

Perspectives on KwaZulu-Natal

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"Land reform needs a major overhaul if it is to achieve its objectives"

The central task facing the first black director of the Association for Rural Advancement (Afra), Siphesihle Mkhize, is to ensure the government accounts to poor, rural South Africans and not to powerful global interests, writes **Donna Hornby**.

Known to his friends as Sihle, Siphesihle Mkhize was born in August 1973 in the semi-rural area of Esigodini near Pietermaritzburg. He joined Afra, an independent rural land service organisation based in Pietermaritzburg, in 1993 as a library student working in its resource centre. There he spent many hours feeding his curiosity by reading the documents he was responsible for filing. In that process, the possibility of improving rural people's lives captured his imagination, and when a fieldworker position was advertised, he had no second thoughts about applying.

Mkhize, who heard about his appointment from retiring director, Mary Kleinenberg, on his 27th birthday late last year, said government's failure to deliver tangible results since 1994 has resulted in Afra rethinking its strategies. In the past "we wanted to give the new democratic government a chance to deliver. It was our government and we needed to protect it from liberal resistance, so we didn't feel able to lambaste it publicly". Now, however, "we see that government is trapped. And it responds to pressure. When the International Monetary Fund (IMF) pushes, government moves. When farmers push, government listens. Clearly, government listens to those who are vocal", he says. Mkhize cites examples of communities that have held sit-ins and protests that have resulted in positive government responses. The conclusion, he argues, is that communities "must speak" and it is Afra's job to assist them to do that.

Mkhize, an anti-apartheid activist, is nevertheless not unsympathetic to the contradictory pressures confronting government. On the one hand, it is in parliament because the electorate wants the social programmes it has promised. On the other, economic growth requires engaging in a global economy, and the nature of that engagement is heavily influenced by the demands of the IMF and World Bank to liberalise, constrain expenditure and use the market to effect transformation. Thus, "we have market-driven land reform ... which is not going anywhere", he says.

Mkhize is particularly concerned that the IMF and World Bank hold the balance of power in the South African government. The only other balancing force, he says, is Cosatu,

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which is constantly drawn in and begins to adopt the language of neo-liberalism and globalisation. The ANC as a party could also be a countering force, except that it is "losing the diversity of thinking that characterised it as a political movement". The tendency towards centralisation is silencing, says Mkhize, and since Mbeki has openly stated that he is not a socialist, it is quite clear what his priorities are. All this, says Mkhize, makes him fear that in five years' time we will still be "dancing in the same circle".

That same circle is one that implies at best no change in the lives of most rural people and more probably a decline in their living standards. Mkhize, who spent much of his childhood living with extended family members in rural areas, is no stranger to the difficulties these families face. Indeed, it is this knowledge that fires Mkhize's determination to see that land reform improves rural people's lives in KwaZulu-Natal. To do this, the "prime objective" of land reform - to change land ownership patterns - must be realised. However, Afra has recognised that land ownership does not necessarily result in improved lives. Additional measures are therefore required to improve people's livelihoods once they have taken transfer of land, says Mkhize.

Land reform needs a major overhaul if it is to achieve its objectives, argues Mkhize. The role of the state must change dramatically from its current passive one of providing grants to willing beneficiaries to buy the land of willing sellers. A proactive role would include the state buying land and expropriating with compensation where necessary. "We need multiple mechanisms to shift land into black ownership, not just one," says Mkhize. He also expresses frustration with the restitution process. "Too many cases are bogged down in negotiation," he says. "Why, if the case is gazetted (published in the *Government Gazette*), does it take so long to resolve?" Mkhize believes the answer is that the state lacks the political will to implement restitution, and he points to the fact that it has taken government all these years finally to decide to expropriate in one of the claims. Such a lack of determination in the face of a legal and constitutional right is unacceptable. "This is about people's rights," says Mkhize.

Mkhize is equally critical of government's attempts to date to reform tenure. The Land Reform (Labour Tenants) Act (LTA), the Extension of Security of Tenure Act (ESTA) and the Interim Protection of Informal Land Rights Act (IPIRLA) are merely "fire-fighting" measures, he says, adding that the LTA does have some more far-reaching provisions. It is necessary to consolidate these laws and move clearly towards long term tenure security. This should include diverse tenure options such as long term leases, share equity with residential rights, usufruct servitudes and new legal options, as well as ownership, he says.

But these measures need to be combined with ways of improving people's livelihoods. Mkhize says new inexperienced farmers with little government support will battle to succeed in a declining agricultural economy battered by liberal trade laws and cautions government that such programmes may be misplaced. "We need to explore other types of small, micro and medium enterprises (SMMEs) in rural areas." This, however, challenges both the location of government authority and power and the relationship between government departments. Mkhize says the most appropriate level of government to drive such a programme is local government, which should function to integrate and co-ordinate the services of other government departments. However, "too much power is still centralised at national level" and local government is often too weak to play an effective role in integrating other government departments. Local

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governments should also be focussing on enabling registration by-laws that are simple and inexpensive while central government should develop policies and laws that are supportive of SMMEs, including tax exemptions, labour flexibility and protection from big businesses locally and internationally.

These are the measures that government needs to take to improve the lives of the rural poor. Afra's role in ensuring that government decides to pursue these measures is a challenging one for Mkhize. At a personal level, he is sometimes daunted by the fact that "it's now me who is the leader, and I have to decide what to do". He is also aware that people are watching to see how a black director fares. But Mkhize has a deep knowledge of rural communities based on years worked as a fieldworker since he graduated from Technikon with a library diploma. He is also confident in the support of his colleagues and deputy director Lisa del Grande. And, while he is ready to rise to the challenge of the new responsibilities, he believes "it is human to feel uneasy about them".

More important though are the strategies the organisation has adopted to ensure that land reform meets the needs of the rural poor. At a strategic planning in 2000, Afra decided to restructure its work into clearly defined, time bound projects that aim to secure poor, rural people's tenure in order to improve their livelihoods. The five projects that will be undertaken over the next three years have in common two key strategies to shift the direction of land reform. The first is to build the capacity of rural communities to take charge of their own development. This will include institution building and supporting communities to demand that their needs be met, to negotiate with stakeholders and to mediate conflicts in their assertion of rights to land and resources. The second is to assist government and rural communities by developing creative and innovative approaches and models to rural development. This will include working in partnerships with government, communities and the private sector as well as lobbying for community interests and advocating for changes that advance these interests.

Mkhize recognises the ambitiousness of the goals and strategies. A key threat to succeeding, he says, will be government's attitude to shifting its focus. If government refuses to budge from its current stance, then "we'll still be fire-fighting in the countryside and trying to persuade the state to move". This outcome is a very real risk, says Mkhize, commenting on the decline of state resources to rural development since 1994 notwithstanding President Thabo Mbeki's various speeches promising the contrary. "Land and rural development are just not high in the list of government priorities," Mkhize says. To shift the direction of land reform will therefore require placing land and rural development back on the government agenda.

But there are other unrelated threats that Mkhize is also ready to take on, the key one being an increasingly constrained funding environment. All Afra's funders are implementing "decreasing" clauses, partly because of their own struggles to raise funds and partly because South Africa is increasingly seen as "the US of Africa". Under these conditions, it becomes tempting to become money driven and to adapt one's vision to chase the money. However, Mkhize is insistent that "the focus of our survival is our vision and mission, and we shouldn't lose sight of that". Nevertheless, funding challenges have resulted in changes to organisational culture. "Our values have become those of professionals - time frames and budgets," says Mkhize, but adds that this is not necessarily inconsistent with the activism of non-governmental organisations. Indeed, the idea of the professional activist is "not a bad one".

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Seeking ways to sustain itself has resulted in Afra reviewing its approach to tendering for government work. "Our experience shows that we can't do much to change a government brief. One has to comply now, complain later," says Mkhize. But, this work remains invaluable as a way of learning about the nitty-gritty of implementation. Afra will therefore continue to tender but has identified possible tendering areas in relation to the projects it is undertaking in order to consolidate knowledge about specific issues. In addition to such "cost recovery" work and thinking on how to diversify fundraising strategies, Mkhize is hoping to obtain funding for the organisation to work as an equal partner in projects with government and the private sector.

Mkhize may be daunted by the prospect of leading Afra through the economic and political ups and downs of the new millenium, but he is quite clear about his own hopes for his directorship. "I want to build Afra to become an effective, efficient organisation so that it achieves the goals and objectives we have set," he says.

Undoubtedly, there are many rural people who share his hopes.

Donna Hornby is a land reform researcher and consultant.