrastructure and market information. Also, members of the CPA should be assisted to ensure that their product meet the required quality standards.

4.8.3 Lack of access to funding

The interviews with officials from the Molemole Local Municipality and other institutions that were part of the interviews revealed that the CPA is not performing adequately as it does not have sufficient funding. As this CPA is owned by beneficiaries from poor financial backgrounds, they rely on donations which are not enough to sustain its economic activities. An example in this regard is the BoG (Balance of Grant) funds which beneficiaries only managed to utilize for the purchase of Nguni and Bonsmara cattle. It is the view of the municipality that for the CPA to sustain its activities, government should provide sufficient funding.

4.8.4 Lack of access to water

As the main economic activity of the CPA is cattle farming, there is need for this institution to have sufficient greener pastures to feed the cattle. The area of Botlokwa including Ga-Makgato is generally a very dry area with small shrubs. To ensure good grazing land for the cattle, the CPA should reserve more than ten hectares to grow cattle feed. This will requires more water resources. Currently, the beneficiaries rely on rainfall and catchment dam water for livestock to drink which is not sufficient to sustain the activities of the project.

4.8.5 High electricity bill

High electricity bill was also cited as another challenge that members of the CPA are faced with. It was established during the interviews that water pumps that the CPA uses to pump water into the reservoirs consume much electricity and, as a result, the larger portion of the finances of the CPA goes into electricity. It is the view of the CPA beneficiaries that the government, particularly the Department of Agriculture, should subsidize the costs of electricity.

Table 4.8: Some Challenges Raised by other Stakeholders

No	Types of challenges raised	CDW	LIBSA	Ward Clr	Government	Municipality
1.	Lack of grazing camps for cattle.	X	X	X	X	X
2.	Lack of access to market	X	X	X	X	X
3.	Lack of access to funding	X	X	X	X	X
4.	Lack of access to water	X	X	X	X	X
5.	High rates of electricity	X	X	X	X	X
6.	Lack of access road to farm	X	X	X	X	X

Source: Field survey (2013)

4.9 The Impact of the Land Restitution Programme on the Livelihoods of the People of Ga-Makgato Village

Although the land restitution programme managed to get the land back to the community of Ga-Makgato, an improvement of the livelihood in this area is just like in Zimbabwe still a challenge. According to the findings of this study, only 38 jobs were created. This is just a drop in the ocean, considering the fact that the Molemole Municipality has a very high rate of unemployment. It is quite disturbing to note that a portion of the 1 000 hectare land returned to the community of Ga-Makgato has been leased out. According the findings of this study, 300ha piece of land was leased out to a White commercial farmers; thus leaving 700 hectares for cattle grazing. The main reason for leasing out the portion of land was according to their views to generate income for expansion of economic activities of the CPA. It was established during the interviews that the lease contract so signed by some executive of the CPA is not known to other member-beneficiaries. This is not in line with the aims and objectives of the Land Reform Programme that seeks to provide the poor with land for agricultural production.

Currently, the activities of the CPA operate on a 700ha piece of land space. According to the view of participants, this piece of land is not sufficient for cattle grazing. Based on this analysis, conclusion could be made that the programme has made no impact. So, there is need for alternative strategies to be put in place to ensure improvement in the quality of lives of the rural poor. To improve the livelihoods of the poor, policy makers should develop a Job Creation model to fast- track job creation as suggested on figure 4.1.

4.10 Presentation of the job creation model

The model suggests that, for effectiveness in as far as improvement of the rural livelihoods in Ga-Makgato is concerned, there is need for the establishment of other economic activities that are linked to the CPA, and such activities should be in co-operatives. Similar strategy was used in Taiwan, for example, to create industrial sectors linked to agriculture.

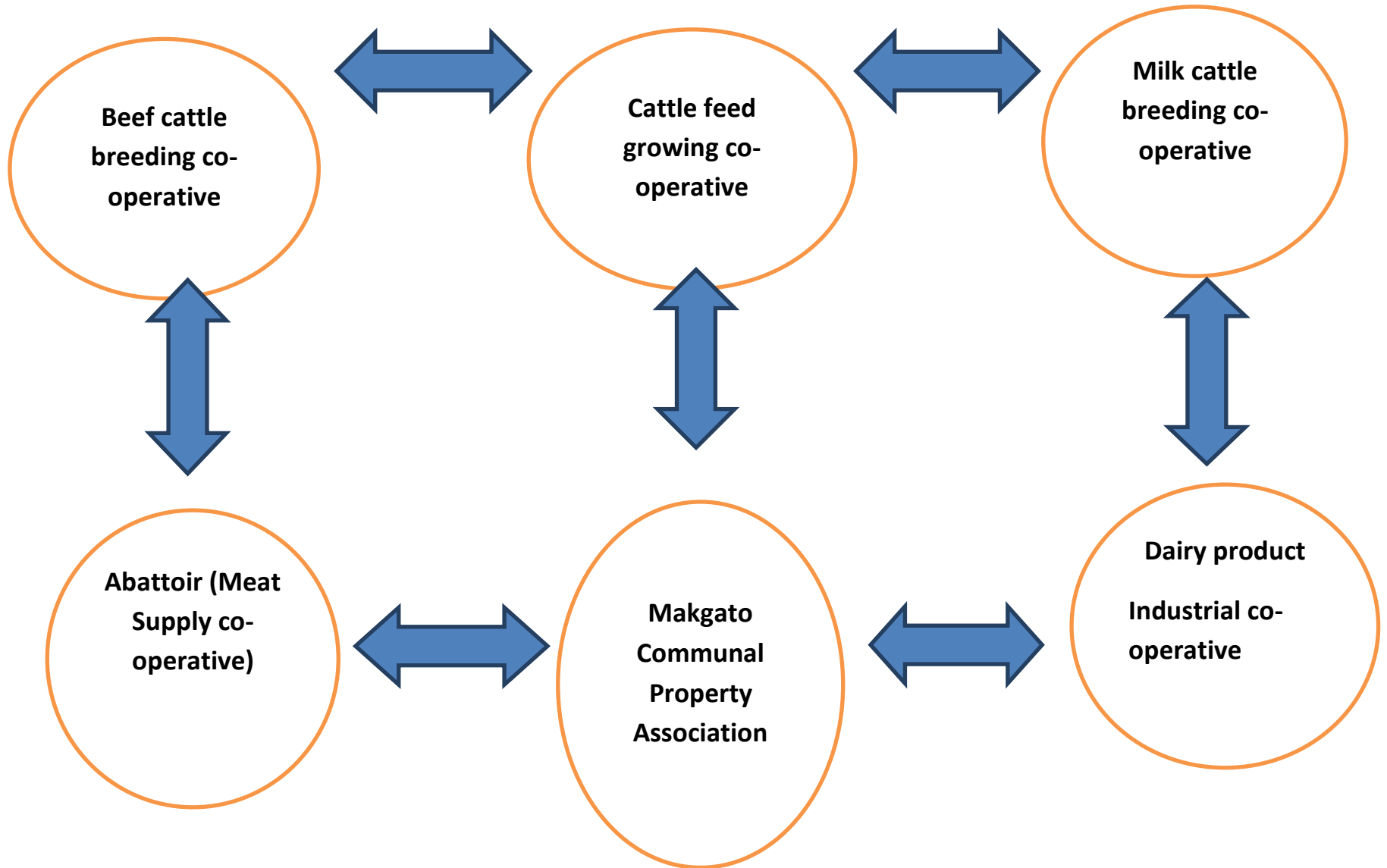
As the main economic activity of the CPA is to breed cattle for sale to members of the community, there is need for expansion of this institution to accommodate other economic activities such as an abattoir and a dairy. According to the Job Creation model, as presented in this study, the CPA should make provision for breeding of cattle for meat and milk production. Linked to this will be an abattoir on the one hand and a dairy on the other. A cattle feed growing co-operative should also be established to ensure sufficient supply of fodder to both the beef and milk cattle co-operative. The targeted market of the end-products will be the Botlokwa Hospital, local butcheries and other meat markets in Polokwane and Makhado.

As Ga-Makgato and the surrounding areas seem to be a very dry area, there is a need to grow cattle feed for cattle grazing. One hundred hectare piece of land space should be put aside for this purpose.

The anticipation here is that more than 200 jobs will be created should this model be implemented successfully. The contribution that this study is making to the body of knowledge is that for the post-land restitution programme to yield positive result in terms of improvement of

the livelihood of the rural poor, economic activities linked to this initiative should be in co-operatives.

Figure 4.1: The Job Creation Model – an alternative strategy for creation of job opportunities



Source: Own development (2013)

4.11 Summary

This chapter presented the results of the study. It started off by providing an analysis of the beneficiaries' demographic information which reflects the low level of participation of females and the youth in CPA. It went further to provide an analysis of the level of education of beneficiaries; their level of participation in the CPA; and the number of jobs created, followed by analysis of the income generated by the CPA. The last part presented the Job Creation model. It was found in this study that the land restitution programme did not make any impact in as far as the improvement of the livelihoods of the community of Ga-Makgato is concerned. A number of challenges that contribute to poor performance of the CPA were highlighted and the following are some of this, viz., lack of access to adequate markets; shortage of land; lack of water, technical skills and infrastructure; and high electricity bills.

CHAPTER 5

SUMMARY OF THE FINDINGS, POLICY RECOMMENDATIONS AND CONCLUSION

5.1 The Aim of this Chapter

The aim of this chapter is to present a summary of the whole study, with the main focus on its findings, policy recommendations to policy makers in their plan to ensure sustainability of the post-land land restitution projects. The last part of this chapter concludes the study.

5.2 Summary of the Findings

An analysis of important data in this study is hereby presented. This includes the age analysis of respondents, their level of education and gender spread. This study found that the adult and the elderly population of CPA of Ga-Makgato constitute 92%, while the youth category constitutes only 8% of the total population. The problem of low level of participation of youth in this programme is a serious challenge as there is no provision for skills transfer to the new generation. Hence there is an urgent need for policy makers to consider alternative strategies to attract more youth in the programme. With regard to the level of education, the study found that 11% of the total number of beneficiaries could not read and write. The challenge here is that, as beneficiaries do not have reading and writing skills, an adoption of new farming technologies will be a challenge. As such, there is need for ABET and other training programmes to be put in place in order to provide beneficiaries with basic literacy. However, 89% of the total population of the CPA was found to be

literate; with 13% of the total population who have tertiary qualifications, while the percentages of those that have passed secondary and primary to stood at 34% and 42% respectively.

The study also found that the land restitution project at Ga-Makgato managed to create 38 jobs. This is, realistically speaking, just a drop in the ocean taking into consideration the high rate of employment in Limpopo Province. So, there is a need for alternative strategies to be put in place in order to ensure more jobs for the rural poor in this area.

Lack of proper record keeping is another challenge that was established in this study. During interviews, beneficiaries could not furnish financial records. Some scrap of papers was produced as evidence of income generated during the period under review. So, it was quite difficult to establish if the CPA is capable of generating good income or not.

The other critical issue that was established in this study is that the 1 000ha that was acquired for the improvement of the livelihoods of the people of Ga-Makgato was apportioned and leased out to a White commercial farmer at a fee not disclosed to this researcher. The piece of land leased out is said to be around 300 hectares. It is quite ironic to note that the piece of land that the community of Ga-Makgato were robbed of by the apartheid government and which the new government made its effort to re-claim it, has been leased out to White commercial farmers. It is also ironic that the very same people who leased out 300hectares now complain about unavailability of sufficient grazing space for the cattle. However, the available land space is used for breeding and rearing both the Bonsmara and the Nguni cattle, which managed to earn the CPA the amount of R1, 360, 000.00. Of this amount, R650 000.00 came from the sales of Bonsmara cattle while the Nguni type of cattle generated

R710 000.00. From this amount, R1,140, 000.00 was paid out as dividends to the beneficiaries of the project.

A number of challenges that members of the CPA at Ga-Makgato are faced with were, during the interview, established. These include the lack of sufficient land for cattle grazing, lack of access to adequate funding, lack of technical and financial management skills, lack of sufficient government support lack of access to adequate water, lack of access to adequate markets and high electricity bill for the CPA.

5.3 Policy Recommendations

The following recommendations are made:

- To address the problem of lack of sufficient land for cattle grazing, the CPA of Ga-Makgato should review its lease agreement of the 300hectares piece of land;
- LEDA should, in consultation with financial institutions, assist the CPA of Ga-Makgato with funding for the expansion of economic activities;
- The Department of Agriculture and LEDA should provide technical and financial management skills to the beneficiaries of the CPA of Ga-Makgato;
- The Department of Agriculture should provide technical support to the CPA of Ga-Makgato;
- Both the Departments of Water Affairs and Agriculture should ensure supply of water and infrastructure to the CPA of Ga-Makgato;
- The Department of Agriculture, in consultation with LEDA, should provide the necessary infrastructure and market information. Also, members of the CPA should be assisted to ensure that their product meet the required quality standards; and

- The Molemole Local Municipality, in consultation with the Department of Agriculture, should subsidize the electricity bill for the CPA of Ga-Makgato.

5.4 Issues that Still Need to be Researched on

The following are the areas that still need to be researched on:

- The impact of the co-operative enterprise system on sustainable development of the post-land restitution projects;
- The impact of record-keeping on increasing performance of the post-land restitution projects;
- Development of a training programmes on technical and financial skills for members of the CPAs;
- The role of ABET programmes on improvement of literacy skills of members of the CPAs; and
- An investigation of feasibility of implementation of the Job Creation model as a strategy to creation of job opportunities.

5.5 Conclusion

The study made a number of revelations on issues that are responsible for the non-effectiveness of the Land Restitution Programme on improving the livelihood of the rural poor. These include the lack of sufficient grazing land, funding skills and government support. Other issues are the lack of adequate water, market information and infrastructure. The complaint on lack of sufficient grazing land space does not hold water considering the fact that 300ha were leased out. As such, this study finds no logic in this. Therefore, instead

of moaning about land space, beneficiaries should just review the lease agreement and see if this could not be revoked. Other challenges were found to be genuine and, should these be attended to, the Land Restitution in Limpopo Province could make impact on the livelihoods of the rural poor.

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APPENDIX I

**QUESTIONNAIRE FOR BENEFICIARIES OF GA- MAKGATO LAND RESTITUTION
PROJECT**

Questionnaire for beneficiaries of Ga-Makgato Land Restitution Project

Welcome to this interview session. Please feel free to participate and you are allowed to stop the interviews should you feel that the question raised is in conflict with your beliefs and moral values.

Name of the project:

Type of the project:

Name of the municipality:

Section (a): Demographic information of the beneficiaries

(i) Age analysis of beneficiaries

Age category	Response	
	Male	Female
15 years – 34 years		
35 years – 59 years		
60yrs and above		

(ii) Level of education of beneficiaries

Level of education	Response
No education	
Primary education (Grade 1–6)	
Secondary education (Grade 7–12)	
Tertiary level of education	
Other	

Section (b): Information of the project

(iii) Does your project have properties?

Yes	
No	

(vi) If yes, furnish types and values of these properties.

No	Type of properties	Project Value (R)
	Totals	

(v) Did your project manage to create some jobs during financial year 2012/13?

Yes	
No	

(vi) If yes, indicate number of jobs as specified below

Job spread in terms of gender and age groups			
In terms of gender		In terms of age groups	
Males	Females	Youth	Adults

(vii) Has your project received any income during the financial year 2011/12?

Yes	
No	

(viii) If yes, please supply this information according to economic activity

No	Items sold	R

(ix) Did your project receive any support from any institution?

Yes	
No	

(x) If yes, indicate the kind of support

Financial Support	
Technical support	
Training	
Other: Please specify	

(xi) Does the project have access to adequate markets?

Yes	
No	

(xiii) If yes, what type of market?

NO	Type of market	Response
1	Local market	
2	National	
3	International	

(xiii) If not, specify market challenges you are encountering.

(xiv) In your opinion, what could be the possible solution to these challenges?

(xv) What are the other challenges that your project has?

We have come to the end of this interview. Your participation in this interview will add value to improved performance of the activities of the projects at Molemole Local Municipality. Thanks for your participation in this interview session. Have a safe journey home.

APPENDIX

**QUESTIONNAIRE FOR DEPARTMENT OF AGRICULTURE, MOLEMOLE LOCAL
MUNICIPALITY, CDW, WARD C1r AND LIBSA**

Questionnaire for government representatives and other stakeholders

Welcome to this interview session. Please feel free to participate and you are allowed to stop the interviews should you feel that the question raised is in conflict with your beliefs and moral values.

Name of the institution

Type of service rendered:

(i) Did your institution provide any support to the project institution?

Yes	
No	

(ii) If yes, indicate the kind of support provided

No	Type of Support

(iii) Does the projects have access to markets?

Yes	
No	

(iv) If yes, what type of market?

NO	Type of market	Response
1	Local market	
2	National	
3	International	

(v) If not, specify market challenges that projects are encountering

(vi) In your opinion, what could be the possible solution to these challenges?

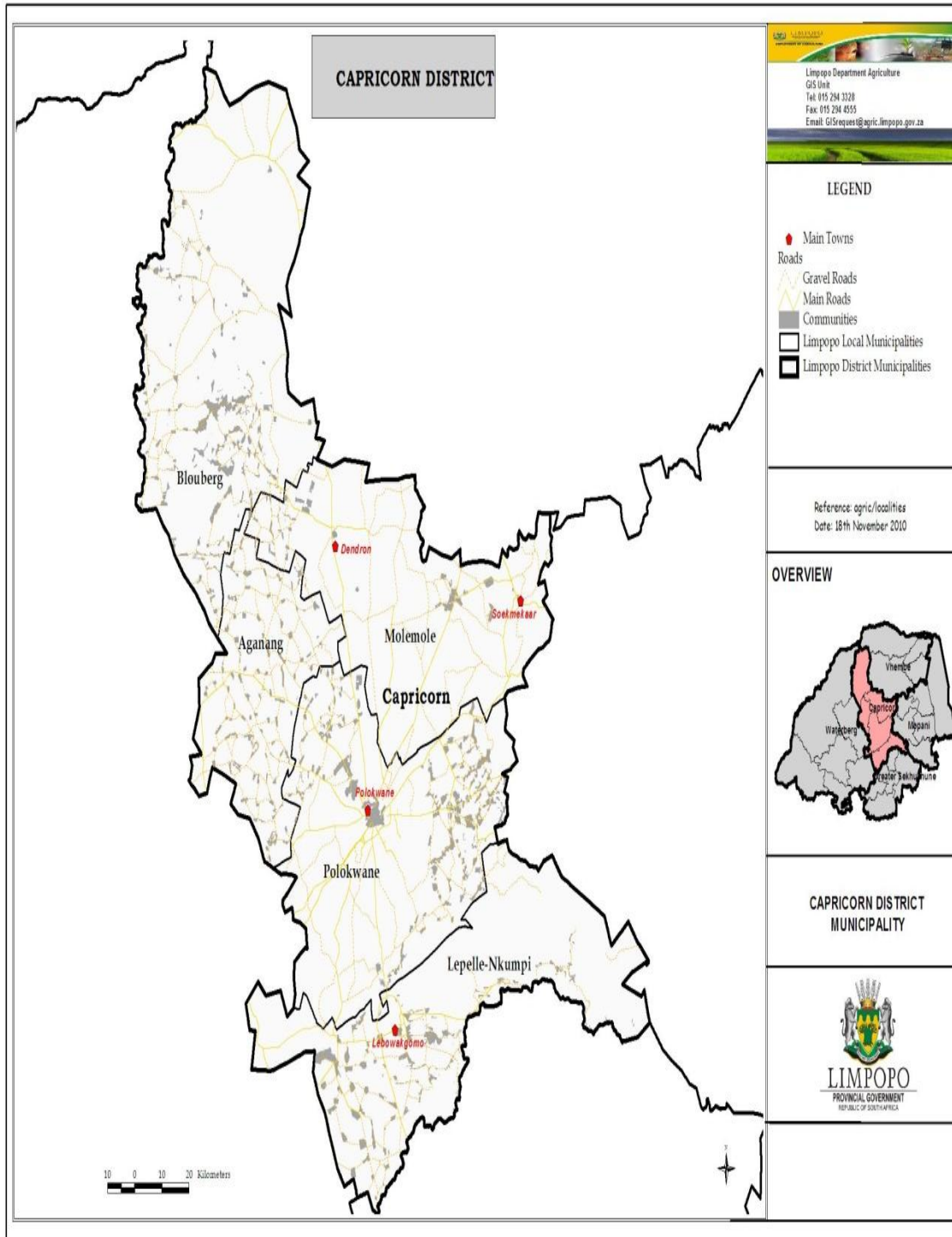
(vi) What are the other challenges that the project has?

No	Type of challenges

We have come to the end of this interview. Your participation in this interview will add value to the improved performance of the activities in Molemole. Thanks for your participation.

APPENDIX III

MAP OF MOLEMOLE LOCAL MUNICIPALITY



SOURCE: Molemole LED Strategy, 2012

APPENDIX IV

LETTER OF THE LANGUAGE EDITOR

MM Mohlake
Centre for Academic Excellence
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Turfloop Campus
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Sovenga
0727

28 October 2013

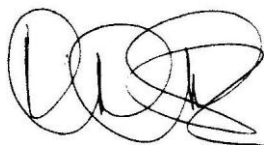
To Whom It May Concern:

This letter is meant to acknowledge that I, MM Mohlake, as a professional editor, have meticulously edited the dissertation of Mr Mandiwana Tshamano Donald entitled "The Impact of the Land Restitution Programme on the Livelihood of Rural Communities -A case study of Ga-Makgato community in Limpopo Province of South Africa".

Thus I confirm that the readability of this work in question is of a high standard.

For any queries please contact me.

Regards

A handwritten signature in black ink, appearing to be 'MM Mohlake', written in a cursive style.

MM Mohlake
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072 1944 452
<mosimaneotsile.mohlakem@ul.ac.za>

APPENDIX V

POLICY ON THE RESTITUTION OF THE LAND RIGHTS

POLICY ON THE RESTITUTION OF LAND RIGHTS

Introduction

A land reform process will consist of two elements: restitution for those who were dispossessed by apartheid forced removals, and a process of redistribution of land to deal with land hunger and the unequal distribution of land.

The Constitution requires that an Act of Parliament shall provide for restitution of land rights which were lost through dispossession which was effected under or for the purpose of furthering the object of a discriminatory law. Sec 121(1)

It is important that the restitution process be as speedy as possible. Many of those dispossessed are in a desperate position, and need urgent relief. The sooner this is achieved, the sooner a basis will be laid for a secure system of property rights for all South Africans. Those dispossessed by apartheid must now receive justice without further delay.

As a priority, the new government will propose to Parliament the enactment of a Land Rights Restitution Act. This Act will provide as follows:

1 The right to restitution

Subject to the provisions of the Constitution and the Act, any person who was dispossessed of rights in land shall be entitled to restitution of such rights, where the dispossession was effected under or for the purpose of furthering the object of a discriminatory law. Sec 121(2)(a)

2 Limitation of claims

The right to restitution shall not apply in the following circumstances;

1. Where the dispossession took place before 19 June 1913. Sec 121(3)
2. Where the rights in land were expropriated under the Expropriation Act or any other law incorporating by reference that Act, or the provisions of that Act with regard to compensation, if just and equitable compensation as contemplated in section 123(4) of the Constitution was paid in respect of that expropriation. Sec 121(4)(a)
3. Where the claim to restitution is not lodged with the Commission on Restitution of Land Rights within three years of a date to be fixed by the President, which shall not be earlier than the date when the Commission gives public notice of the procedure to be followed in lodging claims.

3 Commission on Restitution of Land Rights

The Act will establish a Commission on Restitution of Land Rights.

The functions of the Commission will be to:

- receive claims to the restitution of land rights
- investigate the merits of any such claims Sec 121(1)(a)
- negotiate, mediate and settle disputes arising from such claims, including claims for compensation Sec 121(1)(b)

- draw up reports and recommendations on unsettled claims for submission as evidence to the Land Claims Court (including a report on the failure of any party to negotiate in good faith), and to present any other relevant evidence to the court Sec 121(1)(c)
- facilitate the submission of unsettled claims to the court
- facilitate the implementation of orders made by the land claims court; the understanding being that the Commission will not itself be an implementing agency
- assist people who obtain land as a result of an order made by the court, to make effective use of that land
- make recommendations as to the most appropriate means of dealing with other forms of dispossession of land rights, which do not fall within the provisions of Chapter 8 of the Constitution.
- generally, to achieve the speedy finalisation of claims to restitution of land rights.

The Commission will thus not have any decision-making powers.

To facilitate the work of the Commission and the court, the Minister responsible for land reform will take the necessary steps to have a register compiled of all land owned by the State at all levels of government. This register will be open to inspection by claimants and prospective claimants.

The Commission will be headed by a Director appointed by the Minister responsible for Land Reform. The staff will include a Deputy Director, and people with skills and knowledge in the area of law, land matters, planning, community development, and the history of forced removals under apartheid. The staff will be broadly representative of the South African population. The Minister shall invite nominations for appointment to the staff of the Commission. To avoid delay in the initial establishment of the Commission, there shall be no need to invite nominations for the appointment of the first Director and Deputy Director.

The Director will be able to delegate any of his or her powers (except the power of delegation) to the Deputy Director, either generally or with regard to a specific case. The Director may contract with any person (including a non-governmental organisation) to perform any function of the staff of the Commission, excluding the Director's decision-making functions.

The Commission will have a number of regional offices. There will be at least one office in each province unless the Director decides to the contrary.

The Director will, with the approval of the Minister, make regulations for the procedure to be followed in the submission of claims to the Commission. The framework of the procedure will be set out in the Act as follows.

The Commission procedure

Claims will be lodged with the Commission by filing them at an office of the Commission.

When it receives a claim, the Commission will give notice of the claim to all persons who in the opinion of the Director may have an interest in the matter. In addition, the Commission will give public notice of the claim, inviting submissions. Notice will be given by publication, on the radio, by displaying notices in public places in the vicinity of the land, and by other reasonable means which the Director considers may assist to bring the claim to the notice of people who may have an interest.

The Act will provide that any person who thereafter takes any steps to prejudice a claim lodged with the Commission, or to frustrate the process of the Commission or the court (for example by evicting

or harassing potential claimants, or by attempting to sell the land or by burdening it with additional real rights) will be guilty of contempt of court. In addition, the court will be entitled to take any such conduct into account in making its decision on any claim.

Once public notice has been given of a claim to any public land, it may not be sold without the consent of the Director. "Public land" includes all land owned by organs of the State at all levels of government, and includes land owned by development bodies, local authorities, the Land Bank, and any company in which the state is the majority or controlling shareholder. The decision of the Director shall be subject to appeal to the land claims court.

The staff of the Commission will carry out such investigations as the Director considers necessary to facilitate the functions of the Commission or the court. In particular:

- Where claimants are not themselves able to provide all the information necessary for the adequate submission of and decision on a claim, the Commission will take steps to have this information made available.
- In order to facilitate the process and assist claimants, the Director will have the power to order the production of government files relating to the land, and to make them available to claimants and other parties. The Director will similarly have the power to require government departments to make relevant information available to the Commission and to claimants.
- If the Director considers that there is a risk that any property which is subject to a claim may be damaged or destroyed, he or she may authorise the staff of the Commission to enter the land in question and to take an inventory of the property on the land and of the condition of the land.

If the Director considers that it may be more effective to do so, he or she may order that all claims to a particular area of land must be submitted within a stipulated time. This will enable the Commission (and, if necessary, the court) to deal with related claims at the same time.

The staff of the Commission will meet the parties, and attempt to mediate and settle disputes arising from any claim. The Director may appoint facilitators to assist in this process.

The court will not be competent to deal with claims until they have been dealt with by the Commission. Sec 121(6) Claims will be remitted to the court for a decision under the following circumstances:

- If the parties to a dispute agree in writing that it is not possible to settle a dispute, the Director shall certify accordingly and the matter will then be remitted to the court.
- If the Director is of the opinion that it is not feasible to attempt to resolve a dispute by mediation and negotiation, he or she shall certify accordingly and the matter will then be remitted to the court.
- If the Director is for any other reason of the opinion that a claim is ripe for hearing by the court, he or she shall certify accordingly and the matter will then be remitted to the court.
- If the parties to a dispute or a claim reach an agreement as to how the claim should be finalised they may, with the concurrence of the Director, submit that agreement to the court and ask that it be made an order of court.

The Act will make provision for the procedure to be followed when a claim is remitted to the court for decision.

4 Land Claims Court

The Act will establish a Land Claims Court, which will be a specialised court of law.

The President will appoint the judge president of the Land Claims Court, and such other judges of that court as he/she may deem fit. The intention is that there will be several judges. Each case will be heard by one judge, unless the Judge President orders to the contrary. It will therefore be possible for several cases to be heard concurrently.

No person shall be qualified to be appointed a judge of the Land Claims Court unless he or she -

- is a South African citizen
- is a fit and proper person to be a judge of the Land Claims Court
- is a judge of the Supreme Court or is qualified to be admitted as an attorney or an advocate and has, for a cumulative period of at least 10 years after having so qualified, practised as an advocate or an attorney or lectured in law at a university

A judge of the Supreme Court may be seconded to act as a judge of the Land Claims Court. Judges of the Land Claims Court shall have security of tenure on the same basis as judges of the Supreme Court.

The Minister of Justice shall appoint a panel of assessors for the court, and shall invite nominations for this purpose. The assessors need not be lawyers. They will be people with skill and knowledge which, in the opinion of the Minister, may be of assistance to the court. The court shall co-opt at least one assessor to participate in any disputed case. The assessors will have an equal vote with the judge with regard to questions of fact, but no vote with regard to matters of law or judicial discretion.

The seat of the court shall be determined by the Minister of Justice. However, the court may conduct its hearings at any place determined by the court. The intention is that the judges will travel as a circuit court, the aim being that as far as possible, the sittings of the court will be held at a venue accessible to the people affected.

Any party with an interest in a case before the court may appear before the court, either in person or represented by an advocate or an attorney. The State will have the right to be heard in all cases.

The court will have the power to receive any evidence which it considers relevant and cogent, whether or not such evidence would be admissible in any other court of law. This is essential because detailed documentary evidence of historical claims is often lacking. It is thus intended that the court will receive historical and anthropological evidence, and give to that evidence the weight which it considers appropriate.

The judge president may make rules governing the procedure of the court. It is intended that in general, claims to the court will be made in writing, in a manner similar to that followed in applications in the Supreme Court. Any party may apply to the court for leave to adduce oral evidence. The court may grant leave to adduce oral evidence if it considers that such evidence may materially assist the court in coming to a decision. In that event, any other party may cross-examine such witness. In general, the intention is that the procedure should be as simple as possible. The rules will include the power to make a special order for costs against any party held by the Court to be responsible for frivolous or vexatious litigation.

Every party shall have a reasonable opportunity to present its case. The Director may arrange legal representation for a party which is not able to arrange this itself, either directly (if necessary at the expense of the Commission) or through the State legal aid system.

The rules of court will provide for the court, at its own instance or at the request of a party, to convene at any stage a pre-trial conference of the parties with a view to clarifying the issues in dispute, identifying issues on which evidence will be necessary, and generally facilitating an early trial and decision. The court may, after such conference, issue orders and directions as to the procedure to be followed before and at the trial.

The court will make the order which it considers just and equitable in the circumstances, taking into account the following:

- The desirability of providing restitution or reparation to people who were dispossessed of rights in land as a result of discriminatory laws
- The desirability of remedying past violations of human rights
- The requirements of equity and justice
- The desirability of avoiding major social disruption
- Any other factor which the court may consider relevant and consistent with the spirit and objects of the Constitution

The court may:

- where the land in question is in the possession of the state, order the state to restore or grant appropriate rights in that land to the claimant; Sec 123(1)(a)
- where the land is in the possession of a private owner, order the state to purchase or expropriate the land (or any part of it or rights in it) and restore or grant the appropriate rights to the claimant; Sec 123(1)(b)
- order the state, in lieu of restoration of the rights, to grant the claimant appropriate rights in alternative state-owned land designated by the state to the satisfaction of the court; Sec 123(3)(a)
- determine the conditions which must be fulfilled before a right in land shall be restored or granted to a claimant; it being understood that these conditions do not refer to the use which is made of the land after the restoration or grant. Where a claimant is required to make any payment before the right is restored or granted, the court may determine the amount to be paid and the manner of payment, including the time for payment.
- order the state, in lieu of restoration of the right, to pay the claimant compensation; Sec 123(3)(b) or
- recommend to the state that a claimant be given priority access to state resources in the allocation of land and in appropriate development processes;
- grant the claimant any alternative relief, including relief which will facilitate the return of claimants to the land in question; Sec 123(3)(c)
- give directions as to how its order is to be carried into effect, including the setting of time limits for the implementation of its orders

The power to order the restoration or grant of rights in land shall include the power to adjust the rights previously held by a claimant, and to devise the form of title under which the rights will be held in future. The form of the new title will therefore not necessarily be the same as the form of the original title.

The Court shall have the power to order that rights in the land in question will be held jointly by or on behalf of claimants, whether as a group, community, tribe, association, corporate body, trust or on any other joint or communal basis. Where the court makes such an order, it shall do so subject to such conditions as it considers necessary to ensure that all dispossessed members of the group, community or tribe have fair access to the land or other asset, on a basis which is fair and non-discriminatory

(including in relation to gender), and which ensures the accountability of those who hold the land or other asset on behalf of the group, community, tribe, association, corporate body or trust.

An order of the court shall have the same effect as an order of the Supreme Court.

In making its order, the court shall take into account any compensation that was paid to the claimant upon the dispossession, and may make an order with regard to any such payment. Sec 123(4)(b)

Any land which is owned by the State and held under a lease or similar arrangement shall be deemed to be in the possession of the state; provided that if the court orders restoration of the relevant rights in such land, the lawful occupier of the land shall be entitled to compensation determined either by agreement or by the court according to the principles laid down in the Act.

The court will not be empowered to order restoration of land, acquisition of land by the state, or designation of alternative land unless the Minister certifies that restoration of the right in question is feasible. Sec 123(1), (3)(a)

The court shall not order the purchase or expropriation of land unless it is just and equitable to do so, taking into account all relevant factors, including the history of the dispossession, the hardship caused, the use to which the property is being put, the history of its acquisition by the owner, the interests of the owner and others affected by any expropriation, and the interests of the dispossessed. Sec 123(2)

If the court orders the restoration or granting of rights of land, that decision will be final and binding on all other claimants to that land.

The court shall have the power to determine the amount of compensation -

- to be paid by the state to any claimant. In this event, the compensation will be just and equitable, taking into account the circumstances which prevailed at the time of the dispossession, any compensation which was paid upon the dispossession (and who received such compensation), and any other factors which the court may consider relevant. Sec 123(4)(a)
- to be paid to any private owner if the court orders the state to purchase or expropriate the land. In this event, the amount of compensation shall be calculated in the manner provided by section 28(3) of the Constitution. Sec 123(2)

Any party aggrieved by any decision made by the Director or by any other functionary acting in terms of (or purportedly in terms of) this Act may seek to have the decision reviewed by the Land Claims Court. The court will exercise all of the Supreme Court's powers to review of any such decision, to the exclusion of the jurisdiction of the provincial and local divisions.

Appeals from decisions of the Land Claims Court shall lie to the Constitutional Court, in the same manner as if the decision were a decision of a Provincial or Local Division of the Supreme Court.

The decisions of the Land Claims Court shall be a matter of public record on the same basis as decisions of the Supreme Court.

5 Certificate of feasibility

When a claim is remitted to the court for decision, the Commission shall request the Minister responsible for land reform to certify whether or not restoration of the right in question is feasible. At

the time when this request is submitted, the Director of the Commission shall report to and advise the Minister on whether or not restoration is feasible. The parties to the claim shall be entitled at the same time to make submissions as to whether or not restoration is feasible.

In considering whether restoration or acquisition by the state is feasible, the Minister shall take into account

- whether the zoning of the land in question has been substantially altered or the land has been substantially transformed since the dispossession, in such a manner that it is not practicable to restore the rights concerned.
- any relevant urban development plans.
- any matter which may make it not practicable to restore or acquire the land in question

The Minister shall have the power to certify that restoration of part of the land, or of certain rights in the land, is feasible.

In considering whether designation of alternative state-owned land is feasible, the Minister shall take into account

- what land is owned by the state, in particular land which is in the same area as the land where the dispossession took place
- the needs of the claimant
- any relevant urban development plan

The Act will make it clear that the Minister is not required or entitled to consider whether restoration is just or desirable. Those are matters for the Court to decide. The only aspect to be considered by the Minister is whether restoration of the rights in question is feasible, ie practically achievable.

The Minister will be required to issue the certificate, or to refuse to do so, within 30 days of receipt of the request from the Commission. He or she will be obliged to give reasons for the decision.

The decision of the Minister will be subject to an appeal to the land claims court. The hearing of any appeal against the Minister's certification or non-certification of feasibility may, at the discretion of the court, be conducted at the same time as the hearing of the claim.

The decisions of the Minister, and the reasons for those decisions, shall be a matter of public record.

6 Transitional provisions

The Commission on Land Allocation will cease to function from a date determined by the Minister responsible for land reform. This will be the date when the Commission on Restitution of Land Rights is ready to commence its work.

All claims duly lodged with the CLA on that date, and not yet disposed of by the CLA, will be deemed to have been duly lodged with the Commission on Restitution of Land Rights. The latter Commission will then deal with them in accordance with the provisions of the Act; provided that if the Director is of the opinion that this is desirable, he or she may waive compliance with any or all of the Commission's procedures in a particular case.