

# Proceedings

*of the Legal Assistance Centre/  
Institute for Public Policy Research*

## **CONSULTATIVE WORKSHOP: PERCEPTIONS ON LAND REFORM**

*held on 21–22 November 2006  
at the NamPower Convention Centre  
Windhoek*



Legal Assistance Centre



Institute for Public Policy Research

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## List of abbreviations

AALS	Affirmative Action Loan Scheme
AEZ	agro-ecological zone
DRFN	Desert Research Foundation of Namibia
EFSP	Emerging Farmers' Support Programme
EU	European Union
FURS	Farm Unit Resettlement Scheme
GRN	Government of the Republic of Namibia
GTZ	Gesellschaft für Technische Zusammenarbeit
HM	holistic management
IDC	International Development Consultancy
IPPR	Institute for Public Policy Research
IRDNC	Integrated Rural Development and Nature Conservation
LSU	large stock unit
MAWF	Ministry of Agriculture, Water and Rural Development
MET	Ministry of Environment and Tourism
MLR	Ministry of Lands and Resettlement
NAU	Namibia Agricultural Union
NDP2	Second National Development Plan
NGO	non-governmental organisation
NNFU	Namibia National Farmers Union
NRP	National Resettlement Policy
O/M/A	Office, Ministry or Agency
PTT	Permanent Technical Team on Land Reform in Namibia
SADC	Southern African Development Community
Sida	Swedish International Development Agency
WSWB	'willing seller – willing buyer' (approach)

## Compiler's note

Contributions made as PowerPoint presentations were augmented by the respective presenter's comments during delivery. Where they occurred, the comments have been added to the presentations in this report.

## Acknowledgements

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Our gratitude is also due to the Ministry of Lands and Resettlement, the Namibia Agricultural Union, the Namibia National Farmers Union, the Gesellschaft für Technische Zusammenarbeit, the Desert Research Foundation of Namibia, and the Institute for Public Policy Research (IPPR) for supporting the Workshop.

Our thanks go to the following individuals for presenting papers at the Workshop:

- Dr Nashilongo Shivute
- Mr Christie Keulder
- Dr Wolfgang Werner
- Prof. William Lindeke
- Prof. Manfred Hinz
- Mr Colin Nott
- Mr Vehaka Tjimune
- Mr Sakkie Coetzee
- Dr Omu Kakujaha-Matundu
- Ms Tanja Pickardt, and
- Mr Alex Meroro.

We are also deeply appreciative of the input by the following Communal Land Boards and Traditional Authorities at the Workshop:

- Caprivi Land Board
- Erongo Land Board
- Hardap Land Board
- Karas Land Board
- Kavango Land Board
- Oshikoto Land Board
- Otjozondjupa Land Board
- Bakgalagadi Traditional Authority
- /Gobanin Traditional Authority
- Hai//om Traditional Authority
- Kambazembi Traditional Authority
- /Khomanin Traditional Authority
- !Khung Traditional Authority
- Maharero Traditional Authority, and
- Mbanderu Traditional Authority.

The following individual inputs were invaluable:

- Shadrack Tjiramba of the LAC for organising the Workshop
- Ilda dos Santos (LAC) and Renata Salomon (IPPR) for providing administrative support
- Bertus Kruger (DRFN), who acted as the Workshop Facilitator
- Norman Tjombe (Director, LAC) for opening the Workshop, and
- Sandie Fitchat for rapporteuring services and preparing the report for publication.

To everyone who attended and participated in the proceedings of the Workshop, we extend our sincere appreciation.

# Preface

This Workshop envisaged consulting various members of the public on their opinions as regards the status quo of land reform in Namibia, as part of Phase 1 of a Legal Assistance Centre–Institute for Public Policy Research study to gauge where the country is headed in this regard, and how best it can succeed with its land reform goals.

The Workshop participants' feedback, as presented in this report, will inform Phase 2 of the study, which will commence in early 2007. In Phase 2, a questionnaire will be devised to interview 3,000 people in a national survey. A similar phase of public consultation will follow after the conclusion of Phase 2, which will also be reported on at that forum.

Although the survey is an LAC–IPPR initiative, it is to be understood as a 'people's survey', i.e. a bottom-to-top approach.

Thank you to all of the participants who gave their valuable time to attend the Workshop.

These proceedings are available in printed form and on the LAC's and IPPR's websites ([www.lac.org.na](http://www.lac.org.na) and [www.ippr.org.na](http://www.ippr.org.na)).

**Willem Odendaal**

Land, Environment and Development (LEAD) Project  
Legal Assistance Centre  
Windhoek



# *Welcome and opening address*

Norman Tjombe  
Director  
Legal Assistance Centre

As co-host of the Workshop, Mr Tjombe welcomed all the participants. He explained that public perceptions were very important in the formulation of Government policy and good laws. These opinions also needed to be documented by lawmakers so that the will of the people could be recorded as they expressed it. The ultimate aim of the Workshop was to provide quantitative research in order to establish what those responses were, what recommendations were made, and which of those recommendations to implement.

# Summary of proceedings

Bertus Kruger  
Workshop Facilitator  
Desert Research Foundation of Namibia

## Public opinion on land reform in Namibia

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### Methodological considerations

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Mr Christie Keulder

- Why a national survey on land reform?
  - To date there has been no systematic national quantitative study of public opinion on the land reform process
  - The land reform process is important – politically, economically and socially – yet crucial questions remain unanswered and key propositions untested.
  - National surveys give a voice to the voiceless
  - Generate publicly accessible data on a much-neglected aspect of land reform – the views, attitudes and experiences of the Namibian population
  - Present new opportunities for understanding the underlying factors and influences that shape these views, attitudes and experiences
  - Allow the use of different, more scientifically justifiable techniques of data analysis
- 

### Challenges of the land reform process in Namibia

---

Dr Nashilongo Shivute

- The Ministry of Lands and Resettlement is doing well in meeting their own goals
  - Is it enough for the people? (No – the pace should be faster)
  - Land reform is everybody's 'baby' and all should take care of it
- 

### Overview of the Namibian land reform process

---

Dr Wolfgang Werner

- Is land reform really the most suitable vehicle for poverty eradication/wealth creation?
  - The future of wealth creation lies *off* the land
- 

### Outcome of the Permanent Technical Team on Land Reform in Namibia: Future prospects for land reform in Namibia

---

Mr Vehaka Tjimune

- Strengthen the Affirmative Action Loan Scheme
  - Also focus on land reform in communal areas
  - Negotiated land reform is needed – needs wider buy-in from all stakeholders
  - Comprehensive post-resettlement support packages needed
- 

### Perspective of the Namibia Agricultural Union

---

Mr Sakkie Coetzee

- Trade-off between equity and productivity (but we need to take both approaches for success)

- Land Mediation Forum: how to make more land available, e.g. amend the Subdivision of Agricultural Land Act, 1970 (No. 70 of 1970), so that farmers can sell off smaller parcels of land
- Land ownership utilisation score card
- Tax incentives
- Acknowledgement of contribution to land reform
- Revise the Subdivision of Agricultural Land Act
- Shareholders and seller/buyer mentoring
- Land tax on size of land and not on number of title deeds

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### **Pastoralists' transition from communal to freehold/commercial land: Impacts on the environment**

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Dr Omu Kakujaha-Matundu

- Little support to settlers (infrastructure, credit, knowledge, tenure security)
- Results in –
  - environmental degradation
  - increased poverty
  - feeling of betrayal and hopelessness – worst enemy of development
- Collate current knowledge and experience and develop a comprehensive strategy for rangeland management

---

### **Incorporating community-based natural resource management and livestock management as an alternative**

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Mr Colin Nott

- Rangeland improvement is part and parcel of land reform
- Major focus is to get the 200% in productivity loss back
- Apply holistic management practices
- Water provision and sound management practices should go hand in hand

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### **Democracy and land reform**

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Prof. Bill Lindeke

- Different types of democracy
- Remoteness and poverty make it difficult for people to participate in democracy
- Broad-based consultations needed
- Focus on both communal and commercial areas
- Look outside agriculture for the future

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### **Impact of sustainable agriculture on land reform: Prospects for the future**

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Mr Alex Meroro

- Government extension and research services have to be adjusted to stay relevant
- Agrarian reform part of land reform
- Should focus on all areas: communal farming, commercial farming, small-scale farming, urban farming, etc.

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### **GTZ support of land reform**

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Ms Tanya Pickardt

- Land reform is firmly on the Gesellschaft für Technische Zusammenarbeit (GTZ) agenda

- Interventions based on findings of the Permanent Technical Team on Land Reform in Namibia (PTT)
- Promote involvement by all stakeholders

---

### **The role of traditional authorities**

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Prof. Manfred Hinz

- ‘Ownership’ of land versus ‘holding land in trust’
- Customary law extremely important in land reform
- Customary law is dynamic and should be supported
- Interface between customary law and Communal Land Reform Act not always clear

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### **Conclusion**

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Research needed on the following:

- Customary law
- Capacity-building for traditional authorities
- Policy dealing with repealing of some customary laws
- Themes
- Improved beneficiary selection
- Comprehensive post-support packages
- Multi-stakeholder coordination and consultation
- Transparency regarding criteria for land acquisition
- Policy harmonisation
- Sustainability
- Communal land reform
- Targets and demands for land reform

# Challenges faced by the Ministry of Lands and Resettlement regarding land reform in Namibia

Nashilongo Shivute  
Under Secretary for Land Reform and Resettlement  
Ministry of Lands and Resettlement

## Introduction

Before making her presentation, Dr Shivute asked why so few women were present at the Workshop. She added that it was often said men had the greater stake in land, but that she would disprove this commonly held belief. She thanked the organisers for the invitation to attend the Workshop. She also stressed that land reform should not be seen in a narrow sense, i.e. as the sole responsibility of the Ministry of Lands and Resettlement (MLR).

## Augmented presentation

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### Introduction

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- To most Africans, land is a place where we live and worship our ancestry
- In Namibia, like other southern African countries, the issue of land was probably the most important driving force for national liberation movements
- Land is also of vital importance to socio-economic development and to our continent's economic independence, which go hand in hand with poverty reduction (wealth creation) or total poverty eradication
- The land problem in Namibia is the product of past land policies from the German and South African colonial regimes (and although not all of Namibia's problems could be blamed on the past, land reform was required because of the country's history and that fact should constantly be stated)
- In all rural settings in general, land is the basis of production
- Land sustains the majority of our people and provides food security
- If used wisely, land can also be the spur for rural development with the introduction of new crops and value added processing methods (e.g. milling facilities and marketing produce)

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### Land acquisition

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- Current statistics indicate that, since Independence, the Government has only managed to acquire about 201 commercial farms, comprising 1,288,238 ha of land, on which it has resettled a total 1,561 families
- In the current financial year, 41 families had already been resettled – which is way beyond the Second National Development Plan (NDP2) target of 36 families a year; but was 41 a significant amount, i.e. does it address land hunger in Namibia?
- The total number of persons resettled since 1995 is far higher if compared with the estimated targets in the NDP2 five years ago for 180 families
- The process of resettlement was much smoother now that the procedures had been clarified, e.g. recommending people at local level for resettlement
- More needs to be done: the Ministry receives an average of 1,000 applications for each allotment

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### Farm acquisition constraints

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- The (market-driven) 'willing seller – willing buyer' (WSWB) process has been very slow because the seller decides when to sell, i.e. when market conditions are favourable and the price of land is right
- The WSWB approach created problems for the Ministry in terms of the targets they wished to achieve
- Only about 90,000 ha can be acquired per year, instead of about 180,000 ha

- The mechanism of farm expropriation was introduced in 2004
- Of the 18 farms issued with letters of intent by Government, only three have been purchased through expropriation so far; in the case of Ongombo West, the farm's legal representative decided to have the farm bought through the WBWS process
- Contrary to what some believe, the Ministry is not appropriating land without due compensation: the issues that are being challenged in court have to do with people who are unwilling to sell and have chosen to take their cases to court
- Some also thought that expropriation would be a faster way of acquiring land, but it is not – because of the drawn-out legal process
- Most farms offered have not been in good condition: dilapidated infrastructure, mountainous, bush-encroached, in desert/arid land, e.g. farms in the Karas Region were offered to potential settlers from northern Namibia
- No farms have been forthcoming in areas suitable for crop production

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#### **Resettlement constraints**

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- Many people still require resettlement compared with farms purchased
- The current demand is too high for the Ministry to meet; in the case of Ongombo West, for example, each of the four to five units made available had thousands of applicants
- Settlers lack skills
- Settlers lack start-up capital, even if settler have skills
- Leasehold arrangements are being revised; the documents previously drawn up to reflect leaseholds were not accepted by financial institutions, which meant obtaining financing presented a challenge; these agreements have now been revised and are accepted by such institutions
- Also now included in the revised leasehold agreements are issues of inheritance
- Selection criteria for beneficiaries need to be improved and are being developed accordingly to assist Resettlement Committees in selecting suitable candidates
- Tendency is to appoint beneficiaries that are known rather than those who are not
- Another challenge was the allocation of land in Regions where there are no farms: now, the Resettlement Committee in each Region will ensure selections can be spread evenly across all Regions

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#### **Challenges of communal land administration**

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- State land accommodates the majority of the population but the people who live there have no concrete land rights
- Lack of understanding by communities about the new law (the Communal Land Reform Act, 2002 [No. 5 of 2002])
- Holders of rights to the use of communal land are required to register their land rights by March 2009, which was extended from the initial deadline of 2006 because the public needs to be engaged more in terms of why these rights have to be registered
- Land allocations done by traditional authorities before the Act became law have not been geographically described, surveyed, registered or mapped
- The Act now requires that all customary rights be recognised and registered, and that land registration certificates be issued for each piece of land allocated in order to secure land tenure rights
- The Deeds Registry Act is also being looked at for possible provisions that would secure such rights
- The law does not cover every possible issue that might arise in the course of the work done by Communal Land Boards, particularly in respect of the process of land allocation and dispute resolution, which normally delay the activities of such Boards (Professor Manfred Hinz has helped some traditional institutions with dispute resolutions in traditional courts)
- Land Boards are there to enhance the role of traditional authorities, but the latter require facilities, to record information and keep it safe, in order to liaise with Land Boards and Government
- Remote parts of Namibia's communal areas are characterised by overpopulation and insufficient

information infrastructure; there are still problems of constant travel being required, the costs associated with this and with overnight accommodation, etc.; a vehicle such as the Uri is needed to access remote areas like Mangetti and its dunes in order to address all land issues effectively

- Feasibility studies carried out in the 13 Regions recommended the development of over 600 small-scale farms countrywide; the Ministry of Agriculture, Water and Forestry (MAWF) is currently driving a campaign in conjunction with Integrated Rural Development and Nature Conservation (IRDNC) in order to look at land use options and optimally manage stock and other resources in communal areas; the problems and delays being experienced at Tsumkwe, for example, in terms of land use options were perhaps caused by overlapping policies; consultations were done with communities throughout, however, and the Ministry had not pressurised communities to take up small-scale farming; problems regarding a lack of agreement amongst community members as regards land use options and delays in decision-making had also occurred in other Regions, e.g. Oshana, but Cabinet had not pressurised any specific decision there either
- A lack of funding to implement the programme in its totality; providing water and a basic dwelling at each of around 2,500 small-scale farm was very costly; also, even if such facilities were provided, one could not resettle someone there who had not farmed in similar conditions before; the management of resources becomes the personal responsibility of the settler after resettlement, which requires training and support; all of these aspects are part of the resettlement process
- Resettlement beneficiaries are obliged to pay a rental to the State, and will be held responsible for managing the game (meat supply), trees (firewood supply), infrastructure and other resources on their farms
- Also hampering Communal Land Board activities is the issue of unrecognised traditional leaders in some areas; although this is not the MLR's responsibility, it has an impact on land distribution
- It becomes difficult for communities falling under the unrecognised traditional leader's auspices in respect of the implementation of the Communal Land Reform Act
- Land tenure needs to be secured for orphans and other vulnerable children, which includes children from multiple marriages

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#### **Lack of capacity in land-related matters**

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- No capacity existed in the MLR at Independence to carry out the important function of land administration and land use planning
- The Ministry made concerted efforts to improve its technical capacity in order to meet its obligations in this regard
- These efforts culminated in the Institutional Support and Human Resource Development Project (INSHURD) which is being implemented at the Polytechnic of Namibia and co-funded by the Government of the Republic of Namibia (GRN), the European Union (EU) and the Kingdom of the Netherlands
- Staff are undergoing training through various short courses funded by the GTZ, the EU and the Swedish International Development Agency (Sida)

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#### **Conclusion**

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- Government in general and the MLR in particular are fully committed to the process of land tenure reform; Government is seen as driving the process, but public response to land reform is not predictable
- There is, however, a need to learn from other African countries and countries overseas
- The Republic of Botswana is one example of countries within the Southern African Development Community (SADC) region that introduced land boards to administer tribal land with a high degree of success
- Zimbabwe has served as a lesson as well in terms of the speed required to address the needs of the people; delays could mean one has to face serious consequences

## Discussion

Dr Shivute related that men of her generation were quick to say a child they had fathered was not actually theirs but someone else's; nonetheless, the women knew who the child's father was. Dr Shivute likened these attitudes to the process of land reform, asking whose 'child' land reform was. If it were everyone's, then she appealed that we should not let it "fall between our fingers". In an African context, she said, it took a whole village to raise a child. Similarly, in Namibia, it would take the whole country to ensure land reform developed positively.

Ms Brigitte Weidlich of *The Namibian* asked Dr Shivute why it took Government so long to issue waivers. She also enquired as to the exact number of people requiring resettlement. In the latter regard she referred to a recent workshop where the MLR Minister had admitted the list of potential beneficiaries had to be reviewed: some people appeared on it more than once because they applied repeatedly. Mr O Munjanu of the Namibia National Farmers Union (NNFU) also asked whether the 201 farms included the three expropriated in 2006. Dr Shivute stated that the total included all farms resettled up to August 2006.

Mr John Grobler, representing the *Mail & Guardian* in South Africa, asked Dr Shivute to clarify her explanation of recent events concerning Tsumkwe, which he described as a "somewhat contradictory situation", namely settling farmers in an area for which conservancy status was being applied. He noted that red tape had apparently caused two processes to work alongside each other and eventually coincide without either party knowing what the other was doing. Dr Shivute responded that the integrated land use plan for the area had been ongoing before the conservancy policies were approved. She stated that the Tsumkwe issue did not need to be politicised.

Mr Grobler also asked whether the matter had been addressed at Cabinet level yet. Dr Shivute replied that the findings would not go to Cabinet before the community concerned had taken a final decision.

Mr George Kozonguizi of the United Nations Human Settlements Programme (UN-HABITAT) then asked whether the Land Reform Programme only targeted commercial farmland, or whether land in urban areas was included as well. Dr Shivute responded that the MLR had not yet spent time on urban areas, for example, although the Land Policy addressed all types of land in Namibia.



# Public opinion on land reform in Namibia: Methodological considerations

Mr C Keulder  
Media Tenor

## Introduction

Mr Keulder explained that he would take the Workshop participants through a set of proposed options taken from a survey of public opinion. He noted that what the participants were going to see were proposals only, in an initial framework, that were still open to discussion.

Mr Keulder also noted that public opinion was a very difficult thing to grasp. He quoted VO Key (1961) in this regard, who said “To speak with precision about public opinion is a task not unlike coming to grips with the Holy Ghost”.

## Augmented presentation

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### Background

---

Why a national survey on land reform?

- To date there has been no systematic national quantitative study of public opinion on the land reform process
- The land reform process is important – politically, economically and socially; and yet crucial questions remain unanswered and key propositions untested
- National surveys give a voice to the voiceless
- The survey intends to generate publicly accessible data on a much-neglected aspect of land reform: the views, attitudes and experiences of the Namibian population
- Some of the current data available are restricted or not organised in a meaningful way
- The survey presents new opportunities for understanding the underlying factors and influences that shape these views, attitudes and experiences
- It also allows the use of different, more scientifically justifiable techniques of data analysis

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### Key methodological considerations

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The sample

- Ultimately, sampling boils down to one single consideration: who to speak to and who not; the strength of survey-related research begins and end with the quality of the sample
- Any study of this nature demands the following:
  - A national sample, i.e. no part of the country is deliberately and systematically excluded from the sample frame
  - An area-based probability sample, i.e. all areas of the country would have the appropriate probability for inclusion in the sample, and the probability for inclusion is based on the number of households in a specific area; the primary sample unit divisions applied in the national census are useful in this regard
  - A sufficiently large sample size, with size being determined by the required levels of reliability or precision, the homogeneity of the population, the size of the population, the levels of non-response, and the method of sampling; the survey is looking at a sample of  $\pm 3,000$  Namibians; a sample of 1,200 is regarded as sufficiently representative, but the levels of reliability need to be as high as possible to cater for potentially high levels of non-response to questionnaires, and of homogeneity in the responses

- Certain criteria for stratification, i.e. the survey might want to sample in a way that insures that special groups would be present, e.g. the youth, women, urban residents, and rural residents

#### Questionnaire design

- **Validity:** Ensuring that the question items measure what we intend to measure; only that which is relevant and important needs to be asked, and not questions that would waste time
- **Reliability:** Ensuring that when we ask the question item again, we would get the same response/outcome
- **Process:**
  - Identify the relevant themes and sub-themes for inclusion – **conceptualisation**
  - Identify the relevant questions for each theme or sub-theme – **operationalisation**
  - Develop the appropriate item measurements – **scaling**

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#### Phases in the research process

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- Survey design: Identification of themes, and deciding on sampling techniques and sample size; a large group of people need to buy into the research process – not only academics
- Questionnaire design: Conceptualisation, operationalisation and scaling
- Sampling: Identifying and selecting the correct sample areas from the sample frame
- Questionnaire piloting, fieldworker recruitment, and training
- Questionnaire revision
- Fieldwork and data collection
- Coding, capturing and cleaning of data
- Primary analysis (hopefully to be discussed at a future Workshop)
- First round dissemination of findings (also for a possible future Workshop)
- Proposals for research
- Secondary analysis

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#### Proposed structure for project

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##### Possible key themes

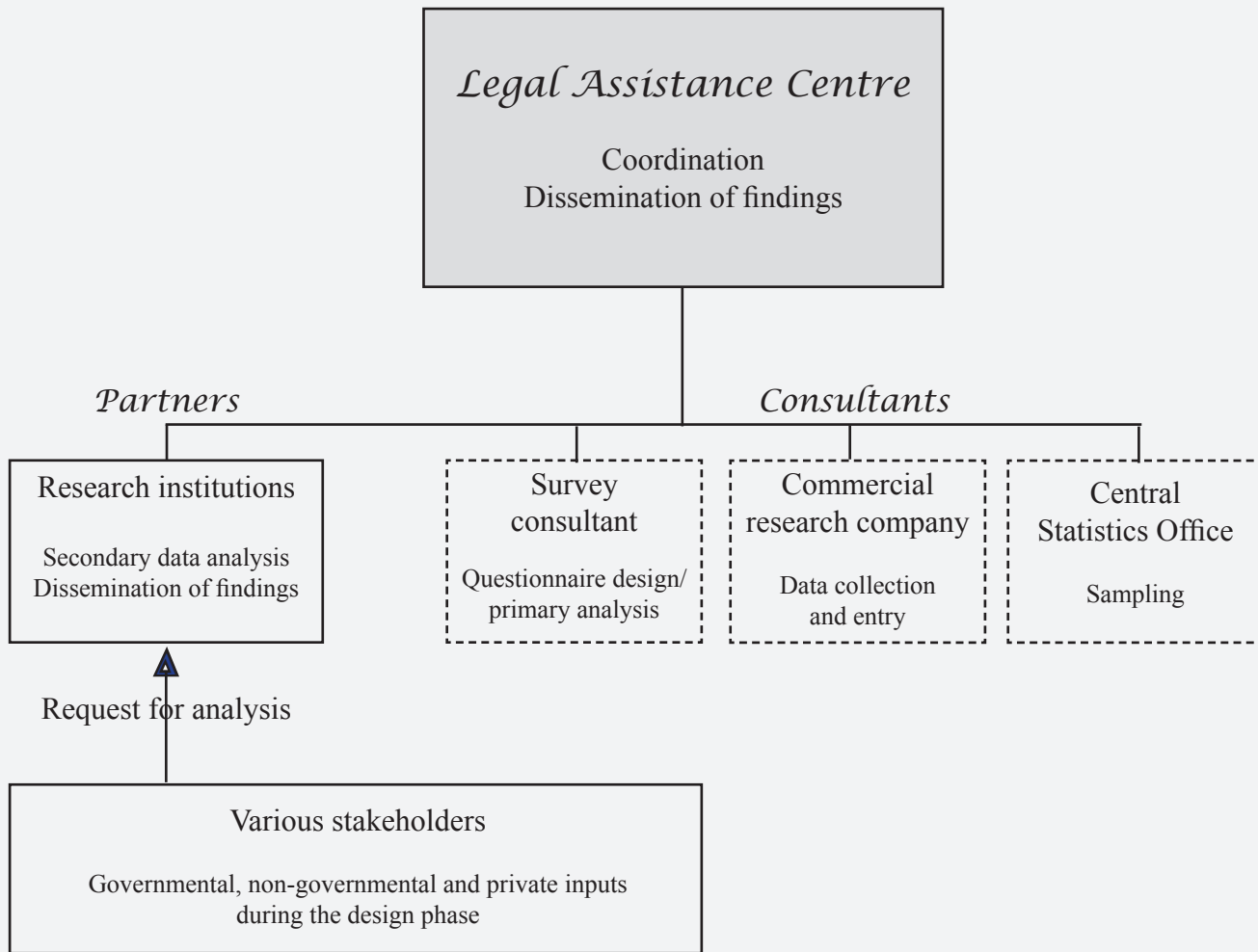
###### *Popular understandings of land reform*

What the public understands by key concepts such as –

- *land reform*
- *resettlement*
- *expropriation*
- *confiscation*

###### *Knowledge and awareness of current process*

- Awareness of key institutions, e.g. Land Boards
- Knowledge of institutions (their functions and programmes)
- Awareness of land reform processes elsewhere, e.g. South Africa, Zimbabwe
- Awareness of key land reform agents, nationally and locally; e.g. various unions, community leaders, politicians, farmers' unions
- Interest in land reform and land-related issues



*Experience with land reform*

- What the programmes are
- Current participation: Who participates in those programmes and how
- Intended participation in them
- Trust in land reform institutions/agents
- Satisfaction with land reform:
  - The process
  - The actors
  - The outcome

*Demand for land reform*

- Perhaps a controversial issue
- Identification of the most important problems, nationally and locally
- Rank ordering of specific problems, including land reform; e.g. does the public consider HIV/AIDS to be more important than land reform, poverty alleviation, housing, etc.?
- Current land ownership/usage
- Need for more land
- Preferences for various land reform models/options: There are many ways land reform could be executed

## *Future expectations*

- On successful farming
- On successful reform
- On land use
- On infrastructure
- On training
- On special programmes such as mentorships, joint farming ventures, and sharing land

## *Values and psychographics*

One of the ideas in the research is to identify where opinions and attitudes come from, i.e. whether there are any explanatory values that relate to land reform. The list below may not immediately appear to be related to land reform; but over the last five years, these so-called quality-of-life indicators have been seen to shape opinion on lifestyle-related issues. For example, all the banks have recently launched campaigns to attract the unbanked to products geared especially for them.

- Personal values, economic values, social values
- General living conditions
- Quality of life
- Happiness and satisfaction with life and living conditions
- Stage of life
- Integration into financial system, e.g. financial transactions, obtaining credit
- Access to and usage of technology, e.g. some life assurance today is sold via cell phones, and some training occurs via the Internet; it is important to know what the opinions are in this regard

## *Social capital*

When a person is taken out of one community and moved to a new one, one needs to look at the following issues:

- Interpersonal trust
- Closeness to others
- Embeddedness in community
- Social networks
- Lived poverty, i.e. how often people go without essentials
- Exchange relations, i.e. how often people go without social exchanges

## *Media usage*

The media are the main source of truths and half-truths about land reform. It is important to discuss information needs, e.g. what mass campaigns should address.

- Access to media
- Usage of media
- Preference for media
- Trust in media
- Alternative sources of information about land reform
- Information needs

### *Biographical*

The list below is not exhaustive. For example, should special groups such as orphans be targeted as beneficiaries? Psychographics will assist in aligning the various groups to the Land Reform Programme.

- Age
- Gender
- Education
- Marital status
- Land-/homeowner
- Income level
- Urban/rural location

### **Discussion**

Mr Claus Hager of the Namibia Agricultural Union (NAU) enquired from Mr Keulder who the partner institutions were and whether the NAU could be a partner institution as well. He also referred to Mr Keulder's suggestion that more biographical/social features could be added, stating that the current group already seemed a bit excessive and would entail an expansive questionnaire, especially on social issues. In regard to social stratification and inputs into that, Mr Hager felt that the high emotions revolving around the issue of land reform made it imperative for the cardinal group to be represented; current landowners represented only a relatively minimal group in this respect.

Mr Keulder responded that answering the questionnaire would not take more than an hour. To cut down on the response time required, no open questions were used, for example. He also felt that it was better to start with a broad level of social features rather than a set that was too narrow.

As regards stratification, Mr Keulder responded that the issue would be addressed the choice of a larger sample size: a sufficient number of responses from commercial farmers were needed, therefore.

Mr Albert Engel of the GTZ asked who would use the data obtained from the survey, and for what purpose. Mr Keulder replied that he did not want to mention any names, but he imagined that many interest groups, i.e. people directly involved in land reform, would make use of the data. In respect of how the data would be used, Mr Keulder suggested that it depended on the user's creativity and how big the demand was for such information in the national context. For example, he asked whether there were any demands for urban land reform. He believed that Government, non-governmental organisations and politicians would all have an interest in the research, but there were also others who were sceptical of it.

Mr Colin Nott of the IRDNC pointed out that, in the first part of Mr Keulder's address, where he mentioned "The land reform process is important – politically, economically and socially", he had noticed that the concept *environmentally* had been omitted. Mr Nott believed that the environment was where Namibia's wealth was being generated; for him it was important to ask whether the environment was improving or degrading, and he suggested Mr Keulder include this aspect in the proposed research.

Mr Keulder replied that people's value systems sometimes tied in with land use, e.g. some land users opted to farm game instead of livestock.

Mr Nott replied that he would like to see a specific focus on environmental perceptions.

# Land reform in Namibia: 1990-2006

Dr Wolfgang Werner  
Consultant

## Introduction

Dr Werner explained that he was a former Director in the Ministry of Lands and Resettlement. He had then worked for ten years for the Namibian Economic Policy Research Unit, and for the past few years he had practised as a freelance consultant.

He went on to say that although the background to land reform had already been sketched in Dr Shivute's presentation, some of the participants present might not be au fait with certain of the Land Reform Programme's components. It was these that his presentation would address.

## Augmented presentation

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### Background

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- Unequal distribution of land that prevailed during the German and South African colonial periods was inherited at Independence; land ownership is still racially skewed; this produced the perception that the inherited land situation had to be addressed
- High levels of unemployment and poverty are still with us today
- Land reform regarded as precondition to meaningful rural development and poverty alleviation

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### Aims and objectives

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The following were approved by Cabinet as part of the Terms of Reference of the Permanent Technical Team on Land Reform in Namibia (PTT) appointed to investigate the status of land reform in Namibia in 2004:

- Right past historical wrongs
- Achieve social and economic equity for all citizens
- Facilitate poverty reduction, employment creation and income (re)distribution

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### Process

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#### Government initiatives since 1990

- National Conference on Land Reform and the Land Question, 1991; quite a few resolutions made by the Conference were adopted
- Technical Committee on Commercial Farmland, 1992; amongst the recommendations of the aforementioned National Conference was the need to first analyse the process of land reform and make recommendations based on such sound analysis; the Committee invited contributions from the private sector, amongst others, but only received one submission; the accusation, therefore, that Government did not consult the public on the land reform issue is false
- Consultative Conference on Communal Land Administration, 1996
- Role of Traditional Leaders in land administration
- PTT, 2004

### Non-governmental organisation (NGO) initiatives

- Establishment of the NGO Working Group on Land Reform, 1994; this initiative arose due to impatience with the Government's pace of action on land reform
- Organised workshops at regional and district level, mid-1994
- The People's Land Conference, 1994; some NGOs tried to determine what it was that the people wanted; the Land Reform Bill had been tabled but there was perhaps some concern that the people would not be sufficiently consulted on the issues; the recommendations from the Conference included some specifically on the Bill

### Review reform measures

- Provide a forum for debate and participation
- Help marginalised groups to understand policy options on land
- Formulate recommendations on policy and the Agricultural (Commercial) Land Reform Act, 1995 (No. 6 of 1995)

### Initiatives of organised agriculture bodies: NAU & NNFU

- Joint Presidents' Committee (JPC) in 1998
- Consultative land conference in February 2002 for the two unions to develop joint vision on land reform
- Regular inputs
- Namibia National Farmers Union (NNFU): various position papers and petitions to Government, including marches to Parliament
- NAU: produced a voluminous book outlining the framework for sustainable land use and land reform (2003)
- Emerging Farmers' Support Programme, 2004; arose from the aforementioned initiatives

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## Programme

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### Components

#### *Freehold sector*

- Land redistribution (Farm Unit Resettlement Scheme/FURS)
- Affirmative Action Loan Scheme (AALS)
- Rest of presentation to concentrate on these two Schemes

#### *Non-freehold sector*

- Improved tenure security through Land Boards, as detailed by Dr Shivute in her presentation
- Develop unutilised land for agricultural purposes
- Introduce leasehold in non-freehold areas

#### *Farm Unit Resettlement Scheme*

- The Government buys farms on a WSWB basis in order to transform large-scale commercial farming into small-scale farming:
- Minimum 1,500 ha per plot in the northern half of country, which is better endowed with natural resources than the south
- Minimum 3,000 ha per plot in the more arid southern half

- The criteria for potential beneficiaries are that they must be previously disadvantaged Namibians who own fewer than 150 large stock units (LSUs)
- 99-year leasehold obtained
- Monthly rental payable because the occupant does not actually buy the land from the State; rentals are one way of recouping the funds paid for the land, but it was not clear whether the rental system had been implemented as yet

*Affirmative Action Loan Scheme*

- Started in 1992
- Aim was to encourage large communal farmers (? = communal farmers with large stock herds?) to move to freehold areas, thus freeing up communal land for resettlement; farmers with more than 150 LSUs could apply
- Initially only full-time farmers, but since 1997 also part-time farmers
- Obtain subsidised loans from Agribank repayable over 25 years
- Receive freehold title

Freehold land owned by previously disadvantaged Namibians, 2005*			
Year	Type of acquisition	No. of farms	Total area (ha)
1991–2005	Resettlement (MLR)	163	993,841
1992–2005	Affirmative Action Loan Scheme	625**	3,470,000
	Total	969	5,444,101
	Total freehold area		36,000,000
	Percentage of freehold area		15
Average allocation under resettlement			
■ <b>2,138 ha</b> in the southern Regions***			
■ <b>1,200 ha</b> in the northern Regions			
■ Average cost to resettle each household: <b>N\$272,000</b>			

\* Figures used by Dr N Shivute in her presentation are more recent than those given here, but they nonetheless convey some idea of the status quo on allocating land to previously disadvantaged Namibians.

\*\* Interestingly, around 180 farms had been purchased by Representative Authorities by 1990, e.g. for drought relief, but also as important is the fact that much more land has been distributed under the AALS than by official resettlement efforts. This points to the possible advantages of the AALS.

\*\*\* The average areas allotted in the south are smaller than the recommended minimum size of 3,000 ha, as are those in the north, where the recommendation was for a 1,500 ha plot.

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**Who are the beneficiaries of land reform?**

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The following figures were provided by the PTT, which conducted a survey in 2003 of the beneficiaries of the resettlement scheme.

**Characteristics of FURS beneficiaries**

- Previously disadvantaged Namibians
- Selection criteria very wide: includes everybody with fewer than 150 LSUs; this makes it very difficult to apply the policy in a consistent way; Dr Shivute mentioned in her presentation that the criteria were being reviewed
- 45% earn wages, of whom 75% are Government employees mainly based in Windhoek



- Majority are part-time farmers: only 31% regarded farming as their main occupation
- Average age was 52 years; 30% of them were older than 60 years
- Gender distribution: 72% male, 28% female; women, therefore, are underrepresented

#### Achievements and challenges: FURS

- Capital accumulation: the average beneficiary doubled his/her livestock; from a poverty alleviation point of view, therefore, beneficiaries' assets have experienced growth; they used the opportunity to increase their herds; however, the PTT only witnessed one point in time during the resettlement process
- Most beneficiaries had not reached full stocking capacities (average: 32 head of cattle, 28 sheep and 80 goats)
- Off-take low: 9% for cattle; 11% for goats and 18% for sheep; beneficiaries appear to be more interested in growing their herds rather than selling them
- Marketing: only when need arose
- No agricultural and marketing advice and support
- Little production revenue
- Off-farm earnings most important source of income for 71% of beneficiaries (average: N\$51,000 per annum)
- Lack of capital/credit; people found it difficult to access credit; they were only able to do so if they owned insurance policies, houses in town or the like
- Insecure tenure – no registered leases
- Reluctance to improve the land and invest because people were not sure how secure they were on the land
- Shortage of farming and business skills; there is a need for these to be developed

#### Achievements and challenges: AALS

- No evaluation as yet by the PTT; there are no data as such, therefore, only anecdotal information
- Transferred almost four times more freehold land to previously disadvantaged Namibians at less cost to the State than FURS
- The increased demand for land also had the following outcomes:
  - Inflated land prices
  - Difficulties in repaying loans

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#### Future challenges

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- Who should benefit from land reform?
- Equity vs productivity concerns; this is a difficult balance to maintain
- Poverty reduction; many beneficiaries are people who are already employed; some reject this as being in the interests of land reform
- Is small-scale farming the most efficient way to alleviate poverty? There seems to be an inclination on the part of Government and NGOs to believe so
- Post-settlement support; in arid areas there are many more risks involved in small-scale farming; it can be done, but it is very costly; perhaps an answer would be deal with poverty in a slightly different manner
- Is the pace of land redistribution appropriate?
- Increased redistribution targets require higher funding commitments; if Namibia wants to redistribute 15 million ha by 2020 in line with the PTT's recommendations, more funds are needed not only to buy land, but also for support to the MLR in terms of services to beneficiaries
- Where to with farm workers? Their issues have not yet been dealt with adequately; marginalised communities shouldn't be further disadvantaged

- Equitable development of non-freehold land
- Economic and environmental sustainability; the beneficiaries are granted very small units of land and have very little flexibility when it comes to drought conditions, for example; in addition, rotational grazing is difficult to practise; water availability is another constraint to success

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## Conclusion

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- Land reform needs to be part of an integrated rural development plan – particularly if it is to be used as a tool in poverty reduction
- Answers to sustainable rural livelihoods lie off the land
- Diversify economic activities; it is not possible to sustain more people on the land than it can cope with
- Provide alternatives to small-scale farming

## Discussion

Prof. Bill Lindeke informed the participants that, at a meeting he had attended the previous day, about 700 farms were rumoured to have been earmarked for land redistribution. He enquired whether any Offices, Ministries or Agencies (O/M/As) or parastatals besides Agribank had purchased land.

Dr Nashilongo Shivute of the MLR responded that different O/M/As would buy land for their own uses, e.g. the Ministry of Education might buy land to establish a research institution. Although they would consult the MLR for advice on such a purchase, the O/M/A concerned knew best what their specific needs were. Dr Shivute confirmed that such purchases were excluded from the land figures she had presented to the Workshop.

Mr Bertus Kruger, the Workshop Facilitator from the Desert Research Foundation of Namibia (DRFN), enquired whether the expropriation of land would be able to fill the gaps that could not be filled by the WSWB approach. Dr Shivute explained that, in the MLR's experience, expropriation was not a quick way to acquire land, and that Namibia had laws to protect landowners from Government arbitrarily taking their land. She also pointed out that one of the provisions of the Communal Land Reform Act was that the MLR was obliged to issue a letter outlining its intent to purchase land from a particular landowner. If the landowner agreed to sell, the MLR entered into negotiations with him/her to conclude with the sale; if the landowner was unwilling to sell, the MLR issued a notice of expropriation and the landowner would then take the matter to court. She explained that the WSWB and expropriation approaches complemented each other: in most of the farms identified, cooperation was obtained and negotiations were under way.

Mr Kruger then asked how many people were in need of land, since many applied more than once. Dr Shivute confirmed that some people had submitted a number of applications, and that the MLR were busy cleaning up their data in this respect. She added that the Regional Resettlement Committees to be established for each Region in the country would be able to look on the national database whether any individual had applied more than once.

Dr Shivute also explained why it was taking so long for the MLR to issue waivers when it was offered land to purchase. Land needed to be offered to the State, and the MLR needed to buy land: that was its primary role. Before a waiver was issued, therefore, the State had to satisfy itself that the land being offered was indeed unsuitable for resettlement. Secondly, where a foreign investor was involved, a Cabinet decision was required before a waiver could be issued. According to the Agricultural (Commercial) Land Reform Act, 1995 (No. 6 of 1995), the State was obliged to respond within 30 days after a farm had been offered to it. Since the State had not been adhering to this provision, it was certainly a problem that needed to be addressed, she believed. Adding to delays, in her view, was that some offers were not straightforward; in some cases, persons who were not in fact its rightful owners were offering the land.

# Outcome of the PTT and future prospects for land reform in Namibia

Mr Vehaka M Tjimune  
Former Member, Permanent Technical Team on Land Reform in Namibia  
Executive Director, Namibia National Farmers Union

## Introduction

Mr Tjimune explained that the PTT's report was currently a Cabinet document. As regards his presentation, he explained that time constraints would not permit him to elaborate on the final point in it, namely the Indicative Action Plan. He also noted that the data were now a bit out of date since the PTT reported on land reform in 2004.

## Augmented presentation

### Background to the PTT

- Established by the GRN and inaugurated in August 2003
- Financially supported by GRN and donor agencies – the GTZ, the United States Agency for International Development (USAID) via the Namibia Nature Foundation (NNF), and the United Kingdom Government's Department for International Development (DFID)
- Initially nine-month time frame, but extended to November 2004
- Reporting to the Permanent Steering Committee and the Ad Hoc Cabinet Committee

### Objective

- Take stock of actions to date
- Formulation of Strategic Options and Indicative Action Plan for Land Reform
- To be done from a policy and legal perspective in terms of economic, financial, environmental and institutional sustainability, including cross-cutting issues such as HIV/AIDS and gender
- Acquisition of freehold land
- Between 1990 and 2004, 4.31 million ha or 12% of total freehold land were redistributed, which is equal to 45% of the 9.5 million ha target (2006)

### Major findings

Mr Tjimune recommended that all Workshop participants receive a copy of the PTT report. As regards their major findings, he stressed that the market-led activities in respect of land acquisition for land reform exceeded expectations, compared with their State-led counterparts. He concurred with Dr Nashilongo Shivute's comments about determining exactly who should look after land reform. He also pointed out that the entire growth process was being funded locally, but cautioned that, for a poor country, there were not enough funds to succeed in land reform single-handedly. He mentioned that for every N\$1 spent on land, N\$ was required for post-settlement support, and emphasised a balance needed to be struck between the political/social inputs and the economic aspects of resettlement. Moreover, with the average beneficiary earning around N\$7,000 a year on resettled land, it was also important to ask what type of beneficiary one was creating: e.g. a bicycle owner or a car owner.

### Acquisition of freehold land

- Between 1990 and 2004, 4.31 million ha (12%) of total freehold land were redistributed, which is equal to 45% of the 9.5 million ha target (2006)

State	Market
Size: 874,000 ha	Size: 3.47 million ha = 4 times more
300 beneficiaries on individual allocations	625 beneficiaries
1,226 in groups (Vasdraai, etc.)	
	Cost to Government = Low
	Cost to individuals = High

- State acquisition was ad hoc, uncoordinated and exclusive (individual O/M/A plans, with little involvement of other O/M/As, the private sector, or civil society institutions)

#### Development/utilisation of redistributed land

- Large farming units subdivided into smaller allotments with inadequate infrastructure
- Beneficiary selection: General and vague eligibility criteria – landlessness, resource ownership, ability to access capital
- Post-settlement support insufficient in terms of start-up capital (loans and/or grants)
- Beneficiaries (individual) doubled their asset bases, but income very low (N\$7,000/annum)
- Many beneficiaries need to seek alternative sources of income from their land (subleasing a common strategy, but illegal and low returns)
- No lease agreements registered yet (by 2004), no provision for tradability thereof

#### Development/utilisation of communal land

- Limited resource provision to Land Boards (material, human and financial); at the Heja Lodge Workshop for stakeholders, for example, some Land Boards were unable to attend because of a lack of resources
- Limited capacity to implement activities prescribed in the Communal Land Reform Act
- International Development Consultancy (IDC) studies suggested that 4 million ha are potentially available for development; however, one needs to be very careful about how *virgin land* is defined, because some land may only look unutilised but it may not be the case; the IDC recommendations of 1997 need to be updated
- Development plans for underutilised land in communal areas not entirely undisputed
- Conflicting policies by line ministries; this was not touched on by the presenters so far, but there were numerous example of policies not ‘talking to each other’
- Scope for principles of community-based natural resource management to be expanded beyond wildlife and water and applied to land as a natural resource (land users’ associations)

#### Institutional coordination

- Fragmented, ad hoc coordination and collaboration between line ministries
- Policy coordination lacking, leading to conflicting policies and programmes; the policy environment needs to be looked at first, before we can expect institutions to collaborate
- Little involvement of non-State stakeholders in land reform
- Capacity problems in line ministries exaggerate strategic and operational management and implementation; the lack of capacity, especially amongst Government institutions, is critical

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## Recommendations

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### Acquisition

- GRN to raise targets from 9.5 ha to 15 million ha by 2020 (= 41% of freehold land); we will have to wait and see whether this addresses equity or not
- Streamline the process of acquisition, use expropriation where appropriate; the weakness of the WSWB approach is that one will not be offered that land that one wants at the price one is willing to pay for it; also, if post-settlement support is provided, one could consider expropriating land in blocks and clusters, e.g. closer to the market, like the South African colonial regime's so-called Odendaal Plan to redistribute land in Namibia for their specific purposes; furthermore, redistribution models had one element in common, namely indirect benefits to land; there was a need to retain the existing skills of exiting farmers; from a Cabinet perspective, further studies on the acquisition process are required
- Strengthening of the AALS
- Determine total land demand needs in terms of quantity and quality of land required – matching specific need (development of communal area land also important)
- Broaden stakeholder collaboration and inputs to land reform through regular and structured consultations (negotiated land reform)

### Development/utilisation of redistributed and communal land

- Appropriate beneficiary selection
- Appropriate support packages
- Integrated resource management (collaboration between the MLR, the Ministry of Environment and Tourism and MAWF)
- Subleasing of land to be allowed under special conditions
- Closer collaboration by the MLR with line ministries with specific expertise in respect of joint land use projects and support
- Encourage skills and knowledge transfer through joint ventures
- Investigate land use potentials around towns and villages for specific resettlement projects with intensive farming/land use
- Establishment of land users' associations in order to enhance the implementation of the Communal Land Reform Act

### Institutional framework

- Land reform is a sector-wide programme that requires a sector-wide approach with inputs from all stakeholders
- Due to the nature of the sector-wide program, no single institution can be expected to house all the required expertise
  - A permanent Cabinet Committee on Land and Social Issues (including all line ministries) to coordinate sectoral responses to land reform at policy (and budget) level
  - A Technical Committee on Land and Social Issues (Permanent Secretary level) to develop and oversee implementation of sectoral strategies in support of land reform
  - A Technical Coordination Team within the MLR to coordinate the implementation of the Action Plan(s), including initiatives by non-State actors
  - Outsource non-core functions to other role players (e.g. training of resettlement beneficiaries and newly emerging farmers by MAWF extension officers and farmers' unions or the Emerging Farmers' Support Programme/ECFSP)

- As a matter of urgency, provide capacity in all Directorates and Divisions within the MLR through in-service and professional training, secondment and recruitment
- Some funds have already been allocated to this process:
  - N\$50 million annually for land acquisition (80/20 ratio of acquisition to development)
  - N\$30 million annually for land tax
  - N\$50 million as an AALS subsidy
- N\$130 million per annum to be made available (or N\$1.95 billion until 2020)
- Shortfall of N\$2.48 billion (which could be partially taken up in supplementary projects of line ministries, e.g. the Green Scheme)

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### **Prospects for the future**

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- Regionally, the PTT is not the first such undertaking:
  - Other countries did similar stocktaking (e.g. Tanzania: Presidential Commission 1991; Zimbabwe: Rukuni Commission, 1994–1996 and Chivji Commission, 1998; Malawi: Presidential Commission on Land Policy Reform, led by Harawa, 1999)
- One of the criticisms, even if not very prominent, is whether the PTT has brought any new issues to the table besides its systematic stocktaking and plan; this can be further debated as part of the ‘buy-in’ process
- Post-PTT: The worst that could happen is for Government to implement the plan in an uncoordinated fashion; certain elements of the plan have a bearing on the performance of others and this may compromise to final outcome
- The Action Plan in itself is not a panacea for land reform and its related problems, but rather a guide; one won’t address poverty simply by redistributing land, i.e. not all social evils can be redressed by means of land reform; much depends on the institutional capacities to manage the implementation, monitoring and evaluation processes
- A harmonised and coordinated rural development strategy is crucial for the effective implementation of a long-term land reform policy
- The PTT did not consult widely; thus, there is a need for local, regional and national consultations in order to facilitate a national ‘buy-in’
- Post-settlement investment support is crucial for sustainable agrarian and agricultural reforms
- Systematic, transparent and institutionalised coordination of stakeholder inputs to land reform are required

### **Some preconditions in order to achieve the set targets and objectives**

- Improved inter-ministerial planning, coordination and monitoring
- A flexible and interactive policy environment
- Establishment of a well-coordinated and institutionalised consultation process involving the private sector and civil society, e.g. a Negotiated Land Reform Forum
- The availability of financial and human resources
- Bilateral and multilateral resource mobilisation to implement future programmes

### **Discussion**

Participant feedback on Mr Tjimune’s presentation was deferred because he and Mr Sakkie Coetzee of the NAU had an urgent meeting with the Minister of Agriculture, Water and Forestry.

# Land reform in Namibia



Mr Sakkie Coetzee  
Executive Manager, Namibia Agricultural Union

## Introduction

Mr Coetzee explained that the NAU represented commercial farmers' interests in Namibia, and that he would focus on sustainable land reform and use in his presentation. He would elaborate on the NAU's positions on this point, particularly with respect to suggestions on how to make more land available.

Mr Coetzee stressed that he was not saying black farmers could not produce, but the transfer of land – whether to black or white owners – had tended to reduce productivity. On average, offtake was only 9% in certain areas, whereas it needed to reach 25% in the commercial sector.

In addition, he was under the impression that the coordination between the MLR and MAWF was not what it should be. The data collected north of Okahandja was intended to help draft the Integrated Land Use Reform and Resettlement Programme. However, some of the farmers that contributed to the survey did not see the relevance of stating the serial numbers of pumps and generators, for example. Mr Coetzee recommended that the MLR use the existing information obtained over the past 30 years on farming issues; the latter were acknowledged to be amongst the best study groups in the country.

Mr Coetzee also used the occasion to present Dr Shivute with copies of the three NAU reports mentioned in his presentation.

## Augmented presentation

### Overview

The greatest challenge is to achieve a balance between –

- political pressure – which involved land hanger and was politically lucrative, and
- the economic realities – which involved the agricultural sector's contribution to the achievement of Vision 2030, e.g. throughput at abattoirs needs to improve.

### Background

- National Conference on Land Reform and the Land Question, 1991, with all stakeholders under the Chairmanship of the Right Hon. Prime Minister, Hage Geingob
- Consensus decisions important for the NAU
- Strategies
  - WSWB (preferred mechanism)
  - expropriation of land (against fair and just compensation), if necessary
    - Un- and underutilised land (in terms of economic activities)
    - Foreign landlords
    - Excessive land/farms
    - Absentee landlords



To form the  
basis of the  
NAU model

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## What the NAU has done so far

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- Presented 3 technical reports to relevant authorities

### Report 1 (September 2003)

- Framework for sustainable land use and land reform in Namibia
  - Main objective: Suggest a meaningful platform for negotiations
  - Collect and disseminate factual information

### Report 2 (June 2004)

- Proposal towards establishing principles for expropriation
  - The Minister should be reasonable and transparent
  - Take relevant facts and circumstances into account
  - Bone fide decisions (not harsh, arbitrary, unjust or uncertain)
  - Be unbiased

### Report 3 (June 2005, updated November 2006)

- The NAU and land reform
  - Establish Land Mediation Forum
  - Model to categorise farms
- NAU members were very concerned about the criteria being used for land expropriations
- In terms of the latest Government policies, it was good that civil society were now also part of land reform in Namibia

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## Emerging Commercial Farmers Support Programme

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- Together with the NNFU
  - 45 farmers' days and courses
  - 1,843 beneficiaries
  - Application to the EU and the Millennium Challenge Account (MCA) pending
- Thus, the NAU and its members are important stakeholders

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## Where are we now?

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Mr Coetzee pointed out that although Dr Shivute had already mentioned that the MLR had bought 221 farms, the NAU took into account privately bought farms and those purchased through the AALS. The NAU total, therefore, was 5.8 million ha, representing some 1,101 farms.



**Table 1: Land redistribution under the AALS and National Resettlement Policy (NRP), 1990-June 2006\***

Type	Hectares (millions)	No. of beneficiaries	No. of farms
AALS	3.6	646+	755
In process of transfer*	0.73		
<b>Subtotal</b>	<b>3.65</b>		
NRP	0.90	1,529+	166
In process of transfer*	0.16		
<b>Subtotal</b>	<b>1.06</b>		
Privately bought farms	1.1		180
<b>Subtotal</b>	<b>1.1</b>		
<b>TOTAL</b>	<b>5.8</b>	<b>2,175+</b>	<b>1,101</b>

Source: Agribank, MLR and NAU survey

\* Subject to final verification at the Deeds Office

Mr Coetzee noted that, in terms of commercial areas alone, the percentage of total area owned by previously advantaged farmers in 1991 had dropped from 94.4% to 75.4% by 2006. Conversely, the 2.7% of total commercial farmland owned by the previously disadvantaged in 1991 had risen to 16.1% by 2006. The data used were collected by the NAU through its own structures, confirmed by the MLR, and verified at the Deeds Office.

**Table 2: Freehold agricultural land ownership: Progress in redistribution, 1991–2006\***

Type	1991		2006	
	Total area (M ha)	% of total area	Total area (M ha)	% of total area
Previously disadvantaged (incl. private purchases, AALS and resettlement)	1.0	2.7	5.8	16.1
Previously advantaged	34.2	94.4	27.3	75.4
State (parks and resettlement excluded)	0.5	1.3	1.5	4.1
Organisations (Churches, foundations, etc.)	0.2	0.6	0.3	0.8
Municipalities, town lands, etc.	0.3	0.9	0.3	0.8
Unknown	---	---	1.0	2.9
Total freehold land	36.2	100	36.2	100

Source: Agribank, MLR and NAU survey

\* Subject to final verification at the Deeds Office

With regard to the figures that follow here, Mr Coetzee pointed out that agro-ecological zones (AEZs) 1 to 4 in Figure 2 represented so-called arable land. Of this land, the Government – and not white Namibians – owned 65%. He also mentioned that he had been a principal consultant in the IDC study in 2000.

In respect of Figure 3, he expressed the NAU's concern about block resettlement, stating that a more fruitful approach for the country as a whole would be to transfer skills amongst farmers.

Figure 1: Agricultural potential and land distribution, November 2006

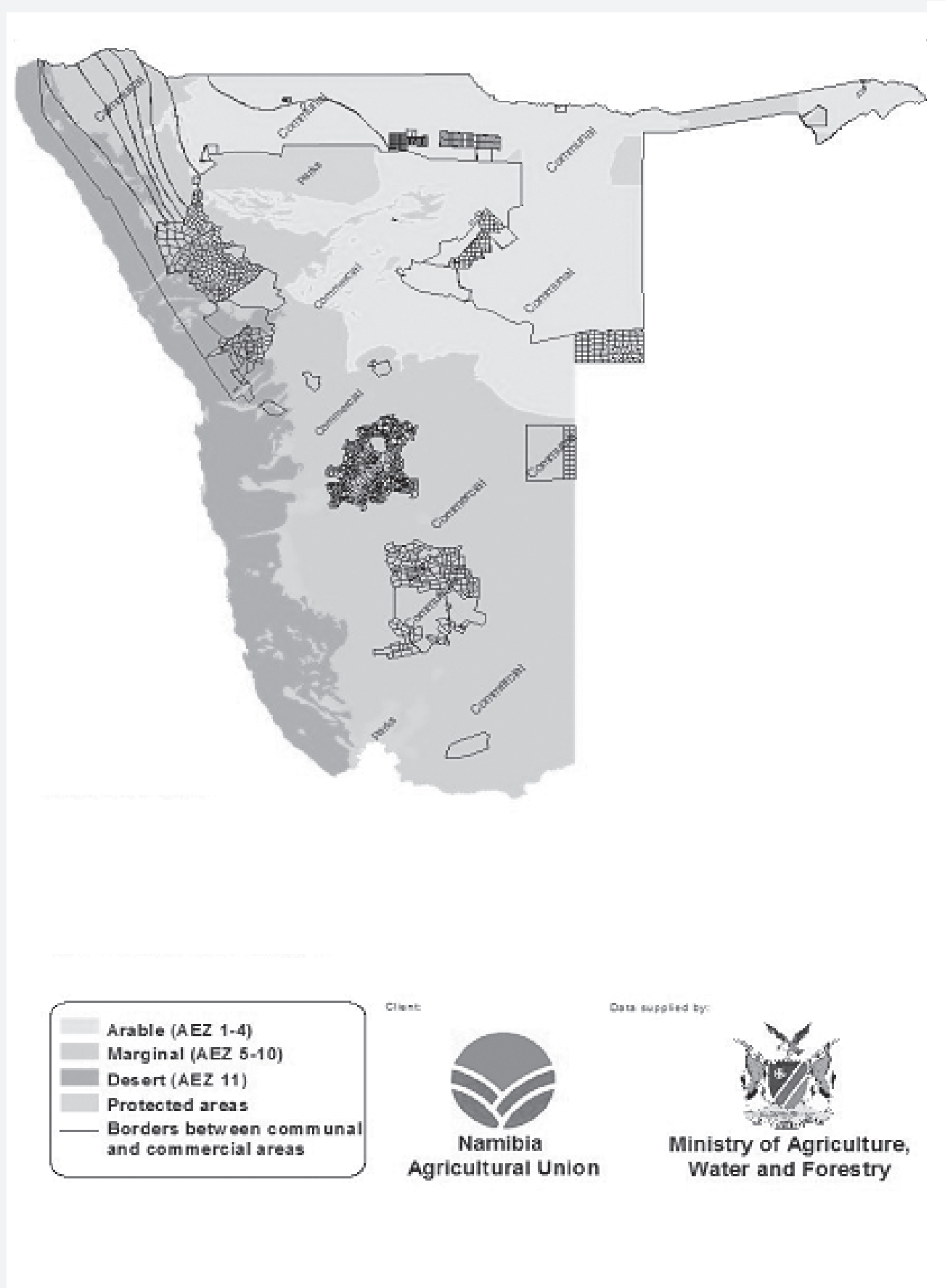


Figure 2: Land redistribution and agricultural potential, November 2006

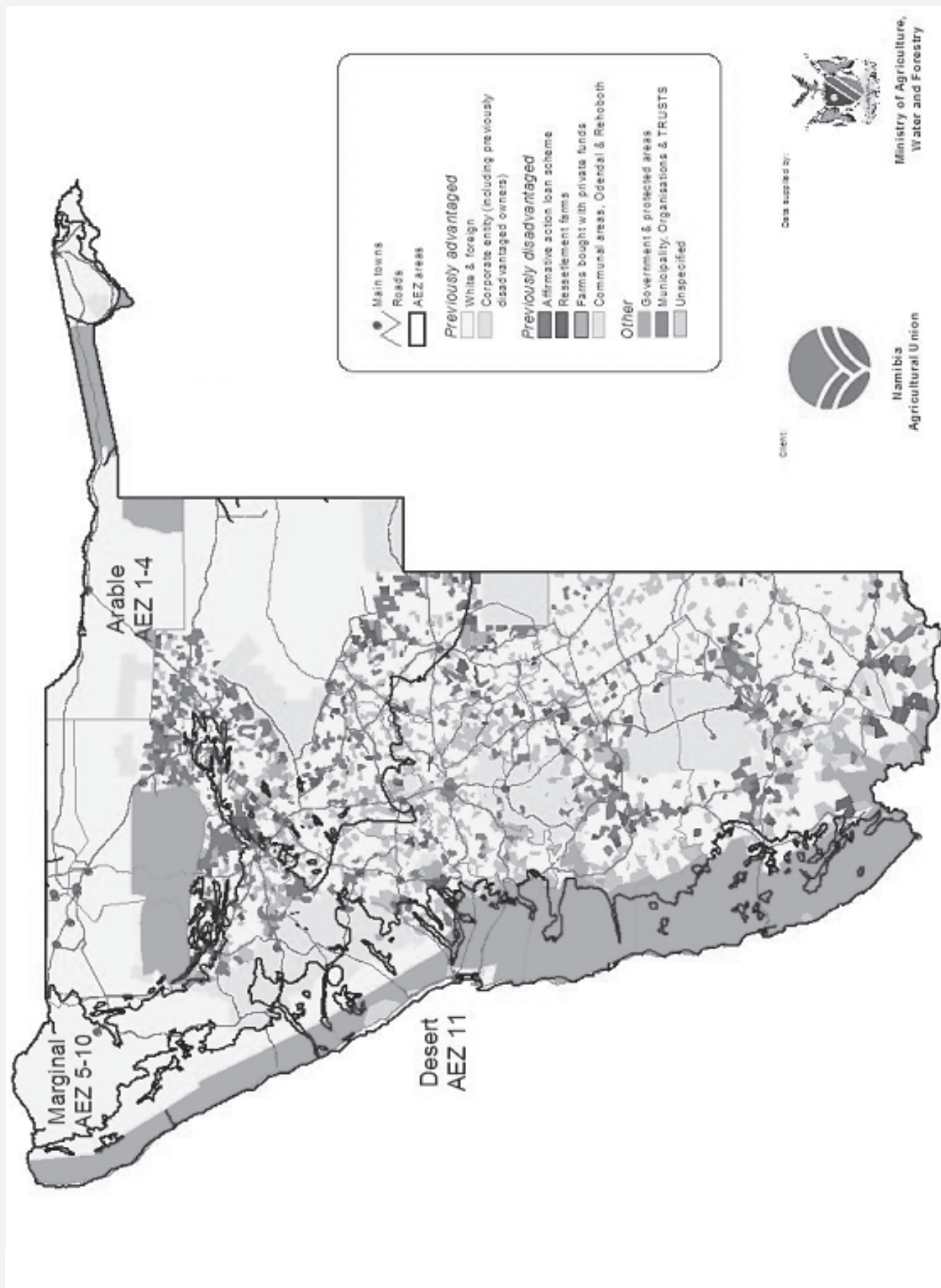


Figure 3: Farm distribution, Tsumeb and Grootfontein Districts, November 2006 – Block resettlement vs integration of farming community



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## NAU positions on land reform

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### Generalisations and principles

- Land reform concerns the entire country and all sectors of the economy, e.g. tourism (game farmers, professional hunters, etc.) and the banking sector will be affected, so it is important to include these stakeholders by way of the Land Mediation Board
- Land reform must not destabilise Namibia
- Sound realism about profitability of farming is needed
- Resettlement of 240,000 people on freehold land unrealistic
- Existing know-how amongst commercial farmers is invaluable for country and needs to be used and transferred to new farmers
- Land reform programmes (incl. expropriation) should be designed so as not to jeopardise the agricultural sector's contributions to the national economy
- Long-term thinking and planning required
- To achieve the PTT's recommendations of 15 million ha by 2020 and Vision 2030, clear goals must be established
  - Scientifically determine un- or underutilised land
  - Scientifically determine foreign land ownership
  - Determine economic benefits of alternative land uses, e.g. tourism
  - Scientifically determine multiple farm ownerships
  - Formulate clear, specific and transparent expropriation criteria
  - Refer to the NAU model (see below)

### The NAU model

Based on the 1991 consensus and the PTT report, the NAU has suggested a model with the following criteria:

- |                            |       |
|----------------------------|-------|
| ■ Personal information     | (25%) |
| ■ Presence on farm         | (25%) |
| ■ Number and size of farms | (25%) |
| ■ Economic activities      | (25%) |

### Other considerations

- Restricting factors in land
- Redistribution offers by existing farmers
  - Current programme has non-withdrawal clause once the MLR has made a counter-offer
  - Prices offered by the MLR are perceived as being below market value; these can be improved in some areas
  - Transfer process cumbersome when selling to the MLR (two to three times longer than the AALS); transfers take up to two years in some cases
  - To many farmers, the farm is their retirement policy
  - Perception exists that resettlement programme does not achieve its objectives to create independent and self-reliant farmers; it seems preferable to go the AALS route

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## How to make more land available

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1. Negotiated land reform through the Land Mediation Forum
  - Discuss and negotiate issues of land reform and redistribution (incl. restricting factors, and the possibility of incentives to enhance land reform)

- Establish mechanism for transparent and successful land redistribution programme
- Act as mediator between potential sellers of farmland and the MLR as potential buyer
- The MLR should give this Forum the necessary status
- 2. Land Ownership and Utilisation Score Card as suggested by the NAU
  - Enables the MLR and landowners to utilise the 1991 consensus resolutions to identify farms for inclusion in the land redistribution process
- 3. Tax incentives
  - Tax breaks, e.g. income tax exemption for herd sold after sale of land
- 4. Acknowledgement of contribution to land reform
  - Guarantee as to non-expropriation of remaining land; this would address some of the insecurity being expressed as regards the current selection criteria
- 5. Subdivision of Agricultural Land Act, 1970 (No. 70 of 1970) relaxed
  - For example, parts of farms could be sold off, but the current legislation does not allow this
- 6. Price incentives
  - Window period during which higher prices are paid
- 7. Shareholding options
  - Recognise sharing of land through shares (equity schemes) as part of land reform
- 8. Seller/buyer mentoring options
  - Owner sells but stays on part of the new farmer's land as mentor for a limited period
- 9. Land tax (currently levied per number of title deeds)
  - Not per title deed but per hectares of land held
  - For example, exempt first productive unit (economic unit), thereafter increase tax proportionately for land above threshold
- 10. Of equal importance
  - Development of 4.5 million ha identified in the communal areas, which lie in the arable land zones

## **Discussion**

Dr Nashilongo Shivute of the MLR opened the discussion by noting the challenges faces by the NAU. She also pointed to what she felt was perhaps a paternalistic tone in the last general comment made by Mr Coetzee, namely that white farmers would be assisting black farmers, rather than be working together with them. She acknowledged that she may be wrong in her interpretation, but she stressed that the approach to land reform should be one of partnership: both sellers and buyers had something to contribute.

Dr Shivute also expressed concern about the fear factor that the unions should be addressing. If Government had no information on what was happening, but the public did – and did not make it available or only did so at certain times – it would be problematic. She questioned why farmers were afraid of sharing certain information. When the MLR conducted the survey, farmers asked the staff whether the Government was going to expropriate their land; the exercise should simply have been seen as the Government requesting information for sales in order to determine the tax to be levied on other farms. Dr Shivute stressed that farmers' fears needed to be eradicated because they constituted a stumbling block to progress.

The two abovementioned factors threatened to derail progress on the land reform programme, Dr Shivute warned. She stressed that Government had no hidden agendas, and that they informed the public of their actions before any were taken. The NAU needed to show something was being done to eradicate the said fear and paternalism, she stated.

Mr Coetzee responded that the NAU had requested farmers to cooperate in respect of the Government survey, and that there had not been a problem in principle with doing so. He explained that their reluctance to respond in certain cases was not due to fear but to the questioned relevance of some of the information being sought.

With respect to the paternalism claim, Mr Coetzee stressed that the transfer of skills within the Emerging Commercial Farmers Support Programme occurred from both parties involved. Nguni farmers shared their knowledge with newcomers in the field, as did farmers who knew more about crop production than their counterparts. He pointed out that such sharing of skills was not a black–white issue.

Dr Omu Kakujaha-Matundu of the University of Namibia (UNAM) then enquired what was meant by *development* in respect of communal land in Namibia. He added that he had grown up in arable communal land, and had had the opportunity to travel and live in many parts of the country. He also pointed out that for many decades Namibia’s problem had been overcrowding in communal land.

Mr Vehaka Tjimune, former PTT Member and Executive Director of the NNFU, informed the meeting that certain land had been quantified by the IDC study in 2000. He acknowledged that there was overcrowding in some areas, adding that 4 million ha of communal land could be further developed to support agricultural production. He also cautioned against defining such areas as ‘*virgin*’ land, because it might perhaps be used for something else or might be being rested. He advised that the definition given in the IDC study be consulted in this regard.

By *development*, Mr Tjimune explained, the following were implied:

- Provision of services
- Improved access routes
- Drilling of boreholes

Mr Sakkie Coetzee stated that development of communal land was also a perception-based issue, but said he would not address those aspects of the definition.

Dr Teopolina Tueumuna, an LAC Trustee, disagreed with calling land that had 1.9 people per square kilometre *undeveloped*. In her opinion, development of an area should not unsettle the people that lived there. She also questioned whether *development* was tantamount to building an access road into a particular area.

At this point, the Facilitator, Mr Bertus Kruger, pointed out that Messrs Coetzee and Tjimune would return later to respond to the participants’ questions.

Dr Shivute stated that the definition of *development* merited further discussion, e.g. what was meant by bring services such as roads, water, markets, and telecommunications to the people, and how these were coordinated. She pointed out that one could call the provision of such basic services and facilities whatever one wanted to, but it had to be done for those who had hitherto been excluded. With respect to the MLR, Dr Shivute noted that development also entailed granting secure rights to people, e.g. fencing off parts of communal land for individual or family use. Those who lived on communal land also needed recourse to redress injustices, she stated. She concluded the discussion by adding that the definition of development was certainly open to advice and discussion.

# Pastoralists' transition from communal land to freehold land: Impacts on the environment

Dr Omu Kakujaha-Matundu  
University of Namibia

## Introduction

Dr Kakujaha-Matundu explained that he was not a specialist in land reform, nor was he a farmer; his views were those of an objective researcher, although he conceded having certain emotions on the issues at hand.

## Augmented presentation

- Dual agricultural system
- Transformation from apartheid
- Redistribution of land
- AALS
- NRP
- Environmental concerns in relation to the AALS and NRP

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## Problem

“We would like to extend a word of caution to our countrymen [whites] ... Do not push us too far ... we are capable of doing anything. The communal farmers of this country are trapped in a vicious cycle of poverty that is increasingly frustrating. Frustration can fuel anger.”

Acting President, NNFU; *The Namibian*, 17 August 2001

“We had hoped resettlement would empower these categories to improve their livelihood, but alas, not so many of our resettled beneficiaries have changed for the better. Most of them have even degraded the land we have allocated to them.”

Minister of Lands, Resettlement and Rehabilitation, Hon. Pendukeni Ithana;  
*The Namibian*, 6 May 1999

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## Some questions on the transition from communal to commercial farming areas

- Management strategies in communal areas
- Are the strategies still applicable?
- What is the quality of redistributed land?
- Government support then and now
- Government and pastoralists' expectations
- How does the settler of today compare with the German (1900s) and Afrikaner (1920s) settlers, and what can we learn from their experiences?

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## Provisions of the AALS and NRS

- AALS introduced through a Cabinet decision (CAB 92)
- NRS

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## Theory

Dr Kakujaha-Matundu explained that conceptualisation was very important for drafting policy, and that we needed to be informed by theory. He referred to his forthcoming paper on the topic.



- Tenure and rangeland management
  - Static view
  - Evolutionary theory
- Pastoralism and rangeland management
  - Cattle complex: When rangeland managers saw Africans with so much cattle, they regarded it as a ‘cattle complex’
  - Equilibrium theories of range management; these have been somewhat discredited in regard to arid land
  - Disequilibrium theories of range management

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### Communal land described

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- Overlapping grazing areas (shifting grazing areas/rotational grazing = self-regulating); the IDC report recommended that the definition of *overlapping grazing areas* be revisited because it was not clear where such areas were
- Advantages
  - The assurance function of communal land
  - Transhumance – ‘environmentally friendly’?
- Disadvantages
  - Breakdown of ‘traditional’ institutions; Chiefs’ powers were overridden when areas were illegally fenced off
  - Illegal fencing also increased pressure on the land

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### AALS challenges

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- Loss of risk insurance (transhumance)
- AgriBank ‘Big’ loan (inflated farm prices)
- Adaptation to new agricultural area/zone, e.g. unknown diseases, deficient grazing
- Quality of some of the acquired farms, e.g. some mountainous land was just stones
- Rehabilitation needed
- Additional credit for rangeland management not possible (labour/material) for AALS farmers
- Lack of farming experience in commercial setting
- Lack of financial management in commercial setting
- Insufficient Government support
- Socio-economic challenges – increasing demands of modern life (hospitalisation because of HIV/AIDS, education fees, etc.)

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### Livelihood strategies and the environment

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- The strategies adopted had an impact on the environment
- Off-farm income – absence of full-time manager and hampered by weak economy
- Invite relatives to pool resources – overstock farm
- Lease parts of the farm – often motivated by cash income; often inefficient grazing control over leased parts

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### Environmental outcomes

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- Physical productivity of resource
  - Over-/underutilisation of land causes it to be degraded
- Overgrazing/bush encroachment
  - Stability of resource base threatened
  - Reduced fodder
  - Grass/browse has to be regenerated

- Emerging Farmers' Training Programme
  - Minimise cost; the members themselves, and not consultants, should donate their time to the Programme to bring the costs down
  - Holistic management approaches
  - Good solution because it is also part of the reconciliation agenda

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#### German/Afrikaner settlers?

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- Comparison with German/Afrikaner settler: Is this possible?
- Obtained land inexpensively
- Cheap labour
- Extension services were intensive
- Subsidised credit
- Envy of black pastoralists, who saw farmers with big cars, etc, because they received good financial support

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#### NRS challenges

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“[L]and reform involves more than just buying or expropriating land from one group in order to give more land to another group ...”

*An analysis of the Namibian commercial agricultural land reform process*  
LAC report *Our land we farm* cited in the *Mail & Guardian*, 26 September 2005

“We have no money, no fuel to get the water pump running and no farming implements, let alone a vehicle – some of us now work on neighbouring farms to earn some cash.”

Resettled ex-farm labourer; *IRIN News*, 1 September 2006

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#### NRS challenges and the environment

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- Involves group resettlement schemes and their impact on the environment
- Land fragmentation into parcels of arid or semi-arid land does not help resettled farmers much
- No credit and lack of collateral
- Modern living and livelihood strategies
- Environmental outcomes as discussed

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#### General outcomes/conclusions

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- Theoretical and empirical justification for land reform
- Caution: Too little support to the AALS and NRS could lead to –
  - environmental neglect and degradation
  - deepening poverty: poverty – degradation – poverty = vicious circle
  - a feeling of betrayal and hopelessness = worst enemy of development

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#### Recommendations

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- Accelerate registration of title deeds for resettled farmers
- Conduct a strategic environmental assessment, ideally before resettlement
- Promote rural credit facilities for beneficiaries
- Continue with environmental management sensitisation and extension; extension workers should acquaint themselves with holistic management approaches so that they are not mere rangeland conservationists, but true development workers

- Assist the NRS in establishing sustainable institutions of resource management, not only for borehole management or water provision; there are currently no institutions that tackle rangeland resources, water, etc. holistically
- Encourage on-farm diversification, e.g. value addition by producing cheese, vegetables, fruit juices, etc.
- Collate the recommendations scattered in different studies and reports e.g. by the LAC, the PTT and the Ministry of Environment and Tourism (MET), and come up with a comprehensive strategy for rangeland management

## Discussion

Dr Wolfgang Werner, an independent consultant, asked whether or not Dr Kakujaha-Matundu's positions were based on information gleaned from a survey on the issue. He also enquired whether the overgrazing and bush encroachment referred to on the resettled land had been inherited by the new farmers or whether it was of their own making. He added that land was often underutilised on resettled land due to understocking.

Dr Kakujaha-Matundu responded that, as regards bush encroachment, he had referred to certain farms near Otjiwarongo which, prior to Independence, were leased as holding pens for cattle to be transported to markets in South Africa. Such land was heavily overstocked and bush-encroached – and inherited by resettled farmers like that. He added that some bush-encroached areas regenerated grass/browse more quickly than others. The resettled farmers also could not afford to hire labour or buy chemicals to combat bush encroachment, he explained, so the land degraded further.

The Facilitator, Mr Bertus Kruger, asked the participants why rangeland management was being discussed in relation to land reform. He also questioned whether mountainous land was necessarily 'bad land' if it was offered for resettlement purposes.

Dr Kakujaha-Matundu responded that, in terms of wealth creation, individuals needed to make a living on resettled land. With regard to rangeland management, if one resettled people on land they could not manage, they would simply become poorer; but if one gave them the N\$3 million extension services and back-up support they needed, they could prosper and achieve their own and the national Vision 2030 development goals.

Mr Colin Nott of the IRDNC pointed out that he would be making a presentation on rangeland management the following day and would show why it was critical to the land reform process because the land was what people made their money from. Many farmers that had been resettled on relatively degraded land had suffered a loss of productivity. The country needed to look at the root causes of that degradation, he believed. He added that unless we could establish what those causes were, we would not be able to solve the problems sustainably.

Dr Teopolina Tueumuna, an LAC Trustee, stated that she was not against land development. She also contested that resettled farmers today did not have the necessary skills to survive: they knew how to farm. In her opinion, they were not impoverished because they lacked farming skills, but because too many people occupied small pieces of land. She also recalled the tropical landscape in the north of the country during the 1960s and 1970s, which was now totally different because there were three to four times as many inhabitants on the land. She added that non-AIDS-related malnutrition amongst children had been documented in Namibia in the 1980s already, and that the United Nations Children's Fund had found 35% of children in Namibia to be undernourished in 1990.

Dr Tueumuna went on to say that development was often defined in terms of who needed what and when and why, e.g. in earlier years beef production and millet were encouraged in some parts of the country, while the land belonging to the San was not developed: they were simply given alcohol. Many also called communal farmers 'too lazy' to succeed on resettled farms, she reported.

Referring to communal farmers, Mr Kruger agreed that they not only knew how to farm, they also had stock that was well-adapted to the environment. However, people that were familiar with low input, low productivity communal farming methods did in fact struggle to make the transition when they were faced with high input, high productivity commercial farming. He recommended, therefore, that good use was made of commercial farmers who offered their assistance. It was also important, he believed, that proper access to credit, land titles and support services were provided to farmers in this position.

Dr Nashilongo Shivute of the MLR stated that 240,000 people in Namibia needed land. It was important, therefore, in a survey such as the one contemplated by Media Tenor, to establish whether people needed land for agricultural production or for shelter. She referred to having been part of a delegation that had visited Zimbabwe to learn from their experiences on land reform. She reported that, in that country for example, not everyone who had been given land had used it productively, or for the purposes for which it was intended. One of the control mechanisms the Zimbabwean Government lacked in this regard at the time were lease agreements; this had since been addressed and the use of land was now monitored. She explained that Namibia's Communal Land Reform Act provided for such monitoring mechanisms: if a beneficiary was not using the land for its intended purpose, the settler could be removed and the land donated to someone else.

Dr Shivute then referred to the unforeseen rate of success experienced in food production projects along the Omaruru and Orange Rivers. Thus, even after the MLR had determined the stocking rate, etc. of a particular area, she said it was still possible that the resettled farmer might come up with a more creative use for the land than the originally intended. She mentioned that her Ministry had not yet taken such possibilities into account for small-scale farmers, and she feared the current system was not flexible enough to allow for such options. She reiterated the importance of the survey needing to establish exactly what people wanted the land for. An example she gave to illustrate her point was the MET encouraging and assisting with the establishment of game farms. Such flexibility needed to be incorporated into current policy, she felt, as did the issue of whether or not individual 1,000-ha allotments were in fact sufficient.

Dr Shivute also questioned whether someone who managed land poorly should be charged less or more in respect of land taxes, i.e. people should not be given a 'discount' for poor management.

Mr Kruger explained that Mr Coetzee's suggestion regarding land taxes had referred to the Subdivision of Agricultural Land Act, 1970 (No. 70 of 1970), and the restrictions it placed in terms of selling pieces of land. As regards the size of land allotments, he pointed out the need for larger allocations to individuals in areas with lower rainfall. He added that the option of associations was being considered because enlarged areas could increase transhumance and flexibility.

Another participant stated that the current 1,000-ha allotments were not economically viable or environmentally sustainable. He also pointed out that the subject of joint management of resources such as wood had not yet been broached. In his opinion, collective management of farms was the way to go.

Mr Kruger added that ownership could be individual, but management collective.

Dr Kakujaha-Matundu stated that he had tried to avoid a bias in favour of pastoralism. He added that co-production on farms like Drimiopsis and Skoonheid could be applied to other projects if it was successful. He also explained that even the World Bank believed small-scale farming model was better than the ranching model. He reported that researchers in Namibia claimed the communal framework was more productive than ranching.

In respect of farming diversification, e.g. cheese production, Dr Kakujaha-Matundu proposed that the land was not only used for cattle for other products as well. He added that just because someone had been a good farm labourer, it did not mean they would make a good farm owner; similarly, someone who held a Master's in Business Administration did not necessarily make him/her a good entrepreneur.

Prof. Bill Lindeke of the Institute for Public Policy Research (IPPR) then referred to a United Nations Institute for Namibia study (commonly referred to as the *Blue Bible*), which had generated the expectation that more land would be available after Independence, and that the training of hundreds of people had been proposed. Although these expectations had come to fruition, the pace of progress was slow. He proposed accelerating the training process in order to produce a number of small-scale and resettled farmers who were equipped with skills to produce a range of crops, fix pumps, and manage the diverse linguistic cohabitants of resettlement farms.

In respect of the cost of farms, Prof. Lindeke questioned whether prices were in fact too high. He referred to the fact that a house in Windhoek in 1999 had increased fourfold in value by 2006, a mere seven years later. He also reported that South Africa had the highest worldwide increase in real estate prices in the last ten years, and that Namibia was probably close behind it. He added that agricultural land should be expected to fetch higher prices than residential property.

Referring to a recent World Bank report that he said he still needed to peruse, Mr Kruger noted that Namibia was regarded as the driest country in sub-Saharan Africa. He said before applying the data or findings to Namibia, it was necessary to ensure that the reports were not talking about wetter areas.

Mr Kruger also said that, if more people were weekend farmers and they did not get extension services because Government officials did not work over weekends, it was difficult to see how such farmers – up to 50% of the total – would receive the required training. The DRFN was currently holding supplementary extension services over weekends, therefore.

Dr Wolfgang Werner, an independent consultant, noted that one needed to exercise some caution in respect of the World Bank report being discussed: they referred to *family* farms, whereas Namibia referred to *small-scale* farms, and the concepts differed slightly. Moreover, with respect to climate, he explained that risk patterns on small-scale farms were very different from those experienced on their larger-scale counterparts; however, the World Bank had not taken this factor into account.

Dr Shivute enquired whether it was not possible for Namibia to provide the World Bank with our own research information for their reports.

In response, Mr Kruger stated that it was more important for researchers to make Namibia's policymakers aware of the facts before meeting the needs of international forums.

Dr Werner added that he had attempted to contact the World Bank representative in Pretoria about certain information that conflicted with theirs, but Dr Werner was told the Namibian facts were nonsense.

Mr Kruger added that, if one fenced an area and did not manage it properly, it was not the fence's fault.

Referring to staff at the World Bank, Dr Kakujaha-Matundu stated it was imperative for Namibia to produce its own research to inform the World Bank, because successful communication was often dependent on the individual World Bank representatives concerned.

Dr Tueumuna then stated that she wished to rephrase a previous point she had made. She explained that one of the biggest problems with land reform was who gets what portion of land. She referred to an earlier point regarding weekend farmers vs communal farmers, and one made about fencing off small sections of land: in her opinion it was better to allocate parcels of land on a 99-year-lease basis and larger sections for all to use, as had been done before, because this system had worked successfully. In her opinion, larger fenced areas did not work. She also referred to the Etunda Migration Project, where she felt farmers were not being given sufficient support to allow them to succeed in selling their produce.

# Group activity

Bertus Kruger  
Workshop Facilitator  
Desert Research Foundation of Namibia

To generate some brainstorming for a group discussion in the afternoon session, Mr Bertus Kruger, the Workshop Facilitator, asked the participants what major issues, from their perspective, needed to be addressed to make land reform in Namibia successful.

He explained that successful research was all about asking the right questions. The group's input from the proposed discussion, therefore, was intended to inform the research questionnaire.

He divided the participants into five groups, and handed each group 5 cards onto which they were asked to record each of the major issues they had identified as being important for land reform in the country.

The various groups produced the following responses, listed in the order they were reported on:

- Benchmarking land reform expectations (what is the real demand for land reform)
- Policy harmonisation between sectors (e.g. promoting fencing or not)
- Recognition of unrecognised traditional authorities
- Provision for training and support services
- Better coordination between Ministries and civil society
- Broad stakeholder involvement in land reform (e.g. the PTT did not consult very widely)
- Clear selection criteria
- Transparency in land acquisition (which land will you select)
- Quadruple bottom line: social, economic, environmental, political
- Recognition of diversity of everyone's skills
- Skills transfer in appropriate fields
- Well-designed post-settlement support (all support services delivered together)
- AALS should benefit actual disadvantaged groups and individuals (= selection criteria)
- Lack of finances for beneficiaries
- Lack of training of beneficiaries
- Development infrastructure (kept aside by the Facilitator for the moment)
- Lack of transparency
- Lack of multi-stakeholder coordination
- Targeted beneficiary selection criteria
- Clearer, short and understandable guidelines on land acquisition
- Pre-settlement information (= process of managing expectations)
- Clarify selection criteria
- Clarity in Government mission and vision as regards land reform (= policies)
- Quantification and qualification of expectations regarding land reform
- Development of communal land
- AALS beneficiary selection (they select themselves – their own economic status discriminates against them)
- Implementation of 1991 Land Conference recommendations

Mr Kruger informed the meeting that the above suggestions would be revisited on the second day of the Workshop. Meanwhile, he suggested that participants cluster their points into groups. The following clusters were proposed:

- Expectations in terms of land reform
- Policy, the way ahead, vision and policy harmonisation
- Involvement and coordination between different sectors

- Post-resettlement support – training and capacity-building
- Identification of the right beneficiaries
- Sustainability in its totality
- Transparency in terms of land acquisition
- Access to finances
- Land reform should also take place in communal areas
- Recognition of unrecognised traditional authorities
- Incorporation/implementation of 1991 Land Conference recommendations on land reform

At this point, Mr Mr Vehaka Tjimune – Executive Director of the NNFU and a former PTT Member – stated that the NNFU had been among the first to promote the expropriation route. However, the NNFU was currently unable to support the Government in any expropriations, although the union was expected to do so, because it lacked sufficient knowledge of the process. He referred to land expropriation in Brazil, for example, where the communities themselves identified land suitable for expropriation. The community would put their case to the Government to expropriate a particular piece of land, prove that the land in question was underutilised, and set out what the community proposed to do with the land. The Government took this proposal to the current landowner and commenced negotiations with him/her. In Namibia, however, Mr Tjimune noted that no one knew what land would be targeted, or what was expected to be done with land that had been targeted. In the absence of knowledge about the latter, the NNFU was unable to support Government action in regard to expropriations. Similarly, current landowners in Namibia reportedly did not wish to invest in their farms because they did not know whether it would be targeted by Government – even though they still had to carry on paying their bank loans. Mr Tjimune stressed that all stakeholders needed to know collectively what was being planned so that everyone could anticipate what to do next.

The clusters were further refined, and a number of points made by the participants were grouped under each cluster, as follows, in order of prominence:

- Beneficiary selection criteria (**14** of the points made were grouped under this cluster)
- Comprehensive post-resettlement support (**13** points)
- Policy harmonisation (**10** points)
- Transparency of acquisition criteria (**10** points)
- Multi-stakeholder involvement (**9** points)
- Comprehensive sustainability (**6** points)
- Recognition of unrecognised traditional authorities (**4** points)
- Realistic demand for land reform (**2** points)
- Targets for land reform (benchmark and time frame: mobilise resources, but no more land reform programme after that) (**2** points)
- Communal land reform and development (**2** points)
- Implementation of accepted policy recommendations (**1** point)

# Communal conservancies: Rangeland management and land reform

Mr Colin Nott  
Integrated Rural Development and Nature Conservation

## Introduction

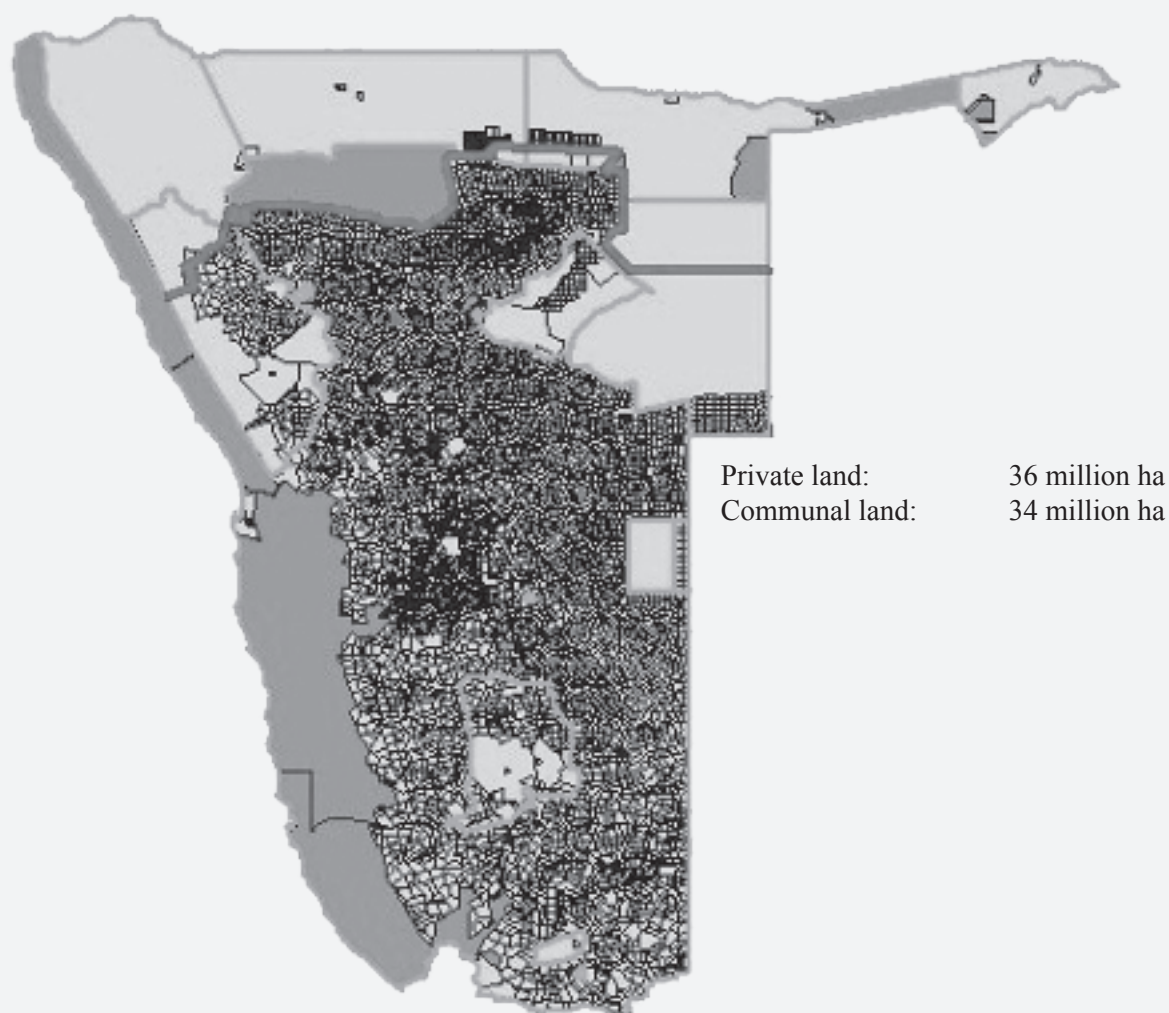
Mr Nott introduced his topic for the day by noting that wildlife were worse overgrazers than cattle because they could cover larger distances and could go without water.

## Augmented presentation

### Importance of rangeland

Mr Nott explained that Namibia's land surface area amounted to 82 million ha. Rangeland formed a major part of the approximately 80 million ha of private and communal land combined (see Figure 1).

Figure 1: Private and communal land in Namibia





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## Land reform success

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- Land reform cannot work unless rangeland management improves on all land in Namibia: environmental improvement is a critical factor in the land reform process
- Bush encroachment alone has generated a N\$700 million per year loss to the country for both communal and commercial areas (26 million ha)
- New farmers are receiving farms with up to 200% decrease in productivity, e.g. the land holds three times less stock than before
- We are doing something wrong in both areas
- We must get the 200% back – and we cannot afford to allow the gap to increase

**Figure 2** on the following page shows registered communal conservancies as at January 2006, while **Figure 3** shows that conservancies contributed N\$200 million to the Namibian economy in 2005. The lessons learnt as to why conservancies have been successful need to be looked at. **Figure 4** illustrates programme spending in N\$ millions against economic returns.

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## Conservancy lessons

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- Innovative policy – regional lessons
- Locally developed and driven structures
- Conservancies have the same rights of management and use as commercial farms (and sometimes even more) – wildlife and tourism; we need to learn from this
- Went beyond where commercial farmers are
- Private land ownership not required
- Built on local knowledge

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## What about rangeland?

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- Why is degradation occurring on private land?
- Vision 2030 – impacts: we are working with increasingly less productive land, so it seems very difficult to achieve the set benchmarks, taking the current situation into account
- What can be done to reverse degradation?

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## What we have done

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- It is not so much sustaining what we have: we have to improve productivity
- Taken exchange trips to learn from South Africa and Zimbabwe, where holistically managed farms are producing the best results; similar successes are apparent in the United States and Australia
- Distilled out principles of sound management and ecological literacy from input by traditional authorities, farmers, herders, and Government representatives
- Returned to Namibia and adapted these principles to fit local conditions
- Are applying sound grazing principles by combining traditional and scientific knowledge

Figure 2: Registered communal conservancies, January 2006

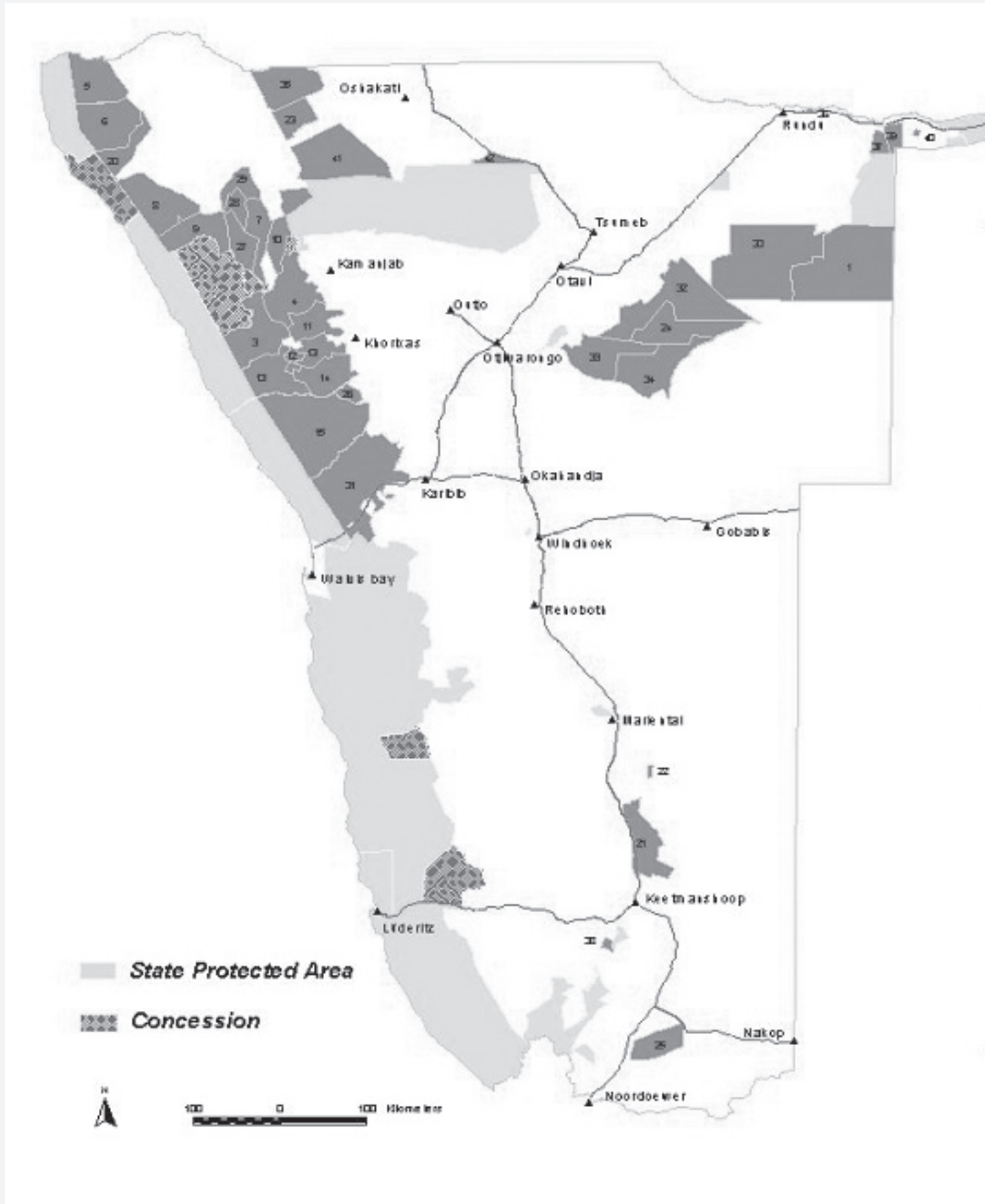


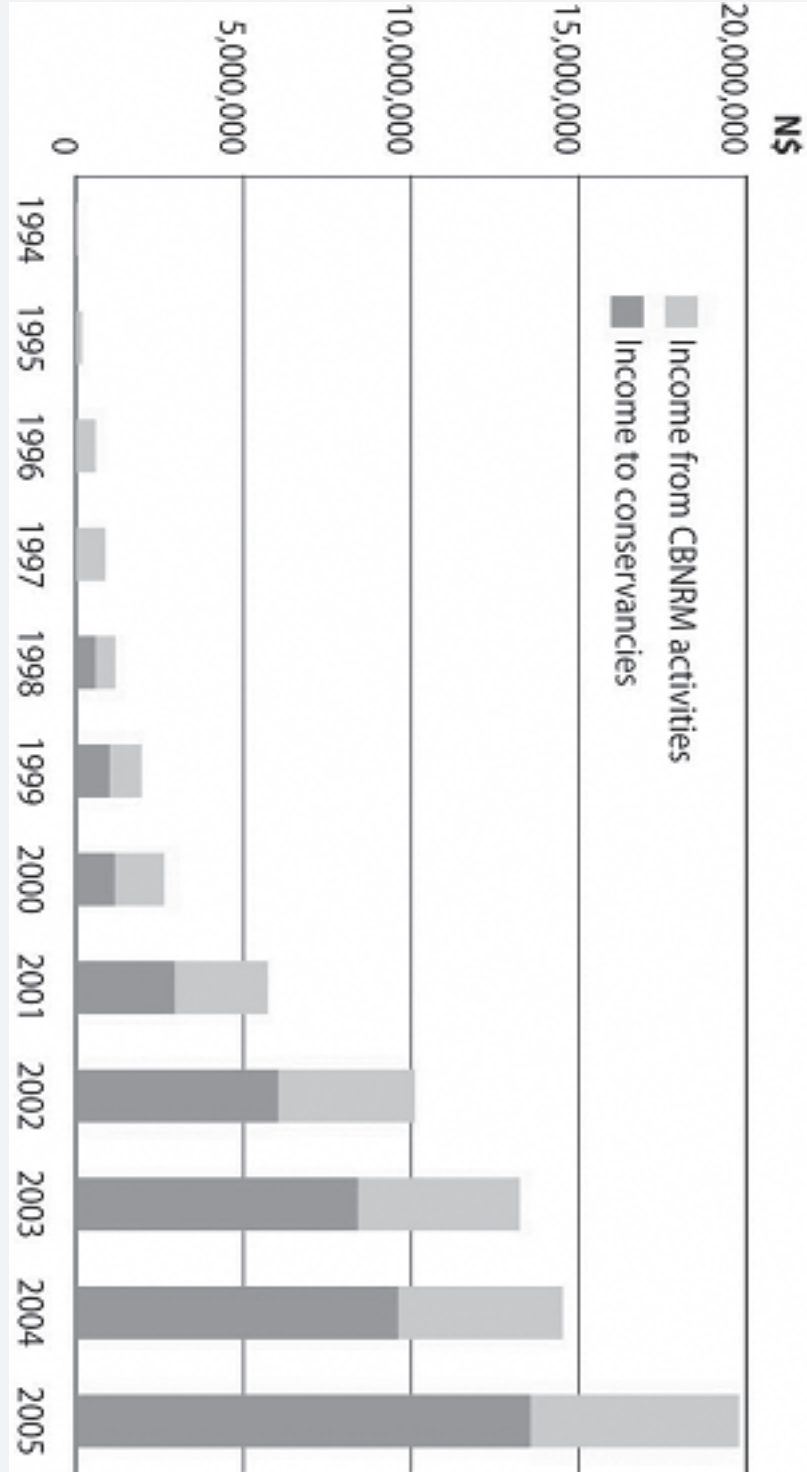


Figure 3: Contributions to the Namibian economy

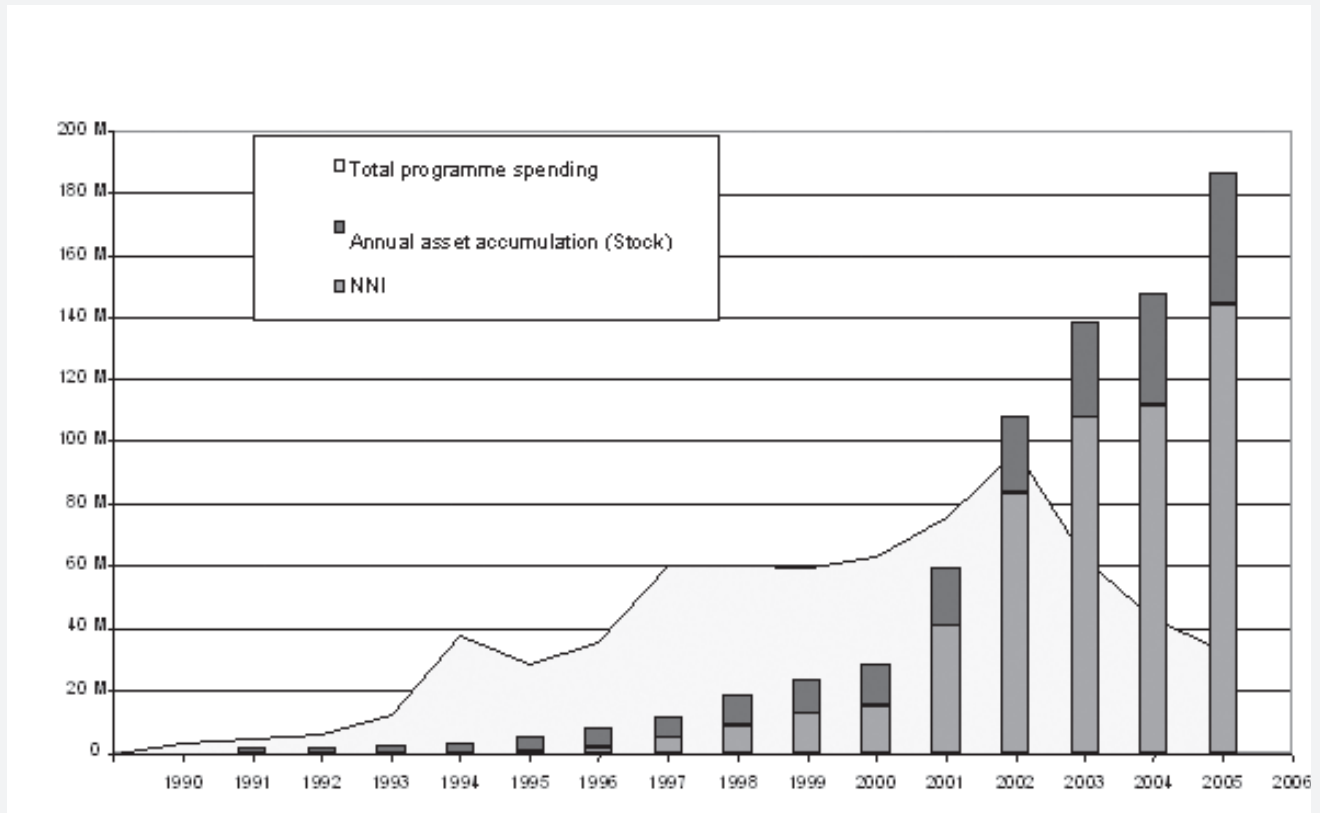


- Conservancy**
- 01 Nyae Nyae
  - 02 Salambala
  - 03 Torra
  - 04 #Kkheadi/Hôas
  - 05 Marienfuss
  - 06 Orupembe
  - 07 Omatendeka
  - 08 Puros
  - 09 Sesfontein
  - 10 Ehirovipuka
  - 11 //Huab
  - 12 Uibasen Twyfelfontein
  - 13 Dorolnaeas
  - 14 Sorris Sorris
  - 15 Tsizeb
  - 16 Kwandu
  - 17 Mayuni
  - 18 Mashi
  - 19 Wuparo
  - 20 Sanitatas
  - 21 !Kheb! Naub
  - 22 Oskop
  - 23 Uuke!kuudhi
  - 24 Okamatipati
  - 25 //Gamasieb
  - 26 Otjimboyo
  - 27 Anabeb
  - 28 Ozondundu
  - 29 Okangundumba
  - 30 N'wa-Jaqa
  - 31 #Gaingu
  - 32 Otjituu
  - 33 Ozonahi
  - 34 African Wild Dog
  - 35 Uukolonkadi-Ruacana
  - 36 Joseph Mbambangandu
  - 37 George Mukoya
  - 38 !Gauachab
  - 39 Muduva Nyangana
  - 40 Shamungua
  - 41 Sheya Shuushona
  - 42 King Nehale
  - 43 Kasika
  - 44 Impalila

44 registered conservancies  
 10 million ha  
 200,000+ people



**Figure 4: Programme spending in N\$ million against economic returns\***



\*NNI = Net national income

**Figure 5: (Left) Commercial rangeland and (right) communal rangeland**



Figure 6 below depicts a situation where stock are combined at a water point. The animals are taken out in a different direction every day, which reduces animal impact on the land. Once they are out, they graze peacefully together, and then are taken back again at night. A further benefit is that this type of stock handling generates little stress.

**Figure 6: Overgrazing generally has a negative impact on the environment**



The photograph on the left of Figure 7 below shows how heavily capped soil has been broken up, allowing seeds and organic matter to penetrate. The rangeland is rehabilitated if herding is done in the dry season to break up the soil, while herding in the wet season entails moving the animals through an area once, allowing the plants a long recovery period.

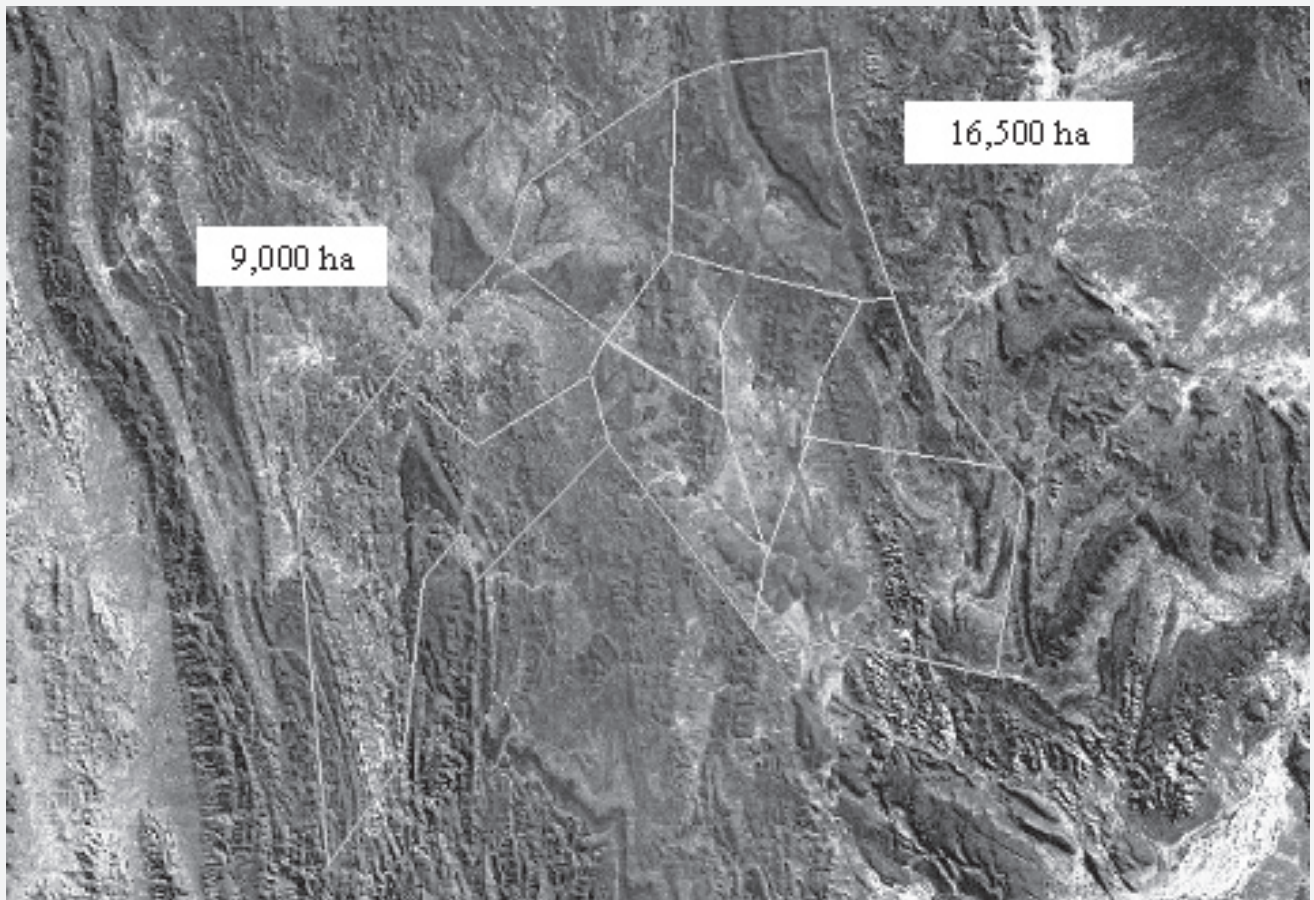
This is basically what used to happen with wildlife before, when they moved from Namibia to Botswana, for example. However, today, fences restrict animal ranges.

**Figure 7: Soil surface/animal impact**



In Figure 8 below, the yellow lines indicate conservation areas, while the blue lines show water points. An informal agreement exists amongst the inhabitants of these areas that they will not take their stock into their neighbours' areas without negotiating entry first.

**Figure 8: Grazing areas**



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#### Implications for land reform

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- Land reform depends on improving rangeland
- Namibia must engage the appropriate mechanisms to achieve this
- Holistic management is the most appropriate mechanism to date and can be applied under all land use types

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#### Advantages of holistic management

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- Holistic management (HM) offers the MLR a mechanism for ministries to coordinate, train staff and achieve sustainable development
- More and more money is being generated through the application of holistic management, and the people themselves mostly control and take decisions about the rangeland
- HM offers a means to reduce costs of resettlement as well as the operational costs of settlers; by herding stock, one has minimal stock losses, e.g. no losses due to predators and theft, and the conflict between humans and elephants is reduced as well; taking the animals out during the day also saves the cost of hundreds of metres of internal fencing because only a perimeter fence is required; it also prevents overgrazing in some parts and undergrazing in others
- HM can assist with the mitigation of conflicts with conservancies

- HM also offers mechanisms for increased crop production and diversification – rural development
- HM is a means by which everything is planned in order to minimise negative impacts on the land

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### Challenges of holistic management

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- If one grows more grasses, one establishes conditions in which perennial grasses can flourish and support more annual grasses; but one should not over-rest perennial grasses HM had a bad start in Namibia and these perceptions are still widely held
- Change is resisted; nonetheless, new approaches should not compete with existing ones – they should add value to each other
- Exposure to successes is required in order to dispel negative attitudes to change

### Discussion

The Facilitator, Mr Bertus Kruger, stated that if one wanted to do rangeland management properly, there were costs in terms of water provision.

Mr Nott responded that the topic he had addressed was too broad to be covered in 20 minutes, so certain aspects were not addressed. With regard to borehole densities in communal areas, these were very low, he reported. Nonetheless, an attempt was being made to drill additional boreholes. He agreed that the costs were high, but they were not exorbitant. He also confirmed that boreholes were necessary to achieve optimal rangeland management as he had proposed in his presentation. He added that discussions were being held with donors generally with respect to drilling boreholes. However, the lack of boreholes per se was not as much of a problem as what happened after water had been sourced: one still had to ensure that good rangeland management took place. He reported that, at present, they had open access systems – which grass plants could not tolerate. He advised that the movement of people should be looked at and that grass plants should be looked after.

Mr John Hazam, a short-term consultant with the LAC, then voiced his concern that conservancies only focused on wildlife management and tourism. He asked whether HM could be applied with other farming practices.

Mr Kruger responded that rangeland was not officially regarded as the natural resources associated with conservancies.

Mr Nott explained that the MET had empowered communal farmers since Independence, and had put their needs before those of commercial farmers. In conservancies, people were already practising rangeland management with other land uses. Land use planning entailed holistic management, in his opinion, and farmers could have stock grazing, trophy hunting, etc. all on the same land. Indeed, it was critical to have stock and wildlife in the same area, Mr Nott believed.

He went on to warn commercial farmers who had introduced game that these animals would overgraze the land just as much as livestock – and maybe even more. Furthermore, he said a grass plant did not mind if a cow or a gemsbok was overgrazing it.

Dr Teopolina Tueumuna, an LAC trustee, stated that she found the holistic management approach very encouraging, adding that it would be even more useful if it were more broadly implemented.

Mr Nott responded that holistic approaches had what he termed a *triple bottom line*, i.e. they took social, economic and environmental responsibilities into account. He believed Namibia could become a trendsetter in this respect in the southern African region and the world.

Prof. Bill Lindeke of the IPPR pointed out that drilling more boreholes in a specific area could be likened to slipping more straws into the punch bowl. Also, some areas were more brackish than others, so drilling boreholes was not necessarily the solution in such cases. He asked whether it was not possible for areas such as Otjozondjupa to employ the small solar desalination systems used on yachts. He also referred to the global market for clean air: whereby some countries could be paid for their clean air by countries that were putting too much carbon dioxide into it. He asked whether such trade-offs could not pay for the technology required to desalinate water, for example.

Mr Nott explained that every single borehole showed improved soils and water management. As regards carbon dioxide emissions, he noted that all the dry climates in the world were exposing more of their soils to the sun. He believed Namibia could add to the reduction of carbon dioxide levels by covering more of our soils with perennial grasses. He stated that people often talked about forest cover, but hardly ever about grass cover.

He added that he was personally against environmental trade-offs taking place. He felt countries who were contributing to negative environmental impacts should take responsibility for reducing carbon dioxide levels or paying for environmental rehabilitation measures.

Ms Brigitte Weidlich, a reporter for *The Namibian*, stated that although HM sounded like a fine option, she wondered how it would be managed in Namibia. She also questioned whether power struggles among stronger and weaker communities for boreholes and rangeland for grazing would not perhaps determine where such development took place in the end.

Ms Weidlich's second point concerned large single herds. She asked whether there were areas in Namibia that could hold so many cattle, particularly if the animals always had to return to the same water point – unless, like the Himba, a number of water points were used, in which case she felt that HM reverted to the rotational grazing system.

Mr Nott responded that structures at a higher level needed to be taking the decisions as regards HM: it was just a tool. Intervention from higher up on the authority scale would be needed if there were disputes at lower levels.

As regards rotational grazing, Mr Nott said that drilling boreholes was drying up a large number of fountains where there used to be perennial water, with hippos, etc. He believed more boreholes were needed now in order to get the water cycle balance back. He confirmed that springs were indeed coming back in certain places. He also clarified that rotational grazing was different from the planned grazing proposed under HM, which aimed to prevent overgrazing of perennial grasses.



# Land reform and democracy

Prof. Bill Lindeke  
Institute for Public Policy Research

## Introduction

Prof. Lindeke informed the participants that he had formerly been with UNAM, and was now with the IPPR. He stressed that the opinions aired in his presentation were his own.

Prof. Lindeke stated that while democracy might be the answer, it was not the solution. He reported that Namibia had quite a robust democracy, and in comparison with other countries in Africa, we were at the top of the tables. Namibia had made remarkable progress since Independence, he believed, but democracy was not the solution to land reform issues. He explained that although land reform might relate to democracy, the answer to land reform would not be found in it.

## Augmented presentation

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### Democracy models

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Prof. Lindeke also explained that he had tried to avoid having to provide a definition of democracy, but in a forthcoming paper on the topic, he had tried to set out three types of model for democracy.

- Outcomes-based democracy
- Process-based democracy; struggles were addressed via the ballot box
- African-modified democracy; this was more or less a blend of the other two models; younger political scientists felt that there was a need for reform and more process orientation

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### Outcomes-based democracy

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- Attempts to assume equality of results as part of definition, e.g. *socialist democracy*, *social democracy*, etc.
- Attempts to exclude certain outcomes
- Tendency towards substitutionism (e.g. the State was substituted by Stalin, who substituted the party, who substituted the people)
- Democracy *for* the people, but not *by* the people
- Not popular in Third and Fourth Wave democracies common in Africa up to the 1990s
- Essentially a casualty of the end of the Cold War

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### Process-based democracy

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- More in line with Abraham Lincoln's well-known phrase of democracy being government *by* the people
- *Multipartyism* was the buzzword for this type of democracy in Africa where there had been a tendency towards one-party states and presidents-for-life
- Tends to reify existing forms (especially Western institutions such as bicameral systems and 4-year election cycles, whereas the details are actually quite different and dictate different kinds of institutional arrangement)
- Today the focus is on getting the institutions right
  - Elections
  - Parties
  - Executive

- Legislative
- Constitution
- etc.

Prof. Lindeke reported that the IPPR has just produced two articles on emerging parties in Namibia, while studies by others are looking at best and problem practices. He added that such studies were precisely the intention of the African peer review mechanism.

#### Favoured institutions

- Federalism (e.g. Nigeria) vs unitary; federalism takes out of play the idea that the winner takes all, i.e. you might lose the national election, but you may have power in part of the country; the system obviates the tendency to return to war after an unfavourable election outcome in the winner-takes-all system
- Parliamentarism vs presidentialism; parliamentarism has taken root in the past quarter century; presidentialism/winner-takes-all is less stable than the parliamentary system – relatively few parliamentary States have been overthrown
- Decentralisation vs centralised
- Cooperation vs conflict; cooperative systems are characterised by bargaining, accommodation and the absence of tyranny by the majority, which forces people back to the courts to resolve disputes

#### Social requisites approach (Lipset)

- The social character of the society is important, not the institutions per se
- Literacy levels
- Income shares of lowest 20%
- Per capita income
- Therefore, one should try to change the material and social conditions to protect democracy, i.e. to improve democracy, do something about people's living conditions rather than look at election structures
- Democracy becomes very hard for very poor countries, especially those in Africa that are on the World Bank list of the most impoverished
- In contrast, southern Africa has the highest-income countries on the continent and have more robust democracies (Botswana, Mauritius, Namibia, South Africa)

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#### African-modified democracy

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- Equality of results emphasis
- Remnants of older, defeated points of view
- Blend of old and new views among African intellectuals – old socialists and reformist technocrats; new aspects include the peer review mechanism
- Practical difficulties recognised; we are now much more multilingual, multicultural, and (in some cases) multi-religious than other, older democracies

#### Challenges from social conditions

- Poverty level of lowest 20% – ineffective equality and participation; e.g. the lack of newspapers or a radio may make the quality of their participation problematic, or because they are caring for people living with HIV/AIDS they cannot attend political meetings
- Countries with a high percentage of the population in the agricultural workforce cannot sustain democracy as well as others; this might have to do with literacy and income levels, amongst other things

- Need higher growth rate to absorb and pay for changes; in Namibia's case, this would affect the goals stated in the various National Development Plans, in Vision 2030, and by the New Partnership for Africa's Development; it also means getting people out of lower production areas into higher ones
- Lots of technical fixes to avoid demagoguery, e.g. tax incentives, training, new techniques in rangeland management

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### Consequences for land reform

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- Broad-based consultations preferable
- Not undermine rights, due process
- Pursue intensive changes to both commercial and communal agriculture
- Seek growth alternatives outside of agriculture

### Discussion

Prof. Lindeke opened the discussion by stating that, from the 1991 Land Conference onwards, researchers had tended to ask people what they saw as the difference between *representation* and *democracy*. The outcome was that, in representation, the more important the issue, the lower the number of people in the room to decide it; in a democracy, more people were in the room to decide the issue.

In the process of resolving the land reform issue, he stressed that other rights should not be undermined. He recommended following due process, and warned against destroying future investments to address current land issues. He noted that donors were also willing to facilitate parts of the land reform process. In his opinion, it was better to pursue intensive changes: Namibia needed to find a way to make land more productive than it had been in the past. Food security was also important, he stated, but people need the means to purchase it – both as a country and on the level of individual families. It was also important, Prof. Lindeke advised, to establish whether people actually wanted land above all else, e.g. perhaps some were more interested in getting a job and income, or attaining board membership of NamDeb. Establishing how people felt about land was the task of the planned survey, he explained.

The Facilitator, Mr Bertus Kruger, described a simple definition of democracy as being where a lion, a wolf and a lamb sit around a table and decide what's for dinner. On a serious note, he stated that Namibia was a relatively poor country, and that poor people found it difficult to participate in democracy. He felt it was necessary to make a special effort to bring these people to meetings in order to ensure they had a voice; they needed food if we wanted them to come.

# The impact of agrarian land reform on sustainable agriculture and prospects for the future in Namibia

Alex Merero

Head of Agriculture, School of Natural Resource Management  
Polytechnic of Namibia

## Introduction

Mr Merero explained that his presentation was a paper being prepared as part of a second Master's Degree. The research tackled the topic of sustainable agriculture, and was being conducted under the auspices of the University of the Free State in South Africa.

Owing to the fact that the presentation was in fact an academic paper rather than a bullet-pointed PowerPoint document, he read excerpts from it. Only the abstract and recommendations are given in this section of the report on the Workshop Proceedings; please see Appendix 3 for the full, unedited version of Mr Merero's draft paper.

## Excerpts from presentation

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### Abstract

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The Research summarises or highlights the main findings of the impact of agrarian land reform on sustainable agriculture in Namibia as part of a much larger study. It focuses on the dynamics of agrarian land reform, its risks, and its impact on sustainable agriculture in communal and commercial agriculture.

In addition to a discussion on the nature of the interactions between farmers, the landless, the poor, rich producers, consumers, labourers and women peasants, it draws attention to the spatial dimensions of the interactions. It also identifies the reasons why each of the groups is vulnerable, and points to efforts to reduce their risk and the challenges faced by those who design and implement agrarian land reforms.

In addition, it draws attention to the key attitudes related to the risk involved in agrarian land reform.

The research looks at the dynamics of the relations and highlights the challenges presented by agrarian land reform. It also offers or presents a few recommendations on how these challenges should be approached. The research intends to highlight that sustainable agriculture will only succeed if the people or resettled farmers are given access to productive land through both Government and private investment by way of training and development. It also highlights that there is a link between poverty reduction and agrarian land reform, and that issues of poverty reduction cannot be eliminated without tackling the issue of agrarian land reform.

Furthermore, the research highlights the economic factors related to State-imposed individual agrarian land right (tenure) reforms. The first of these factors concerns economies of scale in agricultural production. The author would like to argue that small farms can be as profitable and highly economically efficient as any other size with the correct, effective management.

The research also highlights the fact that agrarian land reform actions have consequences on the quality and quantity of natural resources in Namibia in general, and environmental degradation is one of the foremost indicators of unsustainable social and economic systems. Agrarian land reform indicators illustrate that all renewable resources – water, rangeland, topsoil, etc. – are constantly being subjected to intense pressure under the present approaches to land redistribution, distribution and resettlement, and their productivity is in constant decline.

The agrarian land reform ecozone is an approach to consider if one wishes to understand and evaluate the impact of agrarian land reform on sustainable agriculture in Namibia. The study also focuses on the interactions between humans (farmers, peasants, women, etc.) and the environment using the ecozone approach. The ecozone

approach in this regard can be seen as a holistic and integrated approach to solving the interrelated problems facing land reform: poverty, economic performance of the agricultural and industrial sectors, environmental degradation, the disintegration of rural economies associated with commercial and communal agriculture, etc. This takes into consideration the scale of economic, ecological, social, environmental and financial sustainability, and recognises that comprehensive agrarian land reform development interventions should be taken at a level that will have lasting solutions or consequences.

The ecozone approach could be a useful tool in implementing agrarian land reform because of the similarities between the ecosystems and the peasants (farmers) throughout the country.

The contrasts in progress towards sustainable agrarian land reform and development should, therefore, be seen largely as the outcome of different policies and political systems. By focusing research and actions at the level of the entire ecozone, we can swiftly commence to learn from each other's experience and identify those policies that support communities' capabilities to adapt to their altering circumstances in ways that conserve their communities and their land.

Lastly, the research emphasises healthy land, sustainable and healthy profits, and regenerated land. Agrarian land reform policymakers and practitioners and their targeted beneficiaries should find peace of mind through the consolidation and management of the reform. As Eleanor Roosevelt said, "In the long run, we shape our lives, and we shape our selves. The process never ends until we die. And the choices we make are ultimately our responsibility."

**Table 1: Categories of land tenure systems in Namibia**

Categories	Ownership of exclusive rights
Open access	None
Communal	Define group
Commercial/private	Individual legal entity
State lands ■ Resettlement farms: 197 (1.2 million ha in commercial land)	Public sector ■ Resettled families: 1,616

**Table 2: Demand profile for land and uses in Namibia**

Category of demand	Subgroup	Types of land demanded
War veterans/ex-combatants	Ex-soldiers or those who were in exile (1904–1989)	■ Resettlement ■ Commercial farming
Rural households	Landless and land-hungry	Resettlement
Farm workers	Former farm managers, farm workers or their children	■ Resettlement/leasehold ■ Resettlement
Businessmen/-women	Civil servants, formerly disadvantaged middle-income workers, academics	■ Public leaseholds ■ Safari/tourism ■ Leaseholds
Urban workers	Retrenched workers, aged retired urban workers	■ Farm plots near towns ■ Residential
Women	Businesswomen, ordinary urban workers, poor rural women, etc.	■ Leasehold ■ Resettlement – for household food security

Sources: Adapted from Moyo (1999); MLR (2004) *Land for resettlement: Demand and supply*

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**Some definitions**

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<i>user right</i>	The right to grow crops, trees, make permanent improvements, harvest trees or fruits, farm large and small livestock or game, management, etc.
<i>transfer right</i>	The right to transfer lands or use rights, i.e. rights to sell, give, mortgage, lease, rent or bequeath
<i>exclusive right</i>	The right by individuals, groups or communities to exclude others from the rights deliberated above
<i>enforcement right</i>	The right referring to legal, institutional and administrative provisions to guarantee rights

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**Recommendations**

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1. Government to adopt rural advancement policies that promote agrarian reform to benefit the rural poor, peasants and the most marginalised, e.g. farm workers, the urban displaced, and the San and Ovahimba communities.
2. Land and access to natural resources are the foundations of sustainable rural advancement, and cultural and environmental sustainability and viability.
3. Innovative approaches to urban land reform and better provision of urban services are related to environmental health.
4. Land tenure improvement, which involves the physical transfer of ownership of the land to farmer beneficiaries in communal/underutilised areas, should be speeded up. This is a critical step towards helping farmers gain control over their productive resources and in providing them with basic security, and the motivation to maximise their utilisation of and productivity on the land. It should aim at improving agricultural production in order to ensure food security, provide sufficient basic needs, increase farm incomes, and eventually improve the quality of life. To achieve these agrarian reform goals in communal areas a focus is required on access to capital, appropriate technology information, physical infrastructures, and the market. The key intervention areas include sustainable agriculture, construction and/or rehabilitation of physical infrastructure facilities, rural industrialisation, investment and marketing assistance, credit assistance, and community-based resources management.
5. Basic social systems development: This promotes the establishment of community-based social services like primary health care, a potable water supply, recreational activities, disaster management, and popular education.
6. Gender and development: This concerns women's access to land services and their participation in community programmes and projects.
7. Land tenure reform contributes to social equity for small farmers and to the goals of sustainable agriculture and rural advancement, thereby increasing production on land already farmed or utilised and avoiding further encroachment on the land that is reserved for cultivation. The pillars of sustainable rural advancement are legally secure access to assets by the landless poor. When property rights are lacking or insecure, peasants cannot be sure they reap the benefits of their efforts, and there will be no incentive to invest in sustainable practices of agrarian land management.
8. The resulting land degradation and soil depletion threaten the livelihoods of rural Namibians as well as food security, with implications also for water resources and the conservation of biodiversity.
9. Ensuring that the rural poor gain secure access to land, water, information, credit and technology can disrupt the vicious cycle related to poverty to the degradation of natural resources.

## Discussion

Dr Wolfgang Werner, an independent consultant, asked Mr Merero how restitution fitted into Namibia's land reform programme.

Mr Merero responded that it fitted in by virtue of the way Government approached it, i.e. by involving communities.

Mr Bertus Kruger, the Workshop Facilitator, asked whether the Namibian Government should be looking at restitution as an option for the country.

Mr Merero responded that restitution needed to be provided for by Government.

Dr Omu Kakujaha-Matundu of UNAM pointed out that his point was not intended as an onslaught on Namibia's academia, but rather that the country needed to come up with its own models on land reform. He criticised cases where researchers diligently reviewed literature and wrote reports, but failed to produce models of sustainable land use management, etc. He agreed that we did not need to reinvent the wheel, but we need to adjust and adapt what we need. For example, he mentioned the Himba being depicted as a disadvantaged group; he agreed that they struggled to market their produce, etc., amongst other things because of the veterinary Red Line that restricted the transport of livestock from certain parts of the country to others, but he did not see why they should be regarded as disadvantaged.

Mr Merero responded that he was looking at the impact of land reform: how it affected the market, the consumer, the landless, the law, and the communities involved. In his opinion, the Himba were not part of development as he and Dr Kakujaha-Matundu were. He also believed that development had to address all aspects and all communities, otherwise some would be left behind. He also cautioned against ignoring the Himba way of living when it came to development, stating that their lifestyle should be incorporated into development plans.

With respect to the issue of models, Mr Merero stated that an integrated, holistic approach to land reform was needed, i.e. including environmental, economic, political and social factors.

Dr Kakujaha-Matundu responded that the WSWB process embarked on by Government did not seem to be the answer to land reform. He believed the slowness of WSWB was making the Government consider expropriation as its next logical step. He asked Mr Merero whether he thought the WSWB approach – including all the problems it entailed – was the answer to Namibia's land reform problem.

Mr Merero stated that, in his paper, the options were left open. He said he was not claiming that the WSWB was not a tool that could be used, but that it had its own problems. He felt that expropriation, too, was simply another tool to be used and that it had its own pros and cons. However, he warned that whatever tool was used, countries needed to remember that their choice would have an impact on agriculture and the entire economy.

Mr Kruger stated that Dr Shivute also mentioned expropriation was not necessarily being regarded as a primary point of departure, particularly in view of the way Government was going about it – in accordance with the law.

Dr Kakujaha-Matundu stressed that it was important to build models for the country. He cautioned against using the word *integrated* if there was no accompanying model explaining that if x action was taken, y result would ensue. He recommended that Mr Merero include some data and diagrams in his paper to show more accurately what the land reform picture was.

# Germany's development cooperation with Namibia: Special focus on support of land reform



Ms Tanja Pickardt  
Gesellschaft für Technische Zusammenarbeit

## Introduction

Ms Pickardt explained that her presentation involved more than giving the GTZ's view of land reform in Namibia: it also described how the GTZ had decided on its support of the programme and what action it had taken in this regard.

## Augmented presentation

### German support to Namibia's development

#### Germany's development cooperation with Namibia

- Cooperation with Namibia started immediately after the country attained independence. The German commitment focuses on assisting the Namibian Government in eliminating existing disparities in Namibian society. It aims at supporting the Namibian Government in its policy of national reconciliation.
- Some 100 experts are working in various fields. They are seconded by the German Government and German institutions:
  - Deutsche Gesellschaft für Technische Zusammenarbeit GmbH (GTZ; German Technical Cooperation); 10 of the 100 experts work for the GTZ
  - Kreditanstalt für Wiederaufbau (KfW; German Financial Cooperation); the KfW is assisting land reform in Namibia
  - Centrum für Internationale Migration und Entwicklung (CIM)
  - Deutscher Entwicklungsdienst (DED; German Development Service)
  - Bundesanstalt für Geowissenschaften und Rohstoffe (BGR; Federal Institute for Geosciences and Natural Resources)
  - German political foundations and church organisations



Figure 1: Instruments of official bilateral cooperation

Financial cooperation



Technical cooperation



Human resources cooperation



Food aid, and emergency and refugee aid



## Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH

### *Worldwide activities*

- The GTZ –
  - is a service enterprise for development cooperation with worldwide operations
  - is owned by the Federal Republic of Germany, but operates as a private- sector enterprise
  - is commissioned mainly by the German Federal Ministry for Economic Cooperation and Development (BMZ), and
  - also works for other German ministries, governments of other countries, international organisations and institutions.

### *International partnership*

- The GTZ –
  - employs more than 10,000 German and local experts in more than 130 countries
  - maintains its own field offices in almost 70 countries, and
  - has around 1,000 employees at its Head Office in Germany.

### *Customised solutions*

- The GTZ –
  - advises partners on project planning and implementation
  - plans assignments of experts and provides back-up services
  - offers training for partner-country specialists
  - procures materials and equipment
  - tailors solutions to the conditions on the ground in partner countries, and
  - has a wealth of managerial expertise and intercultural competence.

For example, Ms Pickardt explained, if Namibia requested a study to be done, the GTZ would first nominate Namibian experts. If there were no Namibian experts in the field concerned, German experts would be supplied. A team of German experts and mentored Namibians would then target the goal together.

With respect to Figure 2 below, Ms Pickardt pointed out that the GTZ's focus was on Africa.

With respect to Figure 3 below, she noted that the BMZ was the most important of the German Government donors:

Figure 2: GTZ field structure



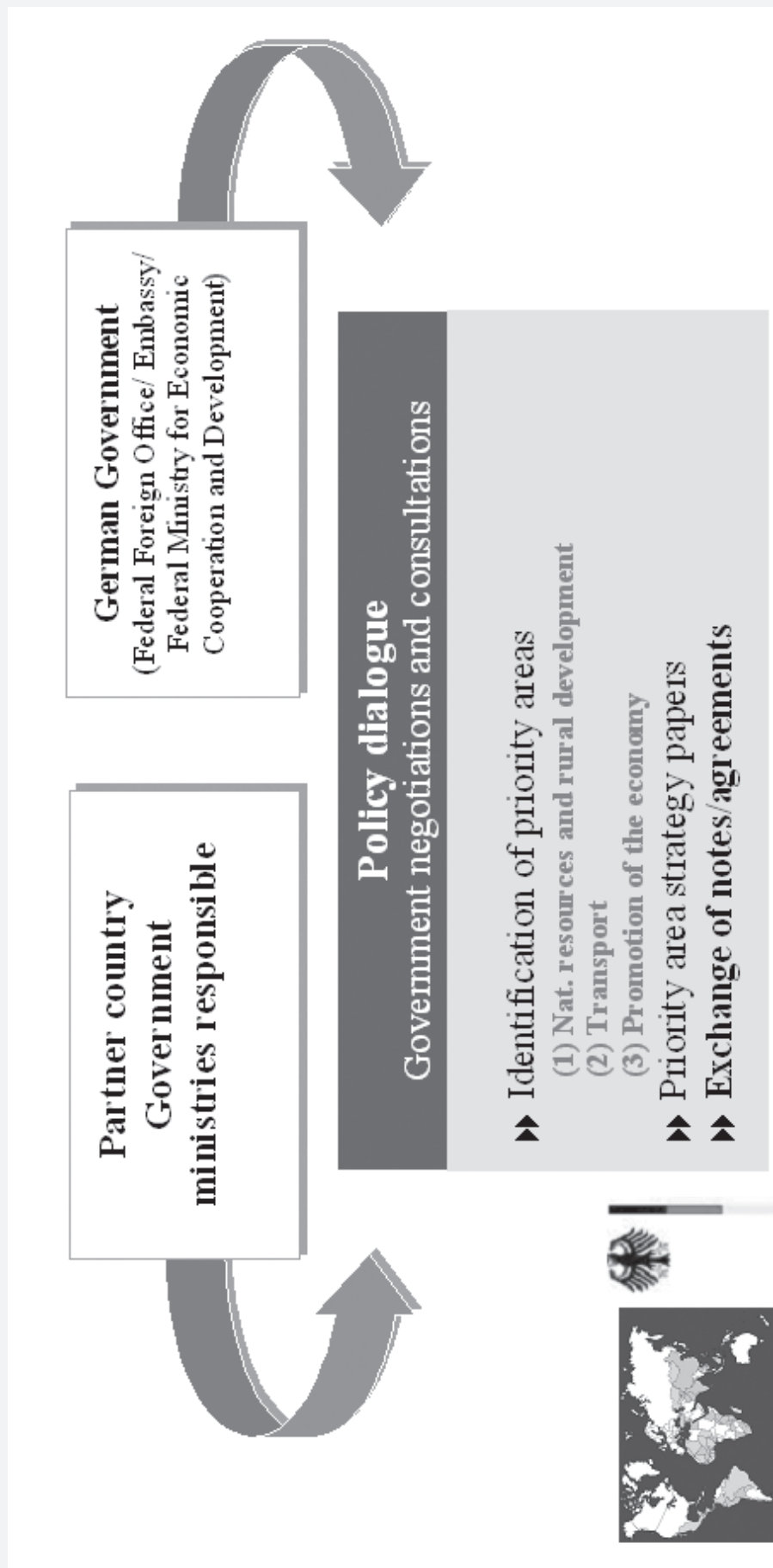


Figure 3: Parties commissioning GTZ services (2004)



With respect to Figure 4, Ms Pickardt pointed out that the two Governments got together to discuss what support was needed. In Namibia's case, German support in respect of land reform was relegated to item (1) under "Policy dialogue".

**Figure 4: Bilateral negotiations governing cooperation**



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## GTZ activities in Namibia

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- Focal areas of cooperation since 2001/2
  - Promotion of the economy
  - Transport
  - Natural resources management and rural development
  - Cross-cutting issues/other projects, e.g. HIV/AIDS, the impact of land reform

### Ongoing projects and programmes implemented by the GTZ

#### *Focal area: Promotion of the economy*

- Partnership for economic growth (PEG)

#### *Focal area: Transport*

- Strengthening of institutional and management capacity in the road transport sector

#### *Focal area: Natural resources and rural development*

- Support in respect of land reform (partner – MLR)
- Namibian water resources management (partner – MAWF)
- Sustainable natural resources management (partner – MET)
- Gobabeb Research and Training Centre (SADC project)
- Sustainable use of fisheries resources (Benguela Environment Fisheries Interaction and Training Programme/BENEFIT, SADC project)

#### *Cross-cutting issues/other projects*

- Integrated HIV/AIDS control
- Basic Education Project
- Archives of anti-colonial resistance and liberation struggle

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## Priority area: Natural resources and rural development

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### General conditions in Namibia

#### *Dry and fragile environment*

- Most arid country in sub-Saharan Africa (although Mauritania is also considered to have this status)
- Limited water availability, restricting agriculture
- Prone to environmental damage
- High costs for infrastructural development

#### *Skewed distribution of income/wealth and land*

- Most unequal distribution of income in the world
- Historical disparities in the distribution of land – which may cause political instability

#### *Rural poverty*

- Degradation of natural resources particularly affects the poor
- 40% of Namibians rely on subsistence agriculture for their livelihood
- 40% of the poor live in rural areas, and they have a very high HIV infection rate
- High HIV/AIDS infection rate impacts poverty levels

## Core problems experienced

### *Unequal distribution of land*

- 'White' commercial and 'black' communal land
- Land reform is also important in communal areas
- Lack of tenure security in communal areas
- Land conflicts due to fencing by rich farmers or traditional leaders

### *Unsustainable management practices*

- Too much livestock causes degradation of the grass cover, resulting in desertification
- Absence of long-term development plans
- High population growth translating directly into growth of cattle production

### *Institutional bottlenecks and capacity constraints in the relevant ministries*

- Posts not filled in certain ministries

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## GTZ support in respect of land reform

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**Table 1: Land distribution and management in communal and commercial farming areas: The status quo**

Communal areas	Commercial areas
The most pressing problem is the erosion of traditional land use rights	The most pressing problem is unequal access to farmland
<ul style="list-style-type: none"> <li>■ 52% of agricultural land</li> <li>■ No individual land titles</li> <li>■ Land access and use based on traditional land tenure systems</li> </ul>	<ul style="list-style-type: none"> <li>■ 42% of agricultural land</li> <li>■ Average farm size: 5,000 ha (rainfall and stock sizes relevant)</li> <li>■ 79% of farms owned by white minority (2,500 farmers are of German origin)</li> </ul>
More than 50% of total population	<ul style="list-style-type: none"> <li>■ 4,200 farmers own 6,200 farms (some own more than one farm)</li> <li>■ They employ 35,000 farm workers (150,000 persons, incl. family members who live off commercial farmland)</li> </ul>
Subsistence farming	Extensive livestock farming
<b>Problems</b> <ul style="list-style-type: none"> <li>■ No efficient land use in spite of high agricultural potential, lack of infrastructure</li> <li>■ High HIV/AIDS prevalence rate</li> <li>■ Rising conflict potential</li> </ul>	<b>Problems</b> <ul style="list-style-type: none"> <li>■ Limited and highly variable rainfall</li> <li>■ Slow redistribution process: only 850,000 ha from 137 commercial farms are redistributed to emerging farmers</li> </ul>

Source: PTT Report

Project title:	Support to Land Reform
Project partner:	Ministry of Lands and Resettlement
Duration:	Phase I: January 2003–July 2006 Phase II: August 2006–July 2010 Phase III (foreseen beyond 2010)

GTZ assistance aims at a broad and equal access to land and a sustainable use of land resources in communal and commercial areas.

- The drafting and implementation of an agreed Action Plan for Land Reform (PTT process)
- Capacity-building/training for staff of institutions involved in land reform, including the Communal Land Boards
- Agro-ecological zoning and land productivity assessments
- Land tax
- MLR strategic planning and Annual Business Plan
- Deeds Registry computerisation
- Flexible land tenure
- PR strategy of MLR

Support is mainly directed to MLR. The GTZ and the MLR sit together with the Annual Business Plan and agree on what activities the GTZ will support/finance, and where it will act in an advisory capacity. Limited support can be given to other important stakeholders, such as Emerging Farmers Support Programme of Agricultural Unions.

#### Phase I: Support to the PTT process

##### *Background of the PTT*

- Established by the GRN and inaugurated in August 2003
- Financially and technically supported by the GRN and donors (German Government through the GTZ and others)
- Initially a nine-month time frame, but extended to November 2004
- Supervision: Permanent Steering Committee and Ad Hoc Cabinet Committee (8 Ministries)
- Objective: Formulation of Strategic Options and Indicative Action Plan for Land Reform
- Outcome: 2 documents
  - Background research work and findings of the PTT studies
    - Components: Review of policy and legal framework; economic, financial, institutional, environmental sustainability of land reform; gender, HIV/AIDS, farm workers
  - Strategic options and Action Plan for land reform in Namibia
- Endorsed by Cabinet in June 2006 and officially launched by the MLR in August 2006

##### *Conclusion and financial implications of the PTT*

- Implementation of Action Plan should be overseen by Cabinet Committee on Lands and Social Issues and advised and facilitated by a Technical Committee on Lands and Social Issues
- Draw up a well-conceptualised, inclusive and integrated policy framework
- Concurrent post-settlement investment support is crucial for sustainable agricultural resettlement
- In order to achieve the set targets and objectives, it is necessary to –
  - improve inter-ministerial planning, coordination and monitoring
  - create flexible and interactive policy environment
  - make financial and human resources available
  - mobilise bilateral and multilateral resources to implement future programmes

#### Phase II: Ongoing and future GTZ support for land reform

- Support is based on PTT findings and MLR Annual Business Plans
- Technical and financial support for selected activities
- In line with previously supported areas
- Special focus on –
  - Capacity-building for Land Boards (conflict management, helping Land Boards to take environmental issues into consideration)
  - Monitoring and evaluation system for the MLR
  - Economic and financial assessment of land-based development schemes
  - Integrated land use planning; the MLR is the custodian of land, but it is obliged to involve all relevant ministries and all stakeholders



## Discussion

Dr Teopolina Tueumuna, an LAC Trustee, noted that human resources cooperation should include more training for partner country specialists rather than supply GTZ specialists. She also pointed to the fact that land redistribution since the 1990s appeared to be becoming more skewed than before, seeing as it was based on economic distribution rather than redistribution according to racial groups or the previously disadvantaged. Today, she said, it was Government employees who benefited from land redistribution. Dr Tueumuna also asked whether Namibia had surpassed India in respect of being the country with the greatest disparity between the rich and the poor. In her opinion, United Nations aid was more effective because the UN looked at how assistance was applied.

Ms Pickardt responded that the GTZ saw training of local expertise, especially public servants, as crucial – as was sustainability. Nonetheless, she said the GTZ would try to focus even more strongly on training.

She also noted that the LAC should be more involved in land reform issues. She explained that the LAC and the DRFN had good expertise on board, and the GTZ always drew from such local specialists where they existed.

In respect of the comment on the disparity between rich and poor in Namibia, Ms Pickardt stated that the GTZ saw the skewed income and the skewed redistribution of land as important factors in Namibia, and agreed that obtaining land had to do with income.

Mr Bertus Kruger, the Workshop Facilitator, noted that although the Gini coefficient for Namibia had improved of late, the country was still not in a good position in respect of the gap between rich and poor.

Mr Kruger added that the PTT had produced a very good document, in which they had highlighted many aspects that deserved to be revisited. He noted that future support from the GTZ was based on the PTT findings. He also referred to a discussion on the previous day of the Workshop, where concern had been expressed that the recommendations should not be implemented piecemeal, but should involve all stakeholders.

Ms Pickardt agreed, stating that although the MLR was a crucial player, NGOs, civil society and many other stakeholders had to be included for land reform to succeed.

Dr Tueumuna requested that the GTZ not only offer support directly to Governments, but also to institutions – such as the LAC.

# The role of traditional authorities in land reform

Prof. Manfred Hinz  
University of Namibia

## Introduction

Prof. Hinz thanked that LAC for inviting him to speak at the current forum, and expressed his regrets that he had not been able to attend more than the last two presentations.

He stated that he would be looking at four different points, as follows:

- The Communal Land Reform Act and the right to administer communal land
- Customary law authority over communal land, and the potential of customary law
- Some legal difficulties in the administration of customary land tenure
- Conclusion

## Presentation

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### The Communal Land Reform Act and the right to administer communal land

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Prof. Hinz referred to the National Conference in 1996, when Hon. Pendukeni Iivula-Ithana was Minister of Lands, Resettlement and Rehabilitation. The Conference focused on the administration and management of communal land, and deliberations were to take place held after a number of Government document had been presented. One of these was the Draft Communal Land Policy, which served as a background to the Conference. Prof. Hinz referred to section 16 of the document, which in turn made reference to Article 100 of the Constitution of the Republic of Namibia, namely that land belongs to the State if it is not otherwise lawfully owned. At present, the only lawful ownership, in constitutional terms, is freehold title and State land. This was taken as the starting point of the Communal Land Reform Act.

Another issue Prof. Hinz raised also referred to section 16.1 concerning the power of the Land Boards in relation to customary land rights.

Prof. Hinz explained that an attempt was made by Government to take away certain rights from the traditional authorities and vest them in State bodies, namely the Land Boards. The topic generated very hot debate, with around 140 traditional leaders declaring they would not accept such a change.

Prof. Hinz said he was referring the above points to the Workshop participants so that they could understand what was now in the Communal Land Reform Act. For example, section 17 of the Communal Land Reform Act states the following:

... all communal land areas vest in the State in trust for the benefit of the traditional communities residing in those areas and for the purpose of promoting the economic and social development of the people of Namibia, in particular the landless and those with insufficient access to land who are not in formal employment or engaged in non-agriculture business activities.

When one reads that communal land is owned by the State, the claim was both correct and incorrect: the State had ownership only in trust – the State does not have authority to dispose of the land, etc. that any individual property owner would have.

Prof. Hinz explained that Chiefs and traditional authorities were the ones who allocated customary land rights. Land Boards only ratified these allocations, and have limited power to veto the decision of a traditional authority. The conditions under which such vetos were possible were outlined in the Communal Land Reform Act. It was important to know this because some newspapers and Government officials did not take note of this legal situation.

Perceptions were crucial in regard to who owned communal land, Prof. Hinz stressed. Some communities felt they owned the land, or the Chief did, or the community did, or God did; they were not open to accepting that the State actually owned it. He also pointed out that the notions *omwene* (“owner”) and *umwene* (“ownership”) subsumed notions of possession, identity and privateness, which were in fact all related to ownership. In Uukwambi customary law, it was stated that their communal area belonged to the traditional authority. Prof. Hinz added that similar notions would be found where traditional authorities had written down customary law.

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### Customary law authority over communal land, and the potential of customary law

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He stressed that we did not have a systematic exercise with regard to how various customary land rights under customary law were being allocated. Some of the problems arose from this limited knowledge.

Prof. Hinz also asked who exactly had the authority: the Chief, Headman (Counsellor), or Senior Headman (Senior Counsellor)? He related that we knew lower levels of authority in the hierarchy did land allocations.

As regards non-community members, different provisions in customary law applied, e.g. such a person would need to go directly to the King for permission to occupy a portion of communal land administered by a particular traditional authority.

Moreover, there was a whole range of rights, including –

- occupational rights
- grazing rights (which were very different from occupational rights)
- periods of allocation (e.g. land was allocated for a lifetime in Owambo communities, but were regarded as ancestral rights in Caprivan society)

Prof. Hinz mentioned that his presentation would later show that the Communal Land Reform Act did not always take these important differences into account.

He explained that there were also a variety of norms when it came to things related to land, e.g. grass, water, animals, plants, and trees. Traditional communities had a more holistic concept of the land: they saw the land, animals, etc. as a unit over which they had rights and responsibilities. He referred to certain recently conducted research on these aspects of land reform as part of the so-called BIOTA Project, with which Dr Wolfgang Werner and Mr Alex Merero had also been associated. Prof. Hinz and some of his students were currently conducting research on land issues, land allocations, and issues relating to the management of land. For example, he mentioned certain rules existed as regards the protection of grass as a natural resource, cutting trees for art works, etc. The research was exploring the extent to which traditional authorities concerned themselves with the protection of the land they allocated. Since trees, water and other resources were treated holistically, certain traditional authorities (e.g. Uukwambi) had recently begun looking at them individually in order to increase protection over them. Prof. Hinz stated it was important to note that customary law was not static, even though it had been there since time immemorial.

The Traditional Authorities Act, 2000 (No. 25 of 2000) acknowledged that traditional authorities had the power to make customary law: they could enact amendments to it and go into new areas not covered by existing regulations. Thus, for example, it was possible to remove aspects of customary law that were unconstitutional. Prof. Hinz stressed the great potential of customary law.

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### Some legal difficulties in the administration of customary land tenure

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Prof. Hinz stated that some legal difficulties had ensued due to the differences in administering customary law. For example, the Communal Land Reform Act had some problems: it was often not clear whether the rules in the Act had led to certain aspects of customary law being repealed. A case in point was whether a widow was permitted to remain on land allocated to her late husband. The Communal Land Reform Act stated that the widow had to apply for permission to do so; this involved considerable red tape since her request needed to be put before the Land Board. The question now was whether the Communal Land Reform Act had silently repealed the old Ondonga customary law, but Prof. Hinz said time did not allow him to discuss this further at the current forum. He mentioned that there were many similar examples.

Another problem involved a lack of clarity on who was responsible for administering customary law issues. For example, one of his students had done some research on the social and political background of the Kwangali and Owambo grazing territories, with respect to the legal entities involved in the issue of the eviction order. Prof. Hinz stated that this case exemplified where some of the problems arose between administering customary law and the Communal Land Reform Act.

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### Conclusion

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- More research and education was needed as far as customary land tenure was concerned, especially as regards the practices applied in Community Land Boards.
- Members of Land Boards were targeted for training by the GTZ, but Prof. Hinz felt so should traditional authorities: they were the first to administer land rights, so they should be the primary targets of training. Strengthening capacity and awareness among traditional authorities was very important, he believed.
- It was also important to make them aware of the potential of the instrument in hand to change customary law. For example, Prof. Hinz's study showed that certain fishing rights obtained during the *efundja* (when floodwaters came down into northern Namibia from Angola during the rainy season). He found it ridiculous to fine a transgressor N\$20 because s/he would easily pay it and would earn more selling the fish caught. It was necessary to increase fines like these to protect fishing rights, he said.
- Because the current forum had been organised by the LAC, legal issues were at stake. He mentioned that the repeal of certain aspects of customary law had been undertaken, although Namibia's legislators did not explicitly repeal them. For example, no remuneration/payment was permitted to apply in the allocation of land rights. There was also silent, implicit repeal of certain aspects of customary law through the Constitution.
- Prof. Hinz stated that, as a starting point, it should be clarified what was expected from legislators when it came to repealing certain aspects of customary law. Their tasks were clear with respect to statutory law repeals, but not with customary law.
- Referring to Herero communities in particular, he stated that certain unrecognised traditional authorities (e.g. the Kambazembi) also assumed the right to administer communal land. Their lack of recognition was an unhealthy situation that needed to be addressed.
- Namibia was still in the fortunate position to have the Community Courts Act; although it had been enforced it was not yet fully implemented. For this reason, the enforcement of communal authority decisions was proving difficult. This problem urgently needed attention, Prof. Hinz stressed.

### Discussion

Ms Tanja Pickardt of the GTZ stated that she had done research on customary land rights in West Africa, where the administration of land rights was sustainable. She enquired what the position was in this regard in Namibia, and what Prof. Hinz proposed for the country, e.g. whether traditional rights administration should

be modernised or maintained as it was. She also asked what was being done as regards the restitution of eroded land rights.

Prof. Hinz responded that it was difficult to predict what would develop. He mentioned that the drafters of the Communal Land Reform Act had noted these difficulties a future Namibia would face. He also explained that Namibia had somewhat of a ‘dual’ system, because the land was still regarded as belonging to the traditional authority. Furthermore, he did not agree that there were no individual land rights under customary law, as one of Ms Pickardt’s slides had indicated, although he understood why she had said so.

Prof. Hinz went on to say that the handling of communal land rights should be more secure from now on, thanks to the Communal Land Reform Act; registration of such rights should also bring more certainty and should help economic development. A second possibility, he noted, was to establish freehold areas within leasehold/customary areas. He stated that Dr Wolfgang Werner and others were in a better position than he was to determine whether or not there was a tendency in this direction. From his own analysis, Prof. Hinz stated that, although he had some criticisms of the system, it was nonetheless a valid one that proposed a sound division of labour between traditional authorities and the Communal Land Boards. However, he cautioned that more attention needed to be devoted to traditional authorities in terms of education. For example, he said, the difference was between a traditional authority and a Communal Land Board needed to be clarified, as did the tasks expected of a traditional authority before the Communal Land Board could act.

In respect of land rights, Prof. Hinz asked what Ms Pickardt meant by the notion of *erosion* she had mentioned. He agreed that there had been changes in Namibia compared with the position 50 years ago, but he did not believe this could be termed an ‘*erosion*’ of rights. He conceded that a king or queen of today did not have the same position as 50 years ago, but pointed out that we now lived in a nation where we had to work together. This had led to a change in the authority structures, but other aspects had also been introduced for the first time. For example, he mentioned Article 66 of Namibia’s Constitution, which provided for customary law to remain valid. He questioned whether this legal position could be termed *erosion*. Again, he conceded that the autocracy with which a former leader might have ruled would have been eroded, but he felt that today’s situation was an improvement for traditional authorities and their people even though there were some restrictions to or limitations of their powers.

Mr Peter Shaanika of the MLR noted an example from the Ondonga tradition where, ‘on paper’, a widow was permitted to remain on her late husband’s land; in reality, however, there were many cases of widows being chased off the land by the traditional authority if they did not pay a certain fee. Mr Shaanika also mentioned that the Act permitted the widow to remain on the land, but that the right to occupy the land reverted to the Chief. For administrative purposes, the widow had to indicate that she wanted to occupy the land in question.

As regards the Communal Land Board, Mr Shaanika stated that it comprised members of the traditional community as well as members of the traditional authority. He did not understand where the conflict was, therefore.

Mr Shaanika also enquired whether the Communal Land Reform Act had any provisions that referred to the recognition of a traditional authority. Furthermore, he wanted to know how a recommendation from the traditional authority was supposed to be handled.

Prof. Hinz responded that he had been part of the debate at the king’s palace when a change to the Ondonga customary law was being discussed about 12 or 14 years ago with respect to widows. At the time, one Senior Counsellor expressed concern that he would lose income from women who wanted to stay on their deceased husband’s land. There was resistance to change then, and there would be resistance to change now, said Prof. Hinz. He added that customary law was not unique in this respect either – the same happened in statutory law. The Kwanyama, for example, were the last to make changes because they had resisted more strongly. Prof. Hinz referred to an earlier comment he had made, namely that if the Community Courts Act were fully

implemented, then women who were treated in contravention of the law could find remedy in that Act by taking the matter to a Community Court or even a State, and penalties could be imposed through those Courts as well.

Prof. Hinz reiterated that he was fully aware certain traditional authorities were represented in the Communal Land Boards, but when one looked at the terms of office of a Communal Land Board and compare them with those of a traditional authority, one would see that there were differences. It was of course good, in Prof. Hinz's opinion, that traditional leaders received training, but his point was that issues of land should be addressed to the traditional authorities as such – not only via the two or three representatives on the Communal Land Board.

In terms of recognising traditional authorities, Prof. Hinz referred to the Traditional Authorities Act, 2000 (No. 25 of 2000), which applied in such cases. Recognition was a very difficult process, he stated. Moreover, many new traditional authorities had come to the fore, which was proving to be very difficult for the Ministry of Regional and Local Government, Housing and Rural Development to handle. The Council of Traditional Leaders had also looked at many dispute cases and were able to solve some of them. Prof. Hinz said the process needed time, and that the Head of State made the ultimate decision. He conceded that the process was not that easy because the criteria were not clear-cut; nonetheless, the Act allowed room for discretion to be applied as well.

Prof. Hinz referred to what he called a *special problem*, namely that one stakeholder in the Herero setup called himself the *Paramount Chief* of the Herero. The Traditional Authorities Act did not provide for the position of Paramount Chief with Chiefs under that position. Difficulties such as these had not been recognised in the Act.

Dr Wolfgang Werner, an independent consultant, asked where Prof. Hinz thought the country was heading in respect of Chiefs and leaders and the Land Tenure Policy. He noted that the recording village names, etc. amounted to a dramatic decrease in areas of a leader's jurisdiction. He explained that, if one codified areas of land, it was imperative that one fixed those perimeters, e.g. by way of fencing. He added that the fencing of certain areas in the Oshikoto Region had been referred to as illegal in some quarters, but he explained that the fencing had been undertaken with the traditional authority's permission and was recorded in what amounted to a lands register. Dr Werner wanted to know whether such actions constituted customary law, because it reflected an adaptation to the prevailing circumstances, it was controlled, and a record was established for it.

The Workshop Facilitator, Mr Bertus Kruger, added that Namibia currently only looked at land reform in terms of commercial farms.

Prof. Hinz responded in the affirmative to Dr Werner's question.

Mr MS Sisamu of the MLR then asked who was responsible for implementing the Communal Land Reform Act. He quoted Prof. Hinz as saying that the Act did not recognise the customary laws of different tribes in Namibia. However, as he pointed out, section 26 of the Act stated that "[the] reallocation of land rights must be in accordance with customary law". Mr Shaanika went on to say that, as regards payments for customary land rights, these had been abolished by the Act, but some different customary law traditions still charged such fees. Even if the payments were regarded as token of appreciation given to a traditional authority, Mr Shaanika repeated they had been abolished under section 42 of the Act. He explained that many communities were poor and could not afford the N\$600 payments required of them; the Act now ensures that the poor did not lose their land rights.

Prof. Hinz referred to section 42, which exemplified a case where the lawmakers had specifically repealed a practice under customary law. He also corrected Mr Sisamu, stating that he had not said the Communal Land Reform Act did not recognise customary law: what he had actually said was that it had not recognised there

were different traditions under customary law. For example, he pointed to the fact that land rights in Bukalo remained in the family, i.e. they were ancestral, but this was not the case in other communities. Prof. Hinz clarified his position further, asking whether, if the Communal Land Reform Act had not taken note of these differences, it meant that communities in the Caprivi were excluded from its ambit, i.e. did it mean Caprivian customary law had been silently repealed or was it still valid?

As regards training for members of Communal Land Boards, Dr Omu Kakujaha-Matundu of UNAM pointed out that despite traditional authorities being represented on such Boards, tensions between the two structures remained. With respect to the N\$20 fine for contravening fishing rights in certain areas, Dr Kakujaha-Matundu said the amount of the fine was sometimes academic: naming and shaming the culprit was often enough in the context.

Prof. Hinz stated that the point was well taken. He went on to say that it would be very important to know what the practice was in terms of Communal Land Boards, e.g. in the Owambo–Kwangali land dispute. He also felt it was very important to know how the various stakeholders were treated. He also suggested profiles should be made of Board actions so that one could see how they dealt with matters.

Ms Frauke Jensen-Röschlau, a correspondent for BBC Africa, referred to an earlier point concerning the State keeping land in trust for communities. She quoted the former Lands, Resettlement and Rehabilitation Minister, Hon. Pendukeni Iivula-Ithana, as having said at a press conference that if communities did not look after their land it would be given to investors. Ms Jensen-Röschlau also enquired whether the Himba were being consulted as regards what they wanted, or whether they were being subjected to what the Government wanted for them. She also pointed to the fact that customary law and traditional authorities were often ignored.

Prof. Hinz responded that it was difficult to say why people were not aware of the law or chose not to be aware of it. At the 1996 Conference, for example, Government officials believed that because Article 100 of the Constitution only spoke of State land and freehold land, there was actually no such thing as customary or communal land. In Article 102 of the Constitution, however, Prof. Hinz pointed out that mention was clearly made of *communal land*. He also clarified that Government did not own communal land, and that it was only kept in trust for communities; so ownership was limited.

Prof. Bill Lindeke of the IPPR referred to a body of Namibian research (e.g. by Stephen Turner and Ben Fuller) that dealt with the fencing of huge tracts of land in communal areas, stating that such fenced land was owned by prominent economic or political figures in Namibian society. He enquired whether such acts could be interpreted as intrusions on State land, or whether these were more intrusions from individualised political sources.

Prof. Hinz stated that he was a lawyer, not a politician. However, in an attempt to answer the question, he mentioned that in the Owambo–Kwangali dispute it was considered to be a political problem. He added that these issues were not always easy to look at from a legal point of view. Referring to Article 102 of the Constitution again, Prof. Hinz stated that, in his opinion, the provision had not yet been fully explored in respect of the land debate. The Council of Traditional Leaders could also play a better role, especially in terms of the ‘fat cats’ who used their influence to override customary law. To date, Prof. Hinz said, the Council had not yet been called upon to give advice on communal land matters. He conceded, however, that it was up to the Council to agree to play a role in land reform.

A Community Land Board representative stated that he agreed training was required. With regard to the Communal Land Reform Act, he suggested that the provision dealing with conflict resolution in respect of land affairs such as fencing should be amended. If a lawyer was hired to resolve such disputes, the traditional authority had no say. He asked Prof. Hinz what should be done in such cases, e.g. obtain legal advice, take it to the MLR, or institute arbitration proceedings.

Prof. Hinz responded that the student who had been doing research on the aforementioned Kwangali–Owambo eviction order issue had actually given up analysing the situation from a legal perspective; she took it up as an Oshiwambo-speaking Namibian. She had expressed concern about the tension between the two parties, and had asked why the issue could not be resolved through arbitration, for example. Prof. Hinz felt that many issues were better settled by arbitration and mitigation than by lawyers, who were interested in earning money.

Mr Kruger concluded the discussion by adding that land reform in communal areas had not received sufficient attention.



# Group activity

Bertus Kruger  
Workshop Facilitator  
Desert Research Foundation of Namibia

Mr Kruger revisited the points and clusters made by participants during the group activity on the previous day, as follows:

1. **Beneficiary selection:** Are we getting the right people?
2. **Comprehensive post-settlement support:** Total support packages needed
3. **Transparency**
4. **Policy harmonisation and legislation:** Interface between the Communal Land Reform Act and customary law still needs improvement
5. **Multi-stakeholder involvement:** This ‘baby’ belongs to all of us and we should take care of it together
6. **Sustainability:** Rangeland improvement required
7. **Communal land reform:** Tenure reform and land reform in communal areas, as well as recognising unrecognised traditional authorities and the definition of the role of customary law
8. **Targets for land reform:** Will it end when 50 million ha have been redistributed by 2020?
9. **Realistic demands for land reform:** What exactly is the demand? Perhaps the next generation is not that interested in farming

Dr Teopolina Tueumuna, an LAC Trustee, speaking from the point of view of a resident of communal land, stated that the right people would not benefit from land reform if the people themselves did not decide for themselves and decision were made for them. In her opinion, the Kwangali–Owambo dispute was neither a tribal nor an administrative issue, but was due to outside interference. She added that rural and other women were regarded as almost subhuman; she stressed that they needed to be brought into discussions as well.

Mr Victor Hamunyela of the Namibian Paralegal Association expressed concern about the slow pace of land reform.

Mr Kruger referred to the presentation by Dr Nashilongo Shivute, Under-Secretary of the MLR, in which she had stated that although the MLR targets were being met, the pace of reform was perceived as being too slow.

Mr Colin Nott of the IRDNC noted that the notion of holistic management had been mentioned in four of the contributors’ presentations. He felt that it belonged under the “Post-settlement support” cluster. He expressed his interest in seeing innovation and new trialling of other approaches such as HM.

Mr Claus Hager of the NAU stated that the various public institutions needed to put into effect what had been proposed from a technical and academic perspective at the Workshop. He also requested that a “Technical capacity” point be added under an appropriate cluster.

Mr Hamunyela requested another additional point, namely “Political will”.

Mr Kruger referred to the fact that land was the reason for Namibia’s political struggle for independence. He asked the participants if they felt Namibia had the political will to take land reform to its end. At least one respondent said there was.

Mr Kruger then asked what the indicators of political will were, e.g. the size of budget allocations to land reform.

Mr Nic Kruger of AgriForum, speaking as a publisher and farmer, referred to Mr Kruger's question the day before as regards what major issues the participants had felt needed to be addressed in order to succeed in land reform. Mr Kruger asked whether Namibia could afford it financially, considering that it cost N\$272,000 to resettle one person, and that land reform had been unsuccessful in Zimbabwe.

Mr Kruger added "Cost of land reform" as a further point in the revised list. He also stated that, if Namibia was serious about land reform, the money could be found.

Dr Omu Kakujaha-Matundu of UNAM made reference to a September 2006 website edition of *International Shelter*, in which HM had been discussed. He cited the article as having said HM was not only about rangeland management, but also about social and cultural aspects. He said the reference was in the bibliography of his forthcoming paper.

Mr Hager asked whether the 'how' of land reform had been disregarded, which Mr Kruger confirmed. Mr Hager then suggested group AALS ventures would be another option, and would keep costs low. He added that equity schemes should also be considered.

Dr Tueumuna stated that 40% of Namibians were dependent on a livelihood on communal farms. If one included commercial farms, some 70% directly or indirectly depended on farming for their livelihoods. She asked what the alternative would be for these people if land reform did not take place. She also referred to a 1994 study that recorded 35% of children under five years of age being malnourished – either moderately or severely. Malnutrition had a direct impact on the child's ability to study, for example.

Mr Kruger agreed, stating that the question should rather be what would be the cost of *not* implementing land reform.

Mr Nott recommended that the "Policy harmonisation" cluster include policy implementation.

Mr Kruger then introduced a summary he had made of the presentations delivered during the Workshop (see beginning of this report).

Mr Alex Merero of the Polytechnic of Namibia stated that, if 50% of farmers were so-called weekend farmers, the Government needed to work over weekends; otherwise, it would miss 50% of the group being targeted in information campaigns and services. He added that urban and peri-urban agriculture needed to be included in the focus as well.

Mr Tanja Pickardt of the GTZ noted that consultancies on land reform policy should involve all stakeholders, not only the Government.

With this, the Workshop was concluded. Mr Willem Odendaal of the LAC thanked everyone for their input, which he said was greatly appreciated.

Mr Claus Hagen of the NAU expressed his thanks to the LAC on behalf of the NAU and the NNFU, and said they would be happy to provide input in the second phase of the research, as and when required.

# Conclusion: Major issues to be addressed

After a final refinement of the points and clusters, the participants' recommendations concerning major issues where action was most needed in land reform read as follows:

1. **Beneficiary selection**
  - Need to be clear selection criteria
  - Targeted beneficiary selection criteria
  - The AALS should benefit real disadvantaged groups/individuals
2. **Comprehensive post-settlement support**
  - Financial resources
  - Trial new and innovative natural resource improvements, such as holistic management
  - Lack of training of beneficiaries
  - Develop infrastructure, provision of adequate services
  - Recognition of the diversity of the population and their skills
  - Well-designed post-settlement support
  - Skills transfer in appropriate fields
  - Technical capacity: Support services, extension, etc.
  - Provision for training and support services
  - Lack of finances for beneficiaries
3. **Policy harmonisation and implementation**
  - Policy harmonisation between sectors
  - Incorporation and implementation of accepted recommendations and policy on land reform
4. **Multi-stakeholder involvement**
  - Better coordination and involvement of civil society
  - Involve rural women
  - Lack of multi-stakeholder coordination
  - Broad stakeholder involvement in land reform
5. **Communal land reform**
  - Role of customary law
  - Recognition of unrecognised traditional authorities
  - Communal land reform and development
6. **Targets for land reform**
  - Benchmarking land reform expectations
  - Political will?
  - Clarity in Government mission and vision on land reform
  - Pace of land reform?
  - Convert political will and support into coordination and action
  - Do we have the money to realise successful land reform?
7. **Realistic demands for land reform**
  - Quantification and qualification of land reform needs
  - Pre-settlement information

# Appendix 1: Agenda

## Perceptions on Land Reform Barometer Consultative Workshop

21–22 November 2006

NamPower Convention Centre, Windhoek

### PROGRAMME

DAY 1 – 21 NOVEMBER 2006		
Time	Activity	Presenter
08:30	Registration	
09:00	Welcoming remarks	Norman Tjombe Director Legal Assistance Centre
09:15	<b>PRESENTATION 1</b> Challenges of the land reform process in Namibia	Dr Nashilongo-Shivute Under-Secretary Ministry of Lands and Resettlement
09:45	<b>PRESENTATION 2</b> Purpose of the Workshop and future orientation, focusing on methodology and process	Mr Christie Keulder Media Tenor
10:15	<b>PRESENTATION 3</b> Overview of the Namibian land reform process	Dr Wolfgang Werner Consultant
10:35	Discussion	Mr Bertus Kruger, Facilitator
10:45	Tea/coffee	
11:15	<b>PRESENTATION 4</b> Outcome of the PTT and future prospects for land reform in Namibia	Mr Vehaka Tjimune Executive Director, Namibia National Farmers Union Former Member, PTT
11:35	Discussion	Facilitator
11:45	<b>PRESENTATION 5</b> Namibia Agricultural Union perspective	Mr Sakkie Coetzee Executive Manager Namibia Agricultural Union
12:05	Discussion	Facilitator
12:15	<b>PRESENTATION 6</b> Pastoralists' transition from communal to freehold/commercial land: Impacts on the environment	Dr Omu Kakujaha-Matundu University of Namibia
12:35	Discussion	Facilitator
13:00	Lunch	
14:00	Identification of major land-related themes for discussion: Feedback from group work	Facilitator
14:20	Group work to develop specific topics and subthemes	Participants
14:50	Feedback from group work	Facilitator
15:30	End of Day 1	

DAY 2 – 22 NOVEMBER 2006		
09:00	<b>PRESENTATION 7</b> Incorporating community-based natural resource management and livestock management as an alternative	Mr Colin Nott Integrated Rural Development of Nature Conservation
09:20	Discussion	Facilitator
09:30	<b>PRESENTATION 8</b> Democracy and land reform	Prof. William Lindeke Institute for Public Policy Research
10:00	Tea/coffee	
10:30	<b>PRESENTATION 9</b> Impact of sustainable agriculture on land reform: Prospects for the future	Mr Alex Merero Polytechnic of Namibia
10:50	Discussion	Facilitator
11:00	<b>PRESENTATION 10</b> GTZ support to land reform	Ms Tanja Pickardt Gesellschaft für Technische Zusammenarbeit
11:20	<b>PRESENTATION 11</b> The role of traditional authorities	Prof. Manfred Hinz University of Namibia
11:40	Discussion	Facilitator
11:50	Identification of major related themes for discussion	Facilitator
12:20	Group work to develop specific topics and subthemes	Participants
13:00	Lunch	
14:00	Feedback from group work	Facilitator
14:30	Synthesis of Workshop	Facilitator
15:00	Vote of thanks	Mr Willem Odendaal Legal Assistance Centre
15:15	End of Workshop	

# Appendix 2: List of participants

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# Appendix 3: Full version of draft paper - A Meroro

## The impact of agrarian land reform on sustainable agriculture and prospects for the future in Namibia

Alexander Kambai Meroro  
Polytechnic of Namibia

**Thesis submitted to the Faculty of Natural Resources and Agricultural Science, Centre for Sustainable Agriculture at the University of the Free State in partial fulfilment for the MSc Degree in Sustainable Agriculture at the Faculty of Natural Resources and Agricultural Science, Centre for Sustainable Agriculture.**

### ABSTRACT/BACKGROUND TO THE STUDY

The Research summarizes or highlights the main findings of the impact of agrarian land reform on sustainable agriculture in Namibia of much larger study. It focuses at the dynamics of agrarian land reform, risk and its impact on sustainable agriculture in communal and commercial agriculture.

In addition to discussion the nature of the interactions between farmers, landless, the poor, the rich producers, consumers, labourers and women peasants, it draws attention to the spatial dimensions of the interactions. It also identifies the reasons why each of the groups is vulnerable, points to efforts to reduce their risk and the challenges faced by those who design and implement the agrarian land reforms.

It draws attention to the key attitudes related to risk involves in agrarian land reform.

The research looks at the dynamics of the relations and highlights the challenges presented by agrarian land reform. It also offers or presents a few recommendations of how these challenges should be approached. The research intend to highlight the answers to agrarian land reform impact on sustainable agriculture in the Republic of Namibia, that sustainable agriculture will succeed only if the people or resettled farmers are given access to productive land through both government, public and private investment through training and development. It also highlight that there is a link between poverty reduction and agrarian land reform and issues of poverty reduction cannot be eliminated without tackling the issue of agrarian land reform.

Research also highlights two other economic notions related with state imposed individual agrarian land rights (tenure) reforms. Primarily speaking the notions of economies of scale in agricultural production. Namibia's evidence and globally illustrate no tremendous or drastic alteration in scale of economies, and if anything, small farms can be as profitable and highly economically efficient as any size with the right solid and effective management.

The research goes further to highlight agrarian land reform actions has consequences on the quality and quantity of natural resources in Namibia in general and environmental degradation is one of the foremost indicators of unsustainable social and economic systems. Agrarian land reform indicators illustrate that all renewable resources water, rangeland, topsoil etc are under constant intense pressure under the present approaches to land re-distribution, distribution and resettlement, and their productivity is under- constant decline.

The agrarian land reform ecozone is the approached method that one needs to consider in order to understand and evaluate the impact of agrarian land reform on sustainable agriculture in Namibia. The study also focuses

on the interactions between the humans (farmers, peasants, women etc) and the environment using the ecozone approach. The ecozone approach in this regard can be termed as the holistic and integrated approach to solving the inter-locking problems facing the land reform, poverty, economic performances of the agricultural and industrial sectors, environmental degradation, and the disintegration of rural economies of the commercial and communal agriculture etc. This take consideration of the scale of economic, ecological, social, environmental and financial sustainability and recognises that the comprehensive agrarian land reform development interventions should be taken at a level which will have a lasting solutions or consequences.

The ecozone approach could be a useful tool or method of approach as a package in the agrarian land reform implementation because of the similarities of the ecosystems and the peasants (farmers) throughout the country.

The contrasts in progress towards sustainable agrarian land reform and development should therefore be seen largely as the outcome of different policies and political systems. By focusing research and actions at the level of the entire ecozone, we can swiftly commence to study from each other’s experience and identify the policies, which support communities’ capabilities to adapt to altering circumstances in ways that conserve their communities and their land.

Lastly the research addresses and emphasis much on healthy lands, sustainable healthy profits and regenerate land. Agrarian land reform policy makers, practitioners and the targeted beneficiaries should think like a river and find peace of mind through the consolidation and management of the reform. “In the long run, we shape our lives, and we shape our selves. The process never ends until we die. And the choice we make are ultimately our responsibility.” Eleanor Roosevelt.

**Categories of Land Tenure Systems in Namibia**

**Table 1: Land tenure Systems in Namibia**

Categories	Ownership of exclusive rights
Open access	None
Communal	Define group
Commercial/Private	Individual legal entity
State Lands	Public sector
Resettlement farms 197 (1.2 million ha in commercial land	Resettled families 1616

**Table 2: Demand profile for land and uses in Namibia**

Category of demand	Subgroup	Types of landed demanded
War Veterans/ Ex-combatants	Ex-soldiers or those who were in exile (1904–1989)	<ul style="list-style-type: none"> <li>• Resettlement</li> <li>• Commercial farming</li> </ul>
Rural households	Landless and land hungry	Resettlement
Farm workers	Former farm managers, farm workers or the children	*Resettlement/ leasehold
Business men / women	Civil servants, formerly disadvantaged middle income people, academics	<ul style="list-style-type: none"> <li>• Land for resettlement</li> <li>• Public leaseholds</li> <li>• Safari / tourism</li> <li>• Leaseholds</li> </ul>
Urban workers	Retrenched workers, aged retired urban workers	<ul style="list-style-type: none"> <li>• Farm plots near towns</li> <li>• Residential land</li> </ul>
Women	Business women, ordinary urban workers, Poor rural women etc.	<ul style="list-style-type: none"> <li>• Leasehold</li> <li>• Resettlement for household food security</li> </ul>

Sources: adapted from Moyo 1999. Ministry of Lands and Resettlement report: Land for Resettlement: demand and supply, November 2004.

**User rights:** are rights to grow crops, trees, make permanent improvement, harvest trees, fruits or farm with large, small livestock or game management and so on.

**Transfer rights:** are rights to transfer lands or use rights i.e. rights to sell, give, mortgage, lease, rent or bequeath.

**Exclusive rights:** are rights by individual, groups or community to exclude others from the rights deliberated above.

**Enforcements rights:** rights referring to legal, institutional and administrative provisions to guarantee rights.

## INTRODUCTION

The term “agrarian land reform” is used here to the entire spectrum of land Relations in Namibia and it relates to efforts to define, allocate, regulate Property rights for all categories of land, including rangelands, arable land, Urban land and special protected areas.

The meaning of Agrarian Land Reform should be understood and supported not only as a policy of for the distribution of land (land reform), but also a more General process (agrarian reform) incorporating access to natural resources (Land, water, vegetation in the case of extraction workers, etc), to finances, to goods and labour markets and in particular to the distribution of the political Power” (International Conference of Agrarian Reform and Rural Development Porto Alegre, 7-10 March 2006. , Issue Paper for Agrarian Reform, Social Justice and Sustainable development).

Any Agrarian land reform tailored to enhance social justice and meet the basic human wants will face obstacles – economically, environmentally and politically.

There is widely genuine acceptable on the need of Agrarian land reform in Namibia as a means of alleviating (reducing) poverty since the land conference held in 1991 under the chairmanship of the first Prime Minister of the Republic of Namibia. The Agrarian land reform on sustainable agriculture is expected to cover different range of social changes involving the availability and access of people and peasants to land, the ownership structure of the land in Namibia, the size of the land holdings and contractual or legal forms (pattern) of land tenure.

Historically many Agrarian land reforms on sustainable agriculture have tried to alter social relationships of property ownership, wealth, social status, and political power. As such they tend to put agrarian land reform into effect, and those often-powerful members of society expecting to lose from it. The following quotations from Herring (1983) illustrate this point:

Agrarian land reforms worthy of the name transform rural society through alterations in the property structure and production relations, redistributing power and privilege. (Ibid: 11).

Land reforms that genuinely overturn the rural society and economy are frequently the product of cataclysmic historical events, often revolutions, which are neither policy options nor common occurrences. (Ibid: 268).

The Republic of Namibia as a whole has the driest climate in Africa South of the Sahara desert. “Climatologically, 28% of the land can be classified as arid, with a mean annual rainfall of less than 150 mm, while 69% is semi-arid, receiving an average annual rainfall between 150 mm and 600 mm (Mary Seely 1991: 2).

At independence in 1990 the new government inherited a highly skewed distribution of land. Approximately 36,2 million of hectares representing 41% of the total area of 48% of viable agricultural land occupied by white

Namibian commercial rangers most of them strongly hostile to the current government. (Wolfgang Werner, October 2001).

There is less agreement on how the Agrarian land reform in Namibia should be designed, carried out and implemented because of limited knowledge of the economic consequences of alternatives schemes. Agriculture in Namibia represent for a substantial share of value added, employment both direct and indirect, it is of paramount significant for economic performances, and poverty reductions that the Agrarian land reform be carried out in the manner that reduces economic, social, environmental and political disturbances while maintaining and if acceptable improving the agricultural productivity and performance.

The agrarian land reform question is? Is land reform a necessity for national growth or a threat to the future growth? This needs an understanding, which is reasonable, and makes a genuine conclusion.

## BROAD AIM OF THE PROJECT

The purpose of the research/thesis project of Agrarian land reform on sustainable agriculture is to:

- Minimise (reduce) poverty
- Increase agricultural output
- Address inequality of land ownership
- Increase the real incomes of farm families
- Increase the number of peasants farm families to obtain an acceptable livelihood from the land or broaden
- The need to increase or broaden the size of the local market as an economic development proceeds.

## CONTEXTUALISATION/RATIONALE

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### The impact of Agrarian land reform on commercial agricultural farming

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The willing-seller, willing-buyer concepts has of late been accompanied by an “expropriation where necessary” clause, and this is in need of further definition and clarity in the interest of economic stability and social harmony. Land reform is essential in country like Namibia, which emerged from the inequalities of the colonial era with widespread acceptance of the fact that the scales need to be balanced in favour of indigenous majority of the population who were politically segregated for centuries.

The commercial agricultural union: Namibia Agricultural Union (NAU) is cautious when it comes to land reform in Namibia. They prefer the orderly transformation, which in turn lead to successful land reform rather than the Zimbabwean land grab which seems to be favoured by some quarters in the government circles of the Republic of Namibia.

The commercial agricultural representative of the NAU view the approved blue-print approach to the agrarian land reform which clearly state that the willing-seller, willing buyer concept is an integrated part of the programme and that negotiated the agrarian land reform that the country agreed to pursue and implement. Namibia’s land is an emotive and sensitive issue for both sides: the current landowners, whose history on this continent is known and the original, first African, who had to go to war to eventually receive democracy, but still sits with no real access to land and therefore, remains in abject poverty (Udo W. Froese, New Era News Paper Friday, 12 August 2005).

The landowners in Namibia in their efforts to remain proactive, and multinational corporation companies introduce the concept of ‘willing seller’, willing-buyers’, being aware that it would be contrary to development, as they decided what land to sell, the timing of sale and the price-thereby making quite sure it was not working. The empirical evidence or observation is on record in Zimbabwe, Kenya, Namibia and South Africa.

In general debate or platform it is regularly agreed that the price for land, according to the concept of willing buyer, willing-seller, should be “market-related or negotiated market-related”. The question is whose market and what market? And who determined the market? Is it not the landowners and their multinational industries, which have all to lose?

To avoid the Zimbabwean land style the Namibian government and the representative mouth piece of the commercial farmers, the Namibia Agricultural Union (NAU) believe in consultation as the only option available to solve the burning issue of agrarian land reform in Namibia.

The commercial farmers (settlers) accept that expropriation is inevitable but government need to be more transparent in its dealings with farmers. Uncertainty over expropriation had forced some farmers to stop plans for investment on the land and this affect the national economy negatively.

The government of the Republic of Namibia has repeatedly stressed openly that it will stick to letter law and spirit of the constitution in pursuing expropriation, although some sections from the ruling SWAPO party, its affiliated union and some opposition parties are calling for the land grabs which is against the promotion of Democratic agrarian land reform.

Democratic agrarian land reform stands in sharp opposition to “Marxist” variety. It emphasis on democratic land reform carried out under law and without violence; provide private land owners fair compensation for any land acquired and leave land recipients free to chose how they will farm (nearly all select to farm as family rather than in collectives or cooperatives}.

While willing-seller and willing-buyer mechanism seems to be a slow process leaving useful lands under the hands of settlers, absentee land lords and multinational corporation that need to be speeded up, there is still large chunk of under-utilised lands under the traditional authorities of chiefs and headmen, administrating them on-behalf of the Namibian government and the communities they represent. The redistribution effort on the land owned by Settlers while taking its course, the land owned by traditional authorities is under greater consideration (Ministry of Lands and Resettlement, National Resettlement Policy, July2001).

The land under the traditional authority is held out of use, thereby denying others for productive agriculture opportunity, self-employment and labour does not have access to land. The land provided should have title deeds so as to use it as collateral purposes. The economic rationale is that land should be privately owned and controlled, because that allows better feedback and incentives than government (traditional authority) control of it.

The application of land taxes can now be debated well for stronger justification if it is supported by the rationale that under-utilised land, whether in the hands of private landowners, speculants or traditional authorities or town council (municipal), put more pressure on the economy.

If all productive land is taxed, it will eradicate any incentives of holding onto the land than using it productively. The Ministry of Lands and Resettlement as the custodian of the lands on behalf of the Namibian government can utilise the land taxes paid to replace many taxes on production (income tax, sales tax, building tax etc). These are detrimental and counter productive since it punishes productivity, thus raises the cost of goods and services.

Land taxes in Namibia decreases the price for purchasing and renting the land, due to the fact that it eradicate the profit from the land speculation, and enhances incentives for the small scale entrepreneurs to own land productive purposes.

Commercial Agricultural farms acquisition by Government of the Republic of Namibia per region 1990- 2004. Commercial farmers of which 142 farms with about 894,448 hectares for the purpose of resettling 240,000

families on the lists were purchased offered about 852 farms for sale to the Ministry of Lands and Resettlement (Ministry of Lands and Resettlement Report: Land for Resettlement: Demand and Supply, November 2004).

**Table 1: Farms acquired by the Ministry of Lands and Resettlement per Region (1990–2004)**

Regions	1990	91	92	93	94	95	96	97	98	99	00	01	02	04	05
Erongo	0	0	0	0	0	0	0	0	0	2	0	0	1	0	
Hardap	1	9	0	0	4	0	2	0	0	0	4	2	2	5	
Karas	0	0	0	0	0	0	8	1	6	3	0	0	6	3	
Khomas	0	0	0	0	0	0	0	0	0	1	2	1	0	0	
Kunene	0	0	0	0	1	4	0	7	0	0	2	3	0	1	
Omaheke	0	0	0	3	1	2	8	1	1	11	5	0	0	0	
Oshikoto	0	3	0	0	0	0	2	3	2	0	0	0	1	0	
Otjozondjupa	1	0	0	0	2	0	2	5	1	1	2	0	5	1	
Total	0	12	0	3	8	6	22	17	10	17	15	6	15	10	

### The impact of Agrarian land reform on communal agricultural farming

The agrarian land reform in Namibia is important in understanding under- development, poverty and in inequalities amongst different groups of society. The motive by the Namibian government with the current land reform initiatives is the necessity to provide land to people who have no land in order to make productive use of it by increasing their capability for sustainable living (GON, Pohamba, H. Budget speech delivered by the Minister of Lands, Resettlement and Rehabilitation on the 23 rd April 2001. Windhoek: Ministry of Lands, Resettlement and Rehabilitation). The ultimate objectives of the agrarian land reform initiatives is that land reform redistribution in communal areas, along with restitution and tenure form, assist in providing access to all Namibian denied access to land over decades and contribute to sustainable development of these people (GON, 1999. Communal land bill. Windhoek. Ministry of Lands, Resettlement and Rehabilitation).

The experience with the current land reform is low level of government services, lack of access to credit markets, and the prohibition of rental and off farm employment, made it particularly difficult for reform beneficiaries in the country to establish viable farming operations and make productive use of the land. Bureaucratic control also hampers the progress to successful sustainable land reform in communal area due to many reform processes through excessive administrative and paternalistic approach in which a land reform agency selects and purchase farms, selects the beneficiaries, designs the farming schemes, and redistribute the farms to beneficiaries. These land reform agencies are expected to provide infrastructures, production support, marketing services and social services, which creates confused objectives and operating guidelines.

Land reform in communal areas addresses poverty alleviation and food security. Access to land is a crucial factor in the eradication of food insecurity and rural poverty. Namibia's poorest people are usually land poor, improved access to land provides shelter and food allowing a household to increase food consumption and may increase household income if surplus food is produced and sold. Access to farmland is a fundamental right that grossly inequitable distribution of land is one of the most common underlying causes of poverty and distribution in much of Namibia.

Therefore redistribution of land in communal areas of Namibia through comprehensive agrarian reform is a basic prerequisite for the kind of inclusive, broad based advancement that allow the country to provide all the citizen including the rural dwellers with decent standards of living, and make possible more ecologically-sustainable management of natural resources.

Advancement (development) should be inclusive rather than exclusive.

The inequitable access to land resources means that the skewed income distribution structure of the Namibian economy will continue to undermine the growth of rural incomes of the communal areas. Agrarian land reform should address the slow industrialization process and the growing poverty in communal areas characterised by unemployment, which cannot be overcome in short term. Access to land in communal areas of Namibia is dependent on land incomes; consumptions and subsistence cannot be over-emphasised.

Namibia's land hunger or questions fuels the growth of poverty, unemployment and income disparities in the face of under-utilised vast parts of communal and country's land and natural resources. Communal farming land has the lowest agricultural potential of 70% of the land under semi-arid and savannah vegetation biome and receiving less than 150–550 mm of rain per year and soils of the lowest natural fertility.

Challenging facing the acquisition of the land is hampered by lack of finance resources against the background of high land costs and the willing-seller – willing-buyer clause of the Western Contact Group Namibia Independence settlement plan (1978-1989).

Commercial farming units created by the Ministry of Lands and Resettlement. The Ministry of Lands and Resettlement has embarked on small-scale development farming, which aimed at equipping rural infrastructure in 457 farming units in Kavango and 82 farms in Caprivi in 2005 / 2006 financial year (Hon Mr. Jerry Ekandjo, Minister of Lands and Resettlement, New Era Newspaper, 4 October, 2006).

According to the study found that the number of applicants for the resettlement has doubled from 1999- 2001 and has declined from 2002-2004 (M. Kasita and T. Muduva, Ministry of Lands And Resettlement report, November 2004).

**Table 2: Total Resettlement application per year**

Year(s)	1999	2000	2001	2002	2003	2004	Total
Applications	136	723	3,042	3,048	1,583	253	9,145

Sources: adapted from the Ministry of Lands and Resettlement Report: Land for Resettlement: Demand and Supply, November 2004

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### The impact of Agrarian land reform on food productions

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Namibia experiences in equity in land distribution tenure and is seen as the primary factors that cause poverty and rural marginality throughout the country. According to this perspective the concentration of the land is in few hands, forcing small agricultural producers and those with limited resources to settle in small lots of marginalized lands. This has affected the way of use of the agrarian land, the agricultural practices and the conservation of the environment. The current macroeconomic policies being pursued denies the agricultural sector, contributing thus to make agricultural production profitable due to high costs of transaction and lack of productive infrastructure and services that support agricultural production. The outcomes, food production is insufficient and the opportunities to obtain income out side the farm that allows the access to food via the market are limited.

Food security, food production in Namibia in relation with access to land needs to be analysed in respects of land property rights. This will determined to what extent the land tenure security creates incentives to invest in agricultural production and environmental conservation measures which at medium term assure the continuity in food production.

If no property rights this can leads to overexploitation of the land and its resources as characterised by land degradation and desertification in communal areas and some commercial farms in central Namibia especially the Otjiwarongo, Otavi, Tsumeb and Grootfontein district. The land productive capacities are being gradually exhausted, reducing food production in the long run. By addressing the issue of property rights this will emanate in creation of incentives for farmers to invest in agriculture and conservation measures of the land and its resources. Insecurity on property rights retard investments in agriculture, delaying rural advancements, decreasing food production and increasing food in-security in population. Immediate cause of food in security is due lack of access to the use of land and land is a factor which is vital for the rural peasants to generate and obtain food.



Empirical evidence illustrate the essential of access to land on the part of the rural population, to achieve food security or contribute more effectively to achieve food security. The purpose of access to land is widely recognised by the Namibian government, which is spearheading the land distribution programs between the rural populations (Brown, C. "Land as a factor in rural poverty alleviation in Namibia. Environment considerations" in Namibia, Ministry of Lands, Resettlement and Rehabilitation, land as factor in Poverty alleviation in Namibia, Windhoek).

Distributive agrarian reform as well as land transactions programmes need to be executed in order to grant access to land, reduces the levels of rural poverty and overcome food security. Experience in Namibia shows evidently that access is necessary state but not enough to reach the targets of rural poverty alleviation and this does not guarantee food security of the population.

Accesses to production factors in Namibia (land, working capital and technology) are fundamental pillars to eradicate or defeat poverty in rural and urban poverty. The production factors (access type and forms of use) as well as income gained outside the farm can be considered as being part of asset portfolio, which rural homes have at their disposal to generate income and assure livelihoods. The access to land is important both from productive point of view (food production and income generation) as well as for being provider of long term stability via permanent settlement in it that is the construction of houses. Therefore agrarian reform should facilitate the access to land and direct contribution to reduction of food security and rural poverty levels.

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#### The impact of Agrarian land reform on production fluctuations

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Market oriented land reform policy was imposed on the Namibian government by the Western Contact Group during the negotiation for the independence of the country and adopted by all parties to the conflict. "Market-assisted", "market-based", "negotiated land reform" or market-oriented land reform is part of the World Bank's structural adjustment program, which imposes the supreme role of the market and minimal government intervention in the economy (World Bank 1974. Land Reform. Washington D.C. World Bank, Rural development series paper).

It relies on voluntary land transfer based on negotiations between buyers and sellers. The government's role is limited with the assistance of foreign governments such as the United Kingdom of Great Britain and the Federal Republic of Germany and international financial institutions (Jennifer del Rosario, IBON Foundation, INC.30 Dec 2005).

The purpose of market oriented land reform is to (a) direct land transactions between willing buyers and sellers, supported by foreign funds, financed by subsidised credit to enable potential buyers to pay the prevailing market prices. (b) No expropriation of private lands but instead a voluntary transactions using property as collateral in the credit market. (c) Participation of non-governmental groups in the process of implementation.

The objectives of the agrarian land reform in Namibia could be to achieve equity (demand and supply of land), to improve the productivity (big versus small farmers in both the commercial and communal agriculture, stimulate environmental protection and conservation of biodiversity (Namibia Vision 2030, Policy Frame work for Long-term National Development Main Document, 2004). The impact on production is the change that has taken place in commercial agriculture during the early days of independence in 1990's such as the increase integration into the world economy, cancelling the state supported subsidies for agricultural production and marketing and rising capital intensity, all contributes to steep declines in permanent employment and changing patterns of the land utilization. Beneficiaries of the land reform in Namibia are not utilizing the land efficiently, effectively and productively because they do not involve in significant commercial agricultural production for the market.

In some cases there is a perceptions that the transference of the land to subsistence farmers or land users is seen as a waste of resources. Such perceptions is made to alter the land reform policy at enhancing commercial

agricultural production for the market rather than importing subsistence agricultural production into the prime land agricultural commercial production and emphasise full time farming on large land.

However the visit to communal land plus supported empirical evidence among the land reform beneficiaries illustrate that the resource poor rural farmers utilises the land productively and resourcefully (Ruth hall, Peter Jacobs and Edward Lahiff, Evaluating Land and Agrarian Reform in South Africa, Programme for Land and Agrarian Studies, School of Government University of the Western Cape, September 2003).

The farmers encounter considerable limitation to production and participation in agricultural production markets that limit their livelihoods to survival mode. Many derives their incomes from a variety of on-farm and off-farm sources that covers crop and livestock production, harvesting and processing of natural resources. Production for markets is low with regional variations. There is difficulty in obtaining access to production in inputs and markets. Actions is therefore needed to address all the constraints to production and the contexts risks and opportunities that structure the subsistence economy under agrarian land reform (Ruth Hall, Peter Jacobs and Edward Lahiff, Evaluating Land and Agrarian Reform in South Africa, Programme for Land AND agrarian Studies, School of Government University of Western Cape, September 2003).

According to Barras Jr, Kevy and Lodhi, 2005 “the era of radical agrarian reforms, however, is over. Despite the continuing arguments by scholars and activists in favour of agrarian land reform...as well as recent upsurge in ethnic and peasants’ movements for land redistribution in the region, there has been driven from the above by the state and international agencies. Thus future state intervention in land tenure systems are likely to be confined to land policy that focuses not on expropriation but on progressive land tax, land settlement, colonization, land markets, registration, titling and Secure property rights.

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#### Direct impact of the land reform on poverty and nutrition

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Land in Namibia represents fundamental assets. It is the main sources of income, security and status and almost half of the Namibian population households lack access to land or secure stake in the land in which they farm or cultivate. This culminates in acute poverty, related hunger problems; social unrest and land degradation persists. Rural poverty in Namibia cannot be eliminated or solved in the agricultural sector alone or the rural areas of Namibia alone. Progress requires greater opportunities provided by higher overall economic growth, combined with increased emphasis on human capital development and provision of infrastructure in rural areas, increased research, extension, and improved access to land and modern inputs. Poverty in Namibia is overwhelming an urban, peri-urban and rural problem. Nearly over half of the rural population is poor, accounting for nearly two thirds of the country’s total.

Urban poverty is severe and extensive are not benefiting directly from the accelerated growth. In addition access to health and educational services is better than urban areas. The major problems facing the poor in Namibia are inadequate housing, transport, unsafe and in adequate water supply, inadequate disposal of human and solid waste. All these problems are directly linked to the failure of urban land market, which results in both poor families living in unsatisfactory conditions on land to which they do not have legal tenure. Strategies to address the poverty and nutrition in agrarian reform should focus on: (1) strong focus on economic growth driven by openness and competitiveness and accompanied by macroeconomic stability. (2) Improved access to the means of production by rural poor focus on rural land reform, promoting tenancy and markets assisted land reform by ensuring essential investments in rural infrastructure and improvements of agricultural extension services necessary to raise productivity and incomes. (3) Addressing the scarcity of affordable urban areas by considering urban land reform, extending water and sanitations to the poor urban areas, while slashing public spending on housing which does not reach / benefit truly the poor. (4) Accelerate and increase in human capital by improving the quantity and quality of primary / secondary education across the country, easing access to both primary / secondary education in rural areas, and strengthening primary health services, especially immunization and prevention of water related diseases.

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### Direct impact on poor producers/rich producers

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Namibia's economy is growing at an alarming rate with disparity, poverty and inequality, which is escalating, and the government seems to be unable to address the gulf between the poor and the rich. Focussing on revitalizing of small holders agriculture and rural livelihoods seriously in communal areas and under-utilized areas seems to be part and parcel of the answer through agrarian land reform.

The resources-poor farmers in Namibia are expected to keep with the modern competition of agriculture in the face of declining agricultural output prices. All indicators of rural poverty especially women's poverty, illustrate a common factor which is unequal access to land, compounded by markets. This supports the importance of agrarian reform. Successful agrarian reform in other countries such as The State of Israel, Taiwan, South Korea and Malaysia has not only rectified income distribution but also resulted in dramatic increase in productivity.

Improvement in the distribution of wealth, resources and opportunities in Namibia is a key factor under the agrarian land reform in the fight against hunger, extreme inequity and poverty reduction which will result in desperate citizens and destabilizing tensions in both rural, urban and peri-urban communities or areas. It should address the targeted measures: immediate food, health care requirements of the disadvantage communities and provide access to inputs, infrastructure, services and mostly important infrastructure, services and most important education

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### Direct impact on landless labour

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Namibia's agrarian reform contributes to the low productivity of Farmers and lead to slow growth of the agricultural sector. The landless becomes of the victim of poor and unplanned reform and Institutional reform and capacitating. Landless in Namibia are the poor of the poorest who dwell in the rural areas, peri-urban areas and employed as farm labourers in both commercial and communal agricultural sectors of the dual economy. The lands in which they cultivate or farms are of the poor quality plots are too small to support the family. They form the majority of the rural and urban poor and hungry and it is in rural / peri-urban areas where worst poverty and hunger can be realized. The expansion of agricultural production for export controlled by wealthy elites, who own the best lands, continually displaces the poor to ever more marginal areas for farming.

Landless groups are bringing land reform to national and international forum and international policy debates – even as they try to occupy or size, cultivate or farm idle lands -often at tremendous costs of their lives and arbitrary arrests such as Ongombo West farm and illegal refusal to vacate Western Kavango etc.

The absentee landlords, business sectors, financial institutions and the commercial white farmers are not in favour of agrarian land reform. The Bank Economists in their favour concludes that extremely inequitable access to productive resources like lands prevents economic growth, and banks are now placing their version of the land reform at the centre of the policy packages it pushes on government of developing countries. For example the World Bank did plans to provide \$ 1billions to create "Land Bank (Banco da Terra) that, while claiming to support land reform, actually subverts it. The terms of the World Bank- sponsored plan are far worse than for those receiving the land offer a windfall for large scale farm owners (Dorner, P. (ED) 1971. Land reform in Latin America: issues and cases. Madison: University of Wisconsin).

In an attempt to dismantle successful resistance, World Bank and the Brazilian government are offering up this alternative mechanism. They are offering \$ 1billion and beginning with a pilot project called Cedula Da Terra. They hope to draw the landless families, pay cash to large land Owners and then strap the families with high credit terms and no subsidies to fund their productive activities (seeds, farm equipments, etc).

They reward the landowners and penalise the poor. The condition offered by the World Bank – such as high interest rates – will make it impossible for the landless farmers to pay back their loans. As consequence, these

farmers lose their land. Current program of agrarian land reform in reality do not benefit the landless but benefit the landowners especially the ones who do not contribute to improving social conditions in the country side-those who do not preserve the environment, who utilize the land for speculative purposes instead of production, who do not respects labour rights. They do not fulfil their social functions as established by the Namibian constitution or the Brazilian constitution etc

If the financial institutions in Namibia and the World Bank, European Union Federal Republic of Germany and the UK are concerned with the welfare of the low-incomes Namibians and wants to promote sustainable development in Namibia, it should conduct a evaluation of the program as recommended by the NGO's, Civic organization, Labour movements, Communal and commercial agricultural unions, churches etc.

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#### Direct impact on consumers

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Namibia's agrarian land reform does not make any contrast or difference or had in fact worsened the economic situation of the farmers. It is also can be said that it is dangerous to say that agrarian reform does not in any way make positive impact on the lives of the consumers. The government need the political will to implement social justice through its agrarian reform. In this process the media / electronic print would not become a tool for legitimising the land monopoly and the legacy of colonial development that built wealth on the backs of the poor.

The media should live up to be the champions or the defender of the public interest. Agrarian land reform is the key to ending rural poverty. Family farming under the agrarian reform can be more efficient means of production of food and promote development than large-scale operation farm. Through this unit agricultural production can be worked by a single family can be successful and lead to sustainable income as far as certain condition are in place such as access to markets, credits, education and technology. The agrarian land reform policy can unleash the potential of the poorest sectors of the society to make better producers and consumers through access to land, capacity building and public investment, will contribute to economic prosperity in general:

- Change in land security to land ownership has boosted agricultural productivity in certain areas of the country and the purchasing power of the consumers (GON, 1999. Communal land reform bill. Windhoek. Ministry of Lands, Resettlement and Rehabilitation).
- It also contribute to land security increases farmers investment and income. For example: Mr. Ataa at Mangetti dune in Bushmanland is a small farmer in Namibia's Otjozondjupa region. In 1990-1995 as part of the central government pilot project for the resettlement and rehabilitation of ex-san soldiers in Bushmanland and West Caprivi. He and others received land use rights to 5-10 hectares of land they have till.
- Their land rights have remained secure since this time and free from interference by local officials. His new security on the land made long term investments to improve productivity, care for his land and increase his income. Large investment made by him and the family is the purchase of a Massey Ferguson tractor in Grootfontein and the purchase of 40 herds of livestock.

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#### Direct impact on women as peasant house hold

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Agrarian land reform in Namibia extent to which women rights and interest in land were addressed during the commencement of the policy on land resettlement and redistribution. This shows that a small number of women gained access to land through the programme; land reform did not culminate in sufficient large scale to benefit the great majority of the poor, rural women. The demand for the land reform is being fuelled by severe poverty

in rural areas as well as unemployment in the formal sector of the economy.

When families receive land they must not be saddled with heavy debt burdens. This can be accomplished by government expropriation of the idle lands with or without compensation for the poor owners. Women should have the right to hold title deeds on the land. When titles are vested exclusively to male heads – of the households, domestic disputes or the premature death of a spouse inevitably lead to the destitution of women and children. The land distribution to women should be good quality, rather than ecologically fragile soils, which could never be farmed, and it should be free from disputed claims by other poor people. Women need more than the land if they are to be successful. The government policy on agrarian land reform should be supportive policy environment and essential services like credit on reasonable terms, infrastructure, supports for ecological ‘sound technologies and access to markets.

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#### Direct impact on legal application

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Agrarian land reform is being carried out by the Ministry of Lands and Resettlement on behalf of the Namibian Government as social justice measure to change the current status quo of unjust and inequitable land ownership in Namibia and resources by a few minorities individual in society. For centuries from the German occupation of Namibia (formerly German South West Africa) from 1884- 1915 then became South West Africa under South African rule to the present, agricultural lands have been in the possession of few minority settlers, powerful lands lords and corporations. The indigenous majority people have remained as communal farmers, farm workers and landless agricultural labourers, a factor that culminated in under-development of the agricultural sector in the former homelands / reserves. The land disputes stems mainly from agrarian disputes brought about by the prevailing agrarian conditions.

Agrarian land reform in Namibia has the fundamental legal mandate. It is embodied in the 1978 Western Contact Group negotiated settlement of the United Nation Resolution 435 for the independence plan for Namibia, 1989-1990 draft constitution of the Republic of Namibia which emphasis the importance of land reform as a social justice programme that must be given priority by the state. The national consensus on land reform and land question was organised and chaired by the former Prime Minister of the Republic of Namibia Dr. Hage Gotlieb Geingob in 1991. Again the National land Policy provides the policy frame work within which government seek to address the problems of dispossession, discrimination and unequal access to land” in the spirit of national reconciliation, constitutionality and nation building (Wolfgang Werner, Land Resettlement Policy in Namibia, October, 2001).

There is a genuine concern that the implementation of the agrarian land reform that considers redistribution of the land from the genuine rich to the poor either through confiscation or through the pre-emptive invasion belongs to the past. However this does not denies or debar the Namibian government from seeking the mode of improving access to productive resources such as land, water, etc) as the foundation to rural advancement policy. There is an increasing demand from the stakeholders or partners in the delivery of the agrarian reform in exploring ways of accomplishing the rural advancements objectives of the land reform within the policy framework of economic and political liberalization. In order to attain this, the Namibian agrarian land reform requires the effective, efficient functioning agrarian land reform legislation. Its law should be turned into action implementation but not a mere talking show. It is the lacking functioning “law in action” the result of lack goodwill on the part of the legislatures that passed it. The management cadres still lack the tools and understanding of communities put the laws into actions when it focuses with massive transfers of property rights.

Land reform should be accompanied by corresponding institutional reforms relating to land tenure and rural advancement, and land reform must be accompanied by policy reform. These sensitivities can alleviate to elucidate the wide concepts of land tenure reform. Land reform tenure security should be linked to both supporting legal framework and the formation of necessary institutional arrangements to allow the effective well functioning of supportive legal matrix.

Institutions under the process of agrarian land reform are of paramount importance- they translate the necessary rules through which land transactions for example, are organized and planned. At the end it culminates clearly that the land redistribution only assumes significance following the creation of the necessary legal and institutional instruments to ensure that the land is held as a right according to whatever tenure conditions are defined in the reform process.

The debate or arguments in Namibia permit the acceptance of three “types” generation of the land reform. The first refer to the land reform in which land is issued or redistributed by the state of Namibia (Ministry of Lands and Rehabilitation as the custodian of land) according to the defined discretionary rules, second to cases in which land is purchased for redistribute purposes and the third generation refers to the cases of land reform occurs in the context of a comprehensive supporting institutional frame work that enshrines rights and security. At the same time, of equal importance, third generation land reform is distinct in that it doesn't focus itself mainly with the landless poor groups, but also seeks to utilise reforms as a means of strengthen the economic and productive capacity potential of existing producers who are constrained by pre-existing tenure arrangements and the institutional dysfunctions.

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#### Direct impact on the rangelands

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According to Chris Brown (1994) Namibia is the most arid country in sub-Saharan Africa where the desert, arid and semi-arid regions make up 92% of Namibia, while only 8% of the country is characterised as semi-humid / dry sub-humid (SADC Land & Water News Letter, volume 1, issue 2, August 2006). The Desert and the arid areas obtain less than 100mm precipitation (rain per annum), while the semi-arid areas receive between 100-500mm of rain per annum and only 8% of the entire country has an annual rainfall of more than 500mm (Chris Brown, 1994).

The vegetation of the arid region of Namibia is usually sensitive to utilization, and land degradation, either in the form of desertification, bush encroachment or deterioration of species composition, is commonplace in large areas of the country. According to Chris Brown (1994) Namibia's economy is largely reliant on renewable natural resources, including those in sectors of agriculture, tourism, fisheries, wildlife, forestry and water (SADC Land & Water News Letter, volume 1, issue 2, August 2006). Namibia's vision 2030 predict that poor soils, rainfall variability and water scarcity severely constraints sustainable agriculture and future land utilization will be affected by land degradation, largely due to overgrazing, uncoordinated land reforms and climate change.

The government of the Republic of Namibia regards agrarian reforming law and policy for all categories of land as major advancement priority in order to create incentives for socially equitable and environmentally sustainable economic growth. All lands in communal area in Namibia remains state owned ownership. The privatisation of rangelands is prohibited under the constitution in communal areas. Private lands ownership in Namibia can offer several unlocked wealth potential and essential advantages, especially for land with intensive and extensive economic activities. The country requires to realize much of the benefits of freehold or private lands ownership with a state ownership system if it is willing to give long term relatively unrestricted, transferable rights to land and it is willing and able to enforce and protects those rights.

Introduction of freehold or private lands ownership (transfer rights generally) in communal areas should be analysed differently for the different categories of land as part of the general costs / benefit analysis in introducing freehold or private land ownership for each category of land. The Namibian government has adopted a resolution that outlined an action plan on the acceleration of the land reform. The actions listed fall under three categories: changes in the legislations, upgrading land management, and providing training and equipment to land administration.

Namibia's policy on rural development and agrarian reform should aimed at reducing and control of land degradation which is characterised by overgrazing, rangeland degradation (2) facilitate growth and Commercialisation of the country's livestock production sector on a sustainable basis (3) and promote greater equality of incomes in rural areas. The land reform policy addresses increasing concern over the problems of overgrazing in communal areas of Namibia especially villages etc. It also focuses on the trends towards wealthy farmers livestock owners gaining increasing control over substantial portions of the rangeland. Equitable distribution and proper utilization of the available rangeland are viewed with important concern by the Namibian government. The improved system of livestock and rangeland management, together with better systems of land allocation, will bring a reduction in problems of rangeland degradation and increase the income gulf in income between the rich and the poor in Namibia.

The participatory rangeland management is a practical approach to land management and agrarian land reform by playing an important role in information dissemination and education of communal and commercial land users especially in the light of an effective agrarian land reform strategy envisage by the Namibian government.

Considering the disadvantages of the resettlement of process, most of the resettled farmers soon reduce their resettled environment to desert-like conditions. This happens involuntarily and they are unable to reverse or correct the process due to insufficient knowledge and training support. This creates an obvious environmental obstacles as well as political difficulties, since such farmers will soon be calling on government again demanding for further land, as they were given bad land to commence with. If the resettled farmers have to be resettled again because they have degraded their formerly productive resettlement farms, then the process will not stop till all Namibia's available rangeland and agricultural resources have been degraded. Knowing the rapid degradation of the resettlement farms can be expected, government is forced to acquire only the best commercial farms for resettlement, to give the resettled farmers as big as possible a window of opportunity to make it, against all odds. Government have to pay high prices for the best farms, placing severe strains on the budget allocated to its line Ministry for this purpose. In addition the best farms are among the most productive in the country, and taking them out of the loop and exposing them to involuntary degradation reduces overall productivity of the land and the agricultural economy. Agriculture is still an important sector of the national economy; this is affecting the size and the productivity of the national economy negatively, and reduces employment.

Land reform actions have consequences on the health quality and quantity of natural resources in Namibia. It also contributes to environmental degradation as an indication of unsustainable social and economic system. Land reform indicators illustrate, however, that the renewable resources such as water, topsoil and rangelands are under sever stress as a result of the present implementation practices and the productivity of the resources is deteriorating.

## PROBLEM STATEMENT / DESCRIPTION OF THE PROBLEM

- The nature of land reform and its relevance to Namibian and Southern Africa context.
- The objectives that provide reasons and logic of different types of Agrarian land reform.
- Consideration of other ways of alteration in land tenure is planned, or materialised as a result of the Agrarian land reform.
- Investigate major tools (instruments) by which varieties of Agrarian land reform policy have been put into effect.
- Establish and deliberate on the main defects and problems linked to the failures of Agrarian land reform polices in Namibia or with their partial success.
- Establish the lessons emanating from the experiences of Agrarian land reform.
- Establish the position of peasants farmers in relation to varieties of Agrarian land reform policy in Namibia.
- Deliberate on the present and future relevance of Agrarian land reform in Namibia.

## NATURE OF THE PROBLEM

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### Nature, scope and definitions

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Land reform involves the change made on minor/major adjustments in the socio-economic environment. Agrarian land reform in Namibia looks at the redistribution of property ownership in land or other right to access to the utilization of agricultural land, land tenure (farm tenure and communal tenure).

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### Political pressure on land

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Arise due to the growing disparity between the haves and have not (unequal), but fixed, structure of ownership, the rapid changes taking place in the country.

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### Population growth, income growth, market development, changing forms of economic exchange or social inter-actions.

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As a result of the differences in income disparity between the solid (rigid) land ownership and accelerating social change worsen and the gap between the two forces increased and creates an explosive social force that are ready for confrontations.

## RESEARCH AIMS AND OBJECTIVES

Agrarian land reform is always accompanied by compound of political objectives, social objectives and environmental-economic objectives.

- The purpose/objectives are to investigate or examine the impact of Agrarian land reform on sustainable agriculture, its contribution to increase agricultural output.
- Reduction in poverty among rural families and farm workers by providing them with adequate land for agricultural use.
- Contribution to employment
- Contribution to income distribution
- Addressing social justice
- Increase the domestic market as economic development
- Promote environmentally sustainable utilization of land through agriculture and eco-tourism.
- Develop and investigate small-scale farmers into the mainstream of commercial agriculture.
- Create conditions for sustainable economic, political and social stability.
- Acquire excess land for resettlement from large scale commercial production farming sector for redistribution
- Increase the contribution of the agricultural sector to GDP and foreign currency earnings.

**Relevant:** The research is aimed at to what extent Agrarian land reform disrupts agricultural production and how economic viable is the government supported land reform in Namibia. Opening up of new areas for Agrarian resettlement, or un-used state lands available for re-settlements.

## RESEARCH STRATEGY/METHODOLOGY

This is a field work (field verification) study and deskwork study. The data analysis in the study related back from 1990 to 2006, at local, Regional and National Level. The research work focuses on the Impact of agrarian land reform on sustainable agriculture, how it affects the economic well being of the country.



## DATA COLLECTION

A number of research methods would be used in this study: Desk-based research that involves the collation of existing relevant written material on agrarian land reform in Namibia. The data collection commenced in August 2005 and ended in January 2007. Information on demand for land supply was gathered from the Division of land Use Planning and Allocation and field visit to the Resettlement farms (Queen Sofia resettlement farm in Kunene Region, Excelsior farm in Oshikoto region, Drimiopsis Resettlement farm in Omaheke region and Bernafay Resettlement farm in Hardap region etc.

## SURVEY QUESTIONNAIRES

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### Random sample of 100 communal & commercial farmers

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The communication approach is questioning or surveying of farmers or people and recording their feedback for analysis. This differs significantly from the observational approach at field visit to the resettlement farms acquired through the willing seller – willing buyer and affirmative action buyers. The survey questionnaires have shortcomings experienced and its primary weakness is that the quality and quantity of information obtained heavily relies on capability and willingness of the respondents to cooperate. People sometimes do not want to be interviewed or even fail to reply to mail survey.

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### Data Analysis

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The data analysis on land supply was obtained from the division of Land Use Planning and allocation Report for Land for Resettlement: Demand and Supply of November 2004.

Questionnaire (Focusing on commercial, communal farmers and policy Makers or formulators. Questionnaires to be tested on different farmers and policy makers.

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### Sampling method (simple random sampling)

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Sample size (number of farmers 100 in total)

The basic sampling is that by selecting some of the elements in population, we may draw conclusions about the entire agrarian land reform impact on sustainable agriculture.

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### Interviewing (personal interviews / posting)

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Interviews conducted with individuals (key informants) who are likely to be well informed about the impact of land reform on sustainable agriculture in areas identified e.g. local farmers in communal / commercial farming areas, agribusiness enterprises sector, Economist / agricultural economists, resettlement officials, Regional government officials or authorities, rangeland management practitioners, environmentalists, local & international agencies operating in Namibia, Policy makers & Policy implementers, rural water supply officials, Farmers Unions (NNFU & NAU) officials and members, trade unions, consumers, producers and traditional authority etc.

The key informants were interviewed using semi-structured interview questionnaire (see Annexure) to give reliable factual matters. Descriptive statistical analysis will be conducted using MS Office Excel to analyse the quantitative data analysis.

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### Secondary data (support the justification)

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Published data documents prepared by authors outside the sponsor Organization which help what needs to be done and can be a rich sources of hypotheses. Studies made by others for their own purposes represent secondary data to me. They fill a need for a specific reference or citation on some point; they keep the researcher from “reinventing the wheel”; and they may used as the sole basis for a research study. Secondary data sources can be usually found more quickly and cheaply than primary data, especially when national and international statistics are required.

Land redistribution (expropriation, compensation, exemption and distribution). Land settlement (set criteria rules for releasing land for settlement, opening new area). Agrarian land reform tenure types of contract between land owner and tenant (changing rules, concerning legal and illegal)

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### Study populations and sampling

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- Respondent groups
- Sampling frame work
- Description of the population
- Description of the technique
- Size of sample

### LESSON FOR FUTURE

1. **Lesson** in each activity serves as modify and improvement for the subsequent Activities.
2. Agrarian land reform in Namibia encounter institutional problems in farmers organizations, state extension agencies as well as cultural, social and economic obstacles in grassroots consolidation.
3. Strengthening the training methodologies of extension workers, farmers, women farmers, women trainees and women’s groups.
4. Obstacles persist that complicate or diminish the impact of the land reform. These constraints on future success are the institutional, economic and structural.
5. Alteration (change) in personnel government extensions agencies due to poor remuneration and difficult working conditions reduces the effects of training on field’s staff.
6. Cut backs in the country’s expenditures due to structural adjustments policies also reduces the number of trained / professionals extensionists and social promoters who work with small holders (peasants) in communal areas etc.
7. Future sustainability and success of the agrarian land reform in Namibia depend on future access to economic resources (Namibia Vision 2030, Policy Frame Work for long-term National Development Main document, 2004).
8. Namibia’s economic conditions, which make life difficult inflation, cutting of subsidies, reductions of services, personnel reductions in government agencies or departments affect both women and men’s group and individual activities.
9. Pressure on land is set to increase over future years, given the impacts of continued population expansions and demographic changes including urbanization, globalisations of markets and activities, trade, negotiations, and climate change.
10. Permaculture / urban agriculture (biological agriculture, holistic agriculture etc) are good techniques or solutions to tackle for security, poverty and alleviations.
11. Progresses have been made legally to support and protect women rights; minority rights and the rights of the disadvantaged Namibians e.g. San, Himbas and the Social disable and displaced people etc. It is hard to assess the overall effectiveness of these norms in multiplying women participation in sustainable reform programmes effective interventions are required to balance the gulf between law and practice.
12. Introducing legislation seeking to protect grazing lands and corridors from agricultural encroachment.

13. Balancing land access policies and programmes needed to stimulate agricultural advancement and protect more vulnerable groups against deepening poverty, secure lands access create a lessons for the direct participation of poor in a socially inclusive advancement processes (Namibia Vision 2030, Policy Frame Work for long-term National Development Main document, Office of the President, 2004).
14. Namibian agrarian land reform increases the potential share of small farmers, as they must assume the increase risk of cultivation: credit, rising costs of inputs, fluctuating commodity prices.
15. Agrarian reform has the potential of increasing the farmers incomes and this potential share for farmers could increase further improved in productivity. In the same veins this need access to a variety of support services such as credit, irrigation and agricultural extension, all of which are currently inadequate under the land reform policy.
16. Agrarian land reform in Namibia is based on recognition of its importance to economic, social and political stability. Asset ownership by the rural poor is now increasingly recognised as being important to sustained and broad based economic growth. Social equity is driving the global value and Namibia cannot be a spectator. Good governance and political stability are recognised pre-requisites to economic growth and the eradication of poverty.
17. Namibian agrarian land reform is about sustainable agriculture, sustainable development in order to achieve sustainable environmental, social, ecological and economic development and stability (Namibia Vision 2030, Policy Frame Work for Long-Term National Development Main Document, Office of the President, 2004). It has to deal with emerging resettled farmers, resettled landless, small farmers in communal areas, urban and peri-urban dwellers etc. The way they live, organise their social, economic and political systems to make critical decisions on who has the right to use which resources, in which ways, and how long and for which purposes.
18. It claims to change the relationships, alter land tenure relationships, alter the current culture of denials of the poor gain access to credit, technology, technology transfer, markets and other productive services. Aims for the poor to be pro-active participants in the advancement of government programmes and policies affecting the communities and livelihoods.
19. No empowerment if people do not participate in decisions that affects them. Participation is meaning less if the landless (people) do not participate in decisions that does not result in improved access to productivity and productive resources.
20. Need to foster forms of partnership between civil society, government agencies, private institutions and international organizations for information sharing, promotes dialogue among the affected groups and to contribute to consensus building.
21. The present / current natural resources base upon the present and future generations rely and will be managed and controlled sustainable.
22. Based on the vision and provision of the Namibian constitution and the lesson of 15 years of independence and multi-party functioning democracy, there is a wide spread confidence in the effective and speedy implementation of land and agrarian reform (The constitution of the Republic of Namibia, Ministry of Regional, Local Government and Housing and Namibia Institute for Democracy, September, 2002.. The access to land, opportunity and growth is the genuine demand for the generations.
23. The failure of the land reform in Namibia can be concluded by: implementation pace is slow due to a number of excessive bureaucracy and over-centralization, no clear definition of the role of the public sector exists and the need for additional services has not receive serious adequate attention.

## CONCLUSION

Land is the primary natural resource that is the key to the advancement of any communities or nations. It has multiple functions that range from supporting ecological processes, acting as inputs and sinks for various economic sectors to providing a basis for social, spiritual and political identity.

In conclusion, land reform policies in Southern Africa seem to be evolving through the inter-active use of market and compulsory approaches to land acquisition for redistribution, restitution and tenure reform to both the landless and emerging black agrarian bourgeoisie. Official agrarian land reform policies are increasingly being forced

to responds to growing popular demands for land. An important lesson to be learnt from political independence settlements territories of the sub-region is that, but not sufficiently addressing the problem of inequitable land natural resources ownership, the down stream entrenchment of unequal racial economic opportunities, ensuing from such control in economies facing slow employment growth are likely to fuel agitation for racial land reform. Thus, land redistribution, restitution and tenure reform in redressing historical ingredients of reconciliation and development and essential to the resolutions of national questions and democratisation processes (Moyo, S. (2004). *African Land Questions, State and Agrarian transition: Contradictions of Neo Liberals and Reforms*. Codesria Green Books).

- Land shortages contribute to conflict occurring in Namibia such as the recent disputes between illegal settlers from the former Ovamboland (Ohangwena, Oshikoto, Oshana and Omusati region) and Kavango farmers in the Kavango region. Supply induced shortages caused by land degradation and land depletion.
- Unprecedented population growth is leading to increased demand and utilisation of land and other resources and this demand-induced security.
- Unequal social distribution of land concentrated in the hands of a few commercial farmers and influential absentee landlords. These types of scarcity are leading to social effects, environmental degradation, lower agricultural production, weakened institutions and economic decline.
- Landowners still persists their stubborn attitudes in demanding for high land prices and this forces the government to expropriate their farms and for the landless calling for the Zimbabwean land grab (Hon Izak Katali, Namibia Deputy Minister Of Lands and Resettlement on official visit to Zimbabwe, 2004).
- Willing-buyer and willing-seller negotiated transfer may not necessarily speed up the land transfer and bring down the financial implications of the agrarian land reform. For example THE SOUTHERN TIMES Newspaper for Southern Africa dated the 29 October 2006- 4<sup>th</sup> November 2006 Windhoek Namibia by the Southern times writer carried an article that South Africa is set to seize up to six white owned farms in coming weeks as the government steps up its land reform exercise in bid to beat a December 2008 deadline. A government land commission said the government had sent notices of expropriation on four pieces of land in the country's Limpopo provinces two weeks ago, threatening the seizure of the land if the owners did not accept a government offer of cash. The notices followed two earlier expropriation notices that were issued on two other farms earlier this month, one of which is owned by the Evangelical Church of South Africa.

The government's chief land claims officials, Thozi Gwanya said the owners of the farms had a month to respond to the expropriation notices, after which the properties will be taken over by the state. The Minister (of agriculture and land affairs) has signed notices of expropriation and they have been sent. The owners have 30 days to respond, following which we will begin with the expropriation procedures", Gwanya said. He said one of the initial two farms was located close to the mining town of Cullinan, the site where the world largest diamond was found, while the other was in Northern Cape Province. The government is understood to have offered R520, 000 in compensation for the 106ha Cullinan farm while the owner was demanding close to R1-million. The Evangelical Lutheran Church wanted R70million for its 25, 200 ha property, while the state offered R35, 5million, an amounts its said "was the higher than the market price rate when negotiations began three years ago".

The other four expropriation notices have been issued on four portions of the Turfontein 499 KR farm in the Waterberg district. Gwanya said the government had offered R435, 000 for a portion of 21 4133 hectares, R 525 000 for another 214133 hectares, R300, 000 for one of 23 3219 hectares, and 750,000 for a fourth portion of 22 2357 hectares. However he accused some of the white farmers for delaying negotiations in a bid to push up the prices of their properties. The more they delay, the more the land prices go up", the land commissioner said. The government's moves towards the land seizure have raised eyebrows among the South African public, some of whom fear the government's approach could have adverse consequences on the country's economy and social coherence

In a statement issued two weeks ago the opposition Democratic Alliance (DA) warned that the government faced severe adverse consequences if it persisted with expropriation of farms. Like many opposition parties in southern Africa the DA rejects appropriation even where there are no enough willing sellers of the land. Abandoning the willing seller, willing buyer principle in favour of a model that sounds uncomfortable close to the pre-land invasion model in Zimbabwe will have far-reaching negative consequences for South Africa”, the party ‘s Land Affairs spokesperson, Maans Nel said.

While the DA believes in the principles of expropriation, the party believes government has abused the procedures and is taking the advantage of it to cover its back on a lagging commitment to redistribute 30 per cent of agricultural land to blacks by 2014.

Expropriation is recognised tool for land distribution, but must only be embark upon In exceptional circumstances. The government has taken pains to assure the country’s public and international investors that its expropriation procedures are limited and will only be used in necessary circumstances in the restitution process Dirk du Toit, South African Deputy Minister of Agriculture and Land Affairs said restitution programme, designed to correct racial imbalances in land ownership in the country, was on course despite some concerns that the programme was failing. “There’s this wrong perception that most of these land (land reform) projects, especially restitution, are failing. “That is not true, they are working”, Du Toit said.

In August, Gwanya said white farmers has responded “positively” to government moves to take over their land, after the state threaten to seize their farms by force if they failed to cooperate in the country’s land redistribution exercise. Since the government had threatened expropriation, a growing number of white farmers were now ”willing” to come to the table to negotiate terms for giving up their lands.”

- “Highlighting conclusion made by the Deininger and Biswanger to the effect that “many of the agrarian land reform that have been undertaken since the 1960’s have not achieved their objectives” and that evidence on the longer-term impact of the land reform on poverty and productivity is more limited than desirable” (Deininger and Biswanger).
- Over time, resettled households have increased their incomes, and also reduced income variability, while at the same time accumulating considerable wealth in the form of cattle.
- Those resettled under affirmative action loan scheme are substantial better off than their neighbours who did not receive redistributed land. They are much better off than they were shortly after they were resettled.
- A broad based approach would far more in the long run to increase agricultural output, raise incomes and improve rural welfare than the current approach, which is heavily rooted in narrow political patronage.
- The research tries to prove that a broad based land reform leads to declining levels of inequalities. The demise in inequality is likely to reinforce political stability, one of the original objectives of post independence resettlement. Declining inequalities illustrates, in contrasts, than non-elites are sharing the benefits of economic growth. When the benefits are shared, there is less risk of political alienation of the large parts of the population. Broad based political support stabilises the political environment and help to mould a climate conducive to economic prosperity and growth: investment is likely to be higher where risks of political upheavals, economic disruption and expropriation of private lands, assets are reduced. These are considerations the ruling party SWAPO would do well to weigh carefully in the years ahead. It advisable for the government of the day to ensure than the resources are available to allow investigation of what is possible and impossible in specific local condition and to allow progressive modification of programmes over time.
- With land reform / agrarian reform resettlement Namibia it is dangerous to link or attach planning targets too tightly to political platforms due to the fact that many unavoidable things can alter (affects) the gains of targets.

Agrarian land reform in Namibia is very complex social and economic dynamic, which will differ both in time and place to place, from region to region; blanket approaches are thus seldom likely to function on any large scale.

Successful agrarian land reform are differentiated from the unsuccessful ones such as those of Zimbabwe, Kenya and the Union of the Soviet and the socialist Republic (now the Russian Federation) etc by motivation and perception that the new small family farms which are created are to be the centre point of the magnet field of economic advancement as was the case with Japan, Taiwan, South Korea, China, and Cuba. When the land reform is seen as 'welfare or as charitable policy for the indigent, failure has been the inevitable result.'

Financial economists conclude that extremely inequitable access to productive resources like lands prevents economic growth, and banks are now placing their version on land reform at the centre of the policy packages it pushes on the third world government (Dorner, P. (ed) 1971. Land reform in Latin America: Issues and cases. Madison: University of Wisconsin).

The land reform programmes are failing to achieve the goals due to the fact that they failed to create the institutional and social capital of civil society necessary for creation of land owning class out of landless and disenfranchised.

The adoption of the land negotiated market by the SWAPO led government as well as the opposition parties of the Namibian government (watch dogs) as the key tenet of the government approach to agrarian land reform, the portrayal of the market as a neutral body (institutions) providing the needs of all those who would like to participate in it, has been scrutinised and found wanting. The shortages of land on the competitive (open) market compounded by unequal social relations in the rural and peri-urban areas and the historically shaped behaviours of the commercial farmers in Namibia towards giving their land for agrarian land reform purposes has ended in very few land reform transactions having taken place. Land market can not be neutral, non political mechanism for transferring land between settlers and buyers but it is a complex and dynamic process set of relations that serve certain vested interests and the needs while sidelining others. The markets understanding demonstrates that the landless poor and emerging farmers both in communal and commercial farming areas of Namibia have limited, if any access to land markets and again very little from participating in agrarian land reform.

The dependent or trust on the working of the market in which the present land owners dominate and the willing seller- willing-buyer principles is therefore not likely to generate the desired outcomes of a social equitable redistribution of the land in Namibia, and will perpetuate the situation of the landless remaining landless. Land reform tenure reform does not only mean uniquely to process redistribution. It also a means of acknowledging, existing arrangements on the part of the farmers who are already in possession of land. In terms of its implications, its amount to an effective redistribution of land because it creates the condition for legal land transactions and creates property rights. The are different types of private property: individual, cooperative, corporate and condominium (being the exact modern equivalent of many indigenous communal arrangements).

Private properties is a diverse conditions, reflecting contingent laws, statutes, prescriptions, certain conditions are commons to all private tenure arrangements. Private refers largely control private tenure imbues the owner with control over acquisition, use, enjoyment and disposal of the property. The rights are conditioned by the context-specific statutes and laws which determine the absolute freedom of an individual through, for example, restrictions on land use, modes of disposal and selected acquisitive rights.

Access to land continues to be crucial to poverty reduction and food security in Namibia. Studies / empirical evidence proved positive correlation between food security and access to own land (Namibia Vision 2030, Policy Frame Work for Long-term National Development Main Document, Office of the President, 2004).

This illustrate that food production is higher for those who actually own the land.

Lack of proper prioritisation of land reform programmes in Namibia as well as developing countries. Lack of credit, appropriate technology, support and extension services and facilities still represent major obstacles for many Namibian farmers as well as the looming threat of a liberalized agricultural market.

Conflicts over land can culminate in high levels of gender-based violence. Forced dowries, divorces and evictions can lead to further destitution and marginalization as it happens when the husband passed away in the tradition and culture of the Kavango and former Ovamboland.

Thus agrarian land reform should address the issue of violence against women in Namibia in the context of the land conflicts. Ensuring community rights to indigenous people goes beyond common definition of the land reform. It represents the rights over all the physical and cultural territory of a distinct community. It covers the rights to self-governance through indigenous institutions, systems of law and justice and the use of resources.

Finally, the challenge of defining and dealing with the problems focusing on sustainable agrarian land reform, accompanied by today's food production laden with controversy and emotions. "It is unfortunate, but authentic, that the land lords, absentee land owners and tribal chiefs view democratic agrarian land reform associated with sustainable agriculture as personal attack or criticism on their status quo which they are justifiable proud. The people get defensive about when you talk about sustainable agrarian land reform accompanied by sustainable agriculture. Which means what have done in the past is not sustainable? The green robot philosophies are now raising the red robots.

Agrarian land reforms in Namibia circulate around the land reform where the systematic dispossession and alienation of land from the local inhabitants during the dark days of the partition of Africa on paper and on the ground are adequately addressed. It involves restructuring of access to land, and overall transformation of the existing land tenure, under-utilised land in communal areas, institutions and structures. It includes access to markets, credits, training and access to social, developmental and economic amenities. It seeks to enhance agricultural productivity leading to industrial and economic empowerment and macro economic growth for a long-term.

The mission and vision of the Namibian Government is clear and can be summarized as: Acquiring, equitable and sustainable management of agricultural land resources through the provision of appropriate, administrative services for the sustainable socio-economic development of Namibia which is supported by clear core values: Transparency, fairness, accountability, commitment, integrity, responsiveness (Namibia Vision 2030, Policy Frame work for long-term National Development Main Document, 2004).

## RECOMMENDATION

1. Government to adopt rural advancement policies that promote agrarian reform to benefit the rural poor peasants, farm workers, urban displaced, and the San and Ovahimba communities etc.
2. Land and access to natural resources are the foundation of sustainable rural advancement, cultural and environmental sustainability and viability.
3. Innovative approaches to urban land reform and better provision of urban services related to environmental health.
4. Land tenure improvement- involves the land physical transfer of ownership of the land to farmer beneficiaries in communal / under utilised areas should be speeded up. This is critical step towards helping farmers gain control over their productive resources and in providing them with basic security, motivation to maximize their utilization and productivity. It should aimed at improvement of agricultural production in order to ensure food security, provide sufficient basic needs, increase farm incomes and eventually improve the quality of life. To achieve these goals of the agrarian reform in communal areas should focus on access to capital, appropriate technology information, physical infrastructures and market. The key intervention areas include: sustainable agriculture, construction and / or rehabilitation of physical infrastructure facilities, rural industrialization, investment and marketing assistance, credit assistance, community-based resources management.

5. Basic social systems development: This promotes the establishment of community based social services like primary health care, potable water supply, recreational activities, disaster management, and popular education among others.
6. Gender and development: This concerns women access to land services and their participation in community programs and projects.
7. Land tenure reform contributes to social equity for small farmers and to the goals of sustainable agriculture and rural advancement therefore increasing production on land already farmed or utilized and avoids further encroachment on the land that is reserved to cultivation. The cream or the pillars to sustainable rural advancement is legally secure access to assets by the landless poor. When property rights are lacking or insecure, peasants cannot be sure they reap / benefit from their energies and therefore absence of incentives to invest in sustainable practices of agrarian land management.
8. The resulting land degradation and soil depletions threatens the livelihoods of rural Namibians as well as food security, with implications also for water resources and the conservation of biodiversity.
9. Ensuring that rural poor gain secure access to land, water, information, credit and technology can reduce vicious cycle related to poverty to the degradation of natural resources.

Despite these arguments, effort to implement such policies are often characterised by substantive political and economic obstacles. Even in countries committed to improving access to land and security of tenure, implementation is often slow, delayed or manipulated by the power of vested interests and landed-class. In other way, absence of beneficiary participation has limited the impact and sustainability of agrarian reform efforts.

Agrarian land reform should address the question of sustainable agriculture and environmental restoration, which lead to healthy lands and healthy profits.

Think like a river and find peace of mind through agrarian land reform management. "In the long run, we shape our lives, and we shape ourselves.

The process never ends until we die. And the choice we make are ultimately our responsibility." Eleanor Roosevelt

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## ANNEXURE

### BUDGET

<b>Organize logistics and coordinate implementation</b>	<b>Item</b>	<b>Quantity</b>	<b>Cost/unit</b>	<b>Total cost</b>
Meeting coordination	Days			500
Communications	Tel/Fax			300
Travel to resettlement farms (conduct interviews)	km			3,000
<b>Subtotal</b>				<b>3,800</b>
<b>Undertaking research and scriptwriting</b>	<b>Item</b>	<b>Quantity</b>	<b>Cost/unit</b>	<b>Total cost</b>
Interviewers' allowance (2 people)		2	2,000	4,000
Questionnaire photocopies		100	9	900
Printing and binding of final script		1	100	100
Travelling by interviewers within the resettlement farms	km	3,000	4	12,000
Miscellaneous				500
<b>Grand total</b>				<b>15,800</b>



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