

SUMMARY
OF
PAPER ON LAND REFORM
AND THE
LAND QUESTION

BY

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LAND REFORM

SUMMARY

1.0

Introduction

Action National Settlement (ANS) welcomes this opportunity because, since its inception as an organisation working towards development and reconciliation, it has consistently pleaded for the addressing of the problem of poverty and the erasure of backlogs among the different sectors of our national community. We are therefore understandably thankful and we sincerely wish to express our gratitude to the government for creating this opportunity.

We realize that there is a wide spectrum of approaches to this extremely sensitive matter. One can anticipate that there will be those contenders who will proclaim that their land had been stolen and that it must be returned - without delay.

On the other hand we are aware of those who will maintain that the status quo be retained.

Both of these views are in our opinion not only extremist but also highly unrealistic and to say the least of it sectionalistic because it addresses only a part of the national problem.

We are aware of the fact that the matter can be approached on an ethnic, tribal, racist or even political basis. It will be easy to whip up emotions by linking the country's problems to past inequities. The implications of such an approach can be far-reaching and, in the long run, catastrophic.

We wish to dissociate ourselves from any of the above approaches.

We shall try to allow the National Interest of our country to be our guiding light. That will be our paramount goal. In the course of this approach we shall try to be as clinical as possible. National Interest dictates that the subject shall be viewed in terms of factors such as productivity, employment, foreign currency; etc.

Another factor that we dare not lose sight of, is National Reconciliation, bearing in mind that this is a two-way traffic and that we cannot change or rewrite the history of the land.

2.0 To succeed in this objective it is imperative that a decision be taken about a point of departure and a national goal. When considering a sound and safe departure point, various possibilities come to mind. For instance;

restore the situation as it existed at the beginning of the colonial era

or

maintain the status quo and allow matters to decide it's own course.

For reasons given in our submission we cannot find any merits in any of the above approaches. Any attempt to put history in reverse will inevitably lead to uncertainty and confrontation - and ultimately to chaos and decay.

On the other hand: To maintain the status quo, will amount to a denial of the indisputable fact that the present system is characterized by numerous defects - be it the communal or the commercial system.

Naturally we also took a close look at art 23 of the Constitution (Affirmative action). Having analysed this provision as a possible departure point we have come to the conclusion that affirmative action cannot serve as a launching pad for land reform.

Note: This question is more fully discussed in par. 3.0 of the principal paper.

3.0 After considering and comparing different possibilities, we have come to the conclusion that there can actually be only One departure point, and that is the existing situation. This brings us to the first crucial question:

What is our land tenure situation as it exists on the ground?

A clinical analysis shows that a dual system is being practised viz communal and private ownership, comprising respectively 33 M ha and 36 M ha.

A further analysis, from an agricultural point of view, reveals that both these systems are subject to numerous shortcomings and deficiencies. Ample room for improvement exists and the demands are indicative of the fact that our agricultural potential, being one of our most precious assets, should be developed to it's optimal capacity. This, in our opinion, should be our supreme goal. In other words, optimal utilization and optimal conservation of the soil.

In order to achieve this supreme goal, certain requisites will have to be met. Time will not permit us to mention more than two.

It is absurd to think that everybody can become a farmer. This is not true for other occupations, why should it be true for the farming profession. A criterion will, therefore have to be applied. Our belief is that there can be only one criterion and that is that a prospective farmer must be able to prove that he is equipped and willing to adhere to the principle of optimal utilization and conservation.

Note: To understand more clearly what we have in mind in this connection, we respectfully refer to par. 5 of the principal paper.

We are aware of certain proposals for the abolition of all government aid to agriculture. This is unthinkable and totally unrealistic. People making these proposals should do themselves the favour of having a look at subsidies paid, for instance, by E.G. Countries and U.S.A.

4.0 Proposals

4.1 That

- te present dual system of land tenure
- te prevailing distribution of persons and communities and
- the rights vested in terms of past legitimate systems

be recognized and protected and that this situation be accepted as the departure point.

4.2 The Commercial System

4.2.1 That the criterion (vide par. 5 of the principal paper) and the various points raised thereunder be accepted as the supreme agricultural goal.

4.2.2 That the principle that borrowing facilities will be made available for developmental purposes be accepted with specific reference to;

- cultivated grazing
- bush encroachment
- provision of water and camps
- capital loans for the acquisition of a first economic holding.

4.2.3 That the Government will accept and fulfil it's responsibility in respect of;

- the necessary progressive legislation
- the provision of funds where necessary
- assistance in regard to marketing where necessary
- extension services
- research
- training.

4.2.4 That ad hoc qualified land inspectors be appointed and that all commercial farms be inspected for the purpose of determining whether the criterion of optimal utilization/optimal conservation is duly observed and applied, bearing in mind the principle of economic units as set out in par. 5.5. of the principal paper.

4.2.5 That all farms where the said criterion is not complied with, be listed.

4.2.6 That all non-compliants be put on terms by giving them a specific reasonable time in which to remedy the defects whilst ensuring that all reasonable aid required for upgrading their farming enterprises be put at their disposal where necessary.

4.2.7 That, if a person has not complied with the requirements of the criterion after the lapse of a reasonable time, provided the necessary assistance had been available to him, his property will be subject to expropriation in the public interest and in accordance with the Constitution.

4.2.8 That the principle of selfsufficiency be accepted as a national goal and that a panel of experts be appointed to work out a strategy in terms of which such a goal can be achieved.

4.3 The Communal/Subsistence System

4.3.1 That the communal system be guided in the direction of private ownership.

4.3.2 That an immediate start be made with the upgrading of the communal system with a strict application of the criterion and all the relevant principles set out in par. 5 of the principal paper, in particular the implementation of said conservation practices.

4.3.3 That the Government accept and fulfil it's responsibility with regard to;

- legislation
- financial aid
- extension services
- marketing of products.

4.3.4 That a utility company be formed representing i.a. community leaders and experts; the said company to act as the government agent assuming comprehensive responsibility for carrying out the decisions and policies in regard to the development of land and people.

4.3.5 That the proposals made in respect of the commercial sector apply mutatis mutandis to the communal and subsistence farming system.

ANNEXURE 'C'

LAND DISTRIBUTION IN NAMIBIA

The total land area of Namibia consist of 82 314 400 hectares which can be classified in three main categories:

Mainly Communal	33 140 244 hectares
Mainly State	13 009 276 hectares
Mainly Commercial	36 164 880 hectares

The Communal Land consist of the following areas:

	HECTARES	UNUTILISED LAND
Caprivi	1 153 387	230 677
Kavango	4 170 500	3 343 300
Ovambo	5 607 200	722 000
Hereroland (including Kaokoland)	11 834 914	4 533 965
Namaland	2 501 581	-
Damaraland	4 432 833	-
Rehoboth	1 479 429	-
Bushmanland	1 805 000	1 200 000
Tswana	<u>155 400</u>	<u>-</u>
Total	33 140 244	10 029 942

The Commercial Land is subdivided as follows:

	HECTARES	NUMBER OF FARMS	NUMBER FARMERS
State Farmland	466 913	64	-
Municipalities & PU Board			
Farmland	349 998	28	-
Church Farmland	222 365	22	-
Company Farmland	728 882	55	-
Plots	33 958	-	-
Non Namibian Individually			
Owned Farms	2 967 852	382	272
Individually Namibian			
Owned Farms*	<u>31 394 912</u>	<u>5 741</u>	<u>3 792</u>
Total	36 164 880	6 292	4 064

The 6 292 farms are operated as 4 205 enterprises of which 69% consist of one farm only.

*Includes 980 260 hectares farmland belonging to former communal farmers

Special Commission
to
DAMARA LAND
AND
GREAT NAMAQUA
LAND
1870.

Showing approximately the position of the principal Stations and the localities of the various tribes

