

11. DIRECT ACTION AND THE SCOPE AND PACE OF LAND REFORM

“De-colonisation is always a violent phenomenon”.¹

Introduction

The objectives for land reform set out in the White Paper on South African Land Policy discussed in this thesis – equity (justice), increased/sustained agricultural production, poverty alleviation (and/or livelihood creation), gender equity, environmental sustainability and access to credit and financial resources – and the concept of land reform itself, speak to one fundamental issue, namely: the redistribution of wealth (economic assets). Generally, wealth equals power and therefore land reform is also about the redistribution of power (political power). Furthermore, as political thinkers from Aristotle² to Marx to Le Bon³ have pointed out – excessive political inequality and economic inequities (with no likelihood of change) will result in revolution, insurrection and/or violence. Many contemporary authors have made similar arguments about the relationship between economic inequality and consequent conflict/violence – Assefa H (1993), Huizer G (1999), Marongwe N (2003), Wolf E (1969) & Van Zyl J (1991).⁴

It is also an observable “fact” of history (everywhere and at all times) that redistribution of wealth or political power will not occur unless there is sufficient pressure on the “haves” to redistribute to the “have-nots”, or unless there is a shift in the overall balance of power within a society. This is why land reform programmes tend to follow political change. In Africa, land reform programmes have been introduced following successful independence struggles – for example Eritrea, Ethiopia, Mozambique, Namibia, South Africa, and Zambia. Furthermore, successful land reform programmes elsewhere were also implemented in a post-war or post-conflict society. Examples include Japan, the Philippines⁵ and China (where large-scale land redistribution concurred with the death of between two and five million⁶ landowners in the 1940s).

¹ Fanon F, The Wretched of the Earth, Grove Press, New York, 1963

² Aristotle, “Book V”, The Politics, Prometheus Books, New York, 1986. Aristotle identifies the following (among other related factors) as causes of revolution – inequality and a disproportionate increase in wealth or power in one part of society.

³ Le Bon G, The Psychology of Revolution, Dover Publications Inc. Mineola, New York, 2004

⁴ Assefa H, Peace and Reconciliation as a Paradigm: a philosophy of peace and its implications in conflict, governance and economic growth in Africa, African Peace Building and Reconciliation Network, Nairobi, 1993. & Huizer G, “Peasant mobilisation for land reform: historical case studies and theoretical considerations”, UNRISD Discussion Papers, DP 103, Geneva, 1999. & Marongwe N, “Farm occupations and occupiers in the new politics of land reform in Zimbabwe”, in Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe’s Unfinished Business: Rethinking Land, State and Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003. & Wolf E, Peasant Wars of the 20th Century, Faber & Faber, London, 1969. & Van Zyl J quoted in Ka Plaatjie T, “Taking matters into their own hands: The indigenous African response to the land crisis in South African 1990-2001”, in Lee M C & Colvard K (eds.), Unfinished Business: The Land Crisis in Southern Africa, Africa Institute of South Africa, Pretoria, 2003

⁵ In the Philippines, serious attempts at land reform only commenced after the declaration of martial law in 1972, despite decades of violent confrontation around inequitable access to land. Under martial law, an Agrarian Reform Decree was introduced, which placed a limit on the size of single properties. Foreign and local interests in large plantations remained unaffected. By 1986, of the nearly 7.5% of the country’s

This chapter argues that a fundamental objective of land reform should be the redistribution of economic and political power within any given society in order to ensure political stability. Successful land reform, therefore, can be described as a balancing act. In other words, governments (or whomever is in power) need to redistribute sufficient amounts of land (and other economic and political resources) to avoid (sometimes violent) direct action. On the other hand, rural organisations and/or potential (and those who want to be) beneficiaries of land reform need to embark on sufficiently threatening methods of direct action to encourage governments/landowners to redistribute adequate amounts of land. Accordingly, it will also be argued that there is an observable (though not necessarily causal) relationship between direct action (which can be violent) and the scope and pace of land reform. And, therefore, that direct action is a crucial condition for successful land reform, whilst also being an indication that the scope and pace of the land reform programme is not sufficient.

What is Direct Action?

Direct action developed primarily in the context of labour struggles in the early 1900s. But, by the middle of the 20th century, the concept of direct action had expanded to include the actions and campaigns of, for example, the civil rights movement in the United States, Gandhi's passive resistance, the United Democratic Front in South Africa as well as environmental groups such as Greenpeace.⁷

Direct action can be defined as acting for oneself (as an individual or as part of a group), using immediately available means, to change one's environment; as opposed to indirect action where elected or other representatives act on one's behalf. Direct action can also be understood as a method adopted for transforming the distribution of political or economic power in any given society. Available means can include; strikes, boycotts, workplace occupations, sit-ins, obstruction of others' actions, refusing to pay taxes, refusing to perform military service, other forms of civil disobedience, protest marches, other manifestations of social mobilisation, land invasions, sabotage, or even breaking and entering and armed resistance. Direct action is a method, which is usually employed

agricultural land liable to this limited reform, only about one third had passed legally to landless beneficiaries (mostly tenants). The 1986 People's Power revolution and the passage of the Comprehensive Agrarian Reform Programme followed. The programme aimed to redistribute approximately 8.1 million hectares to approximately five million rural households. The targets were never achieved and the target date was extended to 2004. At this stage, 54% of the resettled families were still impoverished and were at serious risk of losing their newly acquired land. See Christodoulou D, "Examples of rural movements and circumstances", *The Unpromised Land*, Zed Books, London, 1990 & *Land and Rural Digest*, "Agrarian now, reform later", February 1999.

⁶ Becker J, *Hungry Ghosts: China's Secret Famine*, John Murray, London, 1996

⁷ For more on Direct Action please see Cleaver K & Katsiaficas G, *Liberation, Imagination and the Black Panther Party*, Routledge, 2001, Eckert J M, *The Charisma of Direct Action: Power, Politics and the Shiv Sena*, Oxford University Press, 2003, Goldman E, *Anarchism and other essays*, Dover Publications, USA, 1969, Guerin D & Kloppe M, *Anarchism: From theory to practice*, Monthly Review Press, 1970, Ackelsberg M A, *Free Women of Spain: Anarchism and the Struggle for the Emancipation of Women*, Indiana University Press, 1991, Seel B et al, *Direct Action in British Environmentalism*, Routledge, 2000 & www.nonviolence.org & www.rncnotwelcome.org & www.infoshop.org

by those without power, against those who have power. It should be clear from these examples that direct action can be violent or non-violent. Direct action can also take the form of violent action(s) against a lawfully constituted authority, as many of the examples discussed below will show. As Voltaireine De Cleyre, the anarchist/feminist wrote “*direct action may be the extreme of violence, or it may be as peaceful as the Brook of Shiloh*”.⁸

Direct action (which is sometimes violent) can be pre-emptive or responsive with regard to land reform. Responsive direct action takes place when individuals/groups undertake direct action in response to a current land reform programme that is perceived as too slow, or too limited (see section 1 below). The available means (specific actions) that are utilised, as well as, the level of violence, will be influenced by the socio-economic context. The subsequent examples of direct action indicate, for example, that the available means/actions are more likely to be violent when unemployment rates are high and economic development rates are low (i.e. no prospects or alternatives are apparent). Examples of countries where a lack of land reform resulted in (sometimes very violent forms of) direct action include Brazil, Colombia, Peru⁹, Honduras, Mexico, Kenya and Zimbabwe.

Groups/individuals undertake pre-emptive direct action when they want to bring about land reform. In this case, a significant threat of direct action may be enough to encourage governments/landowners to embark on an effective land reform and redistribution programme (see section 2 below). There is naturally some overlap, and the examples listed below will show that direct action (and methods used) is often pre-emptive and responsive. Examples of countries where direct action (i.e. land invasions) contributed to relatively effective land reform include Brazil, Zimbabwe, the Philippines, India and Bangladesh.

1. Examples of Responsive Direct Action and Land Reform

*“Token appeasement schemes will therefore only be able to postpone peasant insurrection for some period”.*¹⁰

In the examples¹¹ listed below, direct action (and violence) resulted from the inequitable distribution of economic, political and social power in these societies, and, in these

⁸ De Cleyre V, “Direct Action”, not dated but probably written in the 1890s, available from Spunk Library, the online Anarchist Library Service, www.spunk.org

⁹ In Peru, land related conflict dates back to the 1920s and peaked in the 1960s, despite more than 40 years of land reform.

¹⁰ Binswanger H.P & Deininger K, “South African Land Policy: The legacy of history and current options”, Paper presented to the World Bank & UNDP workshop, Swaziland, November 1992

¹¹ Note that these examples are not meant to provide an analysis of the important differences between countries – for example, the historical setting, the socio-economic structure, the political system etc. Nor do the examples provide an analysis of the unique characteristics within each country. The examples serve only to **suggest** that in all types of countries, at all times and irrespective of particulars; extreme inequality, or insufficient or ineffective attempts to address such inequality, is likely to result in direct action, violence or even war or revolution. Inequities in land ownership/access is one, very visible and very emotive, aspect of inequality.

particular examples, the inequitable distribution of land. As explained in the introduction to this chapter, there is a link between access to land and access to power. The more a society depends on land for survival, the more power land ownership confers. Inequities in land ownership (and hence political and economic power) have, throughout history, resulted in revolution, war, violence and low-level conflict and will probably continue to do so unless addressed by the redistribution of land and/or economic opportunities/assets. Fullerton (with reference to land distribution in Eritrea) describes the unequal division of land and programmes to address such inequality as a “minefield”. *“A minefield is a more than apt analogy for the dangers of land reform in Africa today. Tensions within a society resulting from distribution of land that is viewed as partial or unjust, can lie like hidden mines until their explosion is triggered by external factors such as violence, famine or ethnic conflict”*.¹²

After more than 70 years of land reform in Colombia, land distribution remains unequal and conflict prevalent. Land invasions started in the 1920s and have continued ever since, peaking in the 1950s and again in mid to late 1990s. It is estimated that between 1945 and 1965, 200 000 people died in land related conflict in Colombia.¹³ In 1994, the landless took up arms against the landowners (represented by the United Self-Defence Patrols) and were responsible for numerous kidnappings. The United Self-Defence Patrols are right-wing para-military groups, which according to human rights organisations were responsible for the eviction and displacement of one million people between 1985 and 1997.¹⁴

Despite decades of reform, the land issue in Honduras also remains unresolved. In just one year (1998), 40 landless protestors were imprisoned on charges of terrorism, 100 landless protestors embarked on a two-week hunger strike, and a number of large-scale protest marches (including one with 3 000 people demanding “land and justice”) took place.¹⁵

In the 1920s, as a result of colonialism (land alienation and poverty) and rapid population increases in Kenya, African land demand was constantly growing. The Carter Commission (a commission for land restitution) was therefore established to investigate Kikuyu land claims. The Commission, however, did not recommend land restitution (partly as a result of the potential conflict that could arise from overlapping Kikuyu land claims) and advocated instead that the total land area of the African “reserves” be increased. The failure of the Carter Commission to adequately address the land problem, in a context where the demand for land continued to increase, contributed to the emergence of the militant Mau Mau movement. Other factors that contributed to the uprising include increased labour demands on the Kikuyu squatter population on white-owned farms in the 1940s, and rebellion against the chieftancy in the reserves who had exploited their land allocation functions to expand their own personal fields at the

¹² Fullerton Joireman S, "The Minefield of Land Reform: Comments on the Eritrean Land Proclamation", *African Affairs*, Vol.95, 1996

¹³ Cloete F, "Comparative lessons for land reform in South Africa", *Africa Insight*, Vol.22, No.4, 19

¹⁴ Ferrer Y, "Colombia: Landowners Offer Peasants 10% of their Land", *World News*, November 11, 1997

¹⁵ Mejia T, "Honduras Indigenous: Land Talks and Hunger Strike Continue", *World News*, May 12, 1998

expense of common resources. By 1952, members of the Mau Mau movement were engaging in protests against unfair labour practices, strikes and sabotage. The colonial government responded by declaring a state of emergency in October 1952. Consequently, the war of liberation was launched in January 1953.

Decades later, and despite several attempts at land reform, land related conflict continued in Kenya. In 1997, the inequity in access to land was still a national dilemma – many were going hungry, many more were landless, while 75% of the Kenyan population were still based in the rural areas.¹⁶ The situation was aggravated by rapid population growth resulting in unsustainable pressure on already scarce resources and the expansion of cash-crop production that further reduced the amount of land available. By 2000, the Kenyan land issue remained unresolved. Millions of Kenyans were living as squatters on farms from which they were easily evicted.¹⁷ This is illustrated by a call from Kenyan Member of Parliament, Stephen Ndicho, in May 2000, that the landless mobilise and invade white-owned farms.¹⁸ According to the Member of Parliament, invaded land would be redistributed to the poor.

In Mexico, conflict over land distribution has been ongoing for a century. One of the major causes of the Mexican revolution in 1910 (during which approximately one million people died¹⁹) was the unequal distribution of land. The land reform programmes embarked upon in the early periods (under presidents Carranza and Obregon) were designed more to pacify the peasantry and rural armies than to redistribute significant amounts of land. For example, the 120 000 peasants, who supported Obregon against the attempted coup of 1923, were rewarded with land and ejidal grants.²⁰ Predictably, therefore, the 1920s were characterised by mass action and land invasions, particularly in the southern parts of Mexico. In 1924, Elias Calles became president. The land and agrarian reform programme of the Calles government was not significantly different from the programme introduced under Obregon but, can be viewed as an intensification of the former programme. The increased pace of the land and agrarian programme under Calles was probably largely a response to increased rural violence and the threat of revolution.²¹ Calles did embark upon literacy programmes and redistributed land three times as fast as Alvaro Obregon (the amount of land granted was up by 91% and the number of beneficiaries by 126%²²) but, *“he too was attacking the flames with a sprinkler”*.²³

¹⁶ Musumba B, "Hungry for land", KENGO, Kenya, 1997

¹⁷ Okoho T, "After Zimbabwe land grabbing looms in Kenya", Pan African News Agency, May 9, 2 000

¹⁸ Okoho T, "After Zimbabwe land grabbing looms in Kenya", Pan African News Agency, May 9, 2 000

¹⁹ Hodges D & Grandy R, "Soldier, Priest and Landlord", Mexico 1910 - 1976: Reform or Revolution, Zed Press, London, 1979

²⁰ Markiewicz D, "Obregon: Bonapartism, Canonazas and Capitalism", The Mexican Revolution and the Limits of Agrarian Reform 1915 - 1946, Lynne Rienner Publishers, London, 1993

²¹ Markiewicz D, "Calles", The Mexican Revolution and the Limits of Agrarian Reform 1915 - 1946, Lynne Rienner Publishers, London, 1993

²² Markiewicz D, "Calles", The Mexican Revolution and the Limits of Agrarian Reform 1915 - 1946, Lynne Rienner Publishers, London, 1993

²³ Hodges D & Grandy R, "Soldier, Priest and Landlord", Mexico 1910 - 1976: Reform or Revolution, Zed Press, London, 1979

By 1928, despite the increases in the pace and scope of the Mexican land and agrarian reform programme, only 4% of all agricultural land in Mexico had been redistributed and only 10% of haciendas had been affected. Furthermore, the socialist National Peasant League was increasingly putting pressure on the government, violence continued and the military was intervening against the rural population more often. The Mexican government under President Emilio Portes Gil (1928) reacted with repression to the peasant organisations that emerged. This is exemplified by the assassination of the leader of the National Peasant League in May 1929.²⁴ Gil did, however, double the pace of land redistribution.

Increasing unrest and rural violence motivated the Rodriguez government (1932) to take some pro-peasant steps that included larger ejidal grants and a faster pace for land redistribution. The reform programme was still insufficient. Strike waves continued (13 strikes in 1933, 200 in 1934 and 650 in 1935).²⁵ Despite all the land and agrarian reform programmes, rural Mexico had changed relatively little – 2.4 million of the 3.6 million Mexicans living in rural areas were still landless and 1.5% of land holdings still accounted for 83% of agricultural land.²⁶ Rural violence continued throughout the 1930s, and thousands of protestors died as President Lazaro Cardenas called in the military to repress land invasions. By 1949, the haciendas had still not disappeared from the Mexican landscape – there were at last 9 697 land holdings of 1 000 hectares or more and 1 472 of these were over 10 000 hectares each, while 301 were over 40 000 hectares each.²⁷ In 1950, 708 large-scale landowners still controlled 32% of Mexico's cultivated land areas.²⁸ In the 1990s, Mexican newspapers were reporting that police were torturing landless protestors. On 16 December 1995, members of the military police, sent to deal with the protestors, raped an 18-year-old girl taking part in a protest march.²⁹

The examples listed above suggest that direct action (and its violent manifestations) will probably continue as long as (literally hundreds of years) the distribution of land is extremely inequitable, or, until government/landowners respond by redistributing land. In Mexico, for example, it appears that successive governments responded to direct action – which grew increasingly violent – by redistributing more land.

However, these and other examples also highlight that the general socio-economic context is an important variable influencing the degree to which direct action becomes violent. Extreme forms of violence³⁰ (i.e. rape and murder) appear to be less prevalent in countries with high rates of industrialisation, high employment rates (especially rural

²⁴ Markiewicz D, "Agrarian Revolution: The Peasant War", The Mexican Revolution and the Limits of Agrarian Reform 1915 - 1946, Lynne Rienner Publishers, London, 1993

²⁵ Markiewicz D, "The Maximato: Crisis and Repression", The Mexican Revolution and the Limits of Agrarian Reform 1915 - 1946, Lynne Rienner Publishers, London, 1993

²⁶ Markiewicz D, "Agrarian Structure, politics and economic development", The Mexican Revolution and the Limits of Agrarian Reform 1915 - 1946, Lynne Rienner Publishers, London, 1993

²⁷ Gill C.B, "Distribution of Land: Private Property and Ejidos", Life in Provincial Mexico, UCLA Latin America Centre Publications, Los Angeles, 1983

²⁸ Cline F.H, "Agrarianism: A Basic Revolutionary Goal", Mexico: Revolution to Evolution 1940 -1960, Oxford University Press, London, 1962

²⁹ Christian Aid, "Landless Peasant Mown Down by Police", September 22, 1998

³⁰ This refers only to violence around land reform and not general levels of crime and violence in societies.

employment) and general economic development. This is true even if access to land is highly inequitable. Examples include Italy and Australia.³¹ By contrast, extreme violence seems to be more prevalent in the countries with inequitable economies and high levels of unemployment. Examples include Chile, Colombia, El Salvador, Guatemala, Nicaragua, Mozambique, Peru and Angola.³² With regard to land reform, this suggests that landless individuals/groups are more likely to invade land (or engage in other methods of direct action) when there are no other opportunities to generate income. I encountered sentiments during my fieldwork in Mpumalanga that seem to support this argument. Without exception, respondents who had received land through the South African land reform programme or who were employed, stated that they did not support land invasions. Whereas, respondents who were still waiting for land or who were unemployed, argued that invading land was a legitimate method to obtain access to land.³³ This points to a recurring theme in this thesis, notably that in order to be successful, a land reform programme requires effective policies and relatively speedy implementation within a context of general economic development, and with particular emphasis on employment creation.

2. Pre-emptive Direct Action – A strategy to bring about land reform

*“The history of land reform around the world demonstrates that land invasions, which the government then normalises through legal processes of expropriation and allocation, have been the most common and effective process of land reform”.*³⁴

The examples listed in this section suggest that direct action (including violent actions) can influence governments/landowners to embark on land reform programmes. In some of the examples listed below, authorities responded to extensive direct action (primarily land invasions) by simply legitimating the invasions and redistributing the land in question to the occupiers. In this regard, the examples highlight an important aspect of land reform that is often overlooked in policy analysis – i.e. that spontaneous settlement/land invasions are sometimes more successful with regard to the amount of land redistributed, when compared to the amount of land redistributed through official land reform programmes (notably Brazil). World Bank sponsored researchers and representatives have made similar observations and have argued that, in some cases, the logical approach to land reform would be *“to design programmes that provide*

³¹ Venter A, “Die herverdeling van landbougrond in Suid Afrika”, Politieke verandering in Suid Afrika, Kriek D & Labuschagne J (Eds.), RGN, Pretoria, 1996

³² Binswanger H.P & Deininger K, “South African Land Policy: The legacy of history and current options”, Paper presented to the World Bank & UNDP workshop, Swaziland, November 1992

³³ For example, following an informal discussion about the land invasions that took place near Kuruman at the time, one of the younger male members of the Sheba community said that *“if they have to wait years for the government to give them their land back, it is right that they take it back”*. At a similar discussion at Solane, however, the chairperson of the Trust said that *“there are procedures to get land, we followed them and bought our land. Invasions are illegal and just make more problems”*. Interviews conducted at Sheba and Solane in Mpumalanga see Bibliography & Appendix II for details

³⁴ Professor Johan Van Zyl (Pretoria University) quoted in Ka Plaatjie T, “Taking matters into their own hands: The indigenous African response to the land crisis in South Africa 1990-2001”, in Lee M C & Colvard K (eds.), Unfinished Business: The Land Crisis in Southern Africa, Africa Institute of South Africa, Pretoria, 2003, p. 300

regularisation and agricultural and selected infrastructure services to spontaneous settlers" (notably Zimbabwe).³⁵ The examples also highlight some of the advantages of spontaneous settlement/land invasions, as compared to planned land reform programmes. Spontaneous settlements can avoid some of the common problems associated with administered land reform. For example, communities may be more cohesive than when newly settled communities are brought together based on selection criteria (i.e. dispossessed after 1913, earning below a certain amount etc.).

Probably, the best example of pre-emptive direct action as a strategy to bring about land reform can be found in Brazil. During the period of the consolidation of colonial settlement in Brazil, virtually no attempt was made to address the plight of the landless or dispossessed indigenous Brazilians. The few attempts that were made met with fierce (often violent) resistance from the colonial land-owning block. By the early 1950s, predictably, land related conflict was escalating rapidly. A militant agrarian movement emerged, which was one of the reasons given to explain the 1963 coup d'état. The military government recognised the importance of the land question and adopted a Land Statute and programme of "colonisation of new agricultural frontiers" in 1964.³⁶ This "programme" included investment in methods to increase agricultural productivity and modernisation, but left the distribution of land relatively unchanged. The measures introduced by the military government, therefore, failed to adequately address the needs of the poor and the landless.

In 1971, the Brazilian Institute for Agrarian Reform (IBRA) merged with the National Institute for Agricultural Development (INDA) to form the National Institute for Rural Settlement and Agrarian Reform (INCRA). The IBRA and the INDA were initially established to reduce land-related conflict, to promote equity in land access and distribution and to modernise agricultural production. The merger changed the emphasis of the land reform programme from increased agricultural production to the creation of new settlements. The result of this change in emphasis was increased land concentration and the transformation of the rural labour market from one dominated by tenancy arrangements to one based on wage labour.³⁷ Economic recession, in the late 1970s and early 1980s, exacerbated the problems of landlessness and unemployment as rural to urban migration increased. In 1985, as violence and landlessness continued, the newly elected government introduced the first National Action Plan. The plan aimed to resettle 1 400 000 families in five years. These goals were unrealistic and, by 1989, only 83 625 families had been settled on 4.71 million hectares (10% of the original target).³⁸ From 1993 to 1994, the Brazilian government attempted to redistribute a further 3.3 million hectares but, succeeded in redistributing only 1.2 million hectares to 2 000 families.³⁹

³⁵ Kinsey B.H & Binswanger H.P, "Characteristics and Performance of Resettlement Programmes: A review and some lessons from experience", World Bank & LAPC Workshop Paper, Swaziland, November 1993

³⁶ Osava M, "Agriculture Brazil: Landless Launch Nation-wide Offensive", *World News*, March 17, 1998

³⁷ Grappo P, "Agrarian Reform and Land Settlement Policy in Brazil - Historical Background", Land Tenure Service SDAA, FAO, Rural Development Division, June 3, 1996

³⁸ Grappo P, "Agrarian Reform and Land Settlement Policy in Brazil - Historical Background", Land Tenure Service SDAA, FAO, Rural Development Division, June 3, 1996

³⁹ Servico Brasileiro de Justica e Paz, "Land Issues", *News from Brazil*, Number 166, February 16, 1995

As a direct result of the extremely skewed distribution of land and the failure of past policies to address this, land related conflict and violence was increasing when President F. H Cardoso was elected to power in 1995. Cardoso introduced a land reform programme that aimed to resettle 40 000 families in 1995. This was not achieved. By 1996, more than 50% of farms in Brazil were still less than 10 hectares in size and occupied only 3% of the total farmed areas, while 1% of the biggest estates occupied 50% of the total agricultural area.⁴⁰ By July 2000, Brazil still held title as the country with the most inequitable distribution of land ownership in the Americas, with more than half the population of 165 million living in poverty, while economic power continued to accrue to a minority⁴¹ (i.e. fertile conditions for the emergence of violence).

As indicated, the land question in Brazil has led to tension and violence (that can be described as war⁴²) for decades and continues to do so today - even after more than 40 years of land reform. Thousands of people have died and murder and torture are frequently documented by human rights organisations. For example, between 1981 and 1984, 277 peasant leaders, union officials and rural workers were killed.⁴³ According to the Roman Catholic-run Pastoral Land Commission, 1 168 individuals died in land related violence between 1985 and 1999 – of these only 47 cases went to trial and resulted in only 18 convictions.⁴⁴ In September 1989, in Sao Paulo, gunmen hired by landowners shot three landless protestors, execution style. Groups of gunmen are also hired to violently evict tenants and squatters from farms.⁴⁵ One hundred and ninety-nine land-related deaths were reported between 1991 and 1994. Others estimate that 1 000 landless peasants have died in Brazil in the previous decade.⁴⁶ In 1995, two landless protestors were allegedly assassinated.⁴⁷ In Eldorado dos Carajás (Para), 19 landless rural workers were killed and 35 injured in April 1996, following a demonstration by approximately 2 000 members of the Rural Workers' Movement (MST). One of the dead was a three-year old girl.⁴⁸ In 1997, Amnesty International reported on frequent cases where excessive force was used, ill treatment, torture, extra-judicial execution, arbitrary arrests by military police carrying out land evictions and continuing violent attacks on rural workers by hired gunmen. Amnesty International also reported that criminal charges were being used against members of the MST as a form of political intimidation. Jose Rainha, for example, was sentenced to 26 years in prison for helping to organise a

⁴⁰ Grappo P, "Agrarian Reform and Land Settlement Policy in Brazil - Historical Background", Land Tenure Service SDAA, FAO, Rural Development Division, June 3, 1996

⁴¹ Stewart P, "Brazil announces sweeping land reform measures", Reuters News, July 4, 2000

⁴² "Twenty years ago, an unacknowledged war raged throughout Brazil's interior. It was an unequal conflict: peasant farmers, smallholders, sharecroppers and rubber-tappers pitted against the powerful forces unleashed by the military regime's economic policy – ruthless cattle ranchers and landowners, road and dam builders". From *Mail & Guardian*, "Food for thought", July 5 – 11, 2002

⁴³ *Mail & Guardian*, "Food for thought", July 5 – 11, 2002

⁴⁴ Stewart P, "Brazil announces sweeping land reform measures", Reuters News, July 4, 2000

⁴⁵ Amnesty International, Report Brazil: Politically Motivated Criminal Charges Against Land Reform Activists, Amnesty International, August 1997

⁴⁶ Christian Aid, "Landless Peasant Mown Down by Police", September 22, 1998

⁴⁷ Servico Brasileiro de Justica e Paz, "Land Issues", *News from Brazil*, Number 195, September 7, 1998

⁴⁸ Servico Brasileiro de Justica e Paz, "Indigenous Questions", *News from Brazil*, Number 241, August 22, 1996

land invasion that resulted in the death of a landowner.⁴⁹ In a separate incident, a Catholic priest was sentenced to five years imprisonment for his support of the landless.⁵⁰

Much of the violence in Brazil can be understood in terms of state and vested interests' responses to rural (landless) peoples' engagement in direct action (which has taken the form of large-scale rural mobilisation and organisation). The organisation, spearheading this large-scale engagement in direct action to bring about land reform in Brazil in the last decade, is the Movimento dos trabalhadores rurais Sem Terra (MST). The MST was formed in 1985, in response to the displacement and dispossession of five million people in the southern states and, the absence of employment opportunities, housing and social services in urban areas – results of the military government's political and economic policies (i.e. export orientated production and dam construction). The MST campaigns for agrarian reform in Brazil and has organised an increasing number of land invasions in an effort to put pressure on the government to increase the pace of land reform. The MST's demands include a call for the revocation of Decree 1775/96⁵¹, the approval of the Bill for the Summary Expropriation of Land Areas for Land Reform Purposes, tenure security and laws regulating evictions, as well as, land for the resettlement of approximately 500 000 families.⁵²

In the last 16 years, the MST has acquired 7 million hectares of land for 200 000 families.⁵³ Through direct action – occupations, marches, confrontations with authorities – the MST has also eliminated hunger from the lives of hundreds of thousands of Brazilians (Brazil is one of the world's biggest food producers and yet a third of the population is food insecure).⁵⁴ The organisation is extremely well organised, only under-utilised land is invaded and agricultural training and education is provided to potential and actual beneficiaries of land invasions. As a result, the MST enjoys widespread international and local support.

Just a few examples should illustrate the capacity, and levels of support that the MST has. In 1996, the MST organised at least 31 large-scale land invasions and, in April that year, 10 000 members of the organisation simultaneously occupied busy areas in 18 Brazilian cities.⁵⁵ In 1997, the MST mobilised 4 000 landless workers in Sao Paulo. In the same year, the MST claimed that 42 000 families were illegally occupying land throughout Brazil. A protest march organised by the MST in Brasilia, in April 1997, attracted 40 000 supporters.⁵⁶ The MST again staged invasions in 16 Brazilian cities in May 2000 – some 30 000 members of the organisation stormed federal buildings across Brazil calling

⁴⁹ Amnesty International, Report Brazil: Politically Motivated Criminal Charges Against Land Reform Activists, Amnesty International, August 1997

⁵⁰ Servico Brasileiro de Justica e Paz, "Indigenous Questions", News from Brazil, Number.241, August 22, 1996

⁵¹ See Chapter Six on Restitution for details on the Decree and the debates around it.

⁵² Servico Brasileiro de Justica e Paz, "Indigenous Questions", News from Brazil, Number.241, August 22, 1996

⁵³ Land and Rural Digest, "Communities declare war on slow land reform", January/February 2001

⁵⁴ Mail & Guardian, "Food for thought", July 5 – 11, 2002

⁵⁵ Servico Brasileiro de Justica e Paz, "Land Issues", News from Brazil, Number 223, April 18, 1998

⁵⁶ Amnesty International, Report Brazil: Politically Motivated Criminal Charges Against Land Reform Activists, Amnesty International, August 1997

on the government to address inequalities in access to land and economic opportunities.⁵⁷ The MST, because of its huge support among the landless and others, including the Catholic Church and the international community, has been able to pressurise the Brazilian government to speed up the land reform programme. In addition, they have managed to create media attention, both locally and internationally. This helps to keep the Brazilian government accountable. As a result, the Brazilian government met with peasant leaders in July 2002 and, announced that it would implement a \$1 million land reform package with the aim of resettling 250 000 families by 2002.⁵⁸ As a MST spokesperson explained: *“We have come a long way. By occupying huge unproductive estates, we forced the Brazilian government to carry out land reform. Today we have about one million members and we have become one of the most successful peasant movements in the world”*.⁵⁹

Another example of the apparent relationship between pre-emptive direct action and land reform can be found in India. After almost a century of land related direct action (conflict and violence), including the 1875 food riots and land invasions throughout the 40s and 50s, India embarked on a land reform programme in the early 1960s. With the exception of the state of Kerala, the Indian land reform programme was entirely unsuccessful. Part of the explanation for the success achieved in Kerala lies in the level of social organisation and rural mobilisation in that state. The Communist Party in Kerala had been campaigning around the land issue and mobilising the rural population for more than a decade. The Party consistently applied pressure by organising marches and land invasions, resisting evictions, recording oral tenancy arrangements, raising awareness and educating tenants and landless workers about their rights. Thus, when the Communist Party finally came to power in 1967, it had the backing to immediately implement a representative and far-reaching land reform policy.⁶⁰

A brief overview of Zimbabwean attempts at land reform provides an interesting and contentious example of the apparent relationship between (progressively violent) direct action and land reform.⁶¹ Since the advent of colonialism land has been an emotive and economically relevant issue in Zimbabwe and was one of the main motivations for the independence struggle.⁶² However, after almost two decades of land reform the demand and need for land among poor and landless Zimbabweans remained high. Although substantial amounts of land had been redistributed (compared to South Africa⁶³, for example) and although land reform had initially been successful in alleviating poverty among beneficiaries (see chapter two), an inadequate amount of land had been redistributed. Accordingly, on April 30, 1993, the Zimbabwean government announced a

⁵⁷ Woza Internet, “Brazil fends off protests and truck strike”. May 4, 2000

⁵⁸ Stewart P, “Brazil announces sweeping land reform measures”, Reuters News, July 4, 2000

⁵⁹ Mail & Guardian, “Food for thought”, July 5 – 11, 2002

⁶⁰ This argument is made by Heller P, “Land reform led to Kerala’s success”, *Land and Rural Digest*, December 2000

⁶¹ This is a brief account of land reform in Zimbabwe, for more information see chapter seven on redistribution, in particular see the section on market-based reform. Also refer to chapter three for more on the agricultural aspects of the Zimbabwean land reform programme.

⁶² For detail on land reform in Zimbabwe before the late 1990s see chapter 7 on Redistribution.

⁶³ Refer to chapter seven of this thesis.

decision to buy 70 large-scale commercial farms (190 000 hectares) for redistribution as a first step in a “new” land reform programme aiming to redistribute five million hectares.⁶⁴ Beneficiaries would be selected according to productivity and training levels. This programme was unsuccessful and did not redistribute adequate amounts of land.

The skewed distribution of land in Zimbabwe continued to prevent a large portion of the population from fulfilling its productive potential. In the late 1990s, therefore, the Zimbabwean government embarked on a number of attempts to speed up the land reform programme. In 1997, the government listed 1 471 farms (4 million hectares) for compulsory acquisition. For a number of reasons, including pressure from Britain and donors and inadequate financial resources⁶⁵, the majority of these farms were removed from the list in the following months. Five categories of farms on the original list of 1 471 would not be expropriated. These included property that was offered to the government for resettlement, plantation farms and farms belonging to missions and churches.

A further factor contributing to the removal of the majority (1 353) of farms from the list was the consistent arguments made by Zimbabwe’s Commercial Farmers Union (CFU) that the white commercial agricultural sector formed the backbone of the Zimbabwean economy. The CFU argued that expropriation of the listed farms would result in a decline in agricultural output from Z\$14 billion to Z\$8 billion.⁶⁶ The Union also pointed out that the white commercial farming sector accounted for 40% of Zimbabwe’s export earnings (i.e. tobacco production).⁶⁷ At this stage, a survey conducted in the Karoi district claimed that dealers in agricultural equipment had lost one third of projected income due to the uncertainty generated by land redistribution issues.⁶⁸ Although the economic contribution made by Zimbabwe’s white commercial agricultural sector is significant, their contribution to food security may be less important. The chief executive, of the Zimbabwean government’s Agricultural Rural Development Authority, said that if all white commercial farmers stopped farming, Zimbabwe would still have 70% of its annual maize production, 65% of its cotton and 40% of wheat, but only 10% of tobacco.⁶⁹

At a September 1998 donors’ conference, therefore, an inception phase concentrating on only 118 farms was launched.⁷⁰ A land reform proposal made by the CFU was also rejected. In the proposal, named Team Zimbabwe, the CFU offered the Zimbabwean

⁶⁴ Naldi G.J, "Land Reform in Zimbabwe: Some Legal Aspects", Journal of Modern African Studies, Vol.31, No.4, 1993

⁶⁵ It was estimated that paying only for farm improvements would cost the Zimbabwean government Z\$15 billion. Requests for financial assistance from the British government were rejected on the grounds that previous funds committed by the British government had allegedly not benefited poor Africans. The United Kingdom had by this stage spent Z\$2 billion. See Amanor-Wilks D, "Zimbabwe becoming another Zambia", Africa Today, March 1998 & Chimunchu J, "Britain wriggles out of land issue", African Business, February 1998 for more detail.

⁶⁶ Chimunchu J, "Britain wriggles out of land issue", African Business, February 1998

⁶⁷ Hawthorne P, "Mugabe's empty basket", Time Magazine, February 16, 1998

⁶⁸ Chimunchu J, "Britain wriggles out of land issue", African Business, February 1998

⁶⁹ Chimunchu J, "Britain wriggles out of land issue", African Business, February 1998

⁷⁰ Moyo S, "The Land Question in Zimbabwe", Zimbabwe: The Political Economy of Transition 1980 – 1986, Mandaza I (Ed.), Codesria, 1987

government 1.5 million hectares for resettlement, as well as, millions of hectares for development by black commercial farmers through the sourcing of finance at concessional rates.⁷¹ Following the conference, the International Monetary Fund agreed, in January 1999, to lend money to the Zimbabwean government for land reform purposes, after withdrawing funding several times during the previous year demanding specific policy changes and guarantees from the Zimbabwean government regarding the expropriation of white-owned land. In 1995, the IMF had suspended support for the Zimbabwean land reform programme because of the government's perceived failure to get its budget deficit under control and to achieve macro-economic stability. The European Union also demanded that Zimbabwe observe constitutional guarantees for property ownership and fair compensation before it would consider financial support for the land reform programme.⁷² Accordingly, the Zimbabwean cabinet approved a framework land reform programme in June 1999, which was funded in part by donors and called for the resettlement of 77 000 families on a million hectares of land voluntarily for sale over a period of two years.⁷³

This slow process of redistribution (only 90 000 people had been resettled through the official land reform programme), the severe drought in the 1991/2, and the inconsistencies in policy development and implementation led to frustration among potential beneficiaries and probably contributed to the invasions that were to follow. The context of economic decline, increasing poverty and high unemployment (consequences of the structural adjustment policies that emerged as a result of the relationship between the Zimbabwean government and the International Monetary fund) also contributed to the emergence of land related violence in the late 1990s and 2000. In fact, 15 major land invasions of prime commercial land took place in 1997 and 1998.⁷⁴ In September 1998, for example, ZANU PF organised high profile land invasions of white-owned commercial land.⁷⁵

It was only after the constitutional referendum in late February 2000, however, that land invasions of mostly white-owned farms, with overt support from the government and police force, commenced on a large scale. The draft constitution, rejected by 55% of voters, would have allowed the government to expropriate white-owned land without paying compensation for the land itself. More than 1 000 farms were invaded (sometimes very violently) over the period that followed. By April 30, 2000, some 5 078 violent incidents had been documented by human rights organisations, 1 012 people had been assaulted, 8 women raped and 19 people murdered.⁷⁶ By July 2000, at least 34 people had died in land related violence in Zimbabwe.⁷⁷ (Although physical violence was prevalent in Zimbabwe, as indicated above, compared to Brazil or South Africa, for example, the level of land-related physical violence in Zimbabwe was relatively low.)

⁷¹ Citizen, "Zimbabwean farmers warned on land reform", August 5, 1998

⁷² Amanor-Wilks D, "Zimbabwe becoming another Zambia", Africa Today, March 1998

⁷³ Land and Rural Digest, "Zimbabwe's frustrations", July/August, 2000

⁷⁴ Moyo S, "The Land Question in Zimbabwe", Zimbabwe: The Political Economy of Transition 1980 – 1986, Mandaza I (Ed.), Codesria, 1987

⁷⁵ Business Day, September 3, 1998

⁷⁶ Buckle C, African Tears, Covos Day, South Africa, 2001

⁷⁷ Star, August 8, 2001

In terms of the effect of the land invasions on the Zimbabwean economy, the CFU estimated the loss in the tobacco crop for 2000 at R600 million⁷⁸ - a loss exacerbated by tobacco farmers' decision to boycott the annual tobacco auction.⁷⁹

The dominant explanation for these land invasions (as reflected in the media) was that President Mugabe was using the land issue as a political tool to win support for the coming elections. (Other, related, factors that contributed to the land invasions in 2000 and post 2000 include the sustained lobbying of the government by the Zimbabwean War Veterans Association and the reluctance of the government to lose their support⁸⁰, and the major electoral challenge faced by the Zanu(PF) government).

There is no doubt that President Mugabe got political mileage from the process. There is also no doubt that many of the invasions were orchestrated – for example, war veterans playing leadership roles, keeping land registers⁸¹ and the involvement of the Central Intelligence Organisation of Zimbabwe. Nevertheless, the “orchestrated/political mileage” explanation is overly simplistic. It ignores/undermines the reality that for many, the need for land is pressing and that these land invasions/occupations represent a social movement consisting of people frustrated with the Zimbabwean land reform programme. The explanation ignores the fact that the invasions took place in a context of increased food insecurity exacerbated by IMF structural adjustment policies.⁸² This is indicated by the fact that these invasions have continued until the time of writing despite international condemnation and sanctions and despite the Abuja Pact, agreed to by the Zimbabwean government in Nigeria in September 2001, to stop land invasions. The invasions continued despite a High Court order, in mid March 2000, that all invaders leave farms within 24 hours. In fact, invasions continued despite a 40% drop in tourism, increasing food scarcity⁸³, a record inflation rate of 83% and a 40% drop in farming output.⁸⁴ At the same time (and not due to the land invasions) foreign debt was growing, there were petrol shortages (including a 70% increase in fuel prices) and an estimated unemployment rate of 50%.⁸⁵ As Alexander explains, “*rather than trying to label these*

⁷⁸ Sunday Independent, “Mugabe okays land seizures”, March 12, 2000

⁷⁹ Zimbabwe is estimated to be the world's second largest exporter of tobacco and it depends on the crop to meet its hard currency needs. Revenue from tobacco sales accounts for between 30 and 40% of Zimbabwe's export earnings. For more on Zimbabwe's economic decline see Mlambo A, “The social costs of the Zimbabwean Crisis Since 2000”, in Lee M C & Colvard K (eds.), Unfinished Business: The Land Crises in Southern Africa, Africa Institute of South Africa, Pretoria, 2003

⁸⁰ Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe's Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003, p.7

⁸¹ Moyo S, “The land occupations movement and democratisation in Zimbabwe: Contradictions of neo-liberalism”, Millennium: Journal of International Studies, 30(2), 2001

⁸² Bond P, Elite Transition, University of Natal Press, 2000

⁸³ By June 2002, aid organisations were warning that at least half of Zimbabwe's population of 14 million would depend on food aid in the immediate future. However, the argument consistently made in the South African media that the Zimbabwean land invasions and Zimbabwean government's land reform policies were primarily responsible for the current famine in Zimbabwe is “*fanciful*”. Some of the 4 500 white commercial farmers in Zimbabwe grow tobacco, while 70% of Zimbabwe's maize is produced in the communal areas. See Mail & Guardian, “War on the peasantry”, August 16 – 22, 2002

⁸⁴ Figures from the Mail & Guardian, October 26 – November 1, 2001

⁸⁵ Mail & Guardian, April 14 – 19, 2000

*occupations as either managed or popular, it is more useful to see them as both the result of the interaction between the needs of politicians for constituency [and] of people for land”.*⁸⁶

The explanation also conceals the fact that the history of land reform in Zimbabwe, since independence, has been a history of (violence and) land invasions (obviously differing in scale, and motivating factors) and official response to and recognition thereof.⁸⁷ The first wave of invasions took place in the early 1980s, when 50 000 peasants invaded abandoned farms. Alexander⁸⁸ argues that the invasions/occupations of the 1980s were motivated by desires for restitution – “the desire to right historical and moral wrongs”. The reaction of the Zimbabwean government and donor agencies to the invasions/occupations of the 1990s was to formalise these settlements.

Similar “legitimizing” reactions followed the invasions that took place in the early 1990s on mostly state owned land, and the invasions north of Harare on communal land and elsewhere (central, southern and northern Zimbabwe) in the late 1990s (e.g. 1998).⁸⁹ Alexander⁹⁰ argues that the invasions/occupations of the 1990s were motivated by declining living standards, increasingly apparent corruption, and the elite capture of the benefits of the land reform programme as a result of the programme’s emphasis on the development of black, large-scale farming. Further motivating factors identified by

⁸⁶ Alexander J, “Squatters, Veterans and the State in Zimbabwe”, in Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe’s Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003, p. 97

⁸⁷ Argument also made by Dr. James Murombedzi and Prof. Shadrack Gutto at the Centre for Rural Legal Studies, see Land and Rural Digest, “Zimbabwe’s frustrations”, July/August, 2000. & Alexander J, “Squatters, Veterans and the State in Zimbabwe”, in Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe’s Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003. & Marongwe N, “Farm occupations and occupiers in the new politics of land reform in Zimbabwe”, in Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe’s Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003. & Hall R, “A comparative analysis of Land Reform in South Africa and Zimbabwe”, in Lee M C & Colvard K (eds.), Unfinished Business: The Land Crises in Southern Africa, Africa Institute of South Africa, Pretoria, 2003. & Chitiyo K, “Harvest of Tongues: Zimbabwe’s Third Chimurenga and the Making of an Agrarian Revolution”, in Lee M C & Colvard K (eds.), Unfinished Business: The Land Crises in Southern Africa, Africa Institute of South Africa, Pretoria, 2003

⁸⁸ Alexander J, “Squatters, Veterans and the State in Zimbabwe”, in Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe’s Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003, p. 91

⁸⁹ Land and Rural Digest, “Zimbabwe’s frustrations”, July/August, 2000. For more examples of land invasions in 1997 see Moyo S, “The land occupations movement and democratisation in Zimbabwe: Contradictions of neo-liberalism”, Millennium: Journal of International Studies, 30(2), 2001. For more examples of land invasions/occupations during the late 1990s see Alexander J, “Squatters, Veterans and the State in Zimbabwe”, in Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe’s Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003, p. 96-98

⁹⁰ Alexander J, “Squatters, Veterans and the State in Zimbabwe”, in Hammar A, Raftopoulos B & Jensen S (eds.), Zimbabwe’s Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis, Weaver Press, Zimbabwe, 2003, p. 91-93

Moyo⁹¹ include increasing unemployment, and the breakdown of rural institutions and consequent insecure tenure and ambiguities around authority in land administration.

As suggested above there were a host of motivating factors for the 2000 and post 2000 land invasions, including the political mileage that the Zanu(PF) government were able to gain from the events. Other factors included the powerful role the war veterans (see above), and the high expectations created by the government's public statements and commitments to expropriation without compensation. However, even the 2000 and post 2000 land invasions/occupations were followed by a resettlement programme, initiated in mid August 2000 (Accelerated Land Reform and Resettlement Implementation Plan), on 200 farms previously identified for settlement. One year later, the Zimbabwean government announced that it would expropriate 8.3 million hectares (much of it still invaded) for resettlement.⁹² In August 2002, the Zimbabwean government went ahead with expropriation culminating in the arrest of 215 white commercial farmers (the majority of whom were immediately released on bail). Earlier, in mid 2002, 3 000 white-owned farms were listed for compulsory expropriation and the farmers were ordered to stop all farming activities within 45 days and vacate their farms within 90 days (some of those who did not comply were arrested).

As a final point, the Zimbabwean land invasions received considerable attention in the South African press. As Turner points out, "*searching the South African press for reference to land reform over the last year and a half yields more articles about Zimbabwe than South Africa*".⁹³ It can be argued that the recent Zimbabwean land invasions not only contributed to land reform in Zimbabwe but, also contributed to a speedier land redistribution programme in South Africa.⁹⁴ Firstly, it was only after the invasions in Zimbabwe that the land question appeared to become a political priority amongst senior political figures (compared to the virtual silence of senior political figures on the land question before the Zimbabwean invasions).⁹⁵ It is also only after the Zimbabwean land invasions that opposition political parties (e.g. the PAC and the Democratic Party) and "white" agricultural organisations (e.g. AgriSA) began calling for an accelerated land redistribution programme. Arguably, the Zimbabwean land invasions also inspired/motivated landless groups in South Africa, not only to threaten land invasions but also to embark on land invasions (note the escalation of threats during this time in the following section). The Director General of the DLA, Gillingwe Mayende, stated that the Zimbabwean land invasions contributed to the "*new enthusiasm of white*

⁹¹ Moyo S, Land Reform Under Structural Adjustment in Zimbabwe: Land Use Change in the Mashonaland Provinces, Uppsala: Nordiska Afrikainstitutet, 2000

⁹² Star, August 8, 2001

⁹³ Turner S, Land and Agrarian Reform in South Africa: A status report, 2002, Research Report no. 12, PLAAS, August 2002, p. 4

⁹⁴ For a deeper analysis of the influence of the post-2000 land related events in terms of economic, social and political impact on South Africa and the southern African region see Cousins B, "The Zimbabwe Crisis in its Wider Context: The Politics of Land, Democracy and Development in Southern Africa", Hammar A, Raftopoulos B & Jensen S (eds.) Zimbabwe's Unfinished Business: Rethinking Land, State and Nation in the Context of Crisis, Weaver Press, 2003

⁹⁵ Turner S, Land and Agrarian Reform in South Africa: A status report, 2002, Research Report no. 12, PLAAS, August 2002, p. 4

farmers in South Africa” to participate in the land reform programme “*because the events across our borders made them realise the consequences of a slow land reform process*”.⁹⁶

As a preliminary conclusion, the Brazilian example suggests that there is a close relationship between direct action and land reform. It seems that successive Brazilian governments have responded to direct action (e.g. land invasions and protest marches) by introducing land reform programmes. Some of the indications that emerged from the Zimbabwean example are that, in some cases, land invasions are legitimated by the state and thus form an important part of overall land reform. And, secondly, that direct action in one country, can even contribute to an increased pace of land reform in another country (i.e. South Africa). An important aspect (from the point of view of landless individuals/groups as well as rural activists and organisations) is the impact that an organised and mobilised rural community can have (by embarking on direct action) in bringing about land reform (and/or increasing the scope and pace of land reform programmes). The Kerala (India) example also highlights the possible importance of rural direct action (mobilisation and organisation) in bringing about land reform.

“Bringing about land reform”, however, does not necessarily translate into sustainable gains for the rural poor. In Zimbabwe, for example, a significant number of farm labourers have been displaced (see chapter nine⁹⁷). Further, although the invasions/occupations were partly orchestrated, it was nevertheless a chaotic and unplanned resettlement process and it is very likely that resettled communities/individuals will not have access to sufficient state support to succeed, and that overlapping claims and tenure insecurity will generate conflict in future. Moreover, the land invasions have not enhanced food security, nor have “invaders” been able to retain access to land. In the last year (2003), there have been cases where political notables evicted “land invaders” from farms (see section on corruption in chapter seven). And, if this trend continues, it could mean that land invasions would simply represent a populist mechanism through which a change in the racial pattern of land ownership is affected.⁹⁸

Direct action (as opposed to indirect action) is also a method of action that ensures that the very real needs of potential beneficiaries are highlighted, addressed and included in the processes of policy formulation and implementation. In addition, direct action – particularly if it culminates in a strong rural movement emanating from the landless and the poor – can help to tip the balance of power in a society – for example, counter the economic and/or political power of current landowners.

⁹⁶ Barnard D, Interview with Gillingwe Mayende, (DG, DLA), SAFM, September 20, 2002

⁹⁷ Also see Rutherford B, “Belonging to the Farm(er): Farm Workers, Farmers and the Shifting Politics of Citizenship”, in Hammar A, Raftopoulos B & Jensen S (eds.), *Zimbabwe’s Unfinished Business: Rethinking Land, State and the Nation in the Context of Crisis*, Weaver Press, Zimbabwe, 2003. & Chitiyo K, “Harvest of Tongues: Zimbabwe’s Third Chimurenga and the Making of an Agrarian Revolution”, in Lee M C & Colvard K (eds.), *Unfinished Business: The Land Crises in Southern Africa*, Africa Institute of South Africa, Pretoria, 2003.

⁹⁸ Argument made by Professor Tom Lodge during an informal discussion in November 2004.

It is therefore argued that non-governmental organisations and trade unions in South Africa can play a positive role in the land reform process by supporting and facilitating direct action (especially mass mobilisation) and encouraging the development of rural organisations. Non-governmental organisations can play a particularly important role in facilitating direct action (rural mobilisation) by embarking on rights education programmes. Non-governmental organisations and social movements can also play a direct role in land redistribution. In Bangladesh (and Brazil), for example, non-governmental organisations and social movements played a crucial role not only in pressurising the government to redistribute land but also in acquiring and distributing land to the landless. Non-governmental organisations in Bangladesh identify land, support land applications, provide training and legal services, lobby government and promote direct action in rural areas in an attempt to “*transform people into active citizens rather than passive subjects*”.⁹⁹

3. Direct Action and Land Reform in South Africa: Responsive or Pre-emptive?

For approximately 400 years, land issues in South Africa have been characterised by war, state sponsored violence, resistance, the threat of violence, dispossession, direct action (e.g. land invasions) and other forms of conflict. The last ten years have been no exception - although the nature of the conflict has changed (i.e. more direct action with emphasis on policy advocacy). As the former minister of Agriculture and Land Affairs explained, “*Land invasions have always happened. From the day that we came to power in 1994, with the best will in the world and with the best support from NGOs, land invasions continued*”.¹⁰⁰ It appears, however, that land invasions and threats to invade land increased during and after the Zimbabwean land invasions. Examples include:

- In September 1999, 1 000 members of the Gumbu community invaded land, in the Madimbo corridor in the Northern Province, from which they were forcibly removed in 1963. The invasion took place approximately four years after the submission of a restitution claim.¹⁰¹
- In the Western Cape, the Restitution Forum of the Southern Cape and Karoo, representing 3 000 dispossessed individuals from 18 communities, warned, in April 2000, that they would resort to land invasions if delays in their land claims were not sorted out.¹⁰²
- At the same time, the Transkei Land Services Organisation threatened that South Africa could witness land invasions, on a scale similar to those in Zimbabwe, if the land reform process did not pick up speed.¹⁰³
- In March 2000, approximately 50 people erected shacks on the planned Cosmo City mass housing development site north of Johannesburg.
- At the same time, court orders were issued against land invaders near Ennerdale, south of Johannesburg.¹⁰⁴

⁹⁹ Land and Rural Digest, “20 years of people’s land reform”, July/August, 2000

¹⁰⁰ Interview with Derek Hanekom (Former Minister of Land Affairs and Member of Parliament), Hartebeestpoortdam, September 8, 2002

¹⁰¹ Olivier P & Samayende S, “Laying claim to no man’s land”, Land and Rural Digest, December 1999

¹⁰² Mail & Guardian, April 14 – 19, 2000

¹⁰³ Mail & Guardian, April 28 – May 4, 2000

- In April 2000, the Restitution Forum of the South Cape and Karoo, an organisation representing 3 000 dispossessed households (18 communities), threatened "Zimbabwe-style" invasions in a letter to President Mbeki, if their claims were not addressed.¹⁰⁵
- In May 2000, claimants in the Northern Province threatened to resort to land invasions if the land reform process were not speeded up.¹⁰⁶ The claimants joined with several other communities threatening land invasions under the leadership of the newly established Land Access Movement.
- Also in May 2002, the Azanian Peoples' Organisation and the PAC expressed public support for the land invaders in Zimbabwe.
- In June 2000, approximately 1 000 people invaded government-built homes in Stellenbosch, 200 people settled on private land in Zandspruit north of Johannesburg, more than 5 000 people illegally occupied farmland in KwaDuduza in northern KwaZulu-Natal and more than 200 residents of Diepsloot occupied vacant land in the area.¹⁰⁷
- Two sugar cane farms in KwaZulu-Natal, Mangete and Nanoti, have been occupied for years.¹⁰⁸
- The Waag Alles community in Natal threatened land invasions, in October 2000, if the restitution process were not speeded up.
- In the same month, two people died and nine were injured when security guards tried to stop illegal occupation of a settlement near Atteridgeville outside Pretoria.¹⁰⁹
- The Department of Land Affairs acknowledged the reality and prevalence of land invasions, in December 2000, when it instructed property valuers to calculate, as part of the factors that negatively influence the value of land, the "risk of land invasions" in the area.¹¹⁰
- On June 17, 2001 about 2 000 people defied a court order and occupied vacant land in Kloof west of Durban.
- On June 23, 2001, a land invasion took place in Kuruman where 19 people were arrested. The National Land Committee publicly supported this particular invasion.
- On July 19, 2001, more than 1 000 Khayelitsha residents invaded a 400-hectare piece of land between Macassar and Khayelitsha. The reason cited for the invasion was frustration over the slow housing delivery.¹¹¹
- Approximately 300 people gathered on a vacant piece of land belonging to an insurance company in the KTC informal settlement near Cape Town on July 25, 2001.¹¹²

¹⁰⁴ Sunday Times, July 8, 2001

¹⁰⁵ Mail & Guardian, "Give us the land or we will take it", April 14 – 19, 2000

¹⁰⁶ Mail & Guardian, May 5 – May 11, 2000

¹⁰⁷ Sunday Times, July 8, 2001

¹⁰⁸ Dladla S, "Natal's hidden land invasions", Land and Rural Digest, October 2000

¹⁰⁹ Sunday Times, July 8, 2001

¹¹⁰ Mail & Guardian, December 1- 7, 2000

¹¹¹ Business Day, July 19, 2001

¹¹² Star, July 26, 2001

- One of the most publicised invasions took place on the East Rand in July 2001¹¹³. The invaded land belonged to Transnet, Eskom and two private farmers. Commentators described the invasion as an “alarm bell” and warned that the government should act before the “dam breaks”.¹¹⁴ Part of the publicity stems from the PAC’s involvement in the invasions and allegations that invaders paid members of the PAC R25 for the land. The Bredell invasions gained an even higher profile when the Secretary General of the PAC, Thami ka Plaatjie, said that South Africa could face a land crisis “*that will make Zimbabwe look like a Sunday school picnic*”.¹¹⁵ The government reacted to the Bredell invasions by immediately applying for an eviction order with the Pretoria High Court and, the Minister of Land Affairs stated that “*the government cannot have sympathy for people who take the law into their own hands*”.¹¹⁶ On July 10, 2001, the Court ordered that the “invaders” be removed within 48 hours. On the day of the removals, monitored by the police, one squatter held up a placard with a photograph of a luxury house and the words: “*Steve, have you got a nice big bedroom? All we want is a piece of ground the size of your kitchen*”.¹¹⁷
- In December 2002, 57 individuals from the Gatlhose, Maremane and Khosi communities were arrested after an attempt to invade the Lohatlha Army Battle School in the Northern Province – land for which they submitted a restitution claim years ago.¹¹⁸

It appears¹¹⁹ that land invasions, or threats to invade, in South Africa are increasing, and are particularly prevalent in the Northern Province, the Eastern Cape and KwaZulu-Natal (provinces where the land reform programme has been particularly slow). The slow land reform programme, high levels of unemployment and increased rural mobilisation (e.g. Landless Peoples’ Movement) have contributed to this. As mentioned in the preceding discussions, land invasions (seen as pre-emptive or responsive direct action) can have positive or negative consequences. Negative consequences include political instability, high levels of violence and economic decline. Positive consequences include increases in both the scope and pace of land reform programmes, as governments attempt to prevent the negative consequences mentioned above. There also appears to be a positive correlation between the arguably increased number of land invasions and other manifestations of rural mobilisation and the increased pace and higher profile of the land reform programme in South Africa. As the former Director General of Land Affairs explained “*I knew, as I sat there at Land Affairs, that the only way you would get serious attention was when land invasions started. You could speak to the cabinet committee, you could speak at the budget meetings, you could talk until you were blue in the face*

¹¹³ For more detail on these invasions see Ka Plaatjie T, “Taking matters into their own hands: The indigenous African response to the land crisis in South African 1990-2001”, in Lee M C & Colvard K (eds.), Unfinished Business: The Land Crisis in Southern Africa, Africa Institute of South Africa, Pretoria, 2003

¹¹⁴ Ben Cousins, Director of PLAAS, UWC quoted in the Mail & Guardian, July 6 – 12, 2001

¹¹⁵ Citizen, July 6, 2001

¹¹⁶ Citizen, July 5, 2001

¹¹⁷ Mail & Guardian, July 13 – 19, 2001

¹¹⁸ Mail & Guardian, “Landless movement threatens invasions”, November 29 – December 5, 2002

¹¹⁹ At this stage, 2000 to 2002

but, there was no political pressure on the government to address that constituency, which was quite secure”.

In fact, there are examples in which it appears that land invasions, in a number of South African cases, have resulted in faster land reform (despite a government stance that denies legitimacy to land invasions). For example, following the 2001 land invasion at Groot Vlakfontein near Kuruman mentioned above, the community received their 5 000-hectare property on March 21, 2003. According to the Chairperson of the Groot Vlakfontein Land Committee, *“things were different after the re-occupation¹²⁰ of the land . . . we saw a lot of things happening and consultation took place for the first time”*.¹²¹

In the South African case, it is, however, important to draw a distinction between rural and urban land invasions and also, between land invasions as opposed to “re-occupations”. The term reoccupation refers to cases where a community occupies land from which they were forcibly removed and for which they have lodged a restitution claim (land is occupied when claims take too long to be settled). Most of the examples mentioned above are urban (not rural) land invasions. Urban invasions are really about access to housing and not land per se (and this is a factor that differentiates South African land invasions/occupations from those in, for example, Brazil and Zimbabwe). The landless in urban areas are also relatively empowered, when compared to the landless in rural areas - particularly on farms. Land invasions by farm workers or labour tenants, for example, could result in increased harassment and human rights abuses by some local farmers and commando units and may serve to polarise rural areas.¹²²

A further aspect that seems to be relatively unique to the South African situation, which some consider to be a political process to increase land reform¹²³ and others describe as “purely criminal” is the prevalence of murder and robbery on white-owned farms. Commercial farmers’ organisations have argued that the high level of violence on white-owned farms is related to the land issue (i.e. an attempt to force white farmers off the land).¹²⁴ Others have argued that violence on/directed at white-owned farms/farmers is largely criminally motivated. A study, conducted by the Institute for Human Rights and Criminal Justice, argued that robbery was the motive for 90% of attacks.¹²⁵ According to farmers’ unions, attacks on farmers are taking place at a rate of 2/3 per day, are racially and politically motivated and, are being conducted with increasing precision and sophistication.¹²⁶ The unions’ report claimed that 5 544 farm attacks took place between January 1991 and March 2001, that 1 044 farmers lost their lives and that this is part of

¹²⁰ See following paragraph

¹²¹ *Mail & Guardian*, “Back to their ancestral land”, March 13 – 19, 2003

¹²² Interview with Chris Williams

¹²³ For example AgriSA.

¹²⁴ For example see Steinberg J, *Midlands*, Jonathan Bull Publishers, JHB, 2002. There are also emerging arguments that suggest that some farm attacks might be linked to black tenants who have been unfairly treated by white farmers. Ka Plaatjie T, “Taking matters into their own hands: The indigenous African response to the land crisis in South Africa 1990-2001”, in Lee M C & Colvard K (eds.), *Unfinished Business: The Land Crisis in Southern Africa*, Africa Institute of South Africa, Pretoria, 2003, p. 296-299

¹²⁵ Dladla S, “Nothing personal says farm attackers”, *Land and Rural Digest*, June 2001

¹²⁶ Transvaal Agricultural Union, Press release on farm attacks, March 2001

an “orchestrated effort to intimidate the farming community to . . . leave their land”. (Even if these statistics are exaggerated and, even if the majority of the attacks have purely criminal motives, the extent of violence in South Africa’s rural areas by far exceeds the extent of violence (directed at white farmers) in, for example, Zimbabwe’s rural areas. The fact that, by 2000, only 1% of South Africa’s agricultural land had been redistributed, can only exacerbate this problem).

While land invasions may be increasing, the Departments of Housing and Land Affairs have repeatedly stated that invasions would not be “tolerated”. Generally, the South African government has taken a very protective stance towards white property rights (e.g. the Bredell invasions discussed above). In September 2001, for example, the Housing Ministry proposed the Prevention of Illegal Eviction from and Unlawful Occupation of Land Amendment Bill. The Bill proposed that those “found guilty” of invading land and “instigating” invasions could face up to two years in prison.¹²⁷ In an effort to “discourage” land invasions and maintain “investor confidence”, the Department of Land Affairs has reacted swiftly to land invasions – notably Bredell where a court order was literally obtained within hours and invaders evicted within days.

Although the South African government’s wish to avoid large-scale land invasions, such as those in Zimbabwe, appears sensible, the antagonistic nature in which it responded to invasions may have added to frustrations and may, therefore, contribute to invasions and direct action (including violent actions) in the near future. National Intelligence Agency visits to the National Land Committee’s offices in Braamfontein, for example, has seriously damaged what could have been (and has been) a constructive relationship between the DLA and the largest coalition of land/rural NGOs in South Africa. A more negotiated approach may have been more effective. As Hanekom explains, “*Even if you fast-track the land reform programme, increase the land reform budget significantly and, even with the best will in the world, there are going to be people who are not going to get land next year. There are going to be people at the end of the list, who will have to wait for ten years. Yet, the need for land is real. The real question is how to deal with the fact that you cannot deliver overnight. Surely, the best way of doing this is to engage and try to deal with issues as they emerge – let people know that you are doing as much as is humanly possible. Part of the frustration that underlies land invasions, is frustration at not being listened to. Walk the road with people, talk to them, but do not make them your enemies*”.¹²⁸

Land reform legislation in South Africa (with its inherent ambivalence regarding the protection of established property rights and the achievement of equity in land access and ownership) has been used to act swiftly against “land invaders”. Yet, recent court interpretations of the very same land reform legislation may, in fact, encourage invasions. For example, approximately 40 people invaded the commercial farm (Modderklip), owned by a Benoni farmer (Braam Duvenhage), in May 2000. Duvenhage reported the invasions to the police, laid a charge of trespassing and met with officers of the court and

¹²⁷ Star, “Land invasions law due soon”, September 11, 2001

¹²⁸ Interview with Derek Hanekom (Former Minister of Land Affairs and Member of Parliament), Hartebeestpoortdam, September 8, 2002

metropolitan council. Duvenhage ended up in the Witwatersrand High Court where an order was handed down for the eviction of the invaders (now 6 000 families). However, Duvenhage was told that he would personally have to pay the R1.8 million required for the evictions. In mid-2001, Duvenhage took the matter to the Pretoria High Court.¹²⁹ The Pretoria High Court Judge, Willem de Villiers, ruled, in November 2001, that the government has a constitutional responsibility to protect people's property rights. He also ruled that the government had an obligation to provide housing and land for those who needed it, and finally, that the government had the responsibility to enforce court orders. His ruling required the government, not only to evict the invaders but also, to provide them with alternative housing. Spokespersons from the DLA have argued that this verdict could be "*misconstrued as a way to jump the housing queue and so encourage other land invasions*".¹³⁰ The Department of Land Affairs has since appealed to the Constitutional Court against the High Court ruling.¹³¹

All these factors - i.e. direct action (e.g. land invasions and violent actions in rural areas that have an impact on land reform) attitudes to conflict, perceptions of land rights and high unemployment rates - set the stage for (as World Bank representatives put it) "*decades of peasant insurrection, possibly civil war, combined with capital flight and economic decline*".¹³² In a context where only 1% of agricultural land had been distributed by January 2000, land invasions become even more likely. As acknowledged in the Green and White papers on South African land reform, neither reconciliation nor political stability is possible without a fundamental transformation of the system of land ownership. A rapid and massive programme of land distribution is therefore required to prevent violence. At the same time, without the emergence of a well-organised rural movement to put pressure on the government the land reform programme will remain slow and limited. Direct action (which may include violent actions or the threat of violence) may, therefore, prevent violence and contribute to political stability in the longer term by contributing to a more equitable distribution of wealth. As discussed in the introduction to this chapter, direct action gives the potential/intended (and those who want to be) beneficiaries of land reform a strong voice, which allows them to influence the process of economic and political reform. Direct action may also result in the emergence of a strong rural movement, which could provide a voice to the landless and, as such, ensure that the government prioritises land reform.

4. Power and politics

Transformation is a political process in which different actors promote their interests. "*The outcome of such processes reflect how effectively different forces are able to organise themselves, articulate their demands, develop coherent strategies and tactics and pursue their objectives in relation to those of others*".¹³³ In this regard then, direct

¹²⁹ *Mail & Guardian*, "Benoni farmer battles to evict 40 000 squatters", September 6 – 12, 2002

¹³⁰ *Mail & Guardian*, "40 000 squatters on my stoep", January 17 to 23, 2003

¹³¹ *Mail & Guardian*, "State fights eviction order", February 28 – March 6, 2003

¹³² Binswanger H.P & Deininger K, "South African Land Policy: The legacy of history and current options", Paper presented to the World Bank & UNDP workshop, Swaziland, November 1992

¹³³ Bernstein H, "Institutional reform and rural development", *Policy Debates in the 1990's: Transformation in South Africa*, Maganya E & Houghton R (Eds.), IFAA, Johannesburg, 1996

action can be interpreted as an indication that intended/potential beneficiaries did not sufficiently participate in, or influence, the policy formulation and implementation process. In other words, if there had been sufficient beneficiary participation in the process, their demands and needs would have been met, and it would not have been necessary for them to embark on direct action. However, as discussed in the introduction to this chapter (and it also emerges from the Brazilian and Zimbabwean case studies), direct action, by definition, is method that ensures that the needs and demands of potential (and those who want to be) beneficiaries are heard and, moreover, are visible. Further, direct action that culminates in the emergence of highly mobilised rural movement (e.g. the MST in Brazil) is likely to contribute to a more equitable distribution of wealth and political power (at a faster pace).

In South Africa, a number of rural-based or land related social movements have emerged in the last couple of years. The Landless Peoples' Movement, launched in July 2001 in Mpumalanga, and the Northern Province Land Rights Coalition, launched in February 2002, are both embarking on a campaign to pressurise the government to speed up the land reform programme.¹³⁴ Shortly after its launch, the Landless People's Movement (backed by the NLC) threatened that it had earmarked land in all the provinces, which would be invaded if the government failed to meet the Movements' demands by September 2001. Since then the Landless People's Movement has been quite active, for example, organising high-profile marches during international conferences such as the World Conference on Racism and the World Summit for Sustainable Development, as well as very visible campaigns, for example, declaring 2003 the *Year of the Landless*. The march on the World Summit for Sustainable Development, in which a number of civil society organisations (including the Landless People's Movement) participated, was "at least four times as large as the one [march] sponsored by the ANC".¹³⁵ The Landless Peoples' Movement's (LPM) demands include scrapping the property clause, speeding up the land reform programme and setting up a farm workers' union in each province.¹³⁶ The LPM has also consistently expressed support for President Mugabe and has invited the Zimbabwean president to address the movement. Academic, Ben Cousins, argues that such invitations suggest that there is "a strong gut-level support for forcible distribution, Zimbabwe style".¹³⁷ Other research suggests that this "gut-level support" is relatively widespread in South Africa. A countrywide survey, in March 2002, for example, showed that 54% of South Africans supported the land invasions in

¹³⁴ Both organisations have also been discussing tactics and experiences with representatives of the MST both in South Africa and Brazil, see also Land and Rural Digest, "Communities declare war on slow land reform", January/February 2002

¹³⁵ Cousins B, "The Zimbabwe Crisis in its Wider Context: The Politics of Land, Democracy and Development in Southern Africa", Hammar A, Raftopoulos B & Jensen S (eds.) Zimbabwe's Unfinished Business: Rethinking Land, State and Nation in the Context of Crisis, Weaver Press, 2003, p. 279

¹³⁶ Business Day, July 25, 2001

¹³⁷ Cousins B, "The Zimbabwe Crisis in its Wider Context: The Politics of Land, Democracy and Development in Southern Africa", Hammar A, Raftopoulos B & Jensen S (eds.) Zimbabwe's Unfinished Business: Rethinking Land, State and Nation in the Context of Crisis, Weaver Press, 2003, p. 280

Zimbabwe.¹³⁸ In 2001, local popular support for “legal land seizures” was evident in the Northern Cape, Mpumalanga and KwaZulu-Natal.¹³⁹

There are, however, constraints on the development of rural movements - in general and particular to South Africa. Rural areas have a more limited capacity for organising due to logistics, for example, scarcity of transport and telecommunication facilities. In South Africa, many rural communities no longer rely exclusively on the land for their economic survival (in contrast to communities in Bangladesh, for example). People maintain a range of livelihood strategies, including pensions, grants and part-time urban employment. This limits the development of a mass-based movement with land as a central focus.¹⁴⁰ The development of a mass rural movement is further constrained by rural fragmentation in South Africa, whether along ethnic, gender, age or class lines.¹⁴¹

Non-governmental organisations can play a particularly important role in mobilising the rural population. TRAC in Mpumalanga, for example, not only assists communities in accessing land through the land reform programme but also facilitates workshops (i.e. rights education, developing leadership skills) and monitors human rights abuses (particularly on farms) in the area. Monitoring the impact of the land reform programme, particularly on poverty and human rights is an important function that NGOs can perform. Non-governmental organisations could also play a role in agricultural training (as in Bangladesh). Many land-related and rural NGOs in South Africa have long and close relationships with impoverished communities and can, therefore, act as trusted representatives, ensuring that potential beneficiaries play an active part in policy formulation and implementation. This is particularly important because of the land reform programme’s emphasis on the process being “demand-driven”. As Fakir explains, in rural areas “*there is a widespread belief among people that their land needs are self-evident and that they need to do nothing more than wait for land redistribution agents to find them*”.¹⁴² Further roles for NGOs in land reform include the provision of legal aid, places of safety for women, childcare, education, outreach programmes and research. There is a real need for better co-operation between civil society organisations and the government. Apart from NGOs, important civil society actors include the Church, burial societies, community organisations and local branches of political parties. Civil society organisations (large NGOs included), however, tend not to have the capacity or resources required to undertake local planning or implementation of district level land reform initiatives – particularly in areas where conflict is prevalent.¹⁴³

¹³⁸ Macgregor K, “Dunns caught in KwaZulu-Natal’s wave of invasions”, Land and Rural Digest, October 2000

¹³⁹ Lodge T, Politics in South Africa, David Phillip, Cape Town, 2002, p. 85

¹⁴⁰ Land and Rural Digest, “20 years of people’s land reform”, July/August, 2000

¹⁴¹ Levin R & Weiner D, “The politics of land reform in South Africa after apartheid: Perspectives, problems and prospects”, Journal of Peasant Studies, Vol.23, April 1996

¹⁴² Fakir S, Cooper D, Wildschut A, “Institutional Support Services”, Down to Earth, LAPC, Indicator, Natal, March 1996, p. 136

¹⁴³ Fakir S, Cooper D, Wildschut A, “Institutional Support Services”, Down to Earth, LAPC, Indicator, Natal, March 1996, p. 133 - 136

Conclusion

Firstly, in cases where (i.e. most) potential/intended beneficiaries did not sufficiently participate in, or influence, the policy development and implementation process, direct action is a likely outcome. There appears to be a relationship between the pace and scope of land reform and direct action. In part, direct action contributes to a more equitable distribution of economic and political power in any given society, which, in turn, contributes to political stability and the overall sustainability (and success) of the land reform programme. This is because transformation is the result of a process in which various groups/interest groups are able (or not able) to promote their interests, needs and demands. Direct action is a method that enables those without economic or political power to promote their interests in a very effective and visible way.

Direct action can be understood as having a dual (but overlapping) relationship to the pace and scope of land reform (i.e. the redistribution of wealth). Direct action can be responsive or pre-emptive or both (particularly over a longer period). Examples of countries where a lack of, or slow, land reform contributed to responsive direct action (discussed in this chapter) include Brazil, Colombia, Peru, Honduras, Mexico, Kenya and Zimbabwe. The cases where pre-emptive direct action (i.e. land invasions) and, in particular, the highly mobilised rural organisations that emerged, contributed to land reform (i.e. land invasions that were legitimised in Zimbabwe) include Brazil, Zimbabwe, the Philippines, India and Bangladesh.

A further implication, which emerges from the preceding discussion, is that in any country undergoing land reform (or any other form of economic or political transformation in rural areas) a highly mobilised rural movement, that is constituted of those who want to be land reform beneficiaries, can contribute to increase the pace and scope of land reform. Such a movement can also ensure that the very real needs of potential beneficiaries are highlighted, addressed and included in the processes of policy formulation and implementation. In addition, a strong rural movement representing the landless and poor can help to counter the power of current large-scale landowners. In South Africa, non-governmental organisations and trade unions can play a positive role in the land reform process by contributing to the organisation and mobilisation of the rural population.

Another implication is that the level of direct action (in particular violent actions) accompanying /preceding/ following land reform is influenced by the degree of economic development and the existence of economic opportunities and/or employment elsewhere in the economy. Countries with high unemployment rates tend to experience more violence – the inverse also holds. Land reform programmes should, therefore, form part of, a wider development strategy that includes policies and processes to create employment in urban and rural areas.

With regard to the South African situation it is important to acknowledge that there have always been land invasions in South Africa – varying in nature and motivation. Post 1994 land invasions appear to have peaked in the period 2000 to 2002, but the threat of

land invasions has not decreased. High unemployment levels and the slow and bureaucratic nature of the land reform programme are likely to contribute to further land invasions. Levels of rural and land-related physical violence in South Africa are arguably already higher than in, for example, Zimbabwe. However, most of the land invasions in South Africa have been urban where the demand is for housing and not land per se. Alternatively, land invasions have taken place in response to the restitution programme (i.e. not redistribution). Although rural movements, such as the Landless Peoples' Movement, have emerged in South Africa, these movements remain relatively small and so far, have had a very limited impact.

In a final analysis, it appears that neither state-led land reform, nor market-based land reform will be successful unless the potential beneficiaries (particularly the most marginalised) have played an active role in policy development and implementation. It is argued that the success of a land reform programme depends (for a large part) on the participation of marginalised, dispossessed and oppressed individuals and communities. Participation, in turn, requires direct action and/or social mobilisation. The emergence of strong rural movements is also an important factor in shifting the power balance in a society and therefore in contributing to a more equitable distribution of economic and political power.