

Assessing the functionality of district land reform committees (DLRCs) in South Africa

Summary

For two decades, South Africa has been struggling to unravel its bifurcated land and agrarian reform policies and strategies. The National Development Plan (NDP) of 2011 proposed the introduction of district land reform committees (DLRCs) as a district-level layer to fast-track the process of redistributing farmland. This policy brief, which is based on recent research encounters with DLRCs and local community groups using or desiring land, concerns the functionality of these committees and their ability to achieve their objectives. The recommendations centre around clarifying the functionality of these committees and their representation, while considering the need to broaden their mandate beyond current farmland redistribution models.

Introduction

Following the recommendations of the National Planning Commission, the Department of Rural Development and Land Reform (DRDLR) embarked on a process of establishing DLRCs in all 44 district municipalities in South

Africa. Begun in 2015, this process was completed by late 2016. During this period, a policy document was compiled which described the functioning and purposes of the DLRCs as well as the terms of reference for the functioning of the sub-committee dealing with farmer beneficiary identification and selection. DLRCs are intended to act as multi-stakeholder platforms representing different groups in each district (e.g. various types and scales of farmers, land seekers, land sellers, departmental officials and municipalities). The DRDLR acts as the secretariat for each DLRC and is represented as a member of each DLRC. Realising the unevenness in the composition of the DLRCs and the need to identify and understand 'hidden' land needs and use within local communities in each district, the DRDLR commissioned the HSRC to develop and pilot a framework for building the capacity of the DLRCs. Given the political need to speed up land reform (and farmland redistribution in particular), along with the economic prerequisite to address increasing poverty, unemployment and food security at national and household levels, there is a mounting necessity to understand the land needs and use of the poorer

segment of the population, many of whom are youth and females or people with disabilities (PWDs).

DLRCs within the context of farmland redistribution policy

Since 1995, the government has tried to redistribute 30% of white-owned commercial farmland to black, Indian and coloured South Africans who are farming or are interested in farming. Currently, less than 10% of this land has been transferred but the actual figures are unknown. Following criticisms of the state about how it identified and supported new entrants and farmers (generally and specifically) on these redistributed farms, the state did away with the system of land grants. On the one hand, the critics argued that new agricultural entrants and farmers did not follow previous owners' practices and farming infrastructure deteriorated. This situation was seen as a threat to national food production and area-specific commodity production. On the other hand, the state was criticised for not subdividing to meet the needs of new entrants and not supplying farmland recipients with access to working capital.

A land lease system was gradually introduced and entrenched by 2009. This system, known as the Proactive Land Acquisition Strategy (PLAS), involved the state purchasing farmland from a willing seller and, as the owner, leasing this land out to various applicants. As part of PLAS, the successful applicant was mandated to work alongside a state appointed mentor or strategic partner. This individual or organisation is responsible for ensuring that the farm operates along the path taken by the former owner by providing the necessary knowledge and experience to the new recipient. In 2010 the DRDLR introduced the Recapitalisation and Development Programme (RADP) to address the infrastructure constraints on many transferred farms. However,

neither PLAS nor the RADP has increased the quantity of hectares transferred. PLAS has not tangibly increased the number of new farmers as intended by the NDP.

The DLRCs were introduced as a new layer at the local level to improve the land redistribution process. Based on the notion of their broad representativeness at the district level, it is assumed that they will have increased local-level knowledge. Such knowledge includes district development plans, land use management plans, local and national regulations, and awareness of local farmland sellers and possible land seekers. Broad representation is intended to ensure that potential farmland is identified, purchased, and suitable farmland and farmers matched in accordance with local development plans and land use. The DLRCs are mandated to redistribute 20% of the farmland in each district in an attempt to meet the government target of 30% farmland redistribution nationally. The assumption is that broadly representative local committees will be able to overcome existing challenges by pooling their knowledge and skills.

Capacity building in the DLRCs

With the collaboration of the University of Fort Hare, the University of KwaZulu-Natal, and the Human and Social Development Research Programme of the HSRC, we set about developing and piloting a framework for building capacity in DLRCs in the provinces of KwaZulu-Natal, the Eastern Cape, Limpopo and the Western Cape. In total, 10 district municipalities were targeted. A brief scan was done to determine the capacity-building needs of the DLRCs. Several DLRCs across the country formed part of this scan, as did representatives of the provincial departments of agriculture and land reform. A primary focus of the subsequently developed framework was

to conduct basic research to identify the multiple farmland requirements of different interest groups of land users and land seekers in each district. The final districts were identified by the DRDLR in April 2017 and are illustrated in Table 1. Some had not formed part of the original scan.

Table 1: Provinces and districts in the LUNA Study

PROVINCES	DISTRICT MUNICIPALITIES
Limpopo	Sekhukhune
	Waterberg
KwaZulu-Natal	Ugu
	Amajuba
	uMgungundlovu
Western Cape	Overberg
	Cape Winelands
Eastern Cape	Chris Hani
	Joe Gqabi
	Sarah Baartman

The applied research and capacity-building fieldwork was conducted between May and August 2017. It kicked off with planned visits to each of the ten DLRCs. The visits involved explanations of the process and community, and special group encounters (three in each district) organised in conjunction with the DLRC members to ensure their optimal participation. These encounters were to enable the DLRC members to get a feel for using basic research tools to explore local-level land use and to ascertain the needs of diverse groups (e.g. female farmers, youth, farm dwellers, veterans, PWDs, livestock farmers, field crop and horticulture farmers).

Challenges within the DLRC structure

While setting up the meetings and interacting with DLRCs or their members, a number of challenges relating to their operations became evident.

Poor functionality

After more than a year, some DLRCs seldom met despite having scheduled meetings. In some cases, they did not meet for seven months or more (KwaZulu-Natal), while in one or two instances they had met more or less on a monthly basis (Eastern Cape and Limpopo). In at least two cases (both in the Western Cape), the DLRCs struggled with their official legitimacy and consequently had never met despite members having been appointed. One DLRC that was not part of the study collapsed during the fieldwork phase (Amathole District, Eastern Cape). The research team managed to meet with six of the ten DLRCs but at many of these meetings, the chairperson and several of the other committee members were absent. Some had resigned and had not been replaced. Others did not have time to attend the meetings, although these were scheduled DLRC meetings. As most representatives are volunteers, a recurring complaint was that they were not receiving their stipends (meeting allowances) and travel allowances from the DRDLR and this was given as a reason for the low turnout. This was also suggested as a reason for the demise of the DLRC in Amathole District.

Uneven representation

Even when the research team was informed that most members were present, it was clear that generally many interest groups were not represented on these multi-stakeholder platforms. For example, national African farmer organisations were represented, but few DLRCs had representatives from the white farming sector, veterans, youth or PWD. More notable was the absence of municipal officials tasked with coordinating district development plans and land use management activities. Thus, there seems to be a lack of synchronisation between the activities of the DLRC and those of the district and local municipalities.

Non-inclusive land redistribution

Where meetings were held, very few DLRCs indicated an interest in the proposed capacity-building project. Some noted that they had no idea where the community groups could be found, while the groups we encountered in the field often reported not knowing about the DLRC. The DLRC indicated that they had too many other commitments and, given that there was no money for travel allowances and stipends, they could not take on extra work. Most DLRCs expressed the view that their responsibility was to match farmers to purchased farmland and not to do research on the land needs and practices of diverse local groups. According to representatives, the local branch of the DRDLR had lists of purchased farms and prospective farmers and there was no need for them to look for more. In Limpopo, one of the DLRCs was of the view that they knew best who needed land and they had compiled lists of farms and allocated prospective farmers. However, they were concerned that after more than a year, the DRDLR and other state departments were not following their recommendations and plans.

In other DLRCs – even those where meetings were not arranged as part of the project – access to records indicated that some DLRCs were able to extend the PLAS mandate and to link large-scale purchased farms with appointed mentors to suitable applicants. Thus, the DLRCs appear in these cases to work with the DRDLR to extend the PLAS mandate but are far from inclusive or even willing to broaden their mandate to include hidden land needs at the district level. When this brokerage role does work (at least in this selection of districts) it appears that existing farmers seemingly receive more land as opposed to granting access to new entrants. Similarly, DLRCs are not being creative in identifying unused parcels of land across the district and do not seem to constitute a network that is capable

of achieving this task. This situation probably arises from the limited representation found at most DLRCs that met with the research team.

Clearly, the DLRCs are struggling with their mandate to speed up land reform, and understand the local needs for land, and are grappling in their relationship with government and other stakeholders. Both the secretariat and the DLRC management and general members in the sampled districts feel frustrated with the process and mandates appear unclear.

Conclusion and recommended policy actions

Despite the clear lack of interest from most DLRCs to participate in piloting the framework as part of their capacity building, the research team continued with the implementation of the framework and conducted engagements with diverse local groups in all ten districts. During these interactions, the research team was able to discuss multiple needs and uses of land with different groups. However, as important as these are to achieve equitable and rapid land redistribution in rural areas that is suitable and satisfactory to the many diverse local groups, attention must firstly be given to the improved functionality of the DLRCs in their role as new locally-based land redistribution institutions. This means that the DRDLR should urgently step in and revisit the functioning of the DLRCs in terms of their roles and responsibilities. Furthermore, the obligations of different parties should be clarified because the practice is confusing and some obligations are not clearly stipulated in the policy documents. This policy brief offers three immediate policy actions for consideration by the DRDLR.

Operational functionality

Through engagements with local stakeholders, the national office of the

DRDLR should identify why meetings are not held and attended, or why membership is dwindling. They must consider what should be done to ensure that meetings occur and that other DLRCs do not go the same way as the Amathole DLRC.

Representation

Underrepresentation may well be linked to dwindling membership, and the DRDLR must understand the root cause and what can be done about it. It appears that underrepresentation prevents networking and any attempt to inclusively address local needs and coordinate activities across municipalities within the districts. The national office should again meet with local stakeholders and find out the causes of uneven representation and what can be done to address this pattern.

Operationalising broader land redistribution

DLRCs believe they know who needs land. They argue that there is, therefore, no need to look further. At one level, they work in conjunction with the DRDLR and match farms and applicants. Here they seem to be able to extend the PLAS mandate in selecting farmers for farms. At another level, they seem to go it alone and draw from their own constituents (mainly farmers) and submit these lists and plans to the DRDLR. Conflict seems to arise because they do things their own way and are looking after their constituents. In both cases, other, possibly needier and less influential, groups and individuals are overlooked, preventing an increase in the number of new farmers and subsequently local economic development. The national office needs to again look into these different practices and explain the mandates of the DLRCs very carefully

to the members and provincial officials, even if this means revising the policy and the terms of reference to make the mandates clearer.

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