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to the National Conference
on Land Reform and
The Land Question
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1. Introduction

1. Felicitations

The Namibia Agricultural Union (NAU) wishes to express sincere appreciation to the Namibia Government for the consultative and participatory approach adopted with the investigation of the decisively important land question. The process of national consultation, with the objective of achieving the greatest possible national consensus - of which the National Conference on Land Reform and Land Question is a part - demonstrates receptiveness which distinguishes a free and democratic government.

The appointment of an eminent Government leader in the person of the Honourable Prime Minister, Mr Hage Geingob, as Chairman of the broadly representative Advisory Committee and the Land Reform Conference is acclaimed by the NAU. The status of the esteemed Prime Minister elevate the chairmanship, and herewith the process of national consultation and of the Conference, to a level fitting the historic importance of these deliberations.

2. About the documents

Because the Land Issue is very complicated, it is hardly possible to touch in detail on all the relevant points in a condensed document. Nevertheless, the Namibia Agricultural Union attempted to compile a comprehensive document which contains, according to its view, relevant and perceptive information pertaining to Land Reform and The Land Question.

The document reflects the general view of the NAU's members, whether they be commercial or communal farmers. It also includes chapters written by consultants, especially on theories, models and processes on Land Reform. The contents were discussed and agreed upon on several occasions by the NAU leadership and representatives of the communal areas.

The first chapter after this introduction (**Chapter 2**) gives background information on who the NAU is and what its objectives are. It also explains the NAU's role in human resources development as well as the compilation and functions of its affiliates.

The **third chapter** contains points of departure on agricultural development, broad economic principles and land reform. Definitions and descriptions of Land Reform are quoted. The broad economic principles of Agriculture in Namibia are emphasized in the proposed agricultural policy of the Namibia Agricultural Union. Attention is also given to labour, because this sector is the biggest provider of jobs in the country.

Chapter four deals with models of the NAU for the upgrading of the communal areas, the development of unutilised land and a scheme which enables potential commercial farmers in the communal areas to buy farms elsewhere. In this regard the NAU obtained useful advice and ideas from Dr Norman Reynolds, Executive Director of the Southern African Foundation of Economic Research (SAFER), residing in Harare, Zimbabwe.

Chapter five consists of two detailed documents. The first one outlines the present situation regarding the production, marketing and economic viability of the different commodities. The second document explains some theories, models and processes of Land Reform. This was compiled by Prof Julius Jeppe, professor in Development Administration at the University of Stellenbosch in South Africa.

**2. BACKGROUND INFORMATION
ON THE NAMIBIA
AGRICULTURAL UNION**

(DOCUMENT B)

Democracy is the basis from which it operates. The NAU's nearly 4 000 members are represented by more than 100 farmers associations, of which 21 are from the communal areas, and 16 regional agricultural unions at the annual Congress. The Congress in a democratic way decides on policy and financial matters.

The Congress also elects the office-bearers and executive committee, who manage the affairs of the Union during an annual term of office. A personnel corps of 33 people, headed by an Chief Executive, is based in Windhoek and executes the commands and plans of afore mentioned bodies.

In general, the NAU is organised at three levels: the farmers associations - which farmers join at a local level as individuals - form the basis of the organisation. A number of farmers associations in a region form a regional agricultural union, which are grouped together within the Namibia Agricultural Union. The regional agricultural unions are besides the annual Congress also represented on the General Council, which convenes three times a year to discuss matters of regional and industry-related interests.

A matter which originates at farmers' association level and which is of general interest follows the channel of discussion at district or regional level and then moves on to national level. The farmers thus decide for themselves via their leaders in a democratic manner about matters to be carried further. In this process it also happens that certain ideas do not receive enough support from fellow-farmers and then are abandoned.

The higher up in the organisation a matter progresses, the more specialized attention it will receive. For general agricultural matters a number of specialized sub-committees exist, while speciality associations handle industry-related matters.

The NAU finances itself through membership fees and levies on products. These products are marketed through the official marketing boards, which administer the levies. This income is not nearly enough to fulfill all its obligations.

2. Speciality (Commodity) Associations

Also affiliated to the NAU are speciality associations. They take care of farmers' commodity needs and problems. Associations exist for meat, karakul, dairy, game, agronomy, mohair and poultry.

The purpose of the speciality associations is to handle purely business matters. These associations offer farmers in the concerned industries the opportunity to hold joint discussions in order to give specialised attention to their industries on a fairly continual basis.

It is important to note that all speciality associations are completely autonomous with regard to purely industrial matters. The matters they will voice their opinions about are production, marketing, extension services, credit facilities, etc.

The Meat and Karakul Producers Associations are constituted by every farmers association's delegate. They annually represent their associations on the congresses and are eligible to vote on financial and policy matters.

The same programmes are applied to the communities on commercial farms. Also part of the Human Resources Department is the technical training of farm workers and subsistence farmers in basic skills. Funds for this important development project is limited, which hampers the extension of its courses.

Courses at the moment consist of the maintenance of vehicles, waterpumps, boreholes, workshops, welding and the caretaking of livestock.

Since April 1985, when the courses started, 2 000 people benefitted from these technical courses. In total 130 courses with the aid of mobile training units were presented to farm workers on commercial farms and since 1988 a total of 60 courses were presented to communal farmers in their respective areas.

The technical instructors will also help people in the communal areas to fix their water installations. As an example in 1990 ten boreholes were repaired in the east of Owambo, where a critical shortage of water was experienced. An on-the-job training project was designed to involve the local people in repairing their own water resources. It took three weeks to complete and was an enormous success.

As was mentioned earlier on, the training of farmers in personnel practices is also very important. Courses to this effect are presented to them regularly. Through the Agricultural Employers' Association attention is also given to matters like the Labour Code (the correct application thereof), community development, education, health and hygiene, remuneration, housing, pension, etc.

This association is also constituted of all farmers associations. They send delegates to the annual congress, where important matters are discussed and decided upon. They also elect the office-bearers of the association.

4. Communications

Good communication is very important in this organisation, because its members are spread throughout Namibia.

Except for the regular meetings and congresses the NAU also has other means of communications to its disposal. This function is being handled by its own Communications Department.

It publishes a monthly magazine, AgriForum, which contains relevant information about the doings of the NAU and its affiliations, the speciality and farmers associations and regional agricultural unions. As a service to the members, but also to all other farmers expert and in depth articles on agriculture and related matters are published. Not only the members receive AgriForum free of charge, but also the members of Agra Co-operative. The magazine has also a number of subscribers from the public.

The NAU has recently also started communicating by means of a monthly internal newsletter. This is a rather cheap, effective and an immediate medium.

Also part of the NAU's media is a weekly radio programme, called Landboumikrofoon. It is broadcasted on Saturdays from 12:30 till 13:00 and consists of actuality matters in agriculture.

Press liaison is also an important medium, not only to reach the farmers, but also to inform the public and other sectors about the NAU and agriculture in general.

3.1 DEFINITIONS OF LAND REFORM

(DOCUMENT C)

- (n) Other related measures such as for instance, establishment or expansion of agricultural research or education services.

Land reform in practical (physical) terms refer to the different ways in which the land rights of persons and/or groups (ownership, occupation and land use rights) may be changed (restricted or transferred). Land reform may change the nature or extent of land rights of persons or groups and/or change (restrict, transfer) land rights in favour of other persons or groups. Such changes may be effected by means of limiting, abolishing or extending ownership (tenure), tenancy, land use rights, collective rights, or any other land rights of persons or groups of people.

Land reform usually implies government action or obtain (buy, expropriate or confiscate) and/or regulate to transfer or distribute land rights from persons, companies or groups of persons in favour of other persons or other groups.

Land reform in South American and Southeast Asian countries, and in some African countries, usually refer to measures for the redistribution of land rights in favour of landless persons, peasants, small farmers, tenants or share-croppers.

In those few African countries where it has occurred, land reform may also refer to changes of the indigenous (tribal) system of land (occupation) use by means of registration and/or individualization or collectivization of land use rights.

Land reform measures in many cases result in persons or groups of people being moved or resettled.

Land rights and particularly land reform universally embody or elicit multi-faceted political, economic, financial, social, emotional and cultural qualities. Land reform, for example, encroaches upon the relationships between government and people or groups of people, between interest groups, between classes of people, and among people in communities.

With the term "agrarian structure" is meant the complex of interconnecting sets of relationships (within the agricultural sector) between tenure structure, production structure and structure of supporting services. Three substructures of the agrarian structure are thus distinguished, as follows:

- (i) Land tenure structure is a concept referring to a set of one or more types of land tenure systems which are legal, customary or otherwise institutionalized relationships between government, society, groups and individuals regulating the rights to ownership and control of land and the duties accompanying such rights.
- (ii) The production structure indicates the nature and function of the actual production process in agriculture, which is related to the size, location and form of the production units, their management, etc.
- (iii) The structure of supporting services indicates credit, marketing, supplies, processing, etc. in so far as it is related to use and production reforms.

A comprehensive land reform programme cannot be carried out successfully without integrated reforms of all of these three types of structure.

- (iii) inter-group litigation and other conflicts about the use of rights to land amongst members of tribes, amongst members of tribes and traditional authorities, and amongst the latter and government institutions which occur to a greater or lesser extent;
- (iv) the fact that land reform increases the ability of the government to plan and implement agricultural development;
- (v) the awareness of the rural population that the value of agricultural land is on the increase and that farmers themselves feel that rights to land need to be straightened out.

**3.2 BROAD ECONOMIC
PRINCIPLES AND
PROPOSED AGRICULTURAL
POLICY**

(DOCUMENT - D)

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3.2. Production

3.2.1. The different branches of the agricultural industry are listed in order of current importance, and the percentage of the estimated potential realised by current production, is also given:

Beef 69%
 Venison 49%
 Agronomy 10%
 Small stock 61%
 Dairy 44%
 Forestry 17%
 Fresh water fishing 6%
 Poultry 26%
 Pork 35%

Agronomy obviously has the largest potential for development and if horticulture and irrigation farming are added, it can become the most important branch of the industry. Realising the potential requires expertise and capital, however.

3.2.2 Fifteen percent of the total land surface is state-owned.

3.2.3. Commercial farming is practiced on 44% of the total surface area. It represents the largest private investment, is the largest employer (16% of the total labour force) and supports 25% of the population.

3.2.4. Communal farming is practiced on 41% of the total surface area. The characteristics of this type of farming are that 60% of the population lives in communal areas; in some areas up to 90% of the inhabitants are dependent on agriculture: these areas have the highest potential for crop farming, irrigation farming, forestry and freshwater fishing; and they have great possibilities for developing as providers of employment, food and income for the country.

3.2.5. Four categories of production can be distinguished, namely:

3.2.5.1. purely commercial production on privately-owned land:

3.2.5.2. commercial production on communal land:

3.2.5.3. subsistence farming which is supplemented with *veldkos* in most years to make the family self sufficient in respect of basic food requirements:

3.2.5.4. sub-marginal production, where the farmer cannot provide for his own needs in normal years.

The latter two categories yield the lowest per capita production. These communities are continuously struggling to survive and should be regarded as a priority.

3.3 Economic aspects

Economic aspects of farming such as fixed investment, employment and self-sufficiency have been mentioned. The direct contribution of the agricultural industry to the Gross Domestic Product represents about 10% of the GDP. If the provision of raw materials to the secondary and tertiary industries, the value of informal production and the stimulation of trade and industry are taken into account, this figure can be more than doubled. Only the mining sector generates higher foreign currency earnings, and agriculture is a renewable asset. The agricultural industry makes a valuable contribution to the deconcentration of economic activity. Despite its vulnerability, the industry has the potential of providing for the total food and material needs of the nation.

3.4. Socio-economic

The socio-economic contribution of the agricultural industry is currently estimated at 21% and, together with the number of people involved in farming, this figure emphasises the important role of agriculture in the country. The industry is the basis of human and rural development.

The important role of the agricultural industry and its vulnerability to droughts emphasise the need for a long-term strategy. Agriculture is also a dynamic industry in a country which is undergoing drastic changes. This further stresses how essential an agricultural policy is, how important it is that this policy should be in balance with the total economic strategy in order to reduce ad hoc regulations, and the importance of continuity in implementing the policy.

importing of agricultural production inputs, with fair or no tariff protection, should be allowed. Direct transfers and subsidised services to the agricultural industry on the grounds of economic considerations are only justifiable when they are considered to be in the national interest, and are necessary in order to achieve certain economic objectives, such as:

1. the establishment of desirable practices or technology;
2. the establishment and adaptation of structures;
3. the maintenance and development of natural resources;
4. drought or disaster aid;
5. support in the event of extraordinary cost increases as a result of protective measures for strategic reasons;
6. price/demand stabilisation;
7. export assistance, for instance market development aid;
8. continuous subsidies or transfers in support of research, extension and training.

Because of the agricultural industry's large contribution to the social, economic and constitutional development and stability of the country, which is not adequately compensated by means of the market prices of its products or supported with other measures, and because of the industry's inability to provide sufficient services in these fields, it is desirable and justifiable that the industry should be financially assisted for providing these services.

The tax policy should take these considerations into account and should in general comply with the principles of fairness, neutrality and simplicity, which promote social and economic development. The peculiar characteristics of the agricultural industry require adaptations which can promote stability and the creation of capital in order to achieve independence and social aims.

Because of several economic factors, including the expectations of farmers regarding a higher standard of living, which could lead to scale increases, the extension of individual production units and the subsequent decrease in the number of economically self-reliant farmers is a tendency which will not easily be halted or curbed. Nevertheless, the settlement of economically self-reliant farmers in rural areas and the development of these areas are regarded as valuable for economic, social and political reasons.

Schemes and opportunities to introduce younger experts into the agricultural industry should be created, especially where new areas are opened for farming. Commercial farmers should be settled in these new areas, on production units which comply with the economic and social needs of the country.

4.3 Agricultural production

The improvement of living standards and diversification of the economy need a highly-developed agricultural industry with a high production output and therefore an economically sound and sociologically stable farming community is of the utmost importance. There are still extensive areas which are only sporadically utilised or not utilised at all because of a lack of infrastructure and sufficient water supply. To develop these areas without protecting the natural resources against exhaustion would be fatal. In the development of these areas, the most enterprising farmers will have to be involved, who will eventually develop into entrepreneurs producing for their own profit.

Local authorities and customs are deeply entrenched in these underdeveloped areas and any change from subsistence to commercial farming will have to be an evolutionary process. However, traditional customs should never be accepted as an excuse for not doing anything to face restrictive factors in order to establish a sound agricultural structure in the long term.

Although the aim should be to move away from subsistence farming, efforts should be made to improve the quality of this type of farming. It is not a successful system, but nevertheless provides a satisfactory livelihood for many people and future entrepreneurs can be selected from the ranks of these farmers.

4.3.1. Land utilisation systems

It must be emphasised that private enterprise and commercial production are not dependent on private land ownership, and that a long-term system of usufruct will also be effective. Should private land ownership develop evolutionary, however, it should not be discouraged. A desirable strategy would thus aim at: i) the gradual incorporation of subsistence farming with commercial production; ii) populating newly-developed areas with commercial farmers who have the necessary abilities to make a success of the project with reasonable certainty; iii) the evaluation of prospective farmers after a probationary period before the final allocation of land; iv) the

- a) To create an awareness of nature and man's role in it by means of education, and already in the primary phases of education.
- b) To emphasise vocationally-directed and especially agriculturally-aimed training on all levels of education.
- c) To teach people about human and labour relations as soon as educationally possible.
- d) To give priority to in-service training. The government should provide incentive measures and be responsible for other activities such as co-ordination, the laying down of standards, et cetera.
- e) To identify potential for further training, also in careers other than farming.
- f) To improve the standard of living by means of decentralised community development.
- g) To provide health services accessible to rural communities.
- h) To create employment within the agricultural industry by developing schemes compatible with the long-term economic policy.

4.3.3. Marketing

Orderly marketing with consideration of the principles of the free market system should be pursued, but not unqualified. The principle must be applied in its purest form, and any interference must be well motivated and subsequent actions must have well-defined objectives in line with the long-term strategy. Because of problems peculiar to agriculture, a certain degree of control is necessary, however.

- a) Because production is so utterly dependent on climatic factors, long-term production cycles and the perishableness of the product, supply on the short term is unelastic. This leads to fluctuating market prices and causes the product to be exploitable by marketing agents.
- b) During conjuncture fluctuations in economic activities, the prices of agricultural products fluctuate more than other prices.

4.3.3.1. Marketing objectives

- a) The primary objective should be the sales volume of the total annual production and this should also be the production objective.
- b) All producers of the same commodity should have equal access to existing markets.
- c) Agricultural products should be marketed in the mostly highly-processed form that is economically justifiable.
- d) Processing of local products should be as decentralised as possible.
- e) With the establishment of infrastructure, the long-term production potential and marketing prospects of the various branches of the agricultural industry should be considered.
- f) The needs' analysis should be done in the long term and agreements should be reached with other states regarding exports.
- g) Consumer needs must be determined through market research and must be stimulated by means of advertising.
- h) The development of markets, internally and abroad, in co-operation with the private sector and the branch of the industry concerned, as well as the co-responsibility of the government, especially with regard to the establishment of infrastructure and supporting services.

4.3.3.2. Marketing system

- a) The system must manage the requirements of the relevant branch of the industry within the characteristics of that branch.
- b) It must function and develop disciplined, orderly, flexibly and adaptability. This does not exclude the informal sector.
- c) A distinction must be made between internal and external marketing with regard to the different branches. Government assistance will be necessary if external marketing is adversely affected by unfavourable market conditions or other factors beyond the control of the agricultural industry.
- d) The various branches of the agricultural industry should be responsible for determining their own marketing requirements and development.
- e) The prices of essential commodities should be stabilised if necessary in order to promote production. This includes the storage of strategic stocks. Because this is done for strategic reasons, the government should accept financial responsibility for this move.
- f) Keeping up to date and making available agricultural statistics (data bank) should be the responsibility of the government in co-operation with the various branches of the agricultural industry.

4.3.3.3. Advertising

- a) Advertising is a very important facet of marketing. Each branch of the agricultural industry should manage its

a valid purpose.

4.3.4.6. Pollution levels in water and soil used for agricultural purposes must be kept down to acceptable levels.

4.3.5. Supporting services

Distinction must be made between supporting services aimed purely at farming and the farmer, and those for which the agricultural industry is only instrumental to national objectives. In the former case, the services rendered must be paid by the producer, and in the latter case the farmer should not be responsible for covering a larger part of the costs than to the degree in which he benefits from the services. This principle of liability can only be kept pure if there is a long-term national development strategy of which agriculture forms part. The objective should determine the nature of the service and not vice versa.

In rendering these services, a partnership principle should be followed between the supplier and the user, with the other sectors of the community, the government and the agricultural industry as the partners.

4.3.5.1. Self-sufficiency in food production

Sufficient food stocks is an all-important priority for any country and therefore the provision of sufficient food is one of the primary objectives of an agricultural policy. Adequate food production is not only beneficial, but also a prerequisite for an acceptable social and economic order and political stability.

The objective to supply the final product to the consumer at the lowest possible cost is the responsibility of the producer and the food processing and distributing industries. The country's food strategy should therefore be applied and developed in harmony with the interests and planning of the agricultural industry.

The agricultural industry is on the one hand one of the major suppliers of raw materials to the secondary industries and on the other hand an important user of industrial end-products. An agricultural policy should therefore aim at providing the secondary sector with the necessary raw materials on a continuous basis at competitive prices. The same principle is applicable to the industrial sector.

If a country has the financial ability and its supply routes are not cut off, it should be capable of providing for its own requirements regarding basic agricultural products by means of imports. The availability and prices of certain basic commodities are determined by world production, international economic and monetary conditions and political relations, including punitive measures. This can force a country, especially a small one, to take precautionary measures by means of domestic production, stockpiling strategic food supplies, or other measures which may become necessary from time to time.

Self-sufficiency with regard to energy needs should also be pursued and the generation of energy by the agricultural industry must be an important objective.

4.3.5.2. Agricultural development

Since development is primarily aimed at people, it must be accepted that nobody can develop people in a particular area or region better than the people themselves. Thus it is necessary to educate the policy-makers and agricultural officials of an area in the philosophy of development, so that they can determine their own strategy for achieving development aims in that area.

If any one factor can be singled out which can increase agricultural production in developing areas, it is the provision of essential services.

Services which should be regarded as part of such a development programme, are the following:

- i) the establishment of an efficient production infrastructure, which is basically the government's responsibility;
- ii) the establishment of an effective agricultural extension service;
- iii) training of farmers and agricultural extension officers;
- iv) making available financing and production means at acceptable conditions;
- v) orderly marketing possibilities and channels for agricultural products;
- vi) the creation of additional employment opportunities;
- vii) determining the agricultural potential.

Because bush encroachment is a national threat, the State has a responsibility and a duty towards the combatting and

4.3.7. Quality and hygienic standards

Quality and hygienic standards should be laid down and strictly enforced in order to serve the local market for agricultural products effectively and to compete on international markets. In this respect, the following aspects are important:

- i) Standards should not promote monopolies and over-regulation must be guarded against.
- ii) Standards should take different consumer needs into account. Allowance must be made for the informal sector.
- iii) Price-forming is inextricably part of quality, health and container size standards.
- iv) Maintaining standards is a prerequisite for ensuring that agricultural products will remain usable despite transportation and storage for certain periods of time.
- v) Quality in relation to price determines the competition in the market, especially in the international market.
- vi) The maintaining of standards is the foundation of orderly marketing, management and statistic feedback to the producer.

4.4. Agricultural structures

4.4.1. The **policy structure** for the development of the agricultural industry can be based on five principles, namely:

- i) the upgrading of subsistence farming;
- ii) the establishment of commercially-directed farming;
- iii) the establishment of commercial production units;
- iv) the stimulation of secondary and tertiary industries to process agricultural products and serve the agricultural industry;
- v) marketing products at the most profitable price.

4.4.2. The agricultural industry is currently structured in a specific way. **Structural changes** in the industry usually take place spontaneously, and it is preferable that the farmer himself remains responsible for making decisions regarding his branch of the industry, as well as the extent and intensity of production. This he should do on the basis of his knowledge of his resources as well as market information, and with a view to profit and the conservation of resources. Government policy and regulations should not stand in the way of spontaneous and desirable structural changes. Marketing systems which become state-managed operations and production-oriented assistance measures, for example, can stand in the way of spontaneous structural changes.

When necessary structural changes under the influence of market forces have unacceptable implications for the agricultural industry and the economy as a whole, it may be considered to be in the national interest for the government to influence the changes by means of appropriate assistance. Such influence should promote adaptation to market forces and lead to the minimum distortion. Furthermore, regulations such as production quotas, limitations on entering the industry, and cash incentives, should be implemented only in highly unusual or crisis circumstances to promote or curb structural changes. This must be done in consultation with interest groups and between the production branches concerned.

4.4.3. There are three types of **instruments** and measures for implementing the agricultural policy:

- a) legal;
- b) financing;
- c) institutional

4.3.3. 1. Legal instruments

Appropriate legislation for the creation of control bodies should be drafted and consolidated in a single Agriculture Act on the basis of a strategy arising from this policy.

There are at present several acts, regulations, proclamations and government notices administered by the Ministry of Agriculture, Water and Rural Development as well as the Ministry of Wildlife, Nature Conservation and Tourism. Apart from the above, there is also the Land Bank Act and several other laws administered by other state departments, which have an important influence on the implementation of agricultural policy.

These laws were adopted to actualise agricultural policy aims and should be continually amended in order to comply

4. PROPOSED MODELS FOR DEVELOPMENT

The Namibian Socio-economic Context

The land issue in Namibia is imbued with historical necessity. It embraces questions of social justice, of dual legal Systems, of how to provide economic security, of effective ways of achieving income distribution and development, and of the most certain formal and informal ways to achieve sustainable agricultural performance and growth under both communal and freehold systems.

Land policy and agrarian systems primarily affect those who live on the land communal and commercial farmers. Namibia has a single national farmers' organization, the Namibian Agricultural Union (NAU) which represents communal and commercial farmers.

The paper contains proposals that demonstrate that it is possible to design national land and agrarian policies that advance all farmers and which reduce if not immediately remove the differences between the institutional, legal, technical and managerial capacities of the communal and commercial sectors.

It is possible, and desirable, to conceive of a national land and agricultural system in which all farmers participate equally and in which the agricultural industry, properly organized and working harmoniously with government, takes prime responsibility for its welfare.

The land supports the majority of the population. Agriculture, directly and indirectly, has the greatest influence on the economy and on employment, and hence on income distribution. The conditions under which land is used are matters of national interest.

Farmers and the agriculture industry are playing constructive roles in the realization of the promise of independence. The NAU over the last two years has opened branches in several communal areas of Namibia. Today it is a truly national organization with a legitimate and authoritative voice on agricultural and increasingly rural issues. All its members aspire to succeed and to grow within the communal and the commercial sectors and to move between the sectors with some ease and certainty based on farming ability. To this end the NAU stands for comparable price, fiscal and other treatments of the two sectors. It also believes that new rural and agricultural programmes must be accountable to the farming community in general through gaining the support, commitment, and involvement of member farmers.

The NAU has offered to run the first "On-Farm" year of a revised three year agricultural training programme in conjunction with the agricultural colleges. The proposal has received government's backing. Details are being finalized. Under the programme each agricultural student will spend the first year on a commercial farm under the care and tutorship of the farmer. This will serve as a broad introduction to the business of agriculture in terms of theory and of practical experience. Government will be relieved of the direct costs of the first year. This will allow the colleges to increase the number of students in each year by fifty per cent without additional physical facilities or budget allocations. A Trust Fund to be endowed by the donor community will be needed to cover incidental costs. Students, faculty, and the industry will benefit from the partnership between the NAU and the Agricultural Colleges.

The NAU membership is also considering a second NAU proposal to part finance with government and the donor community a National Finance Scheme for Agricultural Training which would create a "programme right" to formal and non-formal training for industry employees and communal farmers.

In this paper the NAU goes further, proposing major conceptual advances that will integrate the inherited dual land system into a national land market, underwrite rural economic security, and open avenues for individual and group advancement. It seeks stability from genuine opportunities for all farmers on equal terms. And it defines a set of supporting services and institutions that together promise rapid improvement in the agricultural industry beginning where human and financial investment can make the greatest impact under decentralized decision making.

Apart from the basic requirement for land husbandry - the right of exclusion - communities and small farmers face another and more invidious problem that few countries have solved post independence. How does a community or a group of small farmers deal with government in the sense of a dominant organization composed of several competing and overlapping departments? And, similarly, with powerful NGOs? The question can be reframed: who co-ordinates government? In fact government finds it impossible to co-ordinate itself. Ministries and departments do not accept another government agency as coordinator (the international history of Community Development's failure as local level team leader).

The answer lies outside government. Strong, independent farmers' organizations or community institutions alone can co-ordinate government's and NGOs' activities in the field. For this to happen communities have to be analogous to commercial farmers who coordinate the services they need by paying for them, and by the use of the telephone, bank, lawyer, and farmers' organization.

Resettlement: A Cautionary Tale

Namibia has to be seen to put in place a schema which enables small farmers from communal areas to move onto more land. This is an historical imperative and a political necessity. Volumes two and three report the cautionary tale of Zimbabwe's resettlement programme which is now caught up in constitutional uncertainties to uphold a political market for land. That unfortunate state of affairs is made ironical by the expected loss of communal area population - the intended prime beneficiaries of resettlement over the next ten years of between a quarter and a third from AIDS. AIDS victims will spend their dying years largely in the communal areas being cared for by the extended family. Maintaining social confidence and keeping economic productivity up, attending to human resource development to replace the huge loss of trained and experienced people, and underwriting rural economic security as the extended family in the countryside labours to handle most of the dying are already the key, if as yet unattended, issues.

Namibia must use the next two or so years to prevent AIDS reaching the terrible proportions of neighbouring countries. To do so, AIDS must be kept central to the social, economic, and political agendas. Economic security, social stability, open democratic and therefore information systems, and clear avenues for individual and group self-improvement are the national characteristics most likely to encourage and reward the social discipline needed to contain the spread of AIDS.

Land is not an end in itself. It is an asset, a means to other ends such as wealth creation, employment, social stability and income distribution. There is no need for Namibia to adopt the dubious and ultimately inefficient methods of a political market for land. An economically and socially constructive set of programmes built upwards from the village is possible and is outlined below as a national land reform and agrarian programme.

A Technical Conundrum

In other countries small farm systems are premised on access to better watered land near markets. In other words on a mixed farm system, crops and livestock, suited to the cost advantages of using family labour. In Namibia there is little crop land to be redistributed that is not already under communal control. Commercial land is mostly devoted to extensive livestock production.

Large farms, and sometimes more than one farm, provide farmers with insurance against poor rainfall since the distribution of rain is often patchy. Dividing present commercial farms into smaller holdings for settlement may raise the risk of drought to small farmers, now restricted to a smaller area, to unacceptable levels. The last decade has been particularly difficult in this regard with little reason to believe that future weather patterns will be kinder.

Within communal systems large areas are managed as one for purposes of grazing, providing member families with some insurance against drought. The insurance value of communal land management is reduced to the degree that there has been a tampering with traditional rights in terms of enclosure movements or private control over water points.

Small farmer advancement onto extensive rangeland will have to be arranged in terms of participation in larger land holding units than is the normal (crop) resettlement model. Putting families as settlers onto divided commercial farms, inside tight economic and physical boxes, though administratively convenient, would be foolhardy and unfair.

against the detrimental aspects of communal land rights. The latter include discouraging entrepreneurship and investment, impeding productivity and production, preventing commercial value for land, promoting over utilization of grazing and natural vegetation resulting in severe environmental damage, uncertainties about and abuses of traditional rules and control over communal land, no taxable state income from land, and other detrimental aspects. These detrimental aspects of communal land rights is one outstanding reason for the very low agricultural production in African tribal areas, indicating the priority need for land reform in communal (tribal) areas. Reform of traditional rights is possible and one model, the community land company, provides a universal solution to the problems of communal ownership whilst giving new life to old values.

suitable land, to organise the finance with the Land Bank, to train members, and to help them onto farms and with farming.

A National Market for Land

Once the communal areas have adopted the CLC model for reform, Namibia will have one national land market comprised of companies operating under one law.

A Village Development Society

CLCs would join together into a service body to help with their member training, technical advice, etc. This body is seen as an extension of the NAU, small farmer communal members organised within CLCs, and will be promoted by it on behalf of its members.

2 An Employment Guarantee Scheme

There is need of a highly visible income redistribution mechanism suited to the communal areas and the commercial farm areas. An on-going public works programme which introduces a rural "social contract" can be financially efficient and a strong tool of community development. Termed an Employment Guarantee Scheme, it would: -

- underwrite rural economic security.
- build and maintain physical assets.
- provide a devolved budget to give a lead to decentralized administration.
- mobilize rural under- and unemployed labour.
- raise incomes, consumption, savings and investment amongst the poorest groups, providing the most certain route to better nutrition and health.
- draw in the banks to fund with loans that part of each investment that has an identifiable benefit stream: this should reach 25% on average.
- establish the converse of the social contract, that rural people enjoying the additional income and investment of the Scheme, agree to pay fees for school, clinic and veterinary services, using about half of their income to do so, or 25% of the total cost: this allows government and donors to fund capital projects whilst people fund the consumption items of services.
- the multiplier will be about six over a year and a half, giving an impetus within the economy of 400% of expenditure during each year. This would act as a counter to any downturn in agriculture because of weather or other reason as people would seek more work.
- the state would raise tax from the multiplier effect of about 20% of the cost.
- the nett cost of the Employment Guarantee Scheme on the budget would be $100 - (25\% \text{ loans}, 25\% \text{ fee income}, 20\% \text{ taxes}) = 30$ for every 100 spent.
- considerable long term employment can flow at low cost per job.
- the Scheme reinforces the CLC proposal as an additional source of community investment, accelerating the CLCs ability to reach the starting gate for land purchase in a competitive national land market.
- investment and activity would flow to the most needy communities with the highest short term production possibilities
- commercial farms can join the Scheme in the sense that they can undertake socially useful investment with farm labour and management under the Scheme as would a village community

3 A Periodic Service Delivery and Market System

There is a glaring absence of markets and services throughout Namibia. Periodic systems break the limited scale set by activities fixed by location, giving rise to diversification, to the growth in size of individual operations, and to the lowering of costs.

Markets, controlled by the surrounding community, give a sense of local control over the local economy. They enhance the local circulation of cash in support of the exchange of local goods and services. Periodic markets bring distant places into contact with the wider markets on a regular basis. They support a more specialized local agriculture with off-farm activity and employment. They provide an effective vehicle for information, training and entertainment, and for the bulking of local produce for export from the area.

The Role of the NAU

A farmer community led reform programme is proposed that immediately attends to the short term needs of the poorest whilst building the means to handle efficiently the issues of social justice and growth. The programme proposed shifts government's capacities away from the limits of budgetary expenditure to the financing of

4.2 DEVELOPMENT OF UNUTILISED LAND IN THE COMMUNAL AREAS

(DOCUMENT F)

It must be emphasized that private enterprise and commercial production are not dependent on private land ownership, and that a long-term system of usufruct will also be effective. Should private land ownership develop evolutionary, however, it should not be discouraged. A desirable strategy would thus aim at:

- (i) the gradual incorporation of subsistence farming with commercial production;
- (ii) populating newly-developed areas with commercial farmers who have the necessary abilities to make a success of the project with reasonably certainty;
- (iii) the evaluation of prospective farmers after a probationary period before the final allocation of land;
- (iv) the settlement or resettlement of farmers on an economic basis.

It is essential to obtain the active involvement and co-operation of the local population in planning and implementing the above-mentioned programme. A certain degree of co-operation by means of co-operatives or other systems, should be achieved without harming private initiative and the individual's need for self-actualisation. Structures such as farmers' associations are ideal for this purpose.

The Namibia Agricultural Union suggests an incrementalist approach to land reform in the communal and commercialized (tribal) areas of Namibia, as follows:

First priority for land registration and land reform should be the commercialized tribal farming areas.

Second priority should be the northern cultivation areas to try to improve production and extend cultivated areas, keeping in mind that only one percent of Namibia's agricultural land is cultivated at present.

Third priority should be initial land registration and proper land administration in communal tribal areas.

The first stage, to be sequenced with the above priorities, should be directed at improving farmers' incentives to produce by providing better agricultural markets for farmers (possibly subsidized markets and transport), promoting private traders to compete in buying farm produce and selling farm inputs, promoting farmers' groups and co-operatives, strengthening extension services with farmer's participation and feed-back, improving agricultural and technical education and training at schools and special training institutions, etc.

The second stage should be multi-faceted land reform, again sequenced in the above priority areas. The land reform stage can build upon and incorporate experiences and successes obtained in the first stage, indicate priority areas from proven initial results, prevent serious indications of the costs of land reform, provide officials and others with time form training in land reform and practical experience of initial inputs, etc.

**4.3 A SCHEME WHICH ENABLES
POTENTIAL COMMERCIAL
FARMERS IN THE COMMUNAL
AREAS TO BUY FARMS IN THE
COMMERCIAL AREAS**

(DOCUMENT G)

For the fifth and sixth years repayment to an interest rate of four percent should be made. From the seventh year the interest rate should remain at four percent, but capital repayment should then be included.

The NAU believes that the Government should determine the period of payment, whether it be 35 even instalments, or whatever is decided. This scheme should obviously involve a training programme by which prospective buyer could be guided to financial independence.

Services which should be regarded as part of such a development programme, are the following:

- (i) the establishment of an efficient production infrastructure, which is basically the Government's responsibility;
- (ii) the establishment of an effective agricultural extension service;
- (iii) training of farmers and agricultural extension officers;
- (iv) making available financing and production means at acceptable conditions;
- (v) orderly marketing possibilities and channels for agricultural products;
- (vi) the creation of additional agricultural opportunities;
- (vii) determining the agricultural potential.

In this programme the optimal soil utilisation, the promotion of an economically sound farming community and optimal social, constitutional and economic development cannot be over-emphasized.

**5.2 PRODUCTION, MARKETING
AND THE ECONOMIC
VIABILITY
OF THE DIFFERENT
COMMODITIES
IN AGRICULTURE**

(DOCUMENT - H)

h great potential for development and to provide employment, food and income for the country.

1.2.4 Four production categories can be identified, namely:

1.2.4.1 commercial production on private ground alone.

1.2.4.2 commercial production on communal ground.

1.2.4.3 sustenance production, which in most years, with the replenishment of food from the land, can make the family self-sufficient regarding food requirements, and

1.2.4.4 subsistence agriculture in sub-marginal environments where the agriculture cannot support the producer in normal years.

The last two categories provide per capita the lowest production. The communities involved continually find themselves in a fight for survival and therefore deserve the highest priority.

1.3 Economic

Namibia is characterised by a dual economy, a well developed commercial sector and underdeveloped rural areas. The primary sector, mainly Mining, contributes 45% to the Gross Domestic Product (GDP), while Agriculture and Fisheries only contribute 12%.

Until recently Namibia formed part of the South African Rand Monetary Union, and the country had no central bank. The Bank of Namibia, an own central bank, came into existence on August 1, 1990, although the country is still linked to the South African monetary unit. The average rate of exchange of the Rand against the American Dollar currently amounts to about R2.82.

In the 1960's the average real economic growth was 9.5%. The long term growth rate over the last two decades was 0%, while inflation rose with 0.32%. The per capita income in real terms fell annually with 2.1% during this period, while the income earned by the government, in relation to the GDP showed a decline of 0.4%. Since 1981 state expenditure has exceeded the income by 25% at the minimum. The deficit on the national budget was made up by foreign aid and loans.

In the 1980's the economy was relatively open and the exports (as a percentage of the GDP relative to current prices) varied between 55% and 80%. During this period the imports varied between 55% and 72% of the GDP. The inflation rate measured against the consumer price index in Windhoek, had risen from 9.1% in 1984 to 15.1% in 1989. This trend can mostly be attributed to imported inflation, because of the open economy to South Africa.

The population growth of 3.1% per annum also causes grave concern. The urban areas find themselves with an over-supply of unskilled labour as well as an unemployment rate as high as 33.1%. Namibia does not have a highly trained labour force and the utilization of Western technology requires schooled labour.

Almost 11.2% of the population of 1.3 million is involved with commercial farming, while 47.9% of the population is dependent on subsistence farming. Therefore almost 70% of the populace is directly dependent on agricultural activities for their livelihood. The share of agriculture in state expenditure has declined from 8.9% in 1981 to 2.9% in 1988/89. The current work ratio of the commercial sector is a realisation of R9.29 for every R1.00 of state expenditure.

The three statutory marketing councils (Agronomy, Meat, and Karakul Council) are responsible for the orderly marketing of controlled commodities, namely, mealies, wheat, sunflower seed, pork, beef, small livestock, Karakul furs and wool. These commodities represent 88% of the gross farming income for 1988/89. The low rainfall in the country limits agricultural production and periodic droughts influence stock-farming in particular and the economy in general.

There are many factors that influence Namibia's future over which the country's inhabitants and government can exert no control. Since the potential GDP has not yet been reached, it can be improved with purposeful action. The productivity of the primary sector and the application of technology can be improved and expanded. The system of government, already centralised and efficient to a large degree, and the education system have changed in order to provide for a change in attitude regarding work ethics, productivity and motivation. There has been a shift in the priorities of state policy in order to bring about a balance between the political, social and economic environment in Namibia and to stimulate economic development. A free and competitive market-oriented agriculture is therefore a prerequisite for continued economic growth and for social prosperity in the rural areas.

d. Light and the fall in fur prices have caused great financial loss for the farmers. The average price during 1980 fell to R14.80 per fur and during 1981 the price fell even more drastically to R9.32 per fur. A further worry was the fall in Karakul stock from 3.12 million sheep in 1980 to 2.075 million sheep in 1982.

This led to the cancellation of the July 1982 auction. Indications were that this trend would have serious implications for the industry. During 1982/83 the industry did not do much better. From a once profitable industry it had changed to a situation where the Karakul farmer began to seriously doubt the economic viability of the industry. Fur production fell from 2 899 090 during 1979 to 900 000 in 1983. During this period the Karakul farmers received aid to counter the drought as well as aid from the government designed to counter the downward trend in the fur industry. The Karakul Council initiated a contingency fund and a fur defence mechanism was implemented during the November 1982 auction.

Since October 1984 the fur prices have showed an upward trend to R26.99 at the November 1984 auction, stabilising at R23.40 at the February and July auctions of 1985. These prices meant a higher income for the farmers, which was very welcome. The IKS regards the development of markets outside Europe as being of extreme importance, and plan a promotion campaign for Swakara in America.

The lack of interest in points on the agenda, forced the Society to cancel the 1985 Congress.

In 1987/88 the prices rose and an average price of R50.94 was obtained. The renewed demand for Swakara did not happen of its own accord. The Council and IKS had as objective the reparation of Swakara as a sought-after item in the international fur trade. Because of the growing demand for Swakara the price has doubled since the 1986/86 financial year. There is some concern that the threatening over-production of mink on the world market might have a direct negative influence on Swakara prices.

During 1989/90 the international fur industry has had to cope with serious problems. The extraordinary warm winter in Europe, as well as the over-production of mink caused a drastic fall in sales and prices. The average Swakara prices fell from R54.75 in 1988/89 to R34.15 in 1989/90. Karakul stock figures fell even further because producers changed to marketing meat. The result of these factors was that only three auctions, instead of the usual four could be held.

After independence in 1990 new doors have been opened for the agricultural sector, as well as for the Karakul industry in particular. The possible inclusion of Karakul furs in the Stabex system has become an important point of discussion with the government. The Honourable Minister of Agriculture has undertaken to do everything possible to get Karakul furs included in this system. Meanwhile things have not improved in the industry. Karakul stock figures have fallen even further and the amount of furs produced have fallen to almost 630 000. Average prices stabilized during the May auction at almost R34.00 per fur.

Because of the poor fur prices during the September 1990 auction, R3 million were allocated to bring relief to the producers — R2.4 million from government side, while the Karakul Council gave R600 000 out of the Contingency Fund. This has been utilised in the form of a R3 per fur payment to producers that marketed furs during the September auction. This arrangement was also valid for the December auction, provided prices did not rise above the safety average of R35.00 per fur.

During 1991 confirmation was received that Karakul furs have also been included in the Stabex system. Indications are that the mink market is recovering, which should have a positive effect on Swakara prices. Europe is currently having one of its coldest winters in years and the IKS is busy with an aggressive publicity campaign for Swakara in Europe (including Eastern Europe) as well as the USA.

During the May 1991 auctions where almost 100 000 furs were sold, the average price rose with 60% in comparison to the December 1990 auction. Indications are that the international fur market is recovering, which will have a good effect on Swakara. Statistics for the May auction are as follows:

- a. Furs sold: 100 025
- b. Average price: R43.57 (DM 26.94)
- c. Rate of exchange: DM 0.619 per Rand.

2.3 Dairy Industry

2.3.1 General overview

Namibia is currently self-sufficient regarding fresh milk products. Fruit juices, cheese and other by-products are however partly imported from South Africa in order to supply local demand. The dairy producers are limited to the Gobabis and Grootfontein districts. Namibia has only two process plants, namely: Bonmilk (Windhoek) and

2.5 Game

2.5.1 Trophy Hunting

According to statistics it seems as if there was a slump of 42% in the industry over the last three years. In 1987, 1170 hunters from 25 countries hunted 7 576 trophy animals at R10 748 million. This represents 4.2 animals per hunter. In 1988, 1858 hunters from 24 countries have hunted at R14.67 million, which is an average of 2.6 animals per hunter. In 1989, 1488 hunters from 24 countries hunted only 2 711 trophy animals at R6 million. This is an average of only 1.8 trophy animals per hunter.

In 1990, however, trophy hunting as an utilization leg remained stable at 5% to 6% quantitative share of the whole. This represents 7 323 animals hunted by 1 658 hunters, giving an average of 4.4 animals per hunter.

2.5.2 Sport and Biltong Hunting

Hunting for Sport and Biltong remain popular and the demand is good. During 1989 11 277 game animals were utilized in this way, mostly by hunters from South Africa.

The statistics on game utilized by sport hunters are as follows, including: own use, use by children and parents, donation and hunters.

a. Kudus	2 786	11% less than 1989/90
b. Oryx	4 710	15% higher than 1989/90
c. Springbok	13 961	22% higher than 1989/90
d. Warthogs	75	A lot less than the 915 of 1989/90.

These statistics show a downward trend in 1991 because of the over-supply of game on the European markets. This causes South Africa game farmers to utilize local hunters, rather than in Namibia.

2.5.3 Live Game

The marketing of live game remains an important factor in the distribution of game. However, the demand for game is reaching saturation level, as can be ascertained from statistics from Namibia as well as South Africa. Notwithstanding there will always be a demand for male animals from specific species, in order to phase in new bloodlines.

Following are statistics for catching game in 1989/90 and 1990/91:

Game Species	1989/90	1990/91
Ostrich	352	95
Oryx	3 168	2 239
Eland	438	112
Hartebeest	1 014	1 646
Mountain Zebra	127	26
Kudu	122	0
Blesbok	134	24
Springbok	509	491
Giraffe	70	62

These statistics represent a total slump of 17.5% in the catching of all game species between 1989/90 to 1990/91.

2.5.4 Night Culling of Game

During 1989 the Department of Nature Conservation issued 172 permits for night culling - a total of 42 440 game. Altogether 33 150 Springbok and 879 Gemsbok were culled by four culling teams. Almost R3.6 million were earned by culling game at night.

During 1990 the Department issued 223 permits for the night culling of 47 440 game. Altogether 16 169 Springbok and 635 Gemsbok were culled by four culling teams, of which the weight of the carcasses were 18kg and 84kg respectively. Almost 2 250 Springbok and 500 Gemsbok could not be culled.

At the start of the culling period the prices for small game were R5.00 per kg. This fell to R4.55 per kg and at the end of June 1990 it fell to R4.20 for category A carcasses. The price of category B carcasses (above 20kg) rose to R3.60 per kg. Prices for big game fluctuated between R3.50 to R4.20 per kg.

clothing. The finer grain hair are being utilized in the fashion industry, where England and Spain are the main buyers. Indications are that Italy will also enter the market.

Although the market is currently at a low, it seems that the prospects are better than six months ago. The Mohair industry can be expanded to the communal areas (Namaland) where enough can be earned to make an adequate living. This is also one of the objectives of the Mohair Society of Namibia.

2.8 Pigs

2.8.1 Review

Pig production in Namibia is being limited by certain unchangeable circumstances:

- Climate: Pigs are more productive in a temperate climate. To keep pigs cool during summer and warm during winter demand high costs and a lot of time.
- Pig fever: It is a continuous threat in the central and northern areas and it prevents the transport of breeding material as well as slaughtered animals to the south.
- Geographic: Big distances between the feeding sources, production areas and consumer adds to transport costs.
- Population: The low population figure of Namibia limits the consumption of pork.

Pork is not marketed by Swameat (Meat Corporation of Namibia), but on a private basis between the farmer and the butcher. Currently pigs are imported cost-effectively from South Africa, to the detriment of local producers. In 1990 local production amounted to almost 52% and indications are that it will decline as far as 35% in 1991. This trend can be attributed to producers who want to decrease their sow units because of the low producer price and high production costs.

2.8.2 Production, marketing and economic viability

The production of pork is labour intensive. A unit of fifty sows (500-900 piglets) requires a labour force of up to 10 persons. When a producer is forced to scale down his unit of sows, it necessarily means that workers have to be retrenched.

During 1989 almost 23 900 live pigs were imported from South Africa, while 6 600 carcasses were imported. Namibian producers produced almost 29 900 carcasses. As already mentioned the indication is that local production will fall drastically in 1991. In 1990 the producer price was forced down by the butchers to R3.80 per kg, and upwards again to the old price of R4.20 per kg during the first half of 1991. To produce at this price is impossible because of high feeding and transport costs. The higher prices at which pork is being retailed is a matter of contention (a price difference of up to R12 between the producer price and consumer price). If this situation continues, producers will be forced to dissolve their units of sows.

2.9 Poultry

2.9.1 Review

The egg industry in Namibia is almost self-sufficient, although there are expansion possibilities in the Northern Communal areas. The market in these areas is totally under-developed. It can partly be attributed to the fact that black people are not big egg consumers. The most important problems currently experienced by the industry are the expensive packing material and high transport costs. The effect of this is that a dozen eggs in Namibia cost almost 28c per dozen more than in South Africa. A further problem, that has largely been solved, is the dumping of eggs from South Africa at lower prices to the detriment of local producers. The producers realise that higher production is the only way to counter dumping.

2.9.2 Production, marketing and economic viability

There are currently nine egg producers in Namibia who have almost 165 000 lay hens. The biggest producer is Nouaspoot Poultry which has almost 60 000 lay hens, with an own pack station (Golden Egg) in Windhoek.

Wholesale prices for eggs are currently as follows:

X-Large:	R2.45 per dozen
Large:	R2.35 per dozen
Medium:	R2.16 per dozen

Almost 10 725 dozen eggs are produced daily and marketed throughout the country.

I

5.2 LAND REFORM : THEORIES, MODELS AND PROCESSES

(DOCUMENT - I)

Prepared by Prof Julius Jeppe
University of Stellenbosch

I THE MEANING AND DIMENSIONS OF LAND RIGHTS AND LAND REFORM

1. CONCEPTS

The central concepts used in this regard must be clarified to prevent inconsistent use and misunderstanding of their meanings and dimensions and particularly also of the practical implications.

Land rights is an inclusive concept which refers to all types of rights vesting in land, viz. ownership, communal or collective rights of land use, tenancy, part-ownership, state land, etc.

Indigenous (African) land rights is the distinctive system of land use (occupation) rights prevalent in African tribal areas. The term African "communal land rights" is not, strictly speaking, correct, because the holders have strongly vested **individual** land use rights on residential and arable land. The terms "communal land **tenure**" or "tribal land **tenure**" is sometimes incorrectly used to denote indigenous African land rights, because individuals do not have full ownership (tenure) of their land rights.

Land tenure refers to different systems of **ownership** of land, e.g. individual, company, collective or part-ownership of land. **Tribal (tenure) ownership** of land refers to the position where a tribe as whole (as a legal entity) has ownership (title-deed through purchase) of the land occupied by a tribe.

Land reform in practical (physical) terms refer to the different ways in which the land rights of persons and/or groups (ownership, occupation and land use rights) may be changed (restricted or transferred). Land reform may change the nature or extent of land rights of persons or groups and/or change (restrict, transfer) land rights in favour of other persons or groups. Such changes may be effected by means of limiting, abolishing or extending ownership (tenure), tenancy, land use rights, collective rights, or any other land rights of persons or groups of people.

Land reform usually imply government action to obtain (buy, expropriate or confiscate) and/or regulate to transfer or distribute land rights from persons, companies or groups of persons in favour of other persons or other groups of persons.

Land reform in South American and South-East Asian countries, and in some African countries, usually refer to measures for the redistribution of land rights in favour of landless persons, peasants, small farmers, tenants or share-croppers.

In those few African countries where it has occurred, land reform may also refer to changes of the indigenous (tribal) system of land (occupation) use by means of registration and/or individualization or collectivization of land use rights.

Land reform measures in many cases result in persons or groups of people being moved or resettled.

Land rights and particularly land reform universally embody or elicit **multi-faceted** political, economic, financial, social, emotional and cultural **qualities**. Land reform, for example, encroaches upon the relationships between government and people or groups of people, between interest groups, between classes of people, and among people in communities.

Interpretation of different approaches to land reform, international usages and politics are responsible for the confused use of terms. The term land reform is currently being used with regard to less-developed countries as meaning:

- (i) change of possession (right of ownership) i.e. **land tenure reform**;
- (ii) change of rights of use, e.g. communal rights of use to land in Africa, i.e. **land use reform**;
- (iii) land redistribution by means of subdivision or joining of existing units (small-holdings to change the scale (extent) of ownership), i.e. **land redistribution**; as well as for
- (iv) **agrarian reform**, i.e. agricultural and related changes with regard to rights to land, settlement of land, tax systems, farming methods, co-operative institutions, granting of credit, technical services, agricultural research, agricultural extension and training, etc.

A much used and widely accepted description of land reform in the context of the agrarian system, was given in a U.N. publication (Progress in Land Reform, Third Report, 1962 : 1963) where it is stated:

Relevant considerations for **land reform**, in particularly African **communal** (tribal) **areas**, are as follows:

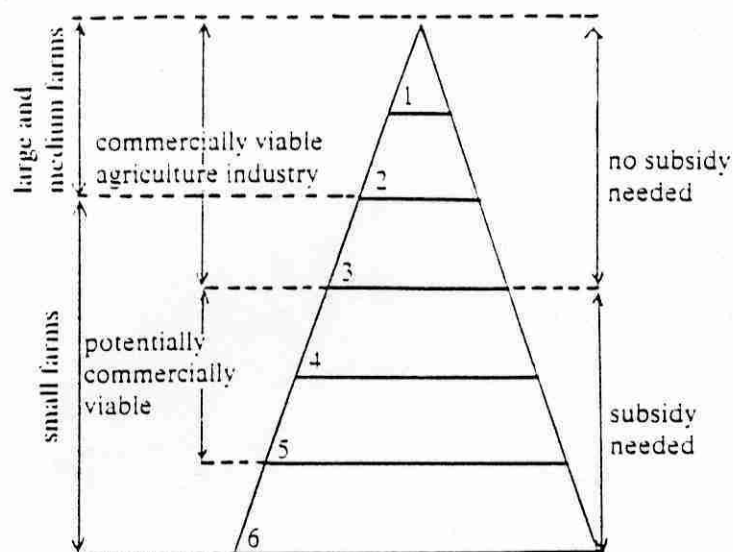
- (a) Environmental and technical considerations:
 - (i) Progressive deterioration of soil fertility and pastures followed by erosion because of cultivation and grazing practices;
 - (ii) large-scale fragmentation of farming-units under so-called communal systems or deviations from traditional communal systems with uncontrolled results.
- (b) Socio-economic considerations:
 - (i) the progressive increase in the demand for food and the necessity to increase the export of agricultural products;
 - (ii) deterioration of the traditional bond and solidarity, inter alia of the authority of traditional leaders, and the inadequacy of traditional regulations and customs under modern commercialisation of agriculture;
 - (iii) inter-group litigation and other conflicts about the use of rights to land amongst members of tribes, amongst members of tribes and traditional authorities, and amongst the latter and government institutions which occur to a greater or lesser extent;
 - (iv) the fact that land reform increases the ability of the government to plan and implement agricultural development;
 - (v) the awareness of the rural population that the value of agricultural land is on the increase and that farmers themselves feel that rights to land need to be straightened out.

3. PREREQUISITES FOR LAND REFORM

The prerequisites for land reform naturally depend on various circumstances which differ from country to country, as well as within countries, and a complete list is therefore impossible. Some of the **outstanding prerequisites** can be briefly outlined:

- 1) One of the basic requirements for success with land reform is **acceptance thereof by the rural population**. The receptiveness of the rural population, especially in tribal areas, for external influences and the adaptability of their customs and habits must definitely be taken into account. It is particularly important to consider socio-economic cultural, and development factors in relation to traditional systems of rights to land in the process of land reform.
- 2) Country-wide land reforms usually require **high expenditure for inclusive development**, settlement schemes, surveying, drawing up land registers, etc., which require specialised and qualified staff. The potential for the implementation of land reform must therefore be weighed against the level of development for country-wide implementation. Alternatively, land tenure reform can be initiated in certain selected areas and of differing systems by means of pilot projects which can be used as experimental programmes and consecutively implemented.
- 3) The **role of the central government is vital** for successful land reform, consequently government must remove all factors that may impede progress, e.g. through adequate financial provision in annual budgets for sustained land reforms, formulation of statutory measures to prevent uncertainties about land reforms, coordination and cooperation between state departments, good local administration, the training and allocation of staff, etc. These are responsibilities of the central government which will determine the extent of the long-term success of land reform.
- 4) The **potential for productive commercial farming** must be emphasized in the process of land reform and the government must assist farmers through financial and other means of support to realise this potential.
- 5) A most important aspect, beforehand and continuously in the process of land reform, is **provision of alternative work-opportunities** for people who can no longer make a living in agriculture as a result of land reform.
- 6) It is important that **farmers be educated** to realise that their progress and prosperity depend on their own efforts, and the system of land reform must therefore be implemented in such a way that farmers are free to manage and take responsibility for their own farming enterprises to ensure productive commercial farming which do not continuously rely on state assistance.
- 7) For land tenure reform to be successful it is essential that **farmers have security of their rights to land** and that a possible loss of rights, including of improvements made, will be fully recompensed.

7 general differentiation is diagrammatically illustrated as follows:



There are differences of opinion as far as the advantages and disadvantages of small compared to large farms are concerned but the majority is apparently in favour of smaller cultivation farms above the minimum level of economic viability. The most important considerations for these points of view, are briefly summarised:

Proceeding from the premise mentioned before that a labour-intensive and capital-conserving approach should be followed in less-developed countries or regions with regard to agricultural development during the initial stages, it is further argued that this approach will prevent the early transfer of labour from agriculture and that the size of farms is the basic determinant for the development of a labour-intensive agricultural industry. Studies done in India, South-America and elsewhere proved that smaller cultivation farms have a bigger capacity for employment, although the per capita yield may be less. It was also found that small-scale labour-intensive agricultural production was cheaper in terms of goods that are scarce in the economy. The risk that capital-equipment may be used too extensively on small cultivation farms was mentioned, however, and this may lead to unnecessary duplication and under-utilisation of equipment. A further advantage of smaller cultivation farms is that earnings are more evenly distributed and it can result in an increased demand for the goods of the expanding industrial sector. In addition, smaller farmers will most likely be able to follow a more rational investment policy.

If, however, an increase in agricultural production is emphasized, both for export and for the provision of food to the growing population, then it is quite possible that smaller farms will not come up to expectations as will be the case when the emphasis is on bigger farms. It is argued, however, that the increasing problem of unemployment and the demand for the more even distribution of benefits in less-developed countries, support the preference for smaller cultivation farms.

The argument that large farms are more profitable is accepted as far as increased productivity of labour is concerned, but it is argued that productivity of labour is not a high priority aspect when a labour surplus exists. Higher productivity of labour on large cultivation farms is primarily related to mechanisation and labour-saving techniques. In a situation of surplus labour and rapid population growth, productivity per land unit is a more important consideration than productivity of labour and consequently the point of view is that smaller farms better promote the increase of productivity per land unit.

In countries where a system of bigger individual farms is already customary, it was found **desirable**, from an agricultural point of view, to **maintain the large farms** and not to subdivide them into smaller farms through a system of land reform. It is possible to retain some of the bigger farms with a high agricultural production, while smaller farms are developed in other areas where it is possible and desirable, thereby establishing a dual system of bigger and smaller farms.

Some experts question the accentuation of size of farms for increased agricultural production in less-developed countries. According to this view there is no optimum size that can serve as a model, but the farming units ought to be organised according to the desired changes to balance economic and political power through reorganisation and

o. be improved through industrial development where more opportunities for work is created.

As mentioned earlier, this consideration is also relevant as far as strengthening the agricultural labour-force in less-developed countries is concerned, in that agricultural development must give priority to labour-intensive techniques during the early stages to prevent a premature transfer of surplus labour from agriculture.

Factors influencing labour in rural areas are the existing man: land relation, existing systems of rights to land, distribution of earnings and wealth, the geographical distribution of the population in the agricultural regions, the size and potential of industries, the proportion of the total population dependent on agriculture, the opportunities for migrant or commutor labour and supplementary income apart from agriculture, the rate of population increase, etc. i.e. variable factors influencing potential employment opportunities which is closely linked to land reform.

4.5 Cost of land reform

There is a point of view that the costs for governments of land reform are relatively low. In those countries, where the confiscation or expropriation methods are used, the initial capital costs of land reform may be low. Even where land must be purchased from the previous owners, the immediate cost can be low where payment is in the form of debentures.

It should, however, be realized that for land reform programmes in less-developed countries, large, long-term developmental and support investments, in addition to capital expenditure, is needed. The initial costs of acquisition of land is moderate compared to the costs of complementary measures needed to increase the production of the new owners. It is essential to realize that costs of land reform be accepted as a national budgetary item, and/or to be financed by special loans, and/or large foreign-aid.

The costs involved in land reform should be regarded as part of the total expenditure involved in economic and social development and, therefore, it is not correct to distinguish between expenditure on land purchases and that on subsequent land and human development and support services.

Due to the lack of sufficient funds, it is unlikely that less-developed countries can institute a land reform programme without foreign financial support. There is, however, a discrepancy in the attitudes of foreign patrons. On the one hand they demand that administrative and technical services, which they finance, are closely controlled, while on the other hand they refuse to contribute to the expenses involved on the administrative side. The result is that the new land-owners and the collective farms are compelled to make contributions towards the financing of projects and these are usually too high relative to the production capacities of their farms. This state of affairs often has a negative influence on land-owners and it discourages them to increase production. Limited success with land reform programmes is attributable, to an extent, to the heavy financial burdens placed on the small farmer.

The contributions of new land-owners towards the cost of land reform should be limited to those aspects of reform from which they benefit directly. These will include aspects such as acquisition of land, erection of a new house and interest paid on credit. Even these contributions must be distributed over an extended period of time to give the small farmer the opportunity to meet them. The government will have to be responsible for the expenses on infrastructure, fencing, production credit, extension and training, land reclamation and improvement, etc., i.e. those supporting aspects that are indispensable for land reform.

Direct international support, which also contributes towards additional investments in agriculture and other activities relevant to land reform, remains the major solution to the critical problem of financing land reform.

4.6 Credit

Granting credit to farmers in less-developed countries is one of the important questions which receive a lot of attention. Examples of the conditions of credit to farmers are that it be normal credit which must be repaid with interest based on economic interest rates generally applicable to agricultural land; that it must only be granted for purposes of increasing agricultural production; and that the credit must be provided in the form of supplies, equipment, stock, production means, etc. and not in cash.

In general it can be mentioned that agricultural credit facilities is an important component of land reform in order to guarantee that projects do not fail because farmers are unable to obtain the financial means to establish and improve their farming enterprises.

The number of farmers that do make use of institutional credit facilities varies from country to country. In some

causes. The marketable surplus of the redistributed farms may most probably be smaller than that of the former large farms because the occupants of smaller farms themselves use a bigger portion of their yield and/or may be less inclined to sell regularly. The difference in the contributions these two groups make towards total national yield, however, depends upon the extent of land reform.

Climatic factors largely determine surpluses and shortages and the market may, therefore, be inherently unstable, which in turn will lead to a fluctuation in market prices. Price stabilisation for agricultural products has advantages for both the farming community and the national economy. Where agriculture is still in a phase of transition, price stabilisation should be applied. There are particularly two reasons that necessitate price stabilisation, firstly, new farmers experience a lack of capital and consequently they are extremely vulnerable to price fluctuation and short-term recessions and, secondly, the increasing number of producers may be discouraged when price fluctuations have the effect that their earnings are less than they bargained on.

4.9 Political aspects of land reform

The political factor is the primary determinant in most countries for the implementation of land reform. In less-developed countries land is very much regarded as a symbol of power, and control over land as a source of social and political power. Because land reform can enhance the position of leaders at the central, but especially at the local level, it is conceivable that land reform can become a significant political factor.

The political motivation for land reform is related to the political values and objectives for development envisaged by the leading class. An increase in agricultural production is often a major consideration, apart from the consideration to promote social justice through a more equal distribution of sources of income to all levels of society. The main objective with land reform, especially in African countries, was not so much the redistribution of agricultural land, but rather consolidation of agricultural rights of use under the communal system. Notwithstanding the differences between, and also within, countries in Africa, it is above all the status and power of the local traditional leaders (tribal chiefs, etc.) that will be affected by the implementation of land reform. In African countries this is one of the primary political considerations as far as land reform is concerned. In regions where traditional local leaders are still influential, particularly where traditional leaders play a significant role in, or provide strong support for, the central political process, the success of land reform is in the first place dependent upon the consent and cooperation of the traditional political leaders.

The success of land reform is further dependent upon the mobilisation of the energy and self-interest of the farmers concerned, which is an important political element in the process. Authoritarian methods to obtain the cooperation of the local population may yield results on short-term, but on the long-term it is the spontaneous cooperation of the rural population that will determine the success of land reform. It is therefore advisable to obtain the cooperation of the rural population in both the formulation and implementation of policy.

The advantages the political party in power may gain or lose from land reform depend on the nature of the political system, the strength of political parties, the urban or rural power base of political parties, the political affiliations of rural traditional leaders and rural populations, etc. In general it can be said that the political party in power can potentially improve its support in those rural areas where land reform is successfully implemented.

A political characteristic of many less-developed countries is the so-called "urban bias", which means that government policy with regard to the improvement of the infra-structure and the financing of services is biased in favour of the urban population. Agriculture is then merely regarded as a supporting sector for industrial development, consequently political priorities for development in rural areas are low.

As the rural population develops, through increased contact with urban conditions, and a greater awareness of backward rural conditions, this may add to increased expectations for better living conditions in rural areas, which in itself may be an important political stimulant for land reform. If these expectations are not attended to, it is possible that large-scale urbanisation and depopulation of rural areas may take place, with a further decrease in agricultural production and the risks of large urban unemployment with consequent social and political problems.

4.10 Administration of land reform

Implementation of land tenure reform comprises a number of administrative functions, e.g.:

- (i) the creation of adaptation of executive machinery;
- (ii) the initiation for legal changes of rights to land (communal rights of use, ownership, rent, etc.);
- (iii) the registration of rights to land and enforcing it;

reform, and the attitudes of central authorities towards participation by local authorities varies from ready acceptance to rejection. The advantages of local and regional councils or committees are:

- (i) to promote coordination at the points of implementation;
- (ii) to serve as forums through which local public opinion can be formed and through which cooperation can be promoted; and
- (iii) to serve as a link in the process of planning through which the local population will be made aware of the fact that they are also participating in a process affecting all local interests and not only those of the agricultural sector.

In countries where the system of local and/or regional development authorities were created, such committees were instituted at the local level (e.g. called "local development committees" or "village development committees") and at the district or regional level (e.g. called "district development committees" or "regional development committees"). In these committees and councils are represented the local leaders, often politicians as well, interest groups such as cooperatives, farmers' associations, women's associations, local departmental and technical officials and others.

Despite the fact that the members of these councils and committees are often inexperienced and that they do not function efficiently, or that officials may regard them as a waste of time, these councils and committees nevertheless serve as an important link between the central government, its local officials and the local leadership who knows local needs. Furthermore, these councils and committees can be used to let the policy of the central government find acceptance with the local population and interest groups.

4.11 Land rights registration

The registration of rights to land, particularly in communal areas, is an important aspect of control over, and the effective administration of rights to land, as well as a precondition for land reform. It is purely an administrative matter, however, which must not be regarded as a means of land reform. The registration of rights to land is merely a means to an end because it can result in more efficient administration and can probably help to improve the process of land reform. The registration of rights to land has a public as well as a private function. **The public function** is to promote the interests of the government and the community as a whole, because a complete list of all rights to land is available to the government which they can use for tax purposes and orderly control. For **private individuals** the registration of rights to land has the advantage that their rights are more secure and also that land transactions can be safe-guarded and conclusively proved.

The **registration of ownership** (title) involves the keeping of a land register which gives a clear description of the land and the ownership and other rights registered on the land. The government guarantees all the rights mentioned in the register and it offers security to the owner or owners. This system of registration of ownership may have advantages over the European system of registration of deeds without registration of title. The **advantages of registering ownership** to land are that:

- (i) it gives security to the owner and other people with interest in the land;
- (ii) it reduces the risk of disputes and lawsuits about rights to land and promotes good social and human relationships;
- (iii) it simplifies land transactions because it is made cheaper and safer;
- (iv) it improves the chances for obtaining credit by offering proof of registration of rights to land;
- (v) it simplifies administration of land and collection of tax on land by the authorities concerned; and
- (vi) it is a prerequisite for any type of land reform because changes in rights must be registered and because registration of land is essential in order to prevent fragmentation of rights to land.

Registration of land title does not necessarily mean that the traditional (communal) system of rights to land will have to be changed, because the ownership can be registered in the name of the government, a tribe, a group or a private individual. It is therefore important to determine the nature of the existing rights to land before a system of registration of rights to land is implemented, e.g. whether it is desirable to grant ownership with possible limitations beneficial to family groups, tribes, etc., whether group ownership must be employed, granting the individual or his heirs only rights of occupation (rights to use), whether ownership must be registered for the government in stead of the group while individuals are only granted certain prescribed rights to land, etc. Customs in African countries and tribes vary between these alternatives.

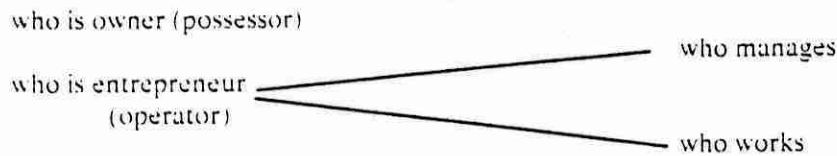
As the process of individualisation of rights to land take place at a faster or slower rate in African tribes, registration of rights to land is becoming increasingly important. As traditional bonds and securities gradually become less conspicuous, it becomes more and more important that a new system is implemented that will guarantee security and

II MODELS OF LAND REFORM

I. Land rights, farming systems and land reform

No ideal or perfect system of rights to land exists which guarantees infallibly sustained agricultural efficacy. At one time or another all tenure systems have been adequate or inadequate under certain conditions and in certain stages of economic development, and good and bad farming or progressive and regressive agriculture have been encountered under almost every form of land tenure.

The classification of rural rights to land in relation to owners' and labour arrangements can be made as follows: The classification is based on:



- (a) Owner-cultivator (owner-entrepreneur) where one person (family or relatives) has all three functions (owner, manager and cultivator).
- (b) Land-owner - lessee relationship where the lessee has most or all of the functions of management and labour.
- (c) Land-owner-employer - employee relationship where the landowner performs all the owner and managerial functions and the labourers are hired for a fee.
- (d) Colono type of labourers (squatter labourers) where labourers on a big farm receive small-holdings ("minifundia") on which they work for the land-owner in return. Payments are in the form of the use of small-holdings often supplemented with cash or in natural wages.

(In the case of (c) and (d) the labourers usually reside on the employer's land and they are often supplemented by seasonal workers from elsewhere, e.g. from nearby minifundia).

The example discussed under (d) is mainly found in South American countries e.g. Chili, Peru, etc.

- (e) Communal rights to land where ownership is vested in the group and rights of use to land for occupation, cultivation (fields) and grazing are allocated to specific households, families or relatives. The agricultural activities are carried out by the household, family or relatives. Strangers can obtain such rights of use to land after they have been allowed to become members of the group. This is the typical traditional system of rights to land in Africa.

The most important rural system of rights to land and types of farming enterprises are briefly as follows:

- 1) **Family farms** are found mostly in Western Europe, the U.S.A., Canada, Australia, New Zealand, parts of Argentina, Brazil and parts of other South-American countries, Japan, the so-called white areas of South Africa, etc. The owner- and labour arrangements mentioned under (a), (b) and (c) above, are mainly applied.
- 2) **Peasant farming** is found in parts of Western Europe and Japan, but mostly in Asia, where the owner- and labour arrangements mentioned under (a) and (b) as well as (c) are applied.
- 3) **Plantation farming**, mainly concerned with the export of tea, rubber, sugar, bananas, etc., and found in African, South-American and Asian countries, where the arrangements mentioned under (c), above, are applied.
- 4) **"Haciendas" and "latifundia"** (big farms) and **"minifundia"** (subsistence small-holdings), are found in the greater part of South-America and the arrangement mentioned under (d) above, is applied.
- 5) **Communal farming** is found in the greater parts of African countries and the arrangement mentioned under (e), above, is applied.
- 6) **Socialistic (collective)** types of farming are found in Israel, Russia and the Eastern European countries, China, North-Korea, Cuba and countries in Southeast Asia.

established since 1965 with an average of ninety-four farmers per group who cultivate an average of 110 ha under cotton. A few group farms were also established in Zambia during the sixties, but it was never continued. These projects were mainly established in areas suitable for growing cotton and sugar by means of which the government were able to recover credit from the members of the group farms.

- 5) State farms were also put into practice on a limited scale in certain African countries and the conclusion is that state farms will not play an important role in future systems of land reform in Africa. State farms mostly serve as agricultural experimental stations, training centres or to provide surrounding farmers with agricultural services such as improved seed, breeding stock and to demonstrate improved cultivation techniques and animal husbandry. Examples of these are *inter alia* in Ghana, Nigeria and Tanzania.

Land tenure in Sub-Saharan Africa is in a state of flux. Only one country, Côte d'Ivoire, has encouraged unrestricted private ownership of land. Private ownership is encouraged in Kenya, but subdivision of lots is prohibited and sales must be approved by local land boards. In six countries - Ethiopia, Mauritania, Nigeria, Tanzania, Zambia, and Zaire - all land belongs to the state, although most of these countries recognize the rights of the occupier. In most countries mixed systems exist, with some customary and some measure of private ownership. Where land is becoming scarce, de facto aspects of private ownership are developing, including informal sales and pledging as collateral.

Evidence of the impact of land tenure on investment and output in Africa is scanty. But research from other areas suggests that absence of secure title to land can act as a disincentive for long-term investments, such as conservation, irrigation works, and tree planting. It can also hamper the take up of credit and therefore the purchase of modern inputs or improved tools. State ownership of rangelands and forests also removes the incentive for individuals or communities to regulate herd sizes or tree cutting according to carrying capacity. The first person who arrives with an axe or an extra animal will be the one to appropriate the full short-term benefit, but will bear only a small portion of the long-term costs.

Many African governments have been wary of introducing full individual private ownership of tribal land, afraid that it might result in growing inequality and landlessness. In practice there are intermediate steps short of unrestricted private ownership that can be taken immediately to remedy some of the problems of tenure, such as the following:

- Titles of occupation, as introduced in Nigeria, or very long leases, as tried in Tanzania, can give farmers the security they need to undertake long-term investments. These documents can also serve as collateral for loans. Leases and titles should be issued to all occupants, not merely those who apply. Women's rights to land should be legally recognized.
- Groups of users or local villages could be granted long-term exclusive rights to exploit and manage communal resources such as forests and pastures, with appropriate conditions. The state would retain formal ownership and inspection rights.
- Rights to sell, rent, forfeit, and inherit land may be introduced gradually, as land scarcity increases, although they are probably necessary for rational use of land and mobility of labour.
- Even insecure tenure need not prove an obstacle to the adoption of low-cost technologies involving few or no purchased inputs, especially if these provide a high return within two or three years.

2. CASE-STUDIES OF LAND REFORM

2.1 Botswana

When Botswana became independent in 1966, its internal production was almost entirely dependent on cattle-farming. Since that time the contribution of mining have increased dramatically. As a result the contribution of stock-farming (mostly cattle) towards foreign income for Botswana has perceptually decreased, but the actual income increased. The number of cattle increased from 319 000 in 1949 to 2.1 million in 1972 (official census) and to an estimated 3.5 million since. The maximum carrying capacity of the land was estimated as just over 3 million and it is therefore evident that Botswana had to pay serious attention to the number of cattle and production by cattle-farming to secure the important economic sector.

The system provides for the allocation of both communal and individual rights to land for farming in tribal areas. The land boards must divide the grazing areas in tribal areas in three categories, viz. "Commercial Farming Areas", "Communal Grazing Areas" and "Reserved Areas".

- (i) The "Commercial Farming Areas" are mostly those regions established by large farmers in the "sand veld", as explained earlier, who previously paid nothing for these rights. A prescribed number of hectares of land are allocated to an individual or a group for which a prescribed rent must be paid under a written agreement of tenancy as prescribed by the Tribal Land Act. The policy is to preferentially allocate such exclusive rights to groups of farmers, but such rights are also allocated to bigger farmers in tribal areas. The farmers, who own a few cattle each, form groups and lease grazing rights exclusively for the group in the "Commercial Farming Areas". Provision is made for the allocation of credit to farmers in these areas to build watering-places and to fence in the land they leased.
- (ii) In the "Communal Grazing Areas" in tribal areas the traditional system of grazing is retained on which no rent is imposed. The numbers of cattle in these areas are purposefully controlled to promote improved cattle-farming or cooperative cattle-farming in the communal areas, subject to approval by other members of the tribe. These groups are also encouraged to fence their pastures and to provide water-wells themselves. This makes a system of commercialised stock-farming possible even in the communal grazing areas.
- (iii) The third category is the "Reserved Areas" which are grazing areas which have not yet been allocated with the declared objective to keep them in reserve for the smaller farmers to be allocated to them when the demand for grazing increases. This, apparently, is a method used to protect the unused portions of pasturage in tribal areas and, furthermore, to encourage the smaller farmers to develop bigger commercial stock-farms, either individually or in groups. These "Reserved Areas" are also reserved for game conservation, mining and cultivation.

This programme of land reform in Botswana was preceded by an intensive consultation programme with tribal members in collaboration with tribal chiefs, land boards and district councils. The people were given ample opportunity to express themselves on this programme and this gave the government an indication of the local priorities and also served as a means to explain the programme and to make it acceptable to the people. The system seem to be very flexible in the different tribal areas, subject to local conditions, e.g. size of tribal areas, population density and the extent of overgrazing. The government devised a systematic plan for implementation by dividing it into **four main phases**, viz.

- (i) the initial steps, including consultation, drawing up maps, pasture surveys, etc.;
- (ii) land allocation, including zoning of areas, allocation of rights, conclusion of agreements, etc.;
- (iii) development, including group formation, organisation of communal projects, allocation of credit loans, ranch development, and marketing; and
- (iv) evaluation.

The government also launched a **development programme** called "**Livestock Project II**" with the object to improve cattle-farming by spending about R10 million over a period of six years to develop the infra-structure and to train farmers. Provisions were made for a Ranch Manager Training Centre and credit facilities for farmers are also provided.

A few **conclusions** can be drawn about the main characteristics of this system.

The procedures applied in Botswana rather amount to reform of land control and land administration in tribal areas, rather than land reform in the full sense of the word.

Botswana has retained the dualistic system of rights to land of separation between tribal areas and original commercial farming areas, e.g. the Tati and Tuli Blocks, Ghanzi farms and Gaberone farms. These **private commercial farms were left untouched by land reform**. Since independence tribal farmers are buying commercial farms in the above commercial areas with government and/or commercial financial assistance on the willing-seller-willing-buyer principle.

The system of subdividing tribal areas into commercial stock-farming areas, communal stock-farming areas and reserved areas was possible because the population density of Botswana is low and most of the tribal areas have unoccupied land. This fact considerably simplifies the land reform programme in Botswana. It seems, nevertheless, that a substantial number of tribal members will not be able or willing to practice cattle-farming in future, but that it

The third component of the RP is known as the "internal land use reform", which was introduced in 1986 in the communal (tribal) areas, previously known as the Tribal Trust Lands.

The IRP was initially, in 1980, aimed at settling 18 000 families on 1.1 million hectare. In 1981 a new target was announced to resettle 162 000 families over a period of three years.

The government had to contend with a very large squatter problem when 60 000 squatters settled on commercial farms in the eastern and south-eastern districts, as well as in parts of national parks. The settlement of this large number of squatters with claims of reoccupation of their original lands further politicised the land problem in Zimbabwe. With the "resettlement programme" the government was able to partly solve this squatter problem coupled to a serious stock theft problem.

The "intensive resettlement programme" (IRP) is implemented by means of **four models** which were designed with the aim of standardizing of the process of planning and resettlement:

Model A is based on "nucleated village settlement" where each household receives five hectares for cultivation as well as rights for communal grazing for five to fifteen cattle. Each family also receives a residential plot allocated in planned village settlements. All land is occupied and used under a system of permits for occupation, cultivation and grazing stipulating the conditions thereof. The land for cultivation allocated to each family under Model A is larger than in the communal areas, and Model A is designed to settle individual small family farmers as productive units.

Model B is designed for the settlements of groups of people between 50 and 200 members on a communal basis for cooperative farming. Profits are divided among the members according to certain formulae. Model B was originally seen as a means for "socialist transformation of peasant agriculture", but limited progress was made with the implementation of Model B.

Model C is a variation of Model A with a central "core estate" through which certain services are rendered to the settlers and they have to contribute labour for specified purposes. This model was originally meant for the production and processing of crops such as coffee and tobacco by means of cooperative settlements. After three years only one Model C scheme with 207 families were settled at the beginning of 1984 for the production of tobacco.

Model D is a more recent model designed for the settlement on extensive grazing areas in less favourable agricultural areas subject to recurrent droughts and where crop production is not possible. This model is intended for group ranching of sheep and cattle. Each settler family receives a residential plot in a nucleated village, one hectare for dry land cultivation, a vegetable garden of one-tenth hectare under irrigation where possible.

These models have a few common characteristics. They are all intended for closer settlement of farmers in contrast with individual farms in commercial areas. The closer settlement is intended to retain the tradition of communal areas and for the benefit of economy of scale with the provision of services and infrastructure. The provision of administrative centra, schools and clinics for these communities is based upon the concept of rural service centra.

All four models are designed to provide for cultivation land and/or grazing land sufficient for the subsistence of a farmer and his family. The original target was to provide a minimum annual income of 400 Zimbabwe dollars per family.

The **second main component** of land reform in Zimbabwe is the "accelerated resettlement programme" (ARP) which was implemented from 1982 to try to speed up the slow progress with the previous models. The ARP is indeed a simplified programme for the settlement of the large numbers of squatters and to speed up the slow progress made with land reform under the above models.

For the purpose of the IRP and ARP programmes of resettlement, agricultural land in Zimbabwe is classified in five agro-ecological zones, known as "natural regions" (NR). More than half of the large commercial farms in Zimbabwe are in the more favourable agricultural areas classified as NR 1, 2 and 3. The best agricultural land classified as NR 1 and 2 comprise only 17 per cent of the agricultural land of Zimbabwe.

Under the IRP and ARP programmes a total of 2.2 million hectare was settled in 1986 by 35 000 families. This was about one-fifth of the original target to settle 162 000 families aimed at in 1981. About 15 per cent of the commercial farming land was used for these settlements during a period of nine years. By the end of 1989 52 000 families were settled under this programme.

2. Kenya

Land Reform Process Land reform in Kenya consists of two parallel processes or models, viz:

- i) Resettlement of farmers in the fertile farming areas, known as the "European lands", formerly owned by Whites. This land reform is known as the Million Acre Scheme which began in 1961 and was completed in the early 1970's)
- ii) Individualisation and consolidation of land rights in the so-called "African lands", which began in 1954 under the Swynnerton Plan, and which is still continuing.

During the colonial era, 1900 to 1963, rights to land in Kenya developed on a typical dualistic pattern. British and South African settlers farmed commercially in the agricultural enclaves, especially in the White Highlands, whilst the Black population farmed under tribal conditions. As a result of the Mau Mau rebellion in 1953-54 the British colonial government began a land reform programme which was furthered by the independent Kenyan government in 1963. Both the above land reforms in Kenya are aimed at individual rights and the promotion of family-farming on smaller and larger scale.

The Million Acre Scheme was designed to settle 30 000 Black families on "European lands" which was bought by the British government and later by the Kenyan government with British financial aid. After the completion of this programme in the 1970's, 34 000 families were settled on 135 settlement schemes.

By means of the **Kenya (Land) Order in Council** of December 1960, the colonial government changed the official distinction between reserved "European Lands" and the "African Lands" after 58 years of colonial rule, by removing the limitations for the transfer of ownership of land between different races. The process of the resettlement of Blacks on previously White owned farms became known in 1961 as the Million Acre Scheme, because at the beginning it was estimated that more than 1 million acres of "European lands" would be divided between 30 000 Black families. The aim of the Million Acre Scheme was broad and ambitious:

- (i) to end the division between "African peasant farmers on small plots and European farmers on large, prosperous holdings";
- (ii) "to relieve land hunger in African areas";
- (iii) to alleviate unemployment of Blacks "... by making farm life more attractive and profitable";
- (iv) to provide land to Black small commercial farmers as a result of land reform in tribal areas;
- (v) "to assist in creating a stable land market in Kenya, avoid forcing Whites frightened by the turmoil or the Mau Mau Rebellion and the struggle for independence to sell at substantial losses, and thereby persuade enough Europeans to stay to prevent drastic shortfalls in production during the disruptions of the land reform";
- (vi) to improve agricultural production techniques of black farmers and to extend agricultural supportive services;
- (vii) to improve agricultural production per acre by using more intensive agricultural methods and intensive labour; and
- (viii) the improvement of marketable agricultural production of black farmers, so that they can repay loans on land and to ensure higher income per family.

The application of this programme caused general dissatisfaction amongst the White farmers. From 1961 farmers started selling their farms, or simply left their farms and emigrated.

In 1961 the **Land Development and Settlement Board (LDSB)** was instituted to execute the Million Acre Scheme. The LDSB's trustees were the Ministers of Finance, Agriculture and Lands and Settlement. The trustees retained the title deeds of the dispossessed land until the Black settlers could meet their financial commitments. The LDSB had full responsibility for the whole settlement programme from the purchase of farms, the planning and the settlement of the farmers. The Department for Lands and Settlement was responsible, under the control of the LDSB, for land purchases, subdivision of farms, allocation of the units, submission of budgets, provision of loans to Black farmers and the administration of agricultural aid services and provision of water. For this purpose, a "Director of Settlement", a "Deputy Director" and a "Chief Agricultural Officer" were appointed at the head office in Nairobi. A further four "Area Settlement Controllers", eleven "Senior Settlement Officers" and 79 "Settlement Officers" were appointed for control over the execution of the programme at local levels.

The Million Acre Scheme incorporated different types of "settlements" subject to the different types of land and different backgrounds of the Black farmer. Every type of settlement consisted of different sized farms aimed at agricultural improvements according to different target incomes for Black farmers. The crux of the Million Acre Scheme was the 84 "High Density Schemes" which were implemented for small Black farmers with little agricultural knowledge and little money. Each scheme was about 10 000 acres divided into 300 small farms with an average of 27 acres (11 hectares) each. About 80 per cent of the scheme is grazing lands and 20 per cent is cultivation of cash-crops

State expenditures under the Swynnerton Plan for reform in the tribal areas, amounted to 12.2 million Kenyan Pounds between 1965 and 1974 for "land adjudication and registration", as well as about 20 million Kenyan Pounds for rural development and agricultural support services.

Evaluation Kenya's two main land reform programmes clearly benefitted a large number of Black farmers. A major advantage was the more than one million acres of land obtained from white farmers before and after independence in 1963. A large number of Black farmers were settled under the Million Acre Scheme as small and bigger commercial farmers. Kenya's record over a period of 15 years after independence in 1963 proved, in terms of agricultural production, to be one of the more successful African countries. Between 1963 and 1979 the economic growth rate was 6 per cent per annum. Since the early 1980's this prosperous economy, however, deteriorated due to unfavourable trading conditions, and exceedingly high government expenditure.

A particularly major problem for Kenya is the extraordinary high population growth rate. In the rural areas the agricultural production growth is far lower than the population growth, resulting in poverty. By 1985 there were about 1 223 500 rural families classified as poor, of which 618 500 were small farmers, 410 000 were rural squatters and 195 000 were small stock farmers. The poor rural population is estimated at 5.5 million people, or about 35 per cent of Kenya's population.

The contribution of small farmers to monetary agriculture, however, improved favourably during the two decades until 1985. Their share of the gross marketed agricultural products grew from 7.9 per cent in 1957 to 51.6 per cent in 1972, with an increase in marketed value from 6.9 million Kenyan Pounds to 54.8 million Kenyan Pounds during the same period.

2.4 Algeria

Land Reform Process The process of land reform in Algeria since independence in 1962 can be described as a revolutionary attempt of socialism, especially since the acceptance of Colonel Boumediene's "Agrarian Revolution", which was proclaimed on 8 November 1971. This was followed by a change in policy with the promotion of private entrepreneurship since 1985, as a result of the poor agricultural production under socialism.

Almost all the one million French settlers emigrated by the time of independence in 1962. According to a decree of October 1962 the state would take over all land which was declared abandoned and a decree in October 1963 announced the total nationalization of all French land. The confiscated land was reformed into state farms and was managed by worker committees. These so-called "self-managed farms" ("domains autogères") were settled by agricultural workers who previously worked on the French settlers' farms, but the poor rural peasants were not advantaged by this. There remained 16 500 Algerians who were large land owners and who owned 27 per cent of the agricultural land, whilst they only constituted 3 per cent of the total number of farmers. The Charter of the "Agrarian Revolution" of 9 November 1971 prescribed the subdivision of the large farms owned by Algerians, and the redistribution to landless peasants ("fellahin"), thus organizing the "fellahin" into cooperatives. The phase after the "Agrarian Revolution" in 1973 was entered into by the redistribution of more than 650 000 hectares of private land to 60 000 "fellahin". At the beginning of 1979 22 000 absent land owners were forced to work their farms themselves or to hand it over to the "fellahin" for whom more than 6 000 agricultural cooperatives were established. A programme for the construction of socialist villages was simultaneously implemented and 140 of these villages were established by 1981 with another 203 under construction, with the long term aim to establish 1 700 socialist villages for 140 000 cooperative farmers.

The aims of the "Agrarian Revolution" with regard to the redistribution of land were threefold:

- i) subdivision of large private farms, larger than 110 hectares;
- ii) the abolition of absent ownership of land and the ending of the leasing of farms;
- iii) the prevention of the fragmentation of production units by establishing small farmer cooperatives.

By means of so-called "indivision", meaning subdivision by Algerians of their farms larger than the permitted 110 hectares limit and the redistribution of this land among the members of the same family, was a method found to partly sidestep the policy of land reform. This demonstrates the determination with which the affluent rural land owner, acted to protect their economic interests.

The so-called "middle peasant," owned about 51 per cent of the agricultural land and made up about 25 per cent of the farmers. They were left virtually undisturbed by the "Agrarian Revolution" because they were beneficiary members of the military and technocratic elites who hired their agricultural land out to mediators.

The new government of Colonel Chadli Bendjedid, however, had, since the beginning of the eighties, ended the

provision of better social and community services, as well as the promotion of education and skills, and new social organisations which could enable the rural Swazi's to improve their own development process.

The most important reason for the preservation of the "communal" land in the tribal areas is apparently the guaranteeing of equal access to land. The improvement of agricultural production on tribal land is still a serious problem and the relatively good improvement of agricultural production in Swaziland was almost exclusively achieved in the "freehold areas" which are mostly owned by Whites.

3. THE NAMIBIAN SOCIO-ECONOMIC CONTEXT

Namibian agriculture, together with fishing, contributed 45.9 per cent to GDP in the period 1940-1949, but fell to a mere 10.2 per cent of GDP in the period 1980-1987. Its share of total exports amounted to 14.6 per cent in 1987. Farming accounts for more than 50 per cent of subsistence employment and 12 per cent of modern sector employment. If account is taken of agriculture's extensive linkages into industry, transport, and commerce, it sustains about half of the Namibian economy.

Its vulnerability to adverse climatic conditions was vividly demonstrated during the severe drought of 1981-1984 when agriculture's contribution to GDP fell from 10.1 to 5.7 per cent. Fishing, once one of the main pillars of food supply and exports, has suffered severe setbacks as a result of over-exploitation.

The centre of Namibia's socio-economic problem is the huge gap between fast population growth (about 3.1 per cent a year) and real GDP growth (one per cent per year for the past 12 years). Efforts to raise living standards, by expanding educational facilities, housing, food production and work opportunities are severely hampered by this discrepancy. The more than doubling of the urban population from 335 000 in 1985/86 to a projected 678 000 in 1999/2000, an increase from 28% in 1985/86 to 40% in 1999/2000, coupled with the total unemployed work force of 23% in 1985/86 increasing to a projected 46% in 1994/95 and to 55% in 1999/2000.

Similarly the rural population will increase from 335 000 in 1985/86 to a projected 1 037 000 in 1999/2000.

Namibia's budgetary situation is anything but healthy with a deficit before borrowing of about R720 million for 1989/90 and steadily increasing government debt climbing to 40 per cent of the annual budget.¹⁾

Although Namibia exhibits many symptoms of the African development crisis, the intensity is not as severe, one of the **main alleviating reasons** being the **ability to provide food**. The neglect of rural areas has been the single biggest cause of famine, urbanisation and unemployment in African countries.

1) Economic and financial statistics obtained in *Africa Insight*, vol. 17, no. 4, 1987, and *Opinion*, vol. 37, no. 2, June 1989.

can be mobilized. Prerequisite is the lessening of social and economic inequalities, because equal sacrifices is not reconcilable with unequal rewards.

In China, e.g. little emphasis is placed on national agricultural planning, manipulation of macro-economic factors or price factors. Solutions for the problems are sought at local level. Motives and attitudes can be changed. Institutional arrangements are seen as variables and experiments are permitted. Local problems must be solved at the local level.

Development Policy

3) Reformist

Dominant land ownership system

Family farms, but dualism is prevented with small co-operatives and small farms.

Aims

Distribution of income (and wealth); increase output but less than technocratic. (This is a compromise strategy). There is sometimes formalism. Conciliate greater equality with more rapid growth by changing agricultural institutions. Reforms are one-sided, fragmented and incomplete, excluding some areas. In Mexico, e.g. land is redistributed in the south, but capital intensive farming is promoted in the northern region. Egypt is also benefitting larger farms. Distribution of income from higher to middle class. The lowest class may get better job opportunities, earn a higher income, but their relative share does not improve, neither does their political influence.

Ideology

Nationalistic and populist (people's ideology), also rhetoric of redistribution.

Beneficiaries

Middle peasants, progressive farmers. The latter are often from urban areas, including retired civil servants, military officers, and politicians.

Examples

Mexico
Egypt

initially concentrating on areas where there are the worst poverty and inequality, is that potential dissatisfaction and resistance can be prevented and to increase welfare in such areas. The disadvantage is that such more backward areas may have the immediate least potential to increase agricultural production.

In spite of the optimism and worldwide rhetoric about land reform and rural development in Third World countries since the sixties, relatively few successes have been achieved, mainly as a result of lack of political will or inability to execute such policies, or as a result of financial inability of countries to execute such programmes. The literature on development of Third World countries, has since the seventies increasingly emphasized the urgent need for rural and agricultural development, and that land reform is a part of this changed emphasis in favour of rural areas. There is also general agreement on the importance of participation by rural communities in development programmes. The necessity that development can only take place when communities are able and motivated to develop themselves by means of self-help and to break the syndrome of dependency on external assistance.