



Elite capture and state neglect: new evidence on South Africa's land reform

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Summary

The most recent incarnation of South Africa's land reform is a model of state purchase of farms to be provided on leasehold, rather than transferring title. This briefing presents headline findings from our field research in one district.

Introduction

South Africa's land reform is in flux – and, arguably, in crisis. We argue here that the widespread criticism of its slow pace fails to capture the extent of this crisis. Our argument follows from that of Lionel Cliffe (2000), who pointed out that land redistribution was constrained not merely by the constitutional settlement and protection of private property, nor by the World Bank's market-based land reform formula of the 1990s. More profoundly, he argued, the manner in which redistribution was practised was 'constricted by old-fashioned "modernist" (and often implicitly colonial) orthodoxies still current in South Africa' (Cliffe 2000, 273). This briefing shows how, years later and after several policy shifts, these orthodoxies have shaped a contorted reform, centred on criteria of commercial 'viability' and governed by state officials, consultants and agribusiness 'strategic partners' concerned with surveillance and control of 'beneficiaries' in 'projects' with precarious tenure on un-subdivided commercial farms now owned by the state. This is a far cry from the vision of land reform restructuring the countryside and establishing a major smallholder class with independent and secure land rights.

Since the National Land Summit of 2005 where, at least discursively, the government abandoned the 'willing buyer, willing seller' approach (Hall 2005), a raft of new policies and laws has been developed. Proposed new laws and policies that, as of mid 2016, are under preparation or under consideration, in public consultations and in parliament, include measures to introduce land ceilings, to prohibit new purchases by foreigners, and to introduce race and gender information in the national deeds registry (Regulation of Land Holdings Bill); to limit the subdivision of high-potential agricultural land (Preservation and Development of Agricultural Land Framework Bill); to transfer ownership of customary land in the former 'reserves' or Bantustans to 'traditional communities' and entrench the powers of traditional leaders in its governance

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