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**The Land Question in Namibia:
Land Reform and Social Transformation in the Post-Apartheid Era**

By

Sarah Loveday

**A Thesis Submitted to
Saint Mary's University, Halifax, Nova Scotia
in Partial Fulfillment of the Requirements for
the Degree of Masters of International Development Studies**

September, 2005, Halifax, Nova Scotia

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Date: September 9, 2005



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Abstract

The Land Question in Namibia: Land Reform and Social Transformation in the Post-Apartheid Era

By Sarah Loveday

Namibia's land reform has yet to evoke any notable social change and has failed to significantly lessen poverty and socio-economic inequality. The land reform, adopted as a means of rural development and social justice, incorporates land redistribution and to a lesser extent, tenurial reform. The land redistribution process is based on the market assisted land reform methodology; as such, Namibia's social change is integrally linked to the operation of the market and is moderate in nature. Many of the problems with the program find root in the contradictions of MALR's founding framework – neo-liberalism. SWAPO has struggled to remedy these problems with limited success, battling both overarching socio-political issues as well as insufficiencies in neo-liberalism itself. It is unlikely that the process will hasten to any significant degree in the near future nor make any substantial change to the nationwide problems of poverty and socio-economic inequality.

September 9, 2005

Acknowledgements

I owe a great deal of thanks to many people. I would like to dedicate this thesis to Dr. D. John and Kathleen Roberts of Stanford, California – two extraordinary individuals whose kindness and generosity seem to know no bounds and to whom I am eternally grateful for their support and encouragement over the years.

I would also like to recognize my indebtedness to my Graduate Committee for their time and assistance with this project. A special thank you goes to Professor Gerry Cameron for his gracious support, guidance and patience in seeing me through to the end of this process. Much thanks also goes to Drs. James Morrison and David Black for their useful input, insights and counsel. The final year of this process has seen added a very personal challenge and I would like to thank St. Mary's University for their support that allowed me to complete this work and to everyone involved for their encouragement and assistance. On a related note, I would like to express my gratitude to the faculty of St. Mary's University International Development Program, from whom I learned so much over the course of my time at St. Mary's University. I would further like to extend thanks to the administrative and library staff of Stanford University, whose assistance was crucial to the success of this endeavour.

On a personal note, I would like to thank my mother, Barb Roberts, for her endless encouragement, support and patience. I would also like to express my gratitude to my father, Blair Loveday, for his unwavering strength, love and support. Special thanks also goes to Jeremy Loveday, Dr. Ayca Kaya, Alison Myerscough and Ahmed Rashid.

List of Abbreviations

AALS	Affirmative Action Loan Scheme
ACLRB	Agricultural (Commercial) and Land Reform Bill
CA(s)	Communal Area(s)
CIA	Central Intelligence Agency
CLB	Communal Land Bill
DNLP	Draft National Land Policy
GDP	Gross Domestic Product
GKI	Griffin, Khan and Ichowitz
IMF	International Monetary Fund
IPPR	Institute for Public Policy Research
LAC	Legal Assistance Centre
MALR	Market Assisted Land Reform
MIB	Ministry of Information Broadcasting
MLAR	Market Led Assisted Reform
MLRR	Ministry of Lands, Resettlement and Rehabilitation
MAWRD	Ministry of Agriculture, Water and Rural Development
NAP	National Agricultural Policy
NAU	Namibian Agricultural Union
NLP	National Land Policy
NNFU	Namibian National Farmers Union
NRP	National Resettlement Policy
NUNW	National Union for Namibian Workers
NEPRU	Namibia Economic Policy Research Unit
PRV	Provisional Valuation Roll
RoN	Republic of Namibia
SADCC	Southern African Development Coordination Conference
SWAPO	South West African People's Organization
TLB	Traditional Leaders Bill
UNDP	United Nations Development Program
WCA	Washington Consensus on Agriculture

The Land Question in Namibia:
Land Reform and Social Transformation in the Post-Apartheid Era

Chapter One: Introduction

1.1 Contextualizing the Development Problematic: The Issue of Land and Land Reform in Namibia

Land reform has been a widespread phenomenon throughout the developing world in the post-colonial era. Land reform is deemed by many to be a means of socio-political transformation (Wily 1); through these definitional terms one may see land reform as an integral part of post-colonial development. The past century has witnessed the implementation of various types of land reforms, from state-led to market-based, in socialist and capitalist based economies. A plethora of countries across sub-Saharan

Africa have undertaken land reform post-independence; most countries have taken on land reform with the aims of encouraging sustainable management, promoting economic growth and reducing poverty (Toulmin and Quan 1). The present study focuses on the land reform experience of Namibia; the last country to gain its independence on the continent in 1990, Namibia is a relatively new state that continues to struggle to find its particular suitable and successful method of land reform.

This study is a synthesis of the neo-liberal development agenda and its influence over the government's handling of the land question, and the consequences as such on Namibian society in general. The neo-liberal development agenda has significantly shaped Namibian governance and policymaking. Like many other sub-Saharan African countries, Namibia was coerced by the international community into adopting a strongly pragmatic neo-liberal development agenda.¹ In accordance with neo-liberal development doctrine, the government, under the leadership of the South West African People's Organization (SWAPO), has limited spending on social programs, enacted legislation to open the economy, liberalized trade and privatized its resources. Neo-liberalism has played a decidedly formative role in the creation of the country's legislation, policies and

¹ As a country borne into an era of neo-liberal dominated globalization, Namibia has a development policy framework thoroughly entrenched in neo-liberalism; as a nation founded through negotiations led by the international community, neo-liberalism was essentially the foundation from which Namibia was built. From the days of the liberation struggle onward, the international community has had a significant influence over Namibian politics and economics; it was through the auspices of the international community that Namibia was obliged to adopt a strongly neo-liberal development paradigm. Further, the international community has also influenced the political stance of the government. While throughout the liberation struggle, SWAPO retained a definitively leftist political position, and in the post independent era, SWAPO emerged right of centre and began implementing capitalist neo-liberal minded legislation and policies. While land reform and social justice were on SWAPO's pre-independence agenda, once SWAPO gained leverage as the country's leader, these types of policies took a more moderate form. These moderated policies were in line with the values and ideals of their international counterparts; in this, one can see the tangible influence of the international community. It is also worth noting that Namibia's negotiated terms of independence did not include any type of reparations or financial supports from its former colonizer South Africa. As such, Namibia had to rely on external support from the international donor community, which by that time had become dominated by the

Constitution. While neo-liberal dictates have been the founding principles of the country's overall development program, so too have they shaped the country's land reform legislation and policies; indeed many of the problems associated with the land reform arise from weaknesses in neo-liberal theory and policy.

The Namibian government has adopted a market-driven land reform strategy known as Market Assisted Land Reform (MALR)²; a policy designed by World Bank land policy experts. Namibia was one of many countries in the developing world to adopt the MALR schema of land reform; other notable adoptees that will be discussed later are South Africa, Brazil and Columbia. Market assisted land reform can be defined as a “land reform that relies on voluntary land transfers based on negotiation between buyers and sellers, where the government's role is restricted to establishing the necessary framework and making available a land purchase grant to eligible beneficiaries” (Deininger, “Making” 3). A fundamental component of the MALR program is the willing buyer-willing seller principle; also under Namibia's MALR, the government has first purchase option on any commercial land available on market.³

Despite the fact Namibia's land reform legislation and policies are solidly rooted in the neo-liberal social and economic development values (including poverty alleviation and the maintenance of macro-economic stability), SWAPO has also tied in social justice values such as the redress of historical wrongdoing and injustice into its land policy. The

World Bank (Pankhurst, “Towards” 553).

² Market assisted land reform (MALR) is also termed “negotiated” or “community-led” land reform. Some authors have also utilized the term Market Led Assisted Reform (MLAR).

³ IRIN, “Namibia: Special Report on Land Reform, Part 2.”

balance between neo-liberal development ideology with its policy of national reconciliation, as well as social justice and equity, continue to be at the forefront of the land debate. This struggle has led to innumerable policymaking and legislative difficulties for the SWAPO government. The challenge of creating and maintaining balance between these values within the given political and policy context must not be underestimated.

Land reform, in the context of an ex-settler country and by its very nature, is a complex combination of policies that impact the social, economic and political spheres of society. In the case of Namibia, underlying this multi-dimensional form are the land reform objectives promoted and touted as the end to the means of reform. The strong neo-liberal character of the country's development and land reform policies have created an arena of contradicting development objectives and subsequently, less than desirable development outcomes.⁴

Land reform is often seen as a means for alleviating poverty, as well as a precursor to social transformation. The government's stance since independence has been to use land reform as a tool for alleviating poverty, as well as a way of addressing historical injustices brought on the Namibian people during the colonial period. In this context, through the attainment of poverty reduction and redress of historical wrongdoings, land reform will ultimately bring forth social transformation. To date, the land reform that has taken place

⁴ See Bryceson and Bank's article "End of an Era: Africa's Development Policy Parallax" for further analysis of the contradictions within neo-liberal development policy.

in Namibia has failed to significantly reduce poverty.⁵ These marginal results are a product of a number of key situational problems that will be discussed at greater length in Chapter Three. However, overarching these has been a bias towards accommodating the desires of the wealthy and business community above other Namibians. This bias in turn can be linked to the biases inherent in the neo-liberal development paradigm that predominates Namibian governance

Through the embrace of the neo-liberal development approach, the government has adopted the biases that are inherent within the neo-liberal development agenda itself. One of the primary biases has been the preferential treatment of large-scale landholders (typically the emergent elite) in order to further commercial farming enterprises, presumably for the maintenance of the agricultural sector and trade (in hopes of bringing about an increase in export earnings). Commercial areas have been allotted priority in national agricultural policies both before and after independence (qtd. in Thompson 79).⁶ As Thompson notes, “communal farmers, especially women farmers, have been consistently ignored” (79) by the government. Commercial land reform has also been given policy priority over communal reform, as has been the case in countries across Southern African that suffered land alienation at the hands of colonialists (Adams et al. 3). While this preferential treatment of commercial over communal reform translates into the struggle for policy priority and resources between commercial large-scale and small-

⁵ The issue of the efficacy of land reform in reducing poverty is also at the heart of the land debate. The land reform and poverty alleviation debate will be outlined and discussed in Chapter Two.

⁶ Material made available Thompson. See Devereux et al., “Namibia Poverty Profile” SSD Research Report No. 21 Windhoek: University of Namibia, 1995; and FAO, “Northern Livestock Improvement Project: Socio-Economic Production Systems Diagnostic Study. Draft Report.” Rome: FAO/IFAD Cooperative Program, 1992, qtd. in Thompson 79.

scale (often subsistence and/or domestic market-oriented) farming, it also speaks to the political nature of land reform and particularly land redistribution. One of the principle reasons commercial land reform has been given policy priority is its significance as a political issue. Whilst poverty, unemployment and tenure insecurity are definitive political issues as well, none carry the political clout of land redistribution. The political nature of the land reform issue emphasizes the primacy of power and class relations in the land question itself, as well as in national politics. In order to reduce poverty and promote rural development however, greater balance must be sought between commercialism and communalism in land reform programs (Melber, "Contested" 5). Melber argues government must "address the issue (of land reform) as much in the communal as in the commercial areas to achieve effective ways and means of reducing poverty among the rural population" ("Contested" 5). Commercial and communal land reforms and their respective relationships to poverty reduction and rural development will be discussed in Chapter Two.

While poverty alleviation is a clear and distinct objective of land reform (Harring and Odendaal 38), the government has given priority to groups in society which already have a pre-existing advantage over the majority of the population: a newly emergent politically-connected elite and corporations. Despite that poverty alleviation is a key objective of the national development agenda and land reform in particular, levels of poverty within the country have changed little from the era of colonial rule as noted. In fact, regardless of the government's commitment to poverty alleviation, it has acted in many ways that both directly and indirectly inhibit poverty alleviation in regards to the land reform program, as shown by their unequal treatment of the commercial and

communal land reform programs and beneficiaries. This behavior by the government reflects the stated biases and inconsistencies of the neo-liberal method of development and MALR; as such, some government actions have actually contributed additional obstacles to poverty alleviation and the reduction of social inequalities.

Furthermore, there has been government activity outside the realm of official land policy that has reflected their preference towards commercialism in the form of commercial farming enterprises. For example, there has been the provision of opportunity for and lack of reprimand of land seizure in communal areas (CAs) by the emergent elite (predominantly for the purposes of commercial farming) by the government. Although not an official component of the government's land policy, the occurrence of these events has demonstrated the government's bias towards the elite in general, and commercial farming ventures in particular. It has been argued by many academics that government allowance of land seizures by the rich have subsequently led to the worsening of conditions and opportunities for small-scale farmers in the communal areas. Activities such as these create further barriers to development and poverty alleviation among already marginalized groups.

Land reform under the current global economic regime represents unprecedented pressure on government to both meet the needs of their citizenry and conduct themselves in a manner deemed acceptable by the international community. However, whether land reform can be designed and implemented in such a way that transcends the biases inherent in neo-liberal dogma is yet to be seen. In Moyo's interpretation of the land issue generally and land reform more specifically, he describes the current situation in southern

Africa as follows:

Recent land reform policy formulation experiences in Southern Africa have been prescribed by market economic liberalisation, and increasingly complicated conflicts arising from the deepening differentiation of society along racial, class, ethnic and gender lines. Deepening disparities in the control and use of land and natural resources are reflected in changing land policy priorities, while external forces driving trade, investment and aid increasingly shape the new opportunities that land and resource ownership bring in the new global order. (Land and Democracy 16)

Moyo recognizes the complexities brought forth by the proposition of land reform in the current global climate. Neo-liberal dictates constrain governments to act in ways that favour the global economic system.

It is often the case that land reform most benefits society's elites over the poor (Kepe and Cousins 3). However it is up to the government, as divisors of policy and planning, to ensure adequate benefit is reaped by the impoverished and marginalized. Though the state has a minimalist role in MALR, it is ultimately the regulatory body in terms of provision and implementation of land reform legislation and policies.

Prior to critiquing the handling of land issue by the government, it must be recognized and cannot be underestimated, the complexity of the land tenure problem and the multitude of obstacles preventing swift resolution to the problem. Recognition of biases

such as those mentioned above, provide insight into the impact of land related development on the various sectors of rural society. One must look at the influence these policies and approaches have had over each group (the marginalized/impoverished, small scale farmers, subsistence farmers and large scale commercial farmers), and in turn what implications these have had over the social structure, economy, politics and political climate. Although each group has in general terms benefited to a certain extent from the land reform policies, the newly emergent elite commercial farmers have reaped a disproportional amount of that benefit. In order to understand the dynamics of the situation, it is critical to analyse the political and social dynamics occurring within Namibian society. Through such dissection, one can gain insight into these complexities with hope of drawing meaningful conclusions regarding the social, political and economic dynamics of the land question.

1.2 Economic Context

1.2.1 Population Dynamics: Societal and Class Structure

Namibia, a nation of approximately 2 million,⁷ is a predominately rural society. Namibia has an immensely diverse population; in order to properly understand the complexities of the social and class structures, it is crucial to acknowledge and examine the ethnic and racial composition of Namibian social structure. The social structure in Namibia is a hierarchy of class based on socio-economic status, ethnicity and race. The overall socio-

⁷ This figure is a CIA estimate in 2005 (CIA).

economic structure of the country is largely unchanged from the colonial era, however legalized institutionalized racism and discrimination (formerly in the form of apartheid) is no longer in place.⁸ Black Namibians, of all ethnic backgrounds, comprise approximately 92 percent of the total population; whereas whites and those of mixed racial origin each comprise roughly 4 percent of the population. Among black Namibians, there is a great deal of ethnic and cultural diversity. The Ovambo people, who represent the primary constituent support for the SWAPO government, account for 50 percent of the total population. The nation has 10 other smaller minority ethnic groups, each of which account for less than 10 percent of the population.⁹

1.2.2 Land and the Environment

In a study of Namibian agriculture, it is crucial to note that Namibia encompasses a handful of unique ecosystems and harsh environments. Namibia, a country of 825,418 square kilometres in area (CIA), is approximately the size of Germany and France combined. Despite covering this vast expanse of southern Africa, only an estimated 1% of the total land area is deemed arable, as the majority of Namibia's lands are extremely arid.

⁸ Although Namibia gained its independence from South Africa in 1990, apartheid officially ended in 1994.

⁹ Ethnicity represents a complex issue in Namibian governance. In spite of the fact that the Ovambo peoples represent a clear majority in the population and in national politics, the majority of Namibians (with a few notable exceptions, i.e. the San) – retain a relatively similar socio-economic status regardless of their ethnic persuasion (Suzman 4). The white settler community however, while both demographically and politically marginal, retains a key stake in the country's economy (Suzman 25); as such, their socio-economic status is far higher than any other of Namibia's minority

1.2.3 The Agricultural Sector and the Economy

The agricultural sector is currently the national economy's fourth largest contributor (behind mining, the government, and wholesale and retail trade) to the Gross Domestic Product (GDP) (Jaunch 33). Agriculture represents approximately 10 percent of the GDP and in 1999 the agricultural sector contributed N \$493 million to the GDP (Jaunch 49).

When comparing the commercial and communal sectors, the commercial sector contributes significantly more agricultural output; in 1999, the former contributed N\$ 319 to the GDP, while the latter supplied N\$ 174 (Jaunch 49). Despite the relatively small input of the agricultural sector to the economy, the importance of the sector should not be under-estimated as it is country's largest employer. It is estimated that approximately 70% of Namibians are supported either directly or indirectly by the sector (Jaunch 33).

1.2.4 The Namibian Agricultural Sector

Land suitable for agricultural purposes is divided into the commercial farming areas on freehold land, comprising of approximately 36.2 million hectares, and the Communal Areas on state owned land, encompassing approximately 33.5 million hectares of land (Adams, "Land Reform" 5). Within the agricultural sector, the commercial sub-sector predominates (Jaunch 49) and is largely marketed toward export. However, Namibia also has a sizeable sector of subsistence and communal farming, whose products are primarily geared towards domestic consumption. Subsistence farming predominately takes place in

populations (Suzman 25). Refer to the Appendix for various socio-economic indicators delineated by language group.

the northern region, the area with the most land suitable to cultivation of foodstuffs.

Ranching and related activities (typically commercial in nature) primarily occur in the central and southern regions of the country.

The agricultural sector is dominated by cattle and sheep ranching and the production of meat products for export; Namibia's primary agricultural output is cattle products.

Namibia currently exports approximately 80% of its meat products, chiefly beef (Jauch 49). South Africa continues to be a dominant trading partner, particularly with regards to the agricultural industry; beef exports to the country represent 50% of all exports in the sector (Jauch 49). Despite that the vast majority of land is not suitable to large-scale production of foodstuffs, large areas of land (mostly in northern communal areas) have been cleared for crop production (namely mahangu, sorghum, maize and wheat) (Mendelsohn et al. 147).

1.3 Regional Context

1.3.1 Namibia and its Neighbours: The Question of Land Across Southern Africa

The land issue in Namibia carries several commonalities to those of a number of other countries in Southern Africa. As ex-settler countries, Namibia, South Africa and Zimbabwe, have had similar experiences relating to patterns of colonization, land occupation and dispossession. As a result, the land debates within these individual countries have some similar dimensions and challenges. One commonality of particular relevance is the notion of land reform as a means of restorative justice; land reform

continues to be central to historical justice debates throughout Southern Africa (Derman 7). Redistribution of land resources has been the primary goal of the land reform programs of Zimbabwe, South Africa and Namibia (Toulmin and Quan 9).

While many developing countries have witnessed land reform in the past century, no place has had such marked land-related disparity as Southern Africa. According to Quan (2000) “in most part(s) of sub-Saharan Africa, unlike much of Asia and Latin America, land is relatively evenly distributed” with the exception of parts of Southern Africa where “...colonial settlers concentrated productive land into large private estates and where, as a result, land-related poverty is marked (32).” In assessing Namibia’s land reform experience, it is crucial to recognize the dramatic and distinct imprint of colonialism on Southern Africa.

Despite important similarities in the realm of socio-history, stark differences exist between the countries that must not be overlooked when discussing the problems inherent in the land question. Most notably are those relating to the environment and the role of agriculture in each country’s respective economy. In terms of the environment, Namibia faces environmental challenges (i.e. a high degree of land aridity) not faced to the same extent by either Zimbabwe or South Africa. As a result of differing overall environmental conditions, the composition of Namibia’s agricultural sector differs from its neighbours, as does the importance of the agricultural sector to the national and regional economies. In comparison to its southern African counterparts Zimbabwe and South Africa, Namibia only produces a fraction of the quantity of foodstuffs produced by these neighbouring countries due to its climatic and arable land limitations. In regions

with said environmental constraints (such as Namibia), governments face significantly different challenges in designing and implementing land reform policies than in regions with higher agricultural potential (Informal Think Tank 20).

Significant differences also exist from a political standpoint. The international political environment into which Namibia found itself borne was distinctly different than that experienced by Mozambique and Angola in the mid-1970s, and Zimbabwe in 1980 (Pankhurst, "Towards" 553). Similarly, Namibia did not achieve its independence as an outcome of war, as was the case for Mozambique and Angola.

1.3.2 Namibia and Regional Development Policy

As part of the Southern African Development Coordination Conference (SADCC), Namibia has also geared some of its national development policies to align with fellow member countries. The original goals of the SADCC were developmental in nature and oriented toward sectoral-based regional integration (Thompson 67).¹⁰ After 1992, the developmental approach continued to have a strong hold on the SADCC agenda, however development through a market-oriented approach was also adopted and melded with the previously sought objectives (Thompson 67). Despite the country's involvement in the union, there is a vast discrepancy between the stated regional development and integration goals, and the national economic policies of the region (Thompson 68). As Thompson states "the prevailing 'development' discourse in the southern African

¹⁰ The fundamental impetus of the SADCC was however for member countries to distance themselves economically

region... remains firmly embedded in the national context of each state (68).” Thompson further notes that the development discourse within the SADCC has and continues to be dominated by international non-governmental organizations (INGOs), including the World Bank (WB), International Monetary Fund (IMF), Food and Agricultural Organization (FAO), UNICEF and the United Nations Development Program (UNDP) (Thompson 68).

1.4 Research Question

The political essence of land reform and the land question play a significant role in the amount and degree of attention these issues receive from the government. Due to the politicized nature of these issues, push and pull influences from the electorate and interest groups weigh heavily on the government and its agenda. Certain interest groups within Namibian society, such as the newly emergent elite (and their respective affiliations), have managed to mobilize their resources to create a significant political voice for themselves within the land debate. Namibia’s poor and disenfranchised on the other hand, have few resources and thus little political voice or clout in the arena of the land question. To worsen the prospects of the impoverished, Namibian civil society is weak and fractured and thus has (and will continue to for sometime) limited potential as a political actor (and representative of the marginalized). Despite this, there are a handful of civil society actors active within the debate, each involved to varying degrees and for differing reasons (i.e. the Namibian Agricultural Union (NAU) and Namibian National

and politically from South Africa.

Farmers Union (NNFU)).

On the other side of the debate is the government. The government, responsible for the land reform and its subsequent success or failure, operates under political pressures from the international community (particularly the World Bank) as well as from internal interest groups and the electorate. To what extent each of these groups impact the government agenda varies substantially. However, each interaction is made within the environs of neo-liberal development – the path of development “chosen” or bestowed upon Namibia at independence in 1990.

While the government operates within a framework of neo-liberal policies and legislation, each political actor or segment of society acts to further themselves within an economy founded on neo-liberal principles. Each actor is caught up in fulfilling neo-liberal dictates, whether ultimately to their advantage or not. As Namibia’s socio-economy is thoroughly rooted in neo-liberalism, the biases inherent in neo-liberalism have also infiltrated the government’s agenda and operations.

When addressing these issues in the context of land reform as a socially and politically transformative process, it is crucial to ask how will social transformation occur within the context of the current neo-liberal based land reform policy framework? Specifically, to what extent is transformation possible given the current policy, legislative and constitutional restraints? The following study will aim to address these questions, while drawing meaningful conclusions regarding the state of land reform as it stands today.

1.5 Thematic Focus

The disciplinary focus of this study is that of land reform, and in this particular case MALR, as a means of rural development and social change. The study will examine land reform as development occurring within a complex array of political and economic forces, each acting under the auspices of the neo-liberal dictum. The dynamics of land reform will be explored, as will their effects on rural socio-economic and political development in general.¹¹ Further, the land reform program will be critically examined as to how it has contributed to rural livelihoods as well as to the rural and national economies. The analytical focus rests on the analysis of market led approaches to development, and more specifically land reform. Despite substantial involvement of SWAPO in the land reform program, Namibia's is a distinctly market-driven approach to land reform. The study will examine the relations of power, governance and politics in the context of the present reforms with hopes of shedding light on the difficulties thus experienced in the reform program to date. The relational focus of the study lies in the widely held belief of land specialists, government officials, NGOs and others of land reform as a principal means of poverty reduction and sustainable rural development for Namibia. Land reform is deemed by many in these communities as a crucial element to both Namibia's rural and national developments.

¹¹ Two themes have dominated the land reform debate in Southern Africa: first, the idea of land redistribution as a

1.6 Conceptual Framework

This is a study based in an analysis of class and power relations within the national context, drawing linkages to the international stage. As such, it draws strongly on the foundations of the neo-Marxist tradition and critics of the neo-liberal agenda, with the intention of providing insightful dissection of the social and political dynamics of Namibia's land question. Through dissection of the social and political forces at play, the study aims to provide a more thorough explanation of the political conundrum that is Namibian land reform.

In order to discuss land reform in any depth, it is crucial to bring forth a set of working definitions that will provide a framework for the following discussion. As land reform is deemed a means of development, it is important to provide a definition of *development* from which to base discussion. Development can be defined as a process of reformulation of the political, economic and social systems within a society towards advancement and progress.¹² Integral to the concept of development is the enhancement of living conditions; Sen notes that the improvement of living conditions "must clearly be an essential – if not *the* essential – object of the entire economic exercise and that enhancement is an integral part of the concept of development" (11). This definition will be used as a point of departure for the following discussion.

quasi-constitutional right and second, land reform as a method of rural development (Adams and Howell 1).

¹² The concept of development is a complex one, as such its definition may vary accordingly. Esteva simplifies the issue in saying "development has connoted at least one thing: to escape from the undignified condition of underdevelopment (7)."

In any academic analysis of the land question, there must be made a clear distinction between *land reform* and *agrarian reform*. Erroneously, the terms are often used interchangeably (Drimie and Mbaya 9); there is a critical difference between the terms that must be noted. Land reform, defined as “the redistribution of property or rights in land for the benefit of the landless, tenants and farming labourers,”¹³ is but a component of agrarian reform (Drimie and Mbaya 9). Agrarian reform is a concept used to describe an attempt to change agrarian structure; this may include the implementation of varying types of land reform (land redistribution and tenurial reform) as well as support reform measures (Drimie and Mbaya 9).¹⁴ The aim of agrarian reform is for governments, in addition to implementing land reform programs, to support and implement other rural development measures including extension services, farm credit schema and cooperatives for farm-input supply and marketing.¹⁵

1.7 Methodology

This case study was conducted through the use of secondary materials, acquired through library, Internet and archival research. Library and archival research was primarily conducted through the libraries of Stanford, Saint Mary's and Dalhousie universities, with additional research completed at the University of Victoria. Due to the limitations of the library and archival resources in Nova Scotia and British Columbia, the study relies heavily on resources found at the Stanford libraries. The majority of library-sourced

¹³ Definition available in Adams. See Warriner, D. Land Reform in Principle and Practice. Clarendon Press: Oxford, 1969. qtd. in Adams, “Land Reform Old Seeds” 1.

¹⁴ Agrarian reform is an edifice of the Cold War era, a means to thwart communist driven land reform (Adams, “Land Reform Old Seeds” 1).

information was extracted from academic articles, books and documents published by the Namibian government and non-governmental research-oriented organizations.

The Internet was also an excellent communication medium and crucial source of information. The Internet allowed for access to government, academic and periodical resources produced by international organizations such as Oxfam and the World Bank, as well as local Namibian organizations such as the Institute for Public Policy Research (IPPR), Namibia Economic Policy Research Unit (NEPRU) and Legal Assistance Centre (LAC). In addition, the Internet provided a communications medium between the author and people/agencies specializing in related fields of research and study.

1.8 Structure of the Discussion

The study will be structured in the following manner: *Chapter Two* is an examination of the theoretical literature relevant to the study of land reform in the developing world and more specifically in southern Africa. Two key bodies of literature will be addressed, namely: (1) literatures regarding the influence of neo-liberalism and the “new economic order” over the creation of national development policy, with specific attention given to land policy; and (2) works addressing land reform as a instrument of wealth/productive asset redistribution and social transformation. Encapsulated as part of the discussion of neo-liberal influence over land policy will be an overview and analysis of the key arguments in favour and opposition to MALR. The chapter will also include an

¹⁵ Adams, “Land Reform Old Seeds” 1; Drimie and Mbaya 9.

examination of literatures supporting alternative forms of land reform, in hopes of providing insight to the shortcomings of MALR, as well as materials dealing with power and class in the African context. *Chapter Three* is an in-depth exploration of the national context in which land reform is occurring. Discussion of land reform in the national arena will be thread through the dissection of the social, political and economic spheres of Namibian society. Historical accounts of land dispossession and the land reform program are outlined in order to provide further contextual backing to the discussion at hand. In *Chapter Four*, the case study of Namibia is brought into focus in the context of current land reform thought and other literatures relevant to the issues of class and power. The case study specifically deals with the land reform program legislated by the SWAPO in the post-independence era, 1990 to present day. *Chapter Five* brings forth the summation of the discussion; conclusions are drawn as to what lessons may be learned from various land reform approaches used elsewhere, as well as from land policy experts of both the neo-liberal MALR and non-neo-liberal theoretical camps. The conclusions will focus on the pitfalls brought on by the adoption of MALR and its inherent biases.

Chapter Two: Literature Review

2.1 The Evolution of Land Policy and Practice

During the 20th century, there were a variety of land reform ideologies and mechanisms utilized by countries in the developing world to bring about change in land ownership and use. There are four principle measures of intervention that may be used by the state in order to impact the operations of the land market (Adams, “Land Reform Old Seeds” 1). These include: (1) *Land Tenure Reform* (adjustment of joint/reciprocal property rights between owners/proprietors in response to the economic climate); (2) *External Inducements or Market-Based Incentives* (restructuring of the land ownership system with hopes of bringing about change in its associated economic and social problems; i.e. the willing buyer-willing seller principle); (3) *External Controls or Prohibitions* (imposition of non-market legal restrictions on property rights; i.e. land restitution, collectivization or nationalization); and (4) *Confirmation of Title* (verification and security of title(s) for individuals/groups who have a demonstrable land claim(s)) (Adams, “Land Reform Old Seeds” 1). In sub-Saharan Africa, all four measures have been utilized in recent decades; however in the context of independent Namibia, (1) tenurial and (2) market-based incentives have been the selected means of land reform.¹⁶

In the post 1945 era, socialist and non-socialist countries undertook land reform initiatives (including both tenurial and redistributive types), typically implementing them

¹⁶ Namibia specifically ruled out application of land restitution measures.

in a top-down state-sponsored fashion (Byres 2). Although brought about by state action, the majority of the land reform initiatives were preceded by peasant struggle (Byres 2-3). Throughout the 1950s and 60s, land reform retained an important role in the development agendas of socialist and non-socialist states (Byres 4). In socialist countries, initial land reforms were often sought through collectivization; reforms ceased in these countries after the dawn of farm collectives (Byres 4). Among non-socialist countries, land reforms achieved little success¹⁷ and frequently benefited the wealthier of the peasantry over the more destitute and impoverished (Byres 4). The dominant modes of land reform amongst non-socialist countries included tenurial reform (which was generally the reform mode of choice¹⁸) through methods such as the compulsory regulation of landlord-tenant relationship (in order to protect tenant rights), and redistributive reform by way of mandatory acquisition of defined lands from private landowners largely without adequate market value compensation (these lands were then typically transferred to tenants/farm labourers in small to medium sized plots) and resettlement of tenants or farm labourers on “unoccupied” public lands (Prosterman and Hanstad 20). During the 1960s, the prominence of land reform faded with the introduction of new technologies (and their accompanying philosophy – to rely on the wealthier peasants and landowners to bring about what was seen as much needed agricultural growth) (Byres 4). By the late 1960s, land reform had fallen out of policy priority and as Borras notes, by the 1970s had all but disappeared completely from development agendas (“Questioning” 367).

In spite of the dearth of land reform policies in the 1970s and early 80s, the mid 80s and

¹⁷ Byres 4; Prosterman and Hanstad 20.

90s witnessed a re-emergence of land reform within development policy circles.¹⁹ During this era of structural adjustment, international financial institutions (IFIs, most notably World Bank) land policy touted individual land registration and titling as the predominant land policy prescriptions for adjustment of property rights (Kanji et al. 6). However as the decade of the 1990s progressed, there was increasing evidence of the downside of individual titling (Kanji et al. 7). It became gradually evident that individual titling had high social and economic costs and was negatively impacting the poor (Toulmin and Quan 2). As Kanji et al. note, recent occurrences of land reform in sub-Saharan Africa follow an overall failure to convert customary tenurial arrangements to individualized freehold rights (6).

The late 1980s and 90s also witnessed the emergence of what became the new dominant mainstream land reform ideology – Market Assisted Land Reform (MALR). MALR, a policy framework created by a group of World Bank experts under the leadership of senior analyst Hans Binswanger, is based on general interpretations of international experience, as well as specifically those of South Africa, Brazil and Columbia. Pilot tested in Brazil and subsequently implemented on a nationwide basis in South Africa, MALR is now gradually becoming the land reform mode of choice in the developing world.²⁰ With the rise of influence of the World Bank, its policy agenda has begun to

¹⁸ Byres 4.

¹⁹ Borras, "Questioning" 367; Prosterman and Hanstad 20.

²⁰ Development within Namibia has taken place amidst strong international involvement in the country's economic and political spheres. Namibia and SWAPO have had strong ties with the international community both before and after independence. Post independence, international involvement in the country's affairs and economy has been dominated by such organizations as the World Bank, International Monetary Fund, UN, as well as a number of transnational corporations. As a result of international involvement during the transition and independence eras, neo-liberal policy has been an integral part of the nation's policymaking and implementation framework. Post-independence national policy is firmly entrenched in neo-liberal economic policies and values.

infiltrate policy-making throughout the developing world. This influence has been particularly evident in the context of land policy; the Bank has been increasingly influential in land reforms throughout the developing world in recent years. During the 1990s, the World Bank began to flaunt MALR as the primary means by which countries ought to alter land ownership and relations.

MALR is a decentralized market-driven policy approach that seeks to limit state involvement while promoting the role of civil society in the land reform process (qtd. in Bernstein 192).²¹ MALR is based on the willing buyer-willing seller principle, whereby land may only be transferred in a situation where the landowner is willing to sell, and if the seller is then compensated at full market value for the land in question. As such, MALR is fully voluntary in nature. Proponents of MALR maintain that the cooperation of landlords and landowners is the single most important factor to a successful land reform program (Borras, "Questioning" 370).

Starkly different from government-assisted or state-led land reform, as was previously the dominant method of reform internationally, MALR involves relatively little state intervention and seeks the market as the determining force of land transactions. MALR restricts the role of the state largely as a provider of technical and financial assistance to land reform beneficiaries. In the context of Southern Africa, the extent of state involvement in land reform processes varies significantly (Moyo, "The Land" 19), as do the specific social, political and economic objectives associated with each program

²¹ Material made available by Bernstein. See IFAD, Rural Poverty Report 2001: The Challenge of Ending Rural

(Toulmin and Quan 9).

As MALR policy is rooted in decentralization, a key component of MALR (and of other emerging land reform perspectives) is the idea of community-driven land reform initiatives (i.e. community-driven land acquisition) (Moyo, “The Land” 21). Community-driven land reforms emphasize the involvement of local community members and groups, as well as the private sector.²² Community involvement is sought through each stage of the land reform process, from proposal to implementation.²³

The emergence of MALR was fostered by a pro-market critique of classic state-led agrarian and land reform (Borras, “Questioning” 367). This coincided with a general shift in development policy thinking away from state-led development methods in theory and practice. Proponents of the pro-market critique of state-led approaches to agrarian and land reform criticize state-led methods as being heavily supply-driven and state-centred (Borras, “Towards” 34). Pro-market critics further argue state-led land policies have historically been carried out within the context of inward-oriented development policies (Borras, “Towards” 34); policies that do not correspond with international economic trends.²⁴

Poverty, Rome: International Fund for Agricultural Development, 2001, qtd. in Bernstein 192.

²² As Deininger notes, private sector contributions and technical assistance are considered essential to reform beneficiary success.

²³ Material made available by Moyo. See Mighot-Adholla, S.E. “The Economic Effects of Land Registration on Smallholder Farms in Kenya: Evidence from Nyeri and Kakamega Districts.” *Land Economics* (1998) 74.3: 360-373, qtd. in Moyo, “The Land” 21. During a community driven reform, the community must be involved in all aspects of the reform process from land reform proposals to model preparation. After said planning has taken place, communities must also self-select beneficiaries, negotiate land purchase and finally purchase land.

²⁴ State-led reform was typified by Import-Substitution Industrialization (ISI), a development strategy popularized in the 1950s, 60s and 70s. Under ISI, national agricultural sectors were protected from the competition of the global marketplace by way of production and trade-related subsidies (Borras, “Towards” 35).

2.2 Theoretical Foundations of Market Assisted Land Reform: Neo-Liberalism

2.2.1 The Dynamics of Neo-Liberalism

MALR policies are ultimately rooted in the neo-liberal school of thought. The 1990s witnessed a significant shift in World Bank development policy, from a pure form of neo-liberalism to a more pragmatic variety. From that time onward, the dominant development paradigm for developing countries has been that of pragmatic neo-liberalism (Eyoh and Sandbrook 3). The pragmatic neo-liberal paradigm has been especially hegemonic in sub-Saharan Africa due to the remarkable degree of influence exercised over African governments by the World Bank, IMF, bilateral and multilateral donors (Eyoh and Sandbrook 7-8).

Fundamental to the pragmatic neo-liberal paradigm are the principles of poverty reduction, participation, good governance, democratization, human rights and sustainability (Eyoh and Sandbrook 2-3). Pragmatic neo-liberalism, fundamentally a market-based approach to development, attempts to be holistic (through encompassing political, social and macro-economic dimensions), synergistic (by way that these dimensions are “complementary and mutually reinforcing”) and complex (as in order for market systems to be efficient, they require a supportive role of the state) (Eyoh and Sandbrook 4). Market-oriented reform involves three principal economic priorities: (1) a commitment to the maintenance of macro-economic stability; (2) the deregulation and liberalization (in particular opening of the national economy to international investment

and trade); and (3) the privatization of land and state-owned enterprises.²⁵ While seeking to limit the role of the state in economic matters, neo-liberalism strives to have civil society play an active and supportive role in development. Also key to neo-liberal economic policy, is the theory of comparative advantage; according to theory, a country must specialize in what it can produce the most efficiently and increase its trade to supply the economy and citizenry with other goods and services.

Proponents of neo-liberalism primarily place the blame of Africa's woes (as well as the poor performance of neo-liberal policies implemented thus far) on internal state problems and issues (as opposed to external or interactional problems), such as: political instability, political will, ethnic tensions, corruption, inept policies, inadequate implementation, falling commodity prices, drought, insurrections, as well as problematic initial institutional and physical conditions.²⁶ As such, pragmatic neo-liberals rely heavily upon the implementation of domestic reforms to promote development (Eyoh and Sandbrook 2).

2.2.2 Theoretical Critique of Neo-Liberalism

Being solidly rooted in neo-liberal principles, the debate surrounding MALR ties directly into the overarching debate of development economics, namely surrounding the validity of neo-liberal development policy. Many of the criticisms aimed at neo-liberal policies are very similar in nature to those directed at the MALR framework. As such, it is

²⁵ Eyoh and Sandbrook 5; Gore 789-790.

difficult to criticize MALR without touching on related elements of criticisms launched at neo-liberalism. Critique may be leveled at both the theoretical and practical realms of MALR and its parent, neo-liberalism. In order to fully appreciate the scope of the MALR critique, it is necessary to first examine those criticisms wielded at neo-liberalism more generally.

Fundamental to many critics' arguments is the dispute over the nature of development thrust upon developing countries by the international community, IFIs and donors. Critics such as Dibua point out that neo-liberal proponents seem to assume the only way Africa will develop will be for it to do so in the Western image, following the values and systems adopted and touted by the West (127). Such assumptions overshadow the potential for indigenous governance and economic approaches to development, leaving countries dependent on the knowledge and dictates of the international community. This dependency often also extends into financial and political realms. Some critics argue neo-liberal policy actually acts to perpetuate Africa's poverty and dependence through creating a type of neo-colonial relationship (Dibua 122), a relationship characterized by dominance and dependency.

Many critics of neo-liberalism note the policy's overriding concern with macro-economic stability as a stumbling block to development efforts (as is the case with MALR policy). Neo-liberalism's expressed need for a stable macro-economic environment acts to constrain governments and limit their flexibility in policy and decision-making. In the

²⁶ Dibua 119; Eyoh and Sandbrook 2.

arena of land policy, ensuring macro-economic stability translates into a rejection of any type of radical land reform, so as to maintain investor confidence and retain a constancy within the economy. The neo-liberal solution is thus a *market driven* land reform, or MALR.

Critics of the neo-liberal approach to development such as Kydd and Dorward note that the Washington Consensus on Agriculture leaves little room for bringing publicly funded supports to agriculture – something which is viewed by many specialists in the field of land policy and reform as a critical component of land reform. Kydd and Dorward state “...despite recognition of the great importance of agriculture in rural development and poverty reduction, the WCA (Washington Consensus on Agriculture) analysis and prescription, with this emphasis on broader policy and institutional issues, makes it difficult to design and gain approval for specific public sector investment programmes which directly support agricultural development” (470). Due to neo-liberal policy and fiscal constraints, it is not feasible to provide sufficient program and financial supports for land reform projects and beneficiaries. Through limiting state involvement in land reform, neo-liberalism limits prospects for beneficiaries. Although neo-liberalism does promote the private sector and civil society as a means of supports, there are few guarantees of these contributions. In particular, it is difficult to comprehend how a civil society as fractured as Namibia’s could significantly contribute to the land reform program, at least in the near future.²⁷

²⁷ The state of civil society indeed restricts development. As Dibua notes, “while issues like democratization, human rights and accountability are certainly desirable and imperative, they can only be attained in the current African situation through genuinely popular democratic processes that are constructed from below by active elements of the civil society like students, peasants, workers, market women, and the unemployed. It thus follows that the existence of

Despite being centred on widely esteemed developmental values (i.e. poverty reduction and good governance), neo-liberalism when translated into practice generally produces less than desirable results (Eyoh and Sandbrook 2). Eyoh and Sandbrook state “although this development doctrine is more sophisticated than the purer neo-classical model it replaced, pragmatic neo-liberalism does not offer a reliable guide to development that is sustained, poverty-reducing, and democratic” (2). Critics often point to the stark difference between the stated aims and objectives of neo-liberal development and the results of these policies. Chapters Three and Four will further elaborate on the notable gap between policy and practice under the auspices of neo-liberalism as is relevant to Namibia’s development.

With the adoption of pragmatic neo-liberal policies, such as MALR, there was a shift in policy from historicism to ahistorical performance assessment (Gore 790). The historical foundations of present day development problems are often neglected in both problem and development assessments. Many critics would argue however that development, and in particular land reform policymaking, at the very least requires acknowledgement of past injustices, histories of colonialism and their impact on the process of development. Van der Ploeg et al. maintain that it is essential that rural development “be recognized as a multi-level process rooted in historical traditions” (391-392). One might presume without such acknowledgment, the land reform process risks not fulfilling the needs of the Namibian people for social justice. A quote from UNESCO’s 1988 Goals of Development aptly sums up the complexities of development and the importance of

an activist and independent civil society is crucial for the attainment of this situation” (126).

history: “Development is a value-laden concept, with historical, philosophical and ideological dimensions. When we speak of development, we need to reflect not only on *what* it is that we wish to develop, and *how* we are to do it, but also *towards what* we wish the process to lead.”²⁸ Development is necessarily a historical process, with linkages to the past and the future. Without adequate recognition of the historical underpinnings of development issues such as land reform, there is a risk that policy may not achieve thorough or effective development.

2.3 Theoretical Debate Surrounding Market-Assisted Land Reform

The MALR policy framework itself is hotly debated within development circles. Mainstream policy analysts, NGOs and academics are distinctly divided on the policy (Borras, “Questioning” 367). Views range from outright condemnation of market driven land policy to a more supportive ‘wait-and-see’ approach. From all quarters however, there is at the very least some acknowledgement that MALR has not yet achieved significant rural development or poverty reduction. Thus poverty reduction, and the efficacy of land reform in achieving it, are fundamental to the debate over MALR as well as land reform in general (including tenurial land reform). The relationship between land reform and poverty alleviation is heavily deliberated on amongst academics, development and land specialists. While poverty alleviation is often the objective of land reform policies, there is staunch debate over whether or not land reform can actually deliver on its promise. Also at the heart of contemporary debates on land reform are issues of

²⁸ UNESCO Introduction.

productivity and employment in the rural sector; these three key issues are in turn associated with matters of growth and accumulation in the overarching economy (Bernstein 190). In the present study, it is necessary to explore the fundamental pillars of these debates before expanding into discussion of Namibia's land question.

While there is much contention on the cause and effect of land reform on poverty, land reform is a commonly sought method for reducing poverty in the developing world.

Supporters of land reform as poverty reduction hail from diverse sectors of the international community – from INGOs/NGOs to development and land specialists, to government officials and academics.²⁹ Quan maintains that land itself is often seen as “a basic livelihood asset” and that “since land is a primary means of subsistence and income generation in rural economies, access to land, and security of land rights, are of primary concern to the eradication of poverty” (32). Quan argues land redistribution programs have proven successful in areas of North Africa and East Asia, bring substantial benefits to the poor as well as to national development on the whole (39). Quan concedes however, that there has been limited experience with and evidence from land redistribution initiatives in sub-Saharan Africa (Quan 39).

Among the dedicated proponents of MALR are policy mastermind Binswanger and Deininger. Deininger defends MALR policy, maintaining that it is ultimately too soon to draw conclusions on the performance of MALR policies, and to whether these policies will overcome the challenges that state-led approaches have yet to conquer. At the same time however, many other MALR supporters have to a certain extent admitted that

²⁹ One key academic who supports land reform as a means of poverty alleviation is Wily.

MALR experiences has fallen short of expectation (Borras, “Questioning” 386). These supporters maintain that administrative and technical difficulties are to blame and that the fundamental assumptions of MALR continue to be pertinent (Borras, “Questioning” 386). Critics of MALR can be found in various circles (some notable critics discussed here are Griffin et al., Borras, Bernstein, Byres, Moyo and El-Ghonemy); among MALR’s most staunch critics are Southern NGOs (Ghimire, “Land Reform” 5). Critics hailing from academia such as Borras (2003), note the fundamental inadequacies of MALR and argue empirical results from initial MALR experiences in Brazil, Columbia and South Africa, provide adequate evidence to question the basic underlying assumptions of MALR itself (386). Other critics such as Prosterman and Hanstad hold a more moderate stance, stating that while MALR polices “...have not yet proven effective for redistributing substantial amounts of land” they are however “...worthy of further experimentation” (14).

With new advancements in rural development and changes in the nature of rural realities, the World Bank has acknowledged the significance of land reform and its role in development, something that is reflected in recent policy documents as well as more specifically demonstrated through its avid promotion of MALR. Deininger remarks on the general importance of land policies by noting their “fundamental importance to sustainable growth, good governance, and the well being of and the economic opportunities open to rural and urban dwellers – particularly poor people.”³⁰ The World Bank recognizes the desire for land reform within Southern Africa and as mentioned earlier, advocates for land market driven reform (MALR) and security of tenure as a

³⁰ Deininger, Land Introduction x.

means of improving the welfare of rural peoples.³¹ Deininger also recognizes the merits of “non-market” mechanisms of land reform, such as inheritance and the expropriation of land for the public good, noting they “...have historically played a major role in either facilitating or obstructing broad land access and effective land use....”³² Deininger does add a cautionary note however, stating that these non-market methods must be closely monitored by policymakers.³³

In Namibia, redistributive land reform is widely regarded as a precondition for achieving rural development, and thus, poverty alleviation.³⁴ The government, while recognizing the limited nature of agriculture as “a sustainable basis for prosperity” (RoN, Poverty 7) (due primarily to trends in urbanization and environmental constraints), states that “in order to alleviate poverty, people must be ensured improved access to scarce resources which include land capital and skills” (RoN MIB 2). SWAPO believes that land reform, in conjunction with other policies, will help to achieve poverty reduction in rural areas. In particular, the government believes “resettlement projects will play a key role in rural development and in the alleviation of poverty” (Harring and Odendaal 38). In spite of these assurances from the government, critics warn that Namibia’s land reform initiative lacks thoroughness and clarity. Government critic Werner notes however that in Namibia it is “difficult to draw any lessons from experiences with land reform and its connection to poverty alleviation.”³⁵ Werner charges that government policy regarding land reform

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Werner, “Land Reform and Poverty” 1.

³⁵ Ibid.

and poverty reduction as “ambiguous.”³⁶ He further adds that it is unclear what redistributive land reform is expected to achieve in regards to poverty alleviation (5).

Although land reform is viewed by many as a way of achieving poverty reduction, it is also recognized by many of these same advocates that land reform alone will not single-handedly bring about poverty reduction. Academic critics Hansohm et al. argue that in Namibia, land redistribution alone will not likely achieve any significant amount of poverty alleviation in rural areas (10). Hansohm et al. elaborate by stating “in order (for land reform) to be effective, it requires a policy environment that supports small-scale farming...” and further that “unless policies of rural action by the state - of irrigation, roads, education is forthcoming, farmers are not likely to improve agricultural output and productivity substantially” (10). Many academics and land specialists recognize the importance of a policy environment conducive for small-scale farming and the provision of adequate supports to successful land reform and thus rural development. The dynamics between land access, land related income and income achieved through alternate means (i.e. off-farm labour) must also be addressed in land and poverty reduction policy. As Melmed-Sanjak and Lastarria-Cornhiel note “understanding the linkages between access to land (size and ownership structures) and access to other sources of income and capital is an essential element in the policy dialogue about food security and poverty reduction” (5). Many factors play into the poverty problem and its potential solutions, adding complexity to the notion of land reform as poverty alleviation.

³⁶ Werner, “Land Reform and Poverty” 9.

Many economists dispute that land redistribution has a significant impact on rural poverty. Among them, Ravallion and Sen who note that “despite its perceived political importance, there is evidence to suggest that land redistribution is not an effective way out of poverty, that it reduces poverty by very little, and that a land policy entails both a leakage to the non-poor and imperfect coverage of the poor” (1).³⁷ Issues of non-poor and only selected poor receiving benefit from land reform are of concern in Namibia’s own land reform program. The “imperfect coverage of the poor” as discussed by Ravallion and Sen, results in some groups being excluded from the program and in turn only trying to achieve poverty alleviation for a few rather than the whole. The issue of the non-poor receiving benefits is a significant problem in Namibia; the non-poor then reap benefits in place of the poor. Lipton argues that many of Africa’s poorest actually operate or own vast tracts of farmland, and the pertinent issue is not one of landlessness but of poor land quality, fragmentation and remoteness (1254). While issues of land quality and remoteness are of particular concern with regard to poverty and land reform in Namibia, land dispossession and racially skewed land ownership are at the centre to the land debate. The landless do however represent a small portion of Namibia’s population and thus, the centrality of the issue speaks to the politicized nature of the land issue.

The debate over land reform, and in particular of its influence on poverty, largely extends into the debate over the current impasse in development theory itself. This has been aptly demonstrated in the recent academic dialogue between neo-classical neo-populists

³⁷ Ravallion and Sen derive their comment from Jenkins and Thomas. See Jenkins, C. and L. Thomas, “The Changing Nature of Inequality in South Africa.” Working Paper No. 203 Helsinki: UNU/WIDER, 2000, qtd. in Ravallion and Sen 1.

Griffin, Khan³⁸ and Ichowitz (GKI) and academics hailing the historical materialist school of thought, such as Byres, Khan³⁹ and Bernstein. Among MALR's most staunch critics are academics hailing from both the neo-Marxist (historical materialist) and (in spite of its founding by the World Bank) neo-liberal camps. Despite their neo-classical roots, GKI dismiss the World Bank's MALR as an invalid solution to inequality and poverty. GKI instead make a case for radical redistributive land reform⁴⁰ in which land would be usurped from large landowners and redistributed in the form of small scale holdings for family-based and operated farming ventures; the inverse relationship of farm size plays a significant role in the GKI argument. GKI state that in the past, successful land reform has been grounded in a high degree of land confiscation. The key criticisms of MALR launched by GKI are that MALR (1) has high operation costs that the government will likely shift to beneficiaries and (2) is generally too costly (as land transfers are based on market derived prices) and will result in limited land reform. GKI argue that land reform would bolster agricultural output and growth and in short "would produce a more efficient and a more dynamic agriculture and would soon eliminate rural poverty" (Byres 6).

While staunchly arguing for radical redistribution, GKI distinctly rules out tenurial land reform (Byres 5). Griffin et al. (2002) argue that tenurial reform has little or no significant impact on income distribution and the volume of production (283). Further, Griffin et al. state "...the case for land reform rests not on the existence of defective

³⁸ Azizur Rahman Khan.

³⁹ Refers to Mushtaq Husain Khan. For detailed analysis of the issues of power and property rights in the context of Bangladesh's land reform, see M.H. Khan's article "Power, Property Rights and the Issue of Land Reform: A General Case Illustrated with Reference to Bangladesh."

tenure contracts but on the concentration of land ownership rights and the inefficiency, inequality and poverty which this creates. The core of a land reform is thus a redistribution of property rights in cultivable land” (“Poverty” 283-284).

The approach taken by GKI has yielded much debate and criticism. Byres and Khan, two of GKI’s more prominent critics, contend that the GKI model is inadequate in its representation and interpretation of agricultural change and land reform. They view the GKI model as false due to its relatively ahistorical nature as well as its disregard for processes of capitalist transformation in rural areas (i.e. agrarian transition) (Byres 7). Khan argues in contradiction to GKI, that issues of class and power must be central to the analysis of agrarian economic transformation in order to adequately conceptualize the dynamics of agrarian transition (Byres 8). Khan recognizes that class and power have transformative abilities, noting that a skewed distribution of power may inhibit primitive accumulation⁴¹ advancing to capitalist transformation (Byres 8).

Integral to Khan’s critique is his assertion of fundamental flaws in GKI logic regarding land reallocation and transfer (Byres 8). While GKI are staunch critics of the World Bank’s market led approach, logical flaws in the GKI model reveal it to be an argument likened to that of the World Bank (Byres 8). As Byres explains, GKI fails “inasmuch as although they argue (along with World Bank economists) that reallocation of land fails to come about because of market failure and hold (unlike World Bank writers, who follow a high transactions cost approach) that this is because large farms enjoy a monopsony in the

⁴⁰ See the GKI article “Poverty and the Distribution of Land.”

labour market, in fact it turns out to be a high transactions costs explanation (hidden high transaction costs)” (8). Khan himself rejects the high transaction cost approach (Byres 8).

The crux of Byres’ criticism of GKI is that GKI attempts to undertake dual objectives – one of equity, in accordance with neo-populism, and one of efficiency, in line with neo-classicalism; inherent in this undertaking are theoretical and practical contradictions never fully resolved by GKI (Byres 8). According to Byres, GKI effectively ignore the structural inequalities intrinsic to capitalism, therefore ignoring class differentiation and structure in the agrarian setting (8).⁴² Bernstein, also a forthright critic of GKI and neo-populism, notes however that despite weaknesses in the economic logic and evidence of productivity used by GKI, what gives their claims significance are the links they draw between redistribution, rural employment and poverty (Byres 12). Bernstein also adds that this significance is magnified, as materialist analysis is not capable of providing reasonable alternatives to the related problems of poverty, unemployment and insecurity (Byres 12).

A number of MALR critics argue that in order for significant change in socio-economic disparities to be brought about by land reform, the stated land reform must be of a more distinctly radical nature. In discussing the plight of land reform in South Africa, Kepe and Cousins argue that in order to achieve sustainable development and substantial alleviation of poverty, some type of radical land reform measures must be introduced. Kepe and Cousins state “sustainable rural development in 21st century South Africa will

⁴¹ The non-market redistribution of land.

never be achieved without radical assault on the structural underpinnings of the poverty and inequality inherited from the three centuries of oppression and exploitation” (5).

Griffin et al. contend, as explained earlier in this section, that the most successful land reforms have each come with a substantial degree of land confiscation from large landholders to small peasant farmers (“Poverty” 279). The essence of radical land reform has been keenly debated upon in southern Africa in recent years, particularly since the radical reformist events in Zimbabwe in 2000. The events in Zimbabwe did indeed rekindle the land reform process in Namibia after a lull in reform activities; ultimately, this speaks to the highly political nature of land reform.

MALR critics such as El-Ghonemy discern that state-aided redistributive land reform, the predecessor of MALR, gives more hope to achieving poverty reduction than its market-driven counterpart. El-Ghonemy contends that whereas statist redistributive reform gives high priority to a speedy reduction in rural poverty and expanding the abilities of reform beneficiaries, market-led land reform asserts priority to economic efficiency (in the market driven distribution of land resources) in order to bring about export-led agricultural growth (106-107). In this way El-Ghonemy asserts, market driven land reform advances the license of capitalists and producers to accumulate land and income, irrespective of the adverse distributional effects of such on the society’s poor (107). El-Ghonemy further elaborates “equitable distribution of growth benefits is not a clear development objective (of market assisted land reform),” and in perceiving “...land market reform only in narrow economic terms as an end in itself represents a setback in

⁴² Byres also avidly contests the GKI rejection of tenurial land reform (Byres 8).

the progress made since the 1950s, both in development thinking and in the realization of equitable rural development” (107).

Moyo notes that the nature of land reform debates has become increasingly more conservative following the rise of neo-liberal economic and political thought (Land and Democracy 1). This rise in conservatism is due to several factors: (1) the recent global reconstitution of market systems as well as of (2) geo-political systems; (3) the regional political consequences of the downfall of apartheid; and (4) the resultant political compromise in post-apartheid era (Moyo, Land and Democracy 1).⁴³ To date, there is limited new thinking regarding alternatives to MLAR (Borras, “Towards” 48). The debate on land reform is dominated by discussion initiated by proponents and critics of MLAR, and is generally limited to discussion of MLAR (Borras, “Towards” 48). As Borras states “unless the MLAR and critics put forth an alternative other than the MLAR in a more coherent form and articulation - and in ways that are beyond mere ideological and political reassertion of unadulterated classic approaches - ongoing debate around MLAR is likely to become less relevant and productive toward finding workable solution to the persistent land questions in many parts of the world today” (“Towards” 48).⁴⁴ The difficulty of balancing state and market is at the heart of the land reform policy impasse.

⁴³ Although Moyo’s discussion focuses on Zimbabwe and secondarily, South Africa, the political compromise brought forth in post-apartheid South Africa is very similar to the one negotiated in Namibia.

⁴⁴ As previously noted, MLAR is also known as MALR.

2.4 Social Actors in Land Reform

2.4.1 The Role of the State

While Namibia's is definitively market-led reform, the state plays a fundamental role in the design, planning and implementation of the land reform program. In any academic inquiry into the socio-economic nature of land reform, one must address the role of the state as well as other social actors in the land reform process.

Indeed the role of the state in land reform is critical, as the state itself represents the institutionalized political organization of society (Barracough 26). Barracough (2001) explains the state is the divisor and key implementor of public policy, as well as adjudicator of conflict within society (26-27). In sum, "land reform without the state's participation would be a contradiction in terms" (Barracough 27). Despite the varying degrees or methods of state involvement, many see its participation as crucial (Barracough 26). It is worth noting however, that there is contestation amongst academics over the capacity of the state to carry out land reform. Academics such as Manji, argue state capacity for land reform in Africa is quite limited. Manji elaborates, stating "...land reform may take place less as a result of direct state action and more as a consequence of the actions of private individuals within the state" (327). Ultimately the state's ability to carry out such a transformative process speaks to its relative strength and power with relation to global, national and regional processes as well as other social and economic actors. In the context of globalization, the state has diminished power in the face of dominating global economic and political processes and forces.

As a primary resource, land itself plays an important role in the politics and power relations in the state. Kanji et al. state "... land has provided a source of political power and patronage essential for holding together the various interest groups on which the state depended" (7). These linkages between class and productive resources are integral to the balance of power within the state. Land reform often only occurs "when dominant groups among those wielding state power perceive a political imperative to adopt a popularly based development strategy that requires active support from important sectors of the rural poor" (Barracough 54). The state plays an integral role in land reform; regardless of whether the state promotes, impedes or reverses land reform, the state is a crucial actor in this socio-political process of change (Barracough 53).

In the context of neo-liberal theory, the state is seen as taking a secondary role in the process of development – thus it is so in MALR. As noted earlier in the Chapter, neo-liberalism relegates the state to having a supportive role in land reform, namely one of technical and financial support. Neo-liberal theory seeks to have the market be the primary determinant of reform, with facilitative roles taken on by civil society and the private sector.

The role of the state and other social actors, as well as the dynamics of the participation of each, varies substantially between countries with their respective land reform initiatives (Barracough 27). In countries where market-led land reform has been undertaken (such as in Namibia and South Africa), the state's role is significantly limited. While the state creates and implements land policy and the program itself, the market denotes the pace of reform and to some extent the character of reform, by way of determining where land

reform can take place and in turn, what type of projects are implemented (as are suited to the conditions on the land available for reform). In countries embracing a state-led approach to land reform, the role of the state is quite different. In countries such as South Korea, Taiwan and Japan, where significant land reforms took place in the post 1945 era, the government had a firm hand in the creation and implementation of the respective land reform programs (Barracough 53); in each of these cases, reform resulted in a substantial shift in ownership patterns and regulation.⁴⁵

2.4.2 The Role of Civil Society and Social Movements

Civil society is a necessarily ambiguous term that can encompass a wide range of social actors that may include peasant organizations, students and intellectuals, labour unions, the church and other religious and/or political organizations, landowner associations and NGOs.⁴⁶ Civil society groups can play an active and important role in land reform processes. Civil society groups may represent varying interests in land reform and in each situation they are typically a crucial means of political representation.

From the era of structural adjustment onward to the new millennium, the rural poor of the developing world have experienced a drastic reduction of government services and

⁴⁵ The land reform program in South Korea was undertaken in response to a perceived threat of communism from North Korea and the U.S.S.R. (Barracough 53). A distinctly state-led non-revolutionary land reform was adopted. South Korea's was a sweeping land reform (primarily tenurial reform) authored by an authoritarian regime and with the assistance of the U.S. government. The crux of the reform was the distribution of land owned by Japanese colonists to former tenants (Barracough 53). In addition, rents were also set at fixed low levels for cultivators who did not become landowners. In the South Korean case, the government took a decisive role in changing land ownership patterns and regulation (Barracough 53), without reliance on market forces. While most of the reform measures were tenurial in type, the directed shift in ownership from Japanese colonists to South Korean peasants is redistributive in nature.

⁴⁶ The concept of civil society finds its roots through several centuries of academic and political writing; the concept

funding (Thiesenhusen 5); a reduction brought about by the adoption of neo-liberal policies. In light of these deficiencies, civil society is seen by many (including by neo-liberal proponents themselves) as a means of filling this service and monetary gap (Thiesenhusen 5). Neo-liberals view civil society as an alternative supporter under the condition that peasant organizations amalgamate and supplement their typical union-like activities with those fostering the commercialization of agricultural production, in order for their amalgamated organization to contribute to agro-industry" (Thiesenhusen 9). Many neo-liberals also view civil society as playing a critical role in preventing statism and more prominently, in averting statism with regard to state involvement in economic matters. While proponents of neo-liberalism argue civil society does better if separated from the state, Sachikonye states it must be noted that civil society does not however exist independently of the state – instead there is a distinct "inter-penetration" between state and civil society (8).⁴⁷

One of the primary civil society members involved in land reform are NGOs; as with any other actor in development, their involvement comes with both advantages and drawbacks. According to Atteh, supporters of NGOs contend that these organizations are generally more apt than government in reaching and working with development beneficiaries (qtd. in Thiesenhusen 9).⁴⁸ Proponents also argue that these organizations are generally more successful in (1) reaching the poor and marginalized; (2) articulating

was featured prominently in the works of Marx, Hegel and Gramsci (Sachikonye 7).

⁴⁷ As Sachikonye notes, modern discourse on democracy devotes a significant amount of attention to civil society and in particular, to the relationship between civil society and the state (7). With regard to democracy, neo-liberal theory emphasizes economic liberalization as both a condition and guarantee.

⁴⁸ Material made available by Thiesenhusen. See Atteh, "Grassroots Development: American Private Voluntary Organizations' Anti-Poverty Programs in Africa." *Journal of Contemporary African Studies* (1999) 17.2: 245-272, qtd.

the needs of beneficiaries; (3) providing financial support to beneficiaries at the local level; (4) delivering services to the poor; (5) promoting the participation through encouraging local communities to adapt to local conditions; and (6) mobilizing local resources and public opinion regarding pertinent development issues.⁴⁹ NGO proponents feel that due to “their small size, administrative flexibility and relative freedom from political constraints, NGOs are able to solve problems more efficiently than local arms of bureaucratic government agencies.”⁵⁰ Similarly, supporters argue that NGOs are more capable than the government in delivering a timely response and commitment of fiscal and organizational resources. Supporters also note the political potential of NGOs; NGOs are able to place political pressure on the government to institute policy change.⁵¹

Some academics and development specialists however, are more cynical of the contributions of NGOs, and subsequently warn against heavy reliance on NGOs.⁵² Key criticisms of NGOs are as follows: (1) at the local level, NGOs frequently lack managerial and technical expertise; (2) NGOs often have a limited technical capacity; (3) the NGO community and its supporters over-idealize the small size of NGOs; (4) NGOs are heavily reliant on donor funding (when funding is withdrawn, NGOs have a limited ability to maintain projects); and finally, (5) that NGOs rely primarily on short-term rather than long-term planning.⁵³

in Thiesenhusen 9.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Material made available by Thiesenhusen. See Atteh, “Grassroots Development: American Private Voluntary

Barracrough, despite being a supporter of civil society involvement in development, notes that although the participation of civil society is important in land reform, “their roles will always be auxiliary to what must be fundamentally a domestic political process” (64).

Barracrough further explains that the primary actors to bring about “genuine” land reform must be the landless and near landlessness in cooperation with their political allies and the state itself (64). Thiesenhusen notes that while NGOs are currently the element of civil society most easily mobilized in the context of rural development, other components of civil society such as unions, political parties and academics also have an important role to play (6).

As often part of civil society, or integrally linked to it, social movements⁵⁴ have played a fundamental role in many land reforms of the 20th century. Social movements are thought by some academics to play a crucial role in social transformation;⁵⁵ Buende argues this position, stating the argument’s justification can be found in post-colonial trends of social processes (485). Buende further argues “social movements will be instrumental to social transformation and economic development in the post-colonial era in the same way as they were responsible for the fall of apartheid colonialism. The attainment of social justice will not depend on market forces, but on the conscious effort of these social movements” (485). In the context of Namibia, a discussion of social movements with regard to the contemporary land reform thus far is limited in scope. Unlike many land

Organizations’ Anti-Poverty Programs in Africa.” *Journal of Contemporary African Studies* (1999) 17.2: 245-272, qtd. in Thiesenhusen 9-10.

⁵⁴ Material made available by Durowade. See Ash, *The Uses of Adversity*. New York: Random House, 1972, qtd. in Durowade 123. Ash defines social movements as a “...set of attitudes and self-conscious actions on the part of a group of people which are directed toward change in the social structure or values... through the use of means that are innovative and/or illegitimate.”

reforms of recent memory in the developing world, social movements do not play any significant role in Namibia's land reform. However in exploring Namibia's options to expedite social transformation, a dialogue of the prospective role of social movements and civil society may prove insightful into ways in which Namibia can transcend the current land reform impasse.

2.5 Class, Socio-Economic Inequality and Productive Resources

The issues of class and social hierarchy are integral components of the land question in Southern Africa. In countries such as Namibia, where gross inequities in wealth and resource access/ownership are highly prevalent, land is seen as the centrepiece of progress towards greater socio-economic equality. In order to bring about a meaningful dissection of the problems associated with land reform and MALR specifically, it is crucial to explore class related literatures.

The neo-Marxist/historical materialist explanatory narrative offers a dynamic and historically based insight into the land issue as well as to the problems inherent in the MALR policy itself.⁵⁵ In the neo-Marxian framework, land reform is considered necessary in order to remove the feudal structure of ownership and production, as well as to increase democratic participation in market relations. While providing thorough analysis of power and class relations, the neo-Marxist narrative places problems of socio-

⁵⁵ Durowade notes social movements both generate and result from social change (123).

⁵⁶ The historical perspective granted by neo-Marxism is a critical component of analysis of land reform as well as of the current form of Namibian social structure, due to Namibia's history of colonization and land dispossession.

economic inequality as inherent in the power and class structures of society. Class (or socio-economic status) is directly linked to one's access to the means of production, in this case being land. Subsequently, the impoverished and dispossessed, as a result of their low socio-economic position in the class hierarchy, have little or no access to the means of production.⁵⁷ As Hunt explains society's elites wield both capital and political power, which they manipulate in order to maintain the status quo (65); such is the case in Namibia. The ruling elite, newly emergent since independence in 1990, has utilized land or their ability to acquire land (legally and otherwise) to consolidate their power and improve their socio-economic standing ultimately at the expense of the alleviation of poverty and vast socio-economic disparity within the country.

Although neo-Marxism does favour land reform as a means of transforming societal relations, analysts of land reform (particularly those of the Marxist persuasion) have long remarked that the processes of land redistribution may increase social class differences among cultivators (Jacobs 5). In discussion of Zimbabwe's Model A land resettlement scheme, Jacobs comments that Model A in fact fosters the creation of a new stratum of affluent or self-sufficient peasant farmers, explaining that as resettlement beneficiaries would initially enter the program with unequal resources and that social processes could then expedite the development of inequality. Jacobs does conclude however by stating this differentiation is of a *limited* nature and that the "distinctions referred to are between strata within the peasantry" (5).

⁵⁷ Although one of the primary objectives of Namibia's land reform initiative was to increase the poor's access to this

In resolution to questions of inequality and access to the means of production, neo-Marxists favour a more radical approach to reform than the current market-led framework. Proponents of neo-Marxism typically support the involvement of civil society and social movements in the process of social reform. In circumstances where the elite dominate the means of production "...the only possible way forward (is) through a social and political revolution that will replace the existing alliance of the domestic *comprador* bourgeoisie and foreign capitalists..." (Hunt 65). In other words, a move towards a more radical (and socialist style) of politics (or in this case reform) would be necessary to break elite bonds and bring about social change.

Through the neo-Marxian frame of analysis one may presume that land reform's failure to address those most in need, is integrally linked to class based power relations. In post-independence Namibia, the elite takes on two forms: the black native Namibians and the white settler (or settler descendant) community. On the one hand, the black native Namibians carry the political power and authority, as well ever increasing power over the means of production – in this case specifically – land. While on the other hand, the white elite – a remnant fixture of colonial apartheid society – continues to control the majority of the commercial farmland (which happens to represent a large percentage of the means of production). The transfer of land, within and outside of the land reform program, to wealthy black farmers may be seen as simply a transfer of the means of production among elites – accompanying the transition from a colonial to a neo-colonial development context. Although land reform has benefited a portion of the country's

means of production, the initiative itself has wielded few results.

disadvantaged, the numbers of reform beneficiaries are relatively few. The transfer of land to wealthier blacks can be seen as a solidifying of the societal structure, one based on massive inequalities.

In general terms, the standard neo-classical framework disregards the issue of class in development, basing analysis on methodological individualism (Griffin et al., “In Defense” 362). However, the neo-classical neo-populist branch does incorporate issues of class within its analysis of rural development and social agricultural dynamics. As noted earlier in the Chapter, recent contributions by Griffin et al. provide apt insight into the neo-classical neo-populist dissection of the land question and its subsequent intersection with class and power issues. Unlike mainstream neo-classicalism, GKI recognizes class as a factor that determines one’s ownership and access to resources, while denoting property rights as socially constructed (Griffin et al., “In Defense” 363). GKI also recognizes the prominence of the landlord and urban bias within government policy, which strongly plays into the notion of class and power differentiations geographically as well as socially within rural societies. These fundamentals of neo-classical neo-populism have not come without criticism however. Many critics argue (as outlined in Section 2.3) that the theories of GKI are simply traditional neo-classical arguments wrapped in a new radical cloak (Bernstein 192) and ultimately when many of these arguments are stripped down to the fundamentals, they are distinctly neo-classical in nature (see Khan in Section 2.3).

The coming Chapter will explore the Namibian land reform experience post 1990. It will explore the historical and societal backdrop against which land reform is occurring, in

order to provide context for the land issue and the problems facing the current reform process.

Chapter Three: The Case of Namibian Rural Land Reform

3.1 Land and Socio-Economic Inequality

Despite the fact that Namibia is now deemed a middle-income country, wealth and resources continue to be far from evenly distributed across the population. Namibia, akin to its Southern African neighbours, is marked by immense socio-economic disparities; the roots of which can be found in its prior subjection to both colonization and apartheid. No more evident are these vast discrepancies in wealth and access to resources than in the systems and patterns of land use and ownership. Melber explains “gross inequalities in access to, and possession of land are still today a reflection of historic injustices committed by the agents and beneficiaries of colonialism, all too often by application of brute force and violence” (“Contested” 2). Colonialism in East and Southern Africa went far beyond the creation of inequity in land distribution and ownership.⁵⁸ Colonialism also acted to corrupt indigenous agricultural systems, knowledge and technologies, as well as to undermine and sometimes destroy indigenous social organizations that were fundamentally linked and dependent on control of the land.⁵⁹ The degradation of traditional socio-economic systems and knowledge provides an even more complex socio-cultural and political environment in which to implement land reform.

At the dawn of independence, the Namibian economy and society was highly dualistic in

⁵⁸ Material made available by Fuller and Eiseb. See Mbaya, S. Land Issues in East and Southern Africa: Volume 1: Southern Africa. Harare: Mwengo Publications, 2002, qtd. in Fuller and Eiseb 1.

⁵⁹ Ibid.

nature.⁶⁰ The apartheid system had distinctly divided the country between the small white settler-descendant minority and a majority of African Namibians. The former dominated both the commercial agricultural and formal sectors, while the latter mainly participated in communal agriculture and the informal business sector (Schade 111).

Although there are stark socio-economic discrepancies between white and black Namibians, there is a sizable group of black Africans who have risen to the country's socio-economic elite, giving rise to a new genre of post-colonial socio-economic inequality across Namibian society. As Tapscott notes "while it is perhaps too soon to make definitive pronouncements on the political economy of independent Namibia, discernible trends in the post-independence years indicated a drift towards a familiar neo-colonial pattern, and in particular the replication of the social and productive relations established under colonialism" ("War Peace" 167). Much change is needed to overcome this trend of continued socio-economic inequality.

Society-wide inequality is measured periodically; one of the key indicators used to measure inequality in Namibia is the Gini coefficient.⁶¹ On the Gini coefficient scale, any measurement of 0.55 or greater indicates a highly skewed distribution of cash income (RoN Central Bureau of Statistics 77). In the National Household Income and Expenditure Survey (NHIES) of 1993-4, the Gini coefficient was quoted to be as high as

⁶⁰ Nandjaa 1; Schade 111.

⁶¹ The Gini-coefficient tool is commonly utilized as a measure of socio-economic inequality within a given region or country. The Gini-coefficient measures the differences of different income quintiles of the population against the average per capita income. The coefficient ranges from 0 to 1; 0 denotes a perfectly equal income distribution, while 1 marks total income inequality (Schade 111).

0.701 (qtd. in Schade 111).⁶² Several years later in 1999, the Central Bureau of Statistics measured the national Gini coefficient to be 0.79 for mean expenditure per adult equivalent, and 0.81 for the mean cash income per adult equivalent respectively (RoN Central Bureau of Statistics 77). Despite efforts by the government in the post-independence era, the level of socio-economic inequality in the country has changed very little. Land reform, amongst other policy and legislative initiatives, have been undertaken by SWAPO to address widespread poverty and to bridge the stark socio-economic divide in Namibian society.

3.2 The History of Land Dispossession in Namibia

3.2.1 A Brief Chronology of Land Dispossession

In order to accurately conceptualize the current situation in Namibia, it is pertinent to explore the history of colonialism within the country (Kanji et al. 7). Land dispossession began in 1880s, under the imperial rule of Germany.⁶³ German acquisition of land proceeded at a rapid pace, and by 1893, eight concession companies had assumed rights to nearly all of the land inhabited by local pastoral groups.⁶⁴ Settler land appropriation continued henceforth during the 1890s and early 1900s (Werner, “The Land Question” 260). Extensive land expropriation and deceitful trading practices on behalf of the German colonial regime and settlers spawned the Herero and Nama War of Resistance

⁶² Statistic made available by Schade. See Central Statistics Office, National Household Income and Expenditure Survey (NHIES). Windhoek: RoN, 1996, qtd. in Schade 111.

⁶³ Werner, “A Brief” 138; “The Land Question” 260. Formal colonial rule by the Germans began in 1884 (Werner, “The Land Question” 260).

against the German colonialists in 1904.⁶⁵ The war proved devastating for the pastoral communities, resulting in large-scale extermination of the Herero and Nama (Werner, "The Land Question" 261). In 1906 and 1907, regulations were enacted enabling German colonial authorities to expropriate virtually all Herero and Nama lands (Werner, "The Land Question" 261). By 1913, settlers owned 1,331 farms within the police zone as well as the majority of the large and small livestock, with ownership rates in the area at 90 and 70 percent respectively.⁶⁶ The southern pastoral communities of the Herero, Nama and Damara bore the brunt of colonial land grabbing, while the peasant communities in the northern regions (namely the Ovambo, Kavango, Caprivi and Kaoko) were largely spared from land dispossession (Werner, "A Brief" 139). Subsequently, the peasant production practices of the north remained largely untouched by colonialism (Werner, "A Brief" 139).

World War I was a major turning point for the colony. With the advent of the war, the Union of South Africa conquered German colonial forces and subsequently established the second colonial regime in the territory. South African authorities continued settlement, establishing white farms within the police zone after 1915 (Werner, "The Land Question" 261). Settlement continued for several decades, and by the 1950s had ceased; by this time, the total number of farms established was 5,214.⁶⁷

South Africa paralleled its land expropriation and settlement with a simultaneous program

⁶⁴ Werner, "A Brief" 138; "The Land Question" 260.

⁶⁵ Werner, "A Brief" 139; "The Land Question" 261.

⁶⁶ Ibid.

⁶⁷ Werner, "A Brief" 138; "The Land Question" 261.

of establishing a reserve system in the territory. “Native reserves” were land set aside for exclusive use by dispossessed groups such as the Nama and Damara (Werner, “The Land Question” 261). Werner notes that while the establishment of reserves was progress from the days of German colonial rule (when black land ownership was illegal), the majority of reserves were on environmentally and geographically marginal lands.⁶⁸ Werner further states that the creation of native reserves helped to pave “the way for the rapid settlement of Namibia by white farmers” (“A Brief” 142).

The reserve policies came to conclusion in the 1960s in proposals put forth by the Commission of Enquiry into South West Africa Affairs (also known as the Odendaal Commission) to merge the reserves into “tribally-based homelands” (Werner, “The Land Question” 261). The homelands were to eventually acquire some degree of autonomy by way of tribally-based legislative assemblies and executive committees (Werner, “The Land Question” 261). The Odendaal Commission is of great significance in Namibia’s history of land dispossession as its recommendations essentially completed the system of racially-based land ownership and access (Werner, “The Land Question” 261). The result of said policies was the highly skewed distribution of land inherited by the SWAPO government at the time of independence in 1990 (Werner, “The Land Question” 261).

3.2.2 The Significance of Land Dispossession in the Colonial Economy

Under colonialism, the racially based distribution of land was a fundamental component

⁶⁸ Werner, “The Land Question” 260. Werner’s work “The Land Question” was based on his own previous work in

of the exploitation of the region's resources, which directly influenced the profitability of settler agriculture, mining and industrial endeavors (Werner, "A Brief" 135). Land dispossession was integrally linked to the labour supply system in the region. Much like neighbouring Zimbabwe, the entire wage structure and labour supply system relied heavily on land divisions in the region (qtd. in Werner, "A Brief" 141).⁶⁹ As such (within the colonial economy) access to land determined the supply as well as the cost of African labour (Werner, "A Brief" 135). Werner further explains "...the large scale dispossession of black Namibians was as much intended to provide white settlers with land, as it was to deny black Namibians access to the same land, thereby denying them access to commercial agricultural production and forcing them into wage labour (135)."⁷⁰ Land dispossession acted to not only displace and dispossess pastoralists, destroying their lifeways and communities, but also to subjugate them into a harsh and unforgiving system of wage labour.

3.3 The History of Post-Independence Land Reform

3.3.1 Legislation and Policymaking in the First Decade and Beyond, 1990 – 2003

The land question has been highly politicized and controversial issue in both colonial and independent Namibia. As such, land reform has long been on the agendas of the territory's governments. Prior to independence, two land reform initiatives were adopted

1993.

⁶⁹ Material made available by Werner. See Riddell, R. The Land Question. London, CIIR: 1978; and Cliffe, L. and B. Muslow, "Editorial: The Prospects for Zimbabwe." Review of African Political Economy 18 (1981), qtd. in Werner, "A Brief" 135.

by the colonial South African government, however these were markedly different from the land reform initiatives of the post-independence era, as they were created under the auspices of apartheid and a policy environment slated towards “separate development.”

The impetus for a more equality-based land reform came from within the realm of SWAPO and its supporters. Land reform was a major mobilizer for support in the liberation struggle and played a significant role in SWAPO’s rise to power (Pankhurst, A Resolvable 1996). As Moyo explains in Southern Africa “...nationalist liberation movements, rather than ‘civil society’ organizations, mobilized pressures for land redistribution because of the centrality placed on land in independent struggles” (“The Land” 19). Upon independence in 1990, SWAPO was determined to restructure the economy, society and governance away from its inherited structure, founded on the principles of apartheid and colonial law (Pankhurst, “Unravelling” 248). Land reform was on the agenda of SWAPO from the beginning of their reign, though it took several years to bring about legislation regarding the manner. As Werner notes, redistributive land reform “is widely regarded as a precondition for sustainable rural development and poverty alleviation” (“Land Reform and Poverty” 1); this view has been commonly subscribed to across the party spectrum (Werner, “The Land Question” 254).

In September 1990, SWAPO created the Ministry of Lands, Resettlement and Rehabilitation (MLRR); the MLRR was designated the primary government agency responsible for the administration and planning of land. The MLRR was to be in charge

⁷⁰ Ibid.

of “rendering services to eradicate the vast disparities in respect of land distribution, social reintegration, and rehabilitation of people with disabilities and resettlement of disadvantaged Namibians (RoN MLRR, Ministry).” The ministry has been responsible both for the creation and implementation of national land policies and is “...directly involved in the purchase and allocation of land for resettlement purposes: land, resettlement, and rehabilitation (Harring and Odendaal 38).” SWAPO also created the Ministry of Agriculture, Water and Rural Development (MAWRD), which was to play a primarily supportive role to the MLRR on land reform, through the provision of monitoring, input and expertise.

The first significant step taken by the SWAPO government on the land issue was the National Conference on Land Reform and the Land Question in 1991 in Windhoek. The Land Conference brought together 500 delegates and representatives from all over Namibia to discuss the land question and to voice opinions and concerns over how a land reform should be carried out. The aim of the Conference was threefold: (1) to provide a forum for discussion of all relevant land issues and grievances from all regions of Namibia; (2) to review strategy and policy options for reform, while accounting for local and regional factors; (3) to develop a national policy and program of action pertaining to the resolution of land problems (RoN, National Conference 9). The conference was not however designed as an arena to create legislation or policy, more it was a forum for public debate and discussion of land issues. All totaled, Conference participants passed 24 non-binding resolutions regarding the future of privately owned and communal land.

One notable aspect of the conference was the discussion and resolution on the issue of

ancestral land claims. The issue was one of tense debate. Ancestral claim was the primary concern of Namibia's dispossessed communities: the Herero, Nama and Damara. After much deliberation, it was resolved that land redistribution must be based first and foremost on need, rather than ancestral land claims (Adams, "Land Reform" 3). It was ruled that ancestral land claims would not be a component of the land reform program as many groups had overlapping claims and resolution of these claims was deemed impossible.

In 1992, the government created the Affirmative Action Loan Scheme (AALS). The AALS was to be managed by the Agribank (then the Land and Agricultural Bank); the Agribank was an institution designed to provide loans to communal area farmers at interest rates subsidized by the federal government. Later that same year, then President Sam Nujoma appointed the Technical Committee on Commercial Farmland (TCCF). The TCCF reported to the Prime Minister in late 1992, making a handful of recommendations regarding beneficiary selection, strategies of management and land acquisition, environmental concerns, as well as fiscal, legal and institutional issues.

The year 1994 was a relatively fruitful year in land related policymaking; the government began writing what would become the Communal Lands Bill (CLB), and the Agricultural (Commercial) and Land Reform Bill (ACLRB) was first tabled that year (Pankhurst, "Unravelling" 249). One year later in 1995, the ACLRB, formerly known as the Agricultural (Commercial) Land Reform Act, was passed and enacted. One of the most notable portions of the Act provided for the acquisition of freehold land and its subsequent allocation for resettlement (Werner, "Land and Resource" 42). From the

ACLRB Act, came the National Agricultural Policy (NAP); the NAP confirmed the government's commitment to redressing the imbalances inherited from the colonial and apartheid eras (Werner, "Land and Resource" 38). During the same period, the Land Reform Advisory Commission (LRAC) was founded (under the terms of the ACLRB Act), in order to advise the MLRR on the suitability of land available for purchase. Meanwhile the Communal Lands Bill (CLB) continued to be processed through government and was finally released to the cabinet by the MLRR in 1996 (Pankhurst, "Unravelling" 249). The CLB, created as a sister bill to the ACLRB, contained proposals to regulate the leasing of land in communal areas as well as to create a mechanism for traditional leaders to have an important role on Land Boards (institutions created to oversee tenure reform) (Pankhurst, "Unravelling" 249). After much deliberation and debate, the CLB was shelved until the government could agree on the role of Traditional Authorities should play (this was to be formalized in the Council of Traditional Leaders Bill (CTLB) (Pankhurst, "Unravelling" 249).

In May of 1996, a Draft National Land Policy (DNLP) was first released to the public in limited circulation. The DNLP was wide reaching in its proposed policies; notably it included proposals for Land Boards (with added revisions to further the involvement and influence of traditional leaders) (Pankhurst, "Unravelling" 249). The DNLP received a substantial amount of criticism, mainly in reference to its ambiguity of terms, the limited nature of its proposals, as well as the undemocratic composition of its proposed Land Boards (Pankhurst, "Unravelling" 249). In the same year, the government also held the Consultative Conference on Communal Land Administration.

In 1997, the DNLP was eventually enacted in the form of the National Land Policy/ National Resettlement Policy (NLP/NRP), which was then published in 1998. The objective of the NLP/NRP focuses on the “carrying out the resettlement of eligible persons in ways which are institutionally, sociologically, economically and environmentally sustainable and which will allow the settlers to be self supporting” (RoN MLRR, National Resettlement 2). The main target groups of the NLP/NRP were the San community, ex-combatants, the landless and destitute, persons with disabilities and ex-farm workers (RoN MLRR, National Resettlement 5-6). One significant element of the NLP/NRP is that it formally rules out the restitution of land rights, including ancestral land rights to land lost as a result of dispossession (Werner, “Namibia” 4).

Following the turn of the millennium there were several notable achievements in land policymaking. In 2002, the government passed the Communal Land Reform Act; the act provides for the registration and record of all land rights in the communal areas, either under customary land rights or rights of leasehold, as well as for the administration of customary rights (Informal Think Tank 21). The year 2003 was marked by the founding of a Permanent Technical Committee to oversee the land reform program; 2003 also witnessed an amendment to the ACLRB to include land expropriation “in the public interest” (Garcia 47). One year later in 2004, the government implemented the long-awaited tax on commercial farmlands, entitled the Provisional Valuation Roll. The PRV is designed to complement the government’s existing budget allocation for land acquisition in order expedite the land acquisition process (for resettlement). Mvula notes that Namibia’s commercial land tax is unique, as it is the first legislation of its kind in Africa.

The MLRR has laid out future goals for Namibia's land reform program in its *Vision 2030* statement. According to the document, the current average annual resettlement rate is 2,222 people. By the year 2030, the ministry aims to resettle between 68,000 and 70,000 people.⁷¹ In addition the MLRR seeks to achieve security of tenure in communal areas by 2030 (RoN MLRR, Ministry). In terms of recent financial commitment to the program, SWAPO has designated N \$50 million (US \$6.5 million) over the next five years to purchase farmland for redistribution.⁷²

Although a major component of SWAPO's election platform, land policy and reform often fell by the wayside in the national political arena during the course of the 1990s. Despite some significant legislative debate and passing of land reform legislations, little overall tangible progress was made during SWAPO's first decade in power. With the events in Zimbabwe in 2000 and 2001, land reform once again came into the spotlight and there was increased political pressure both within and outside the government to speed up the land reform process. Despite political motivations derived from the Zimbabwean experience, much of the pressure to redistribute land has come from occurrences of illegal land occupations, resource poaching and armed confrontations (Moyo, "The Land" 18), rather than through democratic channels.

⁷¹ IRIN, "Namibia: Farms"; RoN MLRR, Ministry.

3.3.2 Highlights of the Second Decade of the Land Reform Process, 2000 - present

In the recent years of the reform process, the government has continued its policy of absentee landlord eviction. Amupadhi notes that during 2002, SWAPO drew up a list of 192 farms that were deemed to be used improperly (with absentee owners), that were to be taken by force, with the owners being justly compensated. In the Spring of 2003, as Amupadhi further documents, SWAPO compiled an additional list of approximately 300 foreign-owned farms it intended to seize in order to resettle landless black Namibians.⁷³

In February 2004, the Namibian government announced its intentions to carry out a land expropriation of occupied settler-owned farms as part of the land reform program, in order to accelerate land resettlement. This new land expropriation would parallel the ongoing redistributive land program. IRIN reports that over the course of the Spring and Summer of 2004, a total of 19 farmers were served with expropriation notices, urging landowners to come negotiate terms of sale with the government ("Farmers"). Although these recent events do signal somewhat of a shift in the land reform program, expropriation is written into the Namibian Constitution under Article 16 (1) and (2). Under the constitution, land may be expropriated "in the public interest," under the condition that "just compensation" is provided to the landowner (Ancestral Land Claims²³). It is yet to be seen whether this recent policy shift is a relatively short-term politically motivated move (as national elections were held November 2004) or whether this change is a more permanent move away from the auspices of neo-liberal

⁷² IRIN, "Namibia: Farms."

development policy. Although the government plans to maintain the MALR program, the addition of these expropriation tactics is a relatively radical policy change. As the shift occurred in February 2004, the full effect of this shift in policy has yet to be experienced. At the time of publishing, this recent expropriation call had not yet been fully carried out.

SWAPO is eager to keep Namibians voters on side, something aptly demonstrated by this most recent shift in land policy. Land has and continues to be a highly political issue; land is inextricably linked to the deeper socio-economic problems of the country as well as to the collective memory of colonial and apartheid injustices.⁷⁴ Adding to the political pressure of the land reform issue is the current food security crisis; as IRIN documents, an estimated 650,000 (of the population of 2 million) required food aid in 2004.⁷⁵ With the adoption of expropriation, the task of maintaining balance between social and economic stability and progress will likely become increasingly difficult. Namibia's expropriation tactics have come under some scrutiny from land specialists and academics. As Sherbourne argues, expropriation does have a "role to play to accelerate land reform but will create uncertainty in the absence of clear criteria" (9). Sherbourne deems the government's approach to date (which has been composed of expropriation of unproductive land in the hands of foreigners and absentee landlords) as "sensible"; however, he warns that expanding expropriation criteria to include other groups would be "clearly counter-productive" (9).

⁷³ Refer to Amupadhi's 2003 article "300 Farms on New Government List."

⁷⁴ The politicized nature of the land issue in Namibia can be linked back to the pre-independence era, when SWAPO rallied for support around the issue of land reform and redistribution.

⁷⁵ IRIN, "Namibia: Special Report on Land Reform, Part 1."

3.3.3 Land Reform and SWAPO's Policy of National Reconciliation

From its inception, land reform was to be undertaken and implemented within the government's overarching policy of national reconciliation. National reconciliation has had a central role in Namibian development, significantly impacting government legislation and policymaking, particularly with regard to land reform. As a key component of the independence negotiations and agreement, SWAPO was obliged to adopt a policy of national reconciliation into its post-independence development framework; national reconciliation was part and parcel of the larger political negotiation that resulted in Namibia's independence. In its essence, national reconciliation aims to find a national cohesion amongst Namibian society, striving to maintain peace, political and economic stability. The national reconciliation policy is therefore distinctly against radicalist change and seeks to avoid any type of social upheaval or revolution. While national reconciliation aims to retain peace and stability, it does so in a way that has substantially restrained political activity in the post-independence era. Many academics criticize the restrictions national reconciliation has created, claiming it impedes social progress. Some critics see the process of negotiated independence, of which national reconciliation was an integral part, as having left Namibia with a political compromise (Melber, *Limits to Liberation* 134); a compromise essentially embodied in national reconciliation and that has manifested itself in many aspects of post-independence governance (particularly in the realm of land policy).⁷⁶

⁷⁶ While having ascended to power, the party did so without gaining sufficient control of many sectors of the Namibian economy and society, leaving the fundamental framework of colonialism intact (Melber, *Limits to Liberation* 134). Participation in the independence negotiations (with the UN and other members of the international community), led SWAPO to engage in what Melber calls "controlled change" which ultimately resulted in "changed control" in the

3.4 The Dynamics of the Land Reform Program: Structure and Function

At present, there are two types of land reform being conducted in Namibia: communal and commercial (redistributive) land reform. Commercial land reform has been implemented through two concurrent policies, (1) the National Resettlement Policy (NRP) and the (2) Affirmative Action Loan Scheme (AALS) (Sherbourne 2). The NRP (operated by the MLRR) was designed to provide the poor and historically disadvantaged (namely ex-combatants, the displaced, dispossessed and landless, women, the disabled and individuals from overcrowded and/or marginal lands in the Communal Areas⁷⁷) with government purchased and redistributed land, while the AALS (run by the MAWRD) was formulated to assist larger (and wealthier) communal farmers to gain access to commercial land (Sherbourne 8). The primary justification for the AALS is to help relieve grazing pressure on the CAs, which in turn it is hoped will benefit the pastureland ecosystems and small communal farmers (Adams, "Land Reform" 7). Operating simultaneously, these land redistribution policies were designed to assist both the wealthy and poor (Sherbourne 8).

The AALS, administered by the parastatal Agribank, is essentially a market-based mechanism. AALS loan recipients are experienced farmers who engage in self-selection for the both program itself as well as of the land to be purchased (subsequently these farmers receive title deed to the land purchased) (Sherbourne 2). As Sherbourne explains, AALS encompasses both distinct property rights and performance incentives (2). In

country (Limits to Liberation 134).

contrast to the AALS program, beneficiaries of the NRP program do not receive title deed or ownership of the land on to which they are resettled (Sherbourne 2). Instead, NRP beneficiaries receive a 99-year lease right to use of land under a contract signed with the MLRR (Sherbourne 2). Theoretically, NRP beneficiaries who establish a successful farming enterprise will then be encouraged to utilize the AALS in order to become large-scale commercial farmers (Sherbourne 2).

Although redistributive and tenurial reforms are occurring across the country, there is a somewhat distinct geographical divide between where each type of reform is occurring and where each is most highly sought after. On one hand, in the northern areas of the country, where the population density is the highest, the land is most fertile and where land dispossession for the most part did not occur, there is a high demand and need for communal tenurial land reform. Approximately two-thirds of the nation's poor live in the northern regions of the country (RoN, Poverty 5). In the southern regions on the other hand, where the population is sparse and where land dispossession did take place, land redistribution is the centrepiece of region's land reform. Farmland of the south continues to be predominately owned by the white minority (Adams, "Land Reform" 5). Of the two types of land reform underway, SWAPO has given redistributive reform distinct policy priority over communal reform. Subsequently, the southern regions of the country have been the areas most intensely touched by the effects of the reforms.

⁷⁷ Harring and Odendaal 40.

3.5 Actors in the Land Reform Program

3.5.1 The Role of the Market

As discussed earlier in Chapters Two and Three, the market plays the central and directive role in Namibia's land reform. Notwithstanding constitution-endorsed land expropriation by the government, the market ultimately determines how much land is available for purchase, where it is available and how much it is worth. The government must in turn carry out land reform within the set parameters of the market. Land reform takes place primarily through the auspices of the willing buyer-willing seller principle.

3.5.2 The Role of the State

While the market has the central and instructive position in Namibia's land reform, the government retains a relatively active role in land reform. Acting firstly as legislator and policymaker, the government is also operator of the resettlement (NRP) and affirmative action (AALS) programs as mentioned earlier, as well as is the provider of various forms of agricultural (namely technical and financial) supports to land reform participants. The market-led nature of the land reform program has not deterred SWAPO from utilizing expropriation; however expropriation taking place is carried out in a moderately radicalized manner, providing just compensation to targeted farmers. In spite of its involvement in the land reform process, the government itself remains relatively weak (Drimie and Mbaya 5). The government has a limited capacity to create policy as well as to carry out land reform (Drimie and Mbaya 12); the issue of state capacity is of primary

concern in Namibia's land reform. While government capacity is an issue at the forefront of the land debate, it is balanced by the similarly troublesome issue of political will to carry out reform. These two key issues will be discussed further in Chapter Four.

3.5.3 The Role of the Private Sector

The private sector also plays an important role in the land reform. Private sector involvement takes two primary forms: land purchase by (1) large-scale and (2) small-scale commercial farmers. While both groups have been involved in the land reform programs, a higher number of large-scale farmers have participated relative to small-scale farmers. Similarly, the large-scale farmers have generally had stronger political representation in the land debate.

Corporations have a significant role in the land issue, albeit playing an obtrusive rather than a participatory role in the land reform process (see Section 3.6.7). The transfer of land to corporate ownership (the "corporatisation of land") occurring from 1990 onward, is not regulated by government land reform policy; land transferred to corporations is therefore unavailable for land purchase or resettlement.

3.5.4 The Role of Civil Society

Although slated as the intended primarily beneficiaries of the land reform program, the poor have had a very minor role in the planning or administration of the program. One of the key reasons behind this has been their inability to participate in politics due

fundamentally to their lack of representation within the political arena.⁷⁸ This speaks in turn, to the weak and fragmented nature of civil society within Namibia. While social movements played a crucial role in bringing about Namibia's liberation from apartheid colonialism (Buende 483), the influence of social movements and/or civil society is very limited in independent Namibia. Buende (1995) notes that while social movements were a "motor of change" in decolonization, it is premature to assess whether they will play an important role in the democratization process or development in general (483).⁷⁹ The potential for these organizations to effect social transformative change is debatable, although over time it is likely these groups, on the whole, will gain strength. To date, Namibian civil society has played a fairly limited role in the land reform process.

Despite playing an active role in pre-independence Namibia, NGOs presently retain limited political influence (Kazombaue 176-177). While current leadership and the majority of NGO membership are composed of activists who remained in-country during the independence struggle, the greater part (upwards of 90%) of the Namibian population is composed of returnees (Kazombaue 176-177). As such, the influence of NGOs is substantially constrained (Kazombaue 177).⁸⁰

One of the most prominent civil society groups in the land reform debate has been the Namibia Agricultural Union (NAU). The NAU, consisting primarily of white

⁷⁸ Lack of political representation and voice on the part of the poor is a contributing factor to the slow pace of reform, as noted by Werner.

⁷⁹ It should be noted here that the Constitution does provide for freedoms of speech, association and political activities and "as such, there are no legal impediments to the operation of social movements" or civil society in general (Buende 483).

⁸⁰ One of the most prominent organizations in the NGO sector is the Namibian NGO Forum (NANGOF); NANGOF is

commercial farmers, has been one of the strongest voices against land reform in the country. The NAU is distinctly against expropriation as a method of reform, instead supporting the willing buyer-willing seller policy. The NAU's counterpart, the Namibian National Farmers Union (NNFU), representing small-scale communal black farmers, has also been active in the debate. Both the NNFU and Namibia's labour federation, the National Union for Namibian Workers (NUNW) are critical of the willing buyer-willing seller program in place; both view it as a one of the primary reasons behind the slow pace of reform.⁸¹

3.6 Land Reform Performance and Outcomes

While there is a general dearth of research data regarding land and land reform in the country (see Section 3.7.1.1), there is sufficient data to note overall trends in the land reform program. The outcomes of the program to date are varied – the more market-driven AALS (Sherbourne 8), designed to assist large scale farmers, has yielded some positive results, whereas the NRP, aimed predominately at the impoverished, has for the most part failed to meet its designed objectives.⁸² On the one hand, under the AALS the newly emergent elite has been able to acquire a significant number of farms. Between 1992 and 2001, 368 farms (totaling 2,088,990 hectares) were established under the

the umbrella organization for NGOs in Namibia.

⁸¹ The NAU and the NNFU have varying perspectives on globalization; the NAU interprets globalization as a “demand-driven process” moving market expansion away from national market and production-driven processes, while the NNFU views it as a process involving the removal of trade barriers to ensure the free flow of goods and services, helping to increase access to markets (Jauch 49). The NNFU however is critical of globalization; it believes globalization assumes an even “playing field” in the global marketplace (Jauch 49).

⁸² The land allocation process has been also been criticized for its lack of transparency (Informal Think Tank 21).

AALS.⁸³ With the purchase of these productive assets, this upwardly mobile group has gained a substantial degree of political and economic power. On the other hand, while the majority of farmland within the NRP has been transferred to beneficiaries,⁸⁴ essentially all of the resettlement projects have failed to become independent of state support and be self-sustaining.⁸⁵ Communal land reform, separate from the auspices of redistributive reform, has been slow to evolve as the government only as recently as 2002, passed legislation to enact the program. As such, there has been relatively little (in comparison to the demand for) tenurial land reform.

Ultimately the adoption of a neo-liberal genre of land reform and the subsequent circumstances in which it was adopted, has equated to land reform occurring at a markedly slow pace. The market led approach was chosen for its stability – this stability however has denoted a slow and moderately paced reform.⁸⁶ Due to its slow pace, a number of critics have labeled the process a “piece-meal” approach to land reform. The overall process has been slow; only a relatively small portion of land has been purchased and a smaller amount of that has been resettled. IRIN notes that at the beginning of 2003, the government had only purchased a total of 118 farms encompassing 710,000 hectares.⁸⁷ By the end of 2004, roughly 30,050 of the estimated 243,000 landless had

⁸³ Material made available by Garcia. See AgriBank of Namibia. Annual Report 2001. Windhoek: Agribank of Namibia, 2001, qtd. in Garcia 47.

⁸⁴ In order to be concerned an eligible land resettlement beneficiary by the government, applicants must be one of the following: (1) a member of the San community; (2) a former refugee or returned person; (3) an ex-combatant; (4) a disabled person or (5) an inhabitant of one of the country's overpopulated communal areas (Garcia 48).

⁸⁵ In an assessment of South Africa's land reform, a program quite similar to that of Namibia, Adams and Howell note that while the general livelihoods of targeted land reform beneficiaries have improved, the limited nature of resettlement has meant the impact in relatively small, particularly for the poor and disadvantaged (1).

⁸⁶ Heavily reliant on the market, MALR avoids mass confiscation and social change.

⁸⁷ IRIN, “Namibia: Special Report on Land Reform, Part 2.”

been resettled under the NRP (Garcia 48-49).⁸⁸

3.7 Main Challenges and Issues Facing the Land Reform Program

3.7.1. Deficiencies in Government Operations

Among the foremost challenges facing the land reform program are deficiencies within the national government itself. These include (but are not limited to) (1) a limited capacity to produce thorough and integrated land policy; (2) poor inter-ministerial cooperation and communication; (3) an inadequate supply of resources and supports to the land reform program; (4) the general failure of cooperative resettlement schemes; and (5) the general neglect of communal land reform.

3.7.1.1 Insufficient Policy and Planning

There are distinct deficiencies in the realm of government policy and planning with regards to land reform. Such insufficiencies extend into the most fundamental levels of policymaking. Many critics (Drimie and Mbaya; Werner, "Land Reform and Poverty") warn that there is an absence of clear reform priorities and that current land reform objectives are too ambiguous. Further, the government is criticized for failing to integrate land reform policy into a larger rural development policy framework/strategy (Informal

⁸⁸ Of these 30,050 beneficiaries, 4,140 were resettled in cooperative settlements on commercial land, 2,625 on individual resettlement schemes and 23,285 on cooperative resettlement projects in communal areas. Statistics are made available by Garcia. See MLRR, Farms Acquired in Namibia. Windhoek: MLRR, 2002; and AgriBank of Namibia,

Think Tank 1) or a wider based agrarian reform (Drimie and Mbaya 18). Critics Drimie and Mbaya argue that in order to make Namibia's land reform operate more effectively and thoroughly, the government must create new policy to better enable itself to carry out land reform (18). These insufficiencies and criticisms point to two key issues; firstly, the government's willingness and commitment to carry out land reform and secondly, to the state's actual capacity to carry out such a complex project as land reform. Undoubtedly, the government is under significant pressure to carry out reform and must do so with a relatively vague definition of the role it must play and with somewhat limited resources.

Fueling insufficiencies in policy and planning is the distinct lack of data on land and land issues alike (Pankhurst, "Unravelling" 245). There has been very little research done in the communal farming sector and research done within the commercial realm has been kept for the most part from researchers and the public (Pankhurst, "Unravelling" 245). Lack of data and research has made land policy and planning difficult, however in recent years there has been some research activity undertaken by the university, international non-governmental organizations (INGOs) and independent researchers (Pankhurst, "Unravelling" 245). Given this scenario, it is crucial to bear in mind the restraints the government has when assessing the current land reform initiative.

3.7.1.2 Inter-Ministerial Cooperation and Relations

The two ministries assigned key roles in the land reform program – the MLRR and

MAWRD – have for the most part had an uncooperative relationship. In spite of the ministries' betrothed collaborative relationship, there has been relatively little cooperation between the two bodies on land reform (Drimie and Mbaya 18). While the MLRR concerns itself mainly with the ailing NRP (resettlement program), the MAWRD focuses its energies on the much more fruitful AALS (Informal Think Tank 21). The two programs ultimately fail to be interactive or streamline and function independently, rather than of two joint parts of a singular land reform program. The lack of inter-ministerial cooperation inhibits the government's ability to plan land reform, as well as speaks to the government's own limitations in terms of capacity for policymaking, planning and governance.

3.7.1.3 Provision of Inadequate Agricultural Supports, Human Resources and Infrastructure

The inadequate provision of agricultural supports, namely technical and financial, from the national government has been a substantial impediment to the land reform program. Such supports are often crucial to the success of these farming operations. The deficit of supports has contributed, at least in part, to the failure of NRP resettlement schemes across the country. Just as technical and financial supports are critical components of land reform, adequate human resources are key to bringing about successful operations. The lack of human resources available to the land reform program has inhibited the government from developing community specific land resettlement models (Drimie and Mbaya 18) as well as from delivering sufficient management and monitoring of land reform projects. The limitation of resources, whether fiscal, technical or human, and

infrastructure, speaks clearly to the issues of state capacity for reform as well as of political commitment.

3.7.1.4 The Neglect of Communal Land Reform

Over the course of the post-independence era, there has been a distinct neglect of communal land reform, as is evident through the government's slow response to calls for communal reform from various sectors of society. The government's primary notion of land reform revolves around commercial reform, in hopes of fostering the commercial farming sector (Thompson 77-79). While communal land reform is called for across the country, the desire for reform is the greatest in the more heavily populated northern CAs.

3.7.1.5 The Failure of the Cooperative Resettlement Scheme Program

At the forefront of problems facing Namibia's land reform is the issue of failed cooperative resettlement schemes. While essentially a pillar of the land reform program, virtually all of the cooperative resettlement projects have failed to become productive and self-sustaining, remaining dependent on the government for support. A report recently published by the Namibian Legal Assistance Centre (LAC), Haring and Odendaal state that SWAPO operates a "food-for-work" program on "virtually every" resettlement project in place (60). The LAC reports that settlement beneficiaries are trapped in a cycle of poverty in which farmers sell their agricultural products for cash, leaving themselves in a food deficit scenario.⁸⁹ While touted as an important component of the government's

⁸⁹ IRIN, "Namibia: Special Report on Land Reform, Part 2."

land reform framework, only a relatively small number of people have actually accessed the program as noted in Section 3.6 (Werner, “Land Reform and Poverty” 3). Inevitably, the failure of the cooperative resettlement schemes is a substantial obstacle to overall poverty alleviation and the redress of historical injustices.

3.7.2 Environmental and Technical Constraints

3.7.2.1 Problems Regarding Technical Implementation

From the perspective of technical implementation problems, issues of farm size, type and location are significant problems with regard to project success, environmental compatibility and impact. As Adams and Howell argue, the major limitation on land redistribution to the poor in Southern Africa has been economic and technical problems associated with the subdivision of large commercial ranches within semi-arid environments (1). African experience with pastoral resettlement projects has shown that both cooperative ranching schemes (see Section 3.7.1.5) and the conversion of commercial ranches to family livestock-based farms are often not feasible alternatives due to issues of cost (relating to resettlement and the provision of adequate agricultural supports (see Section 3.7.1.3)) and questionable economic outcomes and environmental impact (Adams and Howell 1-2).

3.7.2.2 Environmental Constraints to Land Reform

One of the key challenges facing the land reform program is the issue of the environment.

Namibia's environment is one that is extremely arid, making agriculture a difficult task for many of the nation's farmers. Matters of water access/shortage and desertification are of primary concern to policymakers, planners and ultimately, farmer beneficiaries. Water scarcity, resulting in a low carrying capacity of savanna lands throughout much of the country, is a serious constraint on land reform (Adams and Howell 1). Designing land resettlement projects adaptable to given environment conditions and constraints is one of the key challenges facing land reform.

3.7.3 Inadequate Involvement of Various Stakeholders

3.7.3.1 Greater Support to the Involvement of Civil Society

Thus far, civil society has had a limited role in the land reform process. Despite the encouragement of civil society involvement by the World Bank, academics and MALR policy, civil society on the whole has not yet been sufficiently active in the debate, primarily due to its weak nature. Civil society plays an important role in neo-liberal development; a dearth in civil society involvement would thus inhibit the development process. Given civil society's prominence in neo-liberal policy, as well as its limited capacity for involvement, the government would do well to develop policy and methods to increase civil society involvement in the land reform process (Drimie and Mbaya 18).

3.7.3.2 The Need to Include Farm Workers in the Land Reform Process

The issue of farm workers has been one that has not often been dealt with as thoroughly

and adequately as need be. Amongst Namibia's poorest and marginalized are farm workers – those who derive partial to entire subsistence from working as an employee on a commercial farm. While work and living conditions are generally harsh on these farms, when a farm is purchased as a part of the land reform, farm workers are often left with no employment or shelter. While the issue has gained recognition across southern Africa in recent years, much still needs to be done in order to ensure the financial and personal security of farm workers in Namibia and abroad.

3.7.4 Elite Influence and Bias in Policy and Practice

3.7.4.1 Elite Power and Influence Over Land Reform

The issue of elite power and influence has haunted the land reform process from its early days after independence. The newly emergent, politically-connected black elite has been allowed by the government (by way of government inaction over a problem of which they were aware) to carry out illegal fencing in the CAs in order to further their own wealth. Over the years, the elite has been allowed to acquire lands both legally and illegally, while other Namibians were denied this same right. Ultimately, this speaks to an elite bias on behalf of the government in a program designed to lessen socio-economic inequality and social injustice.

3.7.4.2 Unequal Benefits for Program Beneficiaries

As a result of the nature of land reform itself, as well as the inter-socio-economic

relations with a society, the majority of the benefits of land reform are not often reaped by those most in need. In fact, land reform often benefits the elites and wealthy peasantry above impoverished rural folk. There are multiple parties and interests within the land reform process and the beneficiaries of land reform represent a diverse cross-section of Namibian society. As noted earlier, the land reform program and specifically the resettlement program, aim to assist the poor and historically disadvantaged. In spite of this however, the intended beneficiaries (i.e. the historically dispossessed, women, former combatants and the poor) are not always the ones to benefit the most, either individually or collectively, from land reform. While this is often historically the case, it is up to the government and other social actors to modify the land reform in such a way as to bring more benefits to the poor themselves.

In the case of Namibia, the wealthier large-scale communal farmers have garnered a disproportionate amount of benefit from the land reform program. The AALS has produced 3.5 times more transferred land than its pro-poor sister program, the NRP (Sherbourne 6). The bureaucratic NRP is heavily under-funded (Sherbourne 8) and has had much difficulty turning out results. The large-scale CA farmers have, as a group, benefited significantly more than their disadvantaged counterparts in the NRP.

3.7.4.3 Corporatisation of Land

One of the key challenges facing the land reform itself is the phenomenon of land corporatisation. The primary means of land transfer without sale, land corporatisation entails the transfer of property (i.e through donation) to close corporations (RoN MLRR,

Ministry); incorporation ultimately allows owners of the land to circumvent any land reform legislation. A trend from 1990 onward, the corporatisation of commercial land has decreased the amount of land available for the land reform program. Since independence, approximately 5.5 million hectares of land (the equivalent of 15% of all commercial land) has been transferred to corporations (RoN MLRR, Ministry). SWAPO has thus far failed to provide legislation or demonstrate action to moderate and control the corporatisation of land. The reasons behind the government's lack of action regarding corporatisation have not been publicly addressed. However, given the importance the government places on the role of corporations and big business in the Namibian economy, it is reasonable to assume that it is likely partially motivated by the desire to advance the will and needs of the export-oriented commercial farming sector in order to further trade and attain foreign currency.

3.7.5 Balancing Social Justice and Economics: Piecing Together An Effectual Land Reform

The question of land in Namibia is highly emotive and political, placing SWAPO as the awkward facilitator between market, policy and populace. While land reform is often promoted as a means to alleviate poverty and bring economic benefit to the economy, the fundamental reason behind reform is to rid the country of its apartheid induced racially based system of land ownership (Sherbourne 1). The effects of apartheid are still felt across Namibia; eager to free themselves of the shackles of apartheid colonialism, Namibians passionately seek social change that will eliminate racially based wealth.

The government, needing to deliver alms to the Namibian people, is searching to bring a balance between the overarching neo-liberal policy (and its inherent fiscal and philosophical restrictions), MALR policy, fiscal, social and environmental constraints/realities and the need for land-based social change. At its most basic level, the situation boils down to politics and emotions vs. economics.⁹⁰ While the government seeks to find land reform project models that work and which are successful, it is more overtly concerned with pleasing stakeholders, interest groups and constituents.

3.7.6 The Slow Pace of Land Reform

Due primarily to the market led nature of Namibia's land reform, the pace of land reform has been markedly slow. Working predominantly within the confines of the willing buyer willing seller principle, land redistribution is reliant on the provision of land by the marketplace. Sherbourne notes "...the available evidence suggests that present policies are leading to about 1% of commercial land being redistributed every year. At this rate it will take another 40 years before half of Namibia's commercial land lies in black hands" (1). In spite of periodic government calls to action to expedite the process, often little subsequent progress is made. Also fueling Namibian's frustrations has been the dearth in communal (tenurial) land reform; as noted earlier, communal reform has taken some time to materialize. The slow nature of the land reform has necessarily been a key political issue in Namibian society, and one that has sparked much political debate and outrage.

⁹⁰ The issue of the emotions vs. economics of the land question was raised by Drimie and Mbaya in their article "Land

3.7.7 Looking Ahead

It is clear from a simple overview of the challenges and obstacles facing the land reform that it is indeed a problematic proposition. Chapter Four will bring a more thorough assessment of the primary challenges at hand as they relate to the neo-liberal development framework in which they are situated. Such discussion aims to bring greater clarity to the issues as well as to the future prospects for land reform.

Chapter Four: Towards Greater Understanding of Namibia's Land Question

4.1 Introduction: Governance, Land Policy and Neo-Liberalism

Thus far, Namibia's land reform has brought about very little social change, as is evident from the relatively stable levels of socio-economic inequality and poverty across the country over the post-independence period. Necessarily these poor development outcomes call into question the efficacy of market driven land reform in bringing about social change and poverty alleviation. Regardless of such questionable efficacy, SWAPO has adopted land reform as a primary means of societal change in its post-colonial development. Within the development community however, there remains a distinct divide regarding the merits of market-induced land reform. While many donor organizations and foreign governments have heralded MALR as the most viable option for land reform in Namibia, other donors, academics and land specialists have slotted MALR as an inadequate means of addressing issues of land and poverty, both within Namibia and more broadly across Southern Africa. A number of key international donors now argue that the willing buyer-willing seller principle should be dropped as a conditionality for development aid for land reform; at the same time, other important aid agencies (i.e USAID) continue to insist on adherence to the market land reform paradigm by recipient countries (Informal Think Tank 8-9).⁹¹ While such debate rages within the development community, there is disagreement within developing countries themselves regarding the suitability of MALR. Certainly some aid recipient countries have become

⁹¹ While other donor countries continue to view the provision of assistance to land reform programs as politically

increasingly suspicious of donor countries who demand strict conditionalities (in particular the willing buyer-willing seller agreement) on development and in particular on land reform. Such conditionalities are seen by some as a colonialist “Trojan Horse,” acting at times to perpetuate racial imbalances in land ownership (Informal Think Tank 12); indeed the willing buyer-willing seller principle has been widely criticized across the developing world as a ploy to prolong the land reform process (Moyo, “The Land” 21). While some governments and donors may stand by market based approaches, there is a general dis-ease with such methods among the people of Southern Africa, who despite deeming land reform integral to much needed social change, dislike the strict market driven nature of MALR.

While there is no single definitive cause for Namibia’s meager land reform outcomes, the strict neo-liberal nature of the national development and land policies (and the biases and contradictions therein) have been of serious detriment to prospects for land related social change as well as the land reform process itself. Certainly as land reform is complex and multi-dimensional, so too are the multitude of challenges and issues impeding its success. While neo-liberalism is not necessarily the source of each of the challenges facing land reform, as the overarching development methodology it has a significant (if only an interactional) role in these problems. Further, as neo-liberalism has had such a stark impact upon Namibian development in general, it has molded the country’s socio-economic environment – thus having distinct agency over the actions of and relationships between the country’s various social actors, in turn shaping their behavior within the land

volatile, and often something to be avoided all together.

reform process. In order to gain insight and acuity into the key obstacles and challenges facing the country's land reform, it is instructive to address these issues in light of the dynamics of neo-liberal development itself. Moreover, it is necessary to recognize exactly how and to what extent neo-liberalism has affected the behavior of social actors with regard to the ongoing land reform. Fundamentally, such an assessment will provide insight into the effectiveness of neo-liberalism as a development model in terms of how the framework provides, fosters or impedes opportunities for each social group and society as a whole.

The crux of the problematic is how and/or to what extent can market driven land reform bring about the social change that is so zealously sought by Namibians. In this context it is crucial to ask – how will social transformation occur within the context of the current neo-liberal land reform policy framework? And moreover, how can the market (and market driven policy) be an instrument for social justice? Indeed, these queries address the ability of neo-liberalism to be responsive to the needs of the people. Such questions are especially pertinent given that international experience with MALR has failed to produce its intended outcomes – results that cast serious doubt on the policy's ability to deliver change. The current discussion is undertaken in hopes of drawing lessons from Namibia's experience thus far that can aid in gaining further understanding of the conundrum of neo-liberal MALR.

4.2 Land Policy in Application: Issues in Theory and Practice

Certainly it is without a doubt that a governance environment under neo-liberalism

provides a complex atmosphere in which to implement land reform processes. While theoretically land reform can occur successfully in the modern neo-liberal concept of market-state administrative partnership, the realities of implementation and practice affront these claims. The outcomes of Namibia's land reform process necessarily challenge the validity of the policies and methods used, in turn questioning their underlying theoretical assumptions and objectives. While not all of the troubles plaguing Namibia's land reform can be blamed squarely on the failings of neo-liberalism, a number of the key challenges facing the program do find themselves rooted in neo-liberal theoretical weaknesses. Exploration of this issue provides opportunity to gain insight into the challenges facing Namibia's land reform.

4.2.1 Emergent Contradictions in the Neo-Liberal Development Framework

Within the neo-liberal development framework, there are a host of contradictory values and objectives – contradictions that subsequently manifest forth in neo-liberal derived policies. Indeed, numerous critics have noted such emergent contradictions of neo-liberal theory in recent years.⁹² As Namibia has adopted a strongly neo-liberal development ideology, contradicting and competing objectives have emerged in various areas of policy and legislation. In the translation from policy to practice, the existence of competing values often acts to weaken overall development outcomes and produces unworkable development in practice. Such has been the case in Namibia, where market led reform has yielded less than desirable development outcomes and has contributed little to social

⁹² See Bryceson and Banks; and Byres.

change in the country.

Neo-liberalism attempts to achieve multiple objectives, each of which are not consequently conducive to the others; such policy contradictions arise from what Bryceson and Bank note as the “highly eclectic nature” of the pragmatic neo-liberal model (11).⁹³ It is true that these contradictions emerge from the adoption of competing objectives and values. As Byres states, neo-liberals take on a set of “dual objectives” – one of efficiency and the other of equity – the adoption of which results in both theoretical and practical contradictions in development (Byres 8). Byres further explains that these contradictions are deeply rooted in the foundation of the framework and thus resolution is not easily found (8). One can see the adoption of dual objectives of efficiency and equity in Namibia’s land reform policy; while having adopted a market led (and thus an “efficient”) means of land reform, SWAPO hopes to achieve greater socio-economic equality and “equity” through the redistribution of land. Whereas the attainment of these dualistic objectives is ideal, land reform practice reveals a plethora of problems that obstruct the attainment of greater socio-economic equality. Namibia’s government, like fellow MALR adoptive countries, has yet to find an adequate balance between such varying objectives in the policy and practice of market led land reform.

From a societal perspective, a contradiction of values also emerges between the need to

⁹³ Many the prominent shortcomings of the pragmatic neo-liberalism arise from its eclectic nature; pragmatic neo-liberalism brings together the classic elements of neo-classicalism with some of the tenets of post-modernism (Bryceson and Bank 11); this collaboration has been both a source of admiration and criticism by academics. According to some critics “...post-modern liberalism has the advantage of leaving the discourse open-ended, seeking convergence with the on-going poverty lobby of NGOs and various concerned bilateral donors, while retaining the imperative of global free trade in line with international capital interests and pressure from the right (Bryceson and Bank 11).” The alliance of

attain social justice and change while doing so in a way that is distinctly moderate in nature – a method that ultimately fails to challenge the status quo. Whilst neo-liberalism in theory embraces social change toward greater socio-economic equality, in practice elements of the framework act to inhibit said social change; although social justice/change and moderate social policy are not necessarily contradictory, they are competing; indeed numerous “moderate” policy and legislative documents in place are prohibitive to equality enhancing social change.

Policy and legislation that aim to retain stability and individual rights (i.e. the preservation of private property rights acquired under apartheid colonialism through the willing buyer willing seller policy), do so and as such significantly constrain land related social change. Whereas such policies uphold the human rights of current landholders, they act as an obstacle to the attainment of social justice for the remainder of the population whose human rights were brutally assaulted under colonialism.

Fundamentally, there is a complex balance that must be attained between the rights of black Namibians and those of the white settler community – a balance that is not easily achieved, as has been aptly demonstrated by the events in recent years in Zimbabwe. In an attempt to expedite the land reform process, the government has particularly in recent years, begun to utilize expropriation measures with white landholders. This is a distinctly more aggressive and radical approach to the achievement of social justice through land reform, as it typically infringes upon the rights of said landholders. While it remains unclear as to what extent expropriation will be utilized, the government continues to

post-modernism and neo-classicalism under the pragmatic neo-liberal paradigm is seen by some critics as unrealistic.

apply these methods to advance a land reform process that has otherwise been long and moderate in nature. Whereas this process helps to usurp the power of the remaining European descendant settler community, it does nothing to halt the accumulation of wealth and power by the newly emergent elite – thus doing little to curb the societal problems of poverty and socio-economic inequality.

Namibia's land experience pinpoints the difficulty in devising policy for the reduction of poverty and socio-economic inequality in a development framework that is not clearly focused on the interests of the poor and marginalized. While neo-liberal proponents tout the pro-poor focus of the framework, it is not apparent in practice that MALR is dedicated to the interests of the poor. Certainly as various components of policy work to alleviate poverty, as noted earlier, others distinctly obstruct it. While pragmatic neo-liberalism supports land reform as a means of socio-economic development, in reality, elements of neo-liberal policy act to significantly restrict land reform and thus limit change. Such contradictions in policy and practice undoubtedly limit the development prospects of market led reform.

The emergence of these discrepancies points to the complexity of the MALR issue. The scenario questions not only the viability of neo-liberal theory in the context of land reform, but also raises the issues of political commitment and state capacity – issues that will be addressed later in the discussion. Contradicting objectives and values within the framework inescapably materialize as a discrepancy between theory and practice; this problem speaks to the upcoming issues of discussion – problems associated with the transition of theory into practice and the issue of emergent biases in land-related

governance.

4.2.2 Issues in Translation: Theory and Practice

It is within the transition from land reform theory to practice that many of MALR's shortcomings truly come to light. Even as neo-liberalism is based on widely esteemed values,⁹⁴ development outcomes often fall short of expectations, leaving a significant gap between the stated objectives of policy and the subsequent development outcomes. Issues in theoretical application emerge across various areas of land-related governance – problems that necessarily reflect wider problems of neo-liberal policy implementation in Namibia and abroad.

The implementation issue of foremost importance to the Namibian experience is that of land reform pace. With strict neo-liberal restrictions on government policymaking (i.e. strict adherence to the willing buyer willing seller principle) and economic involvement, the government has little leverage in terms of controlling the pace of land reform. Such controls fuel the frustrations of many in Namibia who feel the land reform is not occurring quickly enough. Although the government may hasten land reform through the utilization of expropriation measures (as outlined in the Constitution), such provisions are relatively restricted in scope and have been implemented only recently with any frequency.⁹⁵ Given current program and legislative deficits, as well as the present socio-

⁹⁴ Such as poverty alleviation.

⁹⁵ The expropriation measures must be undertaken in such a fashion that ensures the continuance of social and economic stability.

political balance of power, the pace of land reform (and more specifically land redistribution) is not likely to substantially increase in the coming years (Werner, "Land Reform and Poverty" 13).⁹⁶ Fifteen years into the reform program, the pace issue continues to be one of the primary obstacles to bringing about successful land based social change, and is an issue that SWAPO has yet to adequately address.

While neo-liberal restrictions on land reform practice have limited the program's pace, so too have they hindered the functioning of land reform already in practice. As noted earlier, insufficiencies and inconsistencies in neo-liberal policy have led to tangible program deficits, most notably in program planning and implementation as well as in the provision of program supports. While the land reform policy purports to be inclusive of the poor and marginalized, and despite projects already in place to accommodate some members of these communities, there is a significant lack of financial, structural and institutional support for these projects. Insufficient social (particularly agricultural) support spending has significantly hindered the functioning of many land reform projects. Certainly these deficiencies in government social spending and supports represent one of the primary ways in which neo-liberal policy inhibits land reform related poverty alleviation.⁹⁷ One of the key tenets of neo-liberalism, minimalist social spending has had a drastically adverse effect on the land reform and in turn, the nation's poor. Although the development framework calls for governmental support of land reform, it simultaneously requires restrictions on government social spending; while support may be

⁹⁶ Sherbourne concurs that the land reform is not likely to hasten in the near future.

⁹⁷ As Kydd and Dorward note, the Washington Consensus on Agriculture allows for relatively few publicly funded supports for agriculture (470).

sought elsewhere, neo-liberal policy is unable to guarantee support/funding provision by civil society or the private sector. Namibia's is a prime example of how the minimalisation of social spending can severely impair land reform initiatives, compromising their success and overall social value.

The NRP's resettlement program has fared the worst in the face of reduced social spending, as agricultural and economic supports are vital to the success of the cooperative resettlement projects. As previously noted, the cooperative resettlement program has thus far significantly failed to meet its objectives and has instead produced poor development outcomes (Werner, "Land Reform and Poverty" 18). Few if any of the resettlement projects have attained self-sufficiency, and as a result remain dependent on government support for their livelihood in the long term; as such, cooperative resettlement beneficiaries continue to live in poverty. As the program is definitively aimed at the poor and disenfranchised, the failure of said projects is of significant detriment to social transformation. While the failure of the cooperatives program is multi-casual,⁹⁸ weaknesses in neo-liberal policy are necessarily substantial contributory factors. The notable dearth in agricultural support, as well as inadequate planning and administration – inevitably key obstacles to project success – are problems definitively rooted in neo-liberal weaknesses.⁹⁹ Indeed the lack of sufficient funding inhibits thorough program

⁹⁸ While adequately planning and implementing such a resource intensive program under heavy political pressure, the government may have felt compelled to hasten reform without proper planning in order to please stakeholders, constituents and others in the political community. The failure of Namibia's cooperatives schemes necessarily speaks to the complexity of implementing successful land reform, however it also raises questions about the government's ability to implement land reform (particularly within a neo-liberal framework).

⁹⁹ There is a general lack of land related data in Namibia, a problem that hinders all types of land reform planning and particularly communal reform planning. The lack of research data has also led to the persistence of stereotypes regarding both the commercial and communal sectors; such stereotypes have been especially harmful to small scale and communal farmers (Pankhurst, "Unravelling" 245).

administration and planning as well as the functioning of the program itself.¹⁰⁰

One of the other key implementation issues has been the insufficient participation of both civil society and the private sector in the land reform. While the neo-liberal framework requires the support and involvement of all sectors (public, private and civil) in development, neither the civil nor private sector has yet to contribute to the land redistribution in any significant manner.¹⁰¹ Such a scenario speaks to the failing of policy to account for inadequate levels of external sectoral participation in the land reform process; while such insufficiencies arise in the land reform arena, so too do they in other development initiatives in the country. Neo-liberal development presumes the financial health and willingness of both sectors to partake in the development process, however it is not necessarily the case that they are able to participate to the extent to which framework expects or provides for. Through this, one sees that MALR (and hence neo-liberalism) lacks the ability to adequately account for adverse conditions in which the development may occur – namely the inability or unwillingness of civil society and/or the private sector to significantly participate in land redistribution.¹⁰²

With regards to civil society involvement in the land reform process, this sector's participation has to date been very limited, in turn circumscribing opportunities for social

¹⁰⁰ Whereas financial support and planning issues have definitively played a role in the failure of the resettlement schemes, it is also crucial to cognizant of the role of that the politicized nature of land reform itself may also have been an obstacle to success. One of the key planning and implementation problems has been the issue of settler selection. Many beneficiaries selected for settlement on redistributive land reform schemes are ill-suited to the projects, due to lack of skills or knowledge.

¹⁰¹ Typically within the neo-liberal framework, civil society and private sector involvement/sponsorship are sought to supplement state contributions to development.

¹⁰² Although neo-liberalism and MALR actively encourage civil society involvement (and thereby the involvement of poor), it can be argued that it does not adequately account for the impact of colonialism (in this case apartheid

change originating at the grassroots level.¹⁰³ Indeed Namibian civil society is weak and fractured, and thus does not have the resources to participate fully in the land reform process.¹⁰⁴ Without significant civil society involvement, bringing about a policy and program that are reliant on such face substantial obstacles to progress.¹⁰⁵ Such limited involvement further worsens the prospects for participation and representation of the poor in the land reform process (and in turn social change), as civil society represents a political vehicle through which the impoverished can participate. Given its present status, civil society is also not likely to provide a sufficient vehicle for social change in the near future.¹⁰⁶ From the government's approach thus far, it is clear that the weakened status of civil society has not yet been sufficiently accounted for in governance – a deficiency that ultimately reflects the same weakness in the overarching development framework.¹⁰⁷

As for private sector involvement, the sector has not to date been significantly involved in aspects of the program that do not directly benefit itself (i.e. the resettlement program).

While there may be sufficient incentive for the private sector to participate in land purchase and transfer for commercial usage, there is a limit to which the private sector can be relied upon for financial contributions to components of the program designed to

colonialism) on society and its various societal origins.

¹⁰³ The limited participation of civil society in general is but one of the ways in which pure neo-liberalism is not fully operational in contemporary Namibia. Limited civil society involvement has transpired despite constitutional allowance for rights of assembly and association.

¹⁰⁴ Both community based organizations (CBOs) and non-governmental organizations (NGOs) are highly fiscally constrained, in particular local CBOs face very limited in resources and capacity as they tend to be led by NGOs that derive external development agency funding of the land reform agenda (Moyo, "The Land" 22).

¹⁰⁵ While the deficit in civil society contribution to governance inhibits the participation of the poor and other marginalized groups, it also constrains democratic activity in general as civil society involvement provides increased potential for democratic participation (the extent of this potential is however a matter of academic debate).

¹⁰⁶ While Buende notes it is premature to assess the long-term role of civil society in democratization and development (483), it seems likely that given their present minimalist role, their participation can only increase.

¹⁰⁷ While government may be aware of this, there are some limitations on the amount of support, financially and otherwise, to help promote civil society.

help the poor and marginalized specifically. Further, whereas the private sector can be a potential financial supporter of such causes, there is generally little guarantee over the longevity and consistency of such funding. In sum, the issue of expectant civil society and private sector involvement has been a notable shortcoming of neo-liberal development in the context of Namibian land reform. Such speaks to the limited external resources available to impoverished and marginalized communities to participate in governance and land reform processes.

While MALR does not sufficiently account for the minimalist involvement of civil society and the private sector, it also does not make concession for inadequate participation by the poor. Whereas many aspects of neo-liberalism foster the positioning of the elite, the framework does include some provisions to increase societal equality and equity, such as provisions for the enhanced participation of poor and marginalized communities in development and governance. In theory, such provisions would allow marginalized groups to gain political influence and power, helping to more equally distribute power across society and counteract aspects of neo-liberalism that seem to promote elite wealth and power accumulation. However in practice, as in the case of Namibian land reform, these provisions often fail to produce intended results. Namibian post-independence governance has witnessed relatively minimal participation on behalf of the poor in land reform processes. Such a lack of participation on behalf of the poor, while constraining to other forms of development, is of particular detriment to the land reform as it significantly compromises reform processes and contributes to the slow pace of reform (Werner, "Land Reform and Poverty" 13).

Indeed there exists some debate over the ability of the poor to adequately engage in the land reform process. MALR critics argue that neo-liberal policies are overly optimistic about the capacity of impoverished individuals and communities to participate in land negotiations. Moreover, critics note that such policies presume negotiations will be led fairly by landowners with potential land reform beneficiaries (Moyo, "The Land" 22) – an assumption that is problematic in several ways. Firstly, land reform beneficiaries may lack the resources and supports to adequately participate in such negotiations, as has been the case in Namibia and South Africa (Moyo, "The Land" 21);¹⁰⁸ without such resources, beneficiaries risk having unequal bargaining power with their counterparts. Indeed as Moyo explains, community driven land reform approaches tend to be idealistic regarding community self-organization and the ability of these groups to negotiate land finance and transfer ("The Land" 22)¹⁰⁹ Secondly, rural communities are often repressed under "pseudo-feudal traditional chieftancy and dominant party political systems" – structures that are typically unaccountable and undemocratic (Moyo, "The Land" 22).¹¹⁰ In these circumstances, communities may not be able to participate in meaningful and representative ways. Critics argue MALR is not realistic in terms of its expectations of impoverished groups who often lack sufficient resources and education to participate in land negotiations.

¹⁰⁸ In the instance of South Africa – a situation very similar to the one in Namibia – critics argue the majority of South Africans do not have access to resources to participate in land market (Moyo, "The Land" 21).

¹⁰⁹ These community driven initiatives mask the realities of such reform; Moyo states that experiences from South Africa denote that such "community driven" reform has in actuality been dominated by technocratic elite consultants and NGOs ("The Land" 22). A crucial note here is that the racial and class dynamics of the South African NGO community and consultancy networks are such that these reforms have been driven mainly by the white middle-class and elites (Moyo, "The Land" 22). Material made available by Moyo. See Commission on Restitution of Land Rights, *Annual Report: Problems and Obstacles Faced in the Field*. Pretoria: Republic of South Africa, 1997; and National Land Committee, *Affiliate Report, Surplus People Project*. Pretoria: Republic of South Africa, 1997.

4.3 Land Reform Governance and Socio-Political Power: The Emergence of Governance Biases

4.3.1 Prominent Biases in Land Reform Governance: Elitism and Commercialism

The conflicting nature of neo-liberal values and objectives is no better showcased than by emergent biases in Namibian governance over land. Most notably, there are biases in governance towards (1) the societal elite and (2) the commercial sector/land reform, termed here as elitism and commercialism respectively. These biases in the land reform are integrally linked to the competing (and often contradictory) objectives of neo-liberalism outlined previously in Section 4.2.1. While the inherency of these biases in purely implemented neo-liberalism is debatable, they do appear in the outcomes of contemporary neo-liberal policy implementations.

In post-independence governance, elite and commercial biases have taken on various forms and have emerged in spite of the government's stated commitment to the betterment of the Namibian people as a whole as well as their said commitment to poverty alleviation and social change. Both biases are, by nature, intrinsically linked. The said elite bias in turn speaks to the government's favour of the commercial farming sector as it is ultimately the elites who dominate the private farming sector. Elite bias, as Thompson observes, is ever present in current government policymaking. Through an analysis of Namibia's primary development policy documents, Thompson concluded that

¹¹⁰ As Moyso notes in his assessment of Southern African land reform initiatives in 2000.

many government policies seem to favour the wealthy and landowning classes over the impoverished and disadvantaged (i.e. women and communal farmers) in Namibian society (Thompson 71-82). Under the neo-liberal doctrine, government policy often runs against the grain of increased socio-economic equality and poverty alleviation to the extent that it can actually further the means of the societal elite.

With regard to the commercial bias, commercial farming and land reform have also held distinct policy priority in post-independence Namibian governance; indeed the commercial agricultural sector is of great importance to the government for both political and economic reasons. There is an ongoing struggle within the government between their desire to redistribute land and increase land access for the poor on the one hand, and to preserve the agricultural sector and macro-economic stability on the other. Within government, there does appear to be some degree of genuine commitment on behalf of the government to the alleviation of socio-economic inequality and poverty. However at the same time, there is also a concrete desire to further the means of the commercial agricultural sector and the private sector in general – a desire that sometimes compromises poverty alleviation efforts. While the prosperity of the economy and private sector are likely measures needed to further development, government activity has tended to overly favour the will of the commercial sector (and subsequently the elite) in development.

Elitism and commercialism have manifested in diverse forms, the most notable of which have been (1) government inaction over elite “land-grabbing” and illegal fencing of CA land; (2) government allowance and minimal restriction of the corporatisation of land; (3)

government neglect of communal land reform at the expense of commercial land reform; and (4) the overall prioritization of commercialism and the private sector in the agricultural sector, as well as in the economy as a whole.

Firstly, the government's allowance of land grabbing and fencing of CA land by members of the newly emergent elite distinctly reveals elite and commercial bias in governance. As a result of government inaction (i.e. by way of legislation or legal action) to protect customary land tenure rights in country's CAs, the elite (namely well-to-do businesspeople, entrepreneurs and politicians) have enclosed large tracts of communal grazing land for their own private use (Werner, "Land Reform and Poverty" 3). During the 1990s in particular, the government stood by as CA land was annexed and fenced by members of the new elite. While such activities necessarily reduce the amount of land available for land reform, there have also been indications that fencing has increased pressure on grazing areas as (a) land is no longer available for grazing because of fencing and/or (b) that dry season grazing may be drastically reduced (Werner, "Land Reform and Poverty" 3). Elite land enclosure, as Werner explains, likely "...further marginalize(s) many small farmers who are already finding it impossible to subsist on agriculture alone" ("Land Reform and Poverty" 3). Government inaction over the elite land issues demonstrates a distinct neglect of the needs of the poor and marginalized in the CAs.

Secondly, the corporatisation of land reveals another distinct aspect of governance bias. Since 1995, the corporatisation of land has gone unregulated and uncontrolled by the national government. As a state borne into an era of neo-liberal driven globalization, corporations have and continue to play a substantial role in national development. As

such, these companies retain a significant degree of political power. Through the incorporation of land, owners are able to circumvent land reform policy thus lessening the amount of land available for land reform purposes. The corporatisation of land is yet another means of wealth accumulation in the upper echelons of Namibian society – a trend decidedly in contradiction to the reduction of poverty and socio-economic inequality. Government inaction over the corporatisation of land aptly demonstrates their ineptitude with regard to halting elite power and resource accumulation. While the government's reasons for neglecting the corporatisation issue are not clear, it is however reasonable to assume that given the significant role of corporations in the Namibian economy, the lack of legislation is at least partially motivated by the desire to further the will of the commercial farming sector and other export-oriented industries.

Thirdly, for much of the post-independence era, commercial land reform has taken precedence over communal land reform in governance, unearthing further bias towards the commercial farming sector.¹¹¹ Since 1990, communal farmers (and in particular women communal farmers) have been utterly neglected by the government (Thompson 79). As Thompson states, SWAPO's design for land reform revolves primarily around the expansion of the commercial sector and farming mechanisms, rather than of promoting food security, self-sufficiency, and communal land reforms (73-79); Thompson further explains that government policy tends to favour – whether

¹¹¹ While there is a distinct bias towards commercialism with relation to the land question, it is crucial to also acknowledge other contributory reasons why redistributive land reform has developed favour within Namibian governance. Such reasons include (1) the redistribution of land and resources is a highly politically charged issue due to its socio-historical significance; (2) the government has a desire to maintain agricultural sector employment, productivity and growth due to its significance in the Namibian economy; and (3) communal land reform is a complex undertaking that is both time and money intensive.

intentionally or not – those with a pre-existing socio-economic advantage (82).¹¹² While commercial land reform is both highly politicized and much desired by the Namibian people, there is a tangible need for communal (tenurial) reform within the CAs, as the CAs are home to a large number of impoverished farmers.¹¹³ Indeed SWAPO has been notably slow in their response to the need for communal land reform (particularly in the northern CAs); in fact it was only 2002, twelve years after independence, that the government enacted communal land reform legislation.

The bias toward commercial over communal land reform is integrally linked to a more general bias in governance toward large-scale farming in the country.¹¹⁴ The neglect of communal land reform in favour of commercial reform is yet another example of government resources being directed toward wealthy landowners and farmers, away from the people with a concrete need of land reform – the nation's impoverished communities.¹¹⁵ Such a bias is counterproductive to the reduction of poverty and necessarily to social change, as communal land reform is often utilized to help reduce rural poverty.¹¹⁶ As the CAs are the most populated areas in the country and due to the stated desire within these areas to carry out communal land reform, expanding tenurial

¹¹² As Thompson states, "...there is a discernible leaning... towards 'productive' or potentially productive groups who can be absorbed into capitalist development in a 'cost effective' manner. Ironically, those who fall into this category usually form part of the already advantaged section of the population (82)."

¹¹³ While both redistributive and communal reform are utilized by the government to reduce poverty, there continues to be debate about the effectiveness of each in achieving this end.

¹¹⁴ This is an issue that definitively relates to the debate over large vs. small farming. The large vs. small scale farming debate is very prevalent in the Namibian context. While large scale farming has a central role in the agricultural sector due to the centrality of ranching on arid lands, some academics argue that land policy needs to be more accommodating to small scale farming as it can play an important role in poverty alleviation.

¹¹⁵ Within Namibia's CAs, the vast majority of farmers in CAs are impoverished small-scale farmers. Despite this however, there is a significant discrepancy in wealth distribution within CAs. While the majority of individuals in CAs are impoverished small-scale farmers, there is a small number of predominantly male large scale farmers deriving subsistence from the CAs (Thompson 77).

¹¹⁶ Although much like the contributions of land redistribution to poverty alleviation, the effectiveness of communal

reform would seem worthy of attempt as it would provide a potential opportunity to reduce poverty and to shift land relations away from a system that was undeniably influenced by apartheid colonialism.

Finally, each of these examples points to a broader trend of the prioritization of the private sector and commercialism in Namibian governance. Certainly, the post independence government has been quick to accommodate the commercial sector in order to ensure its health and prosperity; such preferential treatment however has been at the expense of other forms of development. While this bias has been somewhat restrictive towards alternate development, the importance of the commercial sector in the economy should not be discounted however. Trade (and particularly export trade), is a crucial component of the national economy. Further, the commercial agricultural sector is the nation's top employer – 70% of the population derives employment from the sector (Jauch 33). Thus the sustenance of commercial ventures through “pro-business” policies (namely deregulation, trade liberalization and the maintenance of macro-economic stability) take strong precedence in Namibian governance. While the commercial agricultural sector does play a crucial role in the economy, excessive preferential treatment of the sector interferes with the attainment of poverty and socio-economic inequality reduction.

While there is a discernable trend towards government favour of the societal elite, there is evidence to suggest the government is also eager to accommodate the will of the

reform at reducing poverty is an issue of debate.

international elite – a trend that can be seen throughout Namibian governance.

Necessarily, such a bias is linked to the locally focused elitism and commercialism, as the national and international elite and business community are socially and economically linked.¹¹⁷ In a country such as Namibia, where the international community (namely donor countries, INGOs, IFIs and transnational corporations) and business have taken such a major role in development, external interests and more specifically external elite interests, weigh heavily on governance. In the context of the land question, government allowance of the corporatisation of land is a salient example of governance bias towards international elite. Indeed, national and international elites maintain prominence in the political economy of the country, dominating both the means of production and national politic. A poignant criticism of the neo-liberal development is that it creates an environment/system that allows for such domination by national and international elites.

The government's biases toward the elite and commercial sector are fundamentally linked – each furthering the other's cause; governance bias towards commercialism essentially amounts to favour of the societal elite. The elites, as noted, often retain a significant stake in the commercial sector – therefore what benefits the sector in turn benefits the elite. Since independence, the newly emergent elite have gained access to a disproportionate amount of benefit from land reform and the government's handling of the land issue more generally.¹¹⁸ While international experience has shown that societal

¹¹⁷ In the context of neo-liberal globalization, the emphasis in political and power relations shifts from a state focus to a more regionalized yet international focus where the interests of particular societal groups, i.e. the local and global elite, take precedence.

¹¹⁸ The elite have typically expanded into commercial sector farming and while both small and large (usually commercial) scale farmers each have programs to suit their needs (the NRP and AALS respectively), the well-to-do large-scale commercial farmers have benefited far more from the land reform and other agricultural policies than their

elites tend to reap the majority of the benefits of land reform (Kepe and Cousins 3), the government has taken action (and/or inaction) that has furthered the accumulation of benefits by the elite at the expense of the remainder of the population. Veritably, the elite and commercial biases have allowed for excessive accumulation of wealth and power by the newly emergent elite, ever contributing to Namibia's high level of socio-economic disparity.¹¹⁹

While apartheid policy no longer hordes the country's wealth in the hands of a small white minority, wealth and resources continue to be held in the grip of a small biracial minority composed of remaining white settlers and a newly wealthy cohort of black Namibians. As such, Namibia continues to have an immensely disparate society with a highly stratified social structure with levels of socio-economic inequality and poverty not *significantly* different from colonial times. As Tapscott explains, through acting in ways that favour or accommodate the needs of local and foreign capital, SWAPO has in turn duplicated the socio-economic inequality of the colonial period (qtd. in Thompson 84).¹²⁰ Fanon aptly describes the conundrum facing Namibian society and governance – “...decolonization is quite simply the replacing of a certain ‘species’ of men by another ‘species’ of men. Without any period of transition, there is total, complete, and absolute substitution” (35). Certainly, the post-apartheid reformation of society has yielded a

small-scale counterparts. It also should be noted here that beneficiaries of the NRP are not always independent farmers before entering the resettlement program; notably, some recipients of the program are former farm workers who did not have land in their own right prior to the land reform.

¹¹⁹ The prominence of the elite and commercial biases in Namibia subsequently speak to the importance of issues of class and power within the current era of neo-liberal led globalization.

¹²⁰ In this way, Thompson notes, SWAPO has separated the “nationalist populist” momentum they used to enlist support from its economic policies enacted while in power (84). Further as Tapscott explains, this separation of political and economic issues aids in the concealment of the “non-populist” nature of SWAPO’s economic policies (162-167).

dynamic of power and socio-economic inequality that mirrors the colonial apartheid years. Contemporary Namibian society has many of the same elements present during the colonial era: stark levels of socio-economic inequality and poverty, an economy based on the export of national resources and a powerful ruling elite. In this light, Namibian post-colonial society takes on characteristics of a neo-colonial society.

Whilst a governance bias toward the elite is distinct, such a bias must be contextualized against the immense political clout and power of the elite as a societal group. As the elite populate the government and business communities, they are in turn able to manipulate government in ways to cater to their own desires and needs. Through their participation and influence over government, the elite are able to shape legislation and policy in such a way as to better suit their personal and business needs.¹²¹ During government directed wealth redistribution campaigns (such as land reform), governments often struggle to satisfy numerous stakeholders, beneficiary groups and political interests. Such a task is distinctly difficult with the existence of a highly powerful and wealthy cohort with a vested interest in the outcome of the campaign. The position of the government is further strained by the fact that economic restructuring can tend to prompt elites to emigrate to places where their wealth and status are not in jeopardy and where they will have increased economic opportunity (Jenkins and Thomas 33). Indeed there is the view that, and as Jenkins and Thomas argue that against "...the pressure for radical redistribution must be set the need to keep skills and savings within the domestic economy and to allow

¹²¹ While a healthy business-oriented economic climate can benefit all strata of society, the majority of the benefits and wealth are reaped by the elites and their associates at the national, regional and international levels, due much to the nature of the economic system and the policies in place to regulate it.

sufficient wealth accumulation to attract foreign investors” (33). Jenkins and Thomas do concede however that such measures would likely retard the pace of land redistribution (33). Certainly, even if government were to approach land reform with an unbiased stance, they must be mindful of the socio-political and economic clout of the elite. Within such a context, it is clear how a governance bias towards one group over another can surface. Such is the crux of Namibia’s land reform problem – the government must strike a balance between the need for social justice (and poverty alleviation) and the overall health of the economy.

4.3.2 Land Reform in the Context of Political Power, Special Interests and Patronage

In spite of the market led nature of the land reform, the government has retained a significant and influential role in the process – hence the significance of biases in land related governance. Given Namibia’s highly disparate societal form and the close association between government and societal elite, it is poignant to contextualize these biases within the issue of political commitment. Certainly there has been some speculation and debate over the government’s commitment to the land reform initiative. While some academics such as Buende¹²² purport the commitment of SWAPO to social transformation, others note that the government has had wavering interest in the land reform program. As Manji claims, land reform in Africa “is often marked by a lack of political will to see the process through to its conclusion” (335). While land reform has been a mainstay of its political agenda since independence, SWAPO has not consistently

¹²² See Buende 484.

committed time and effort to the process. Within this context, it is poignant to note that it is more a question of the degree of commitment rather than of the existence of a commitment.

The issue of government commitment inevitably speaks to the inherently political nature of land reform;¹²³ resources (and in particular land resources) are definitively precious and with this, evoke a great deal of political controversy and conflict. As such, land and land reform are often used as political leverage. From the days of the liberation struggle, SWAPO has capitalized on the tenuous nature of the issue; land reform was one of the key components of SWAPO's liberation ideology as well as of their initial election platform from which the party gained power.¹²⁴ While SWAPO began addressing the land question soon after independence with the 1991 Land Conference, there was a marked lull in land reform activities during the course of the 1990s. In response to activities in Zimbabwe in 2000 however, government interest in land reform spiked again, spurring new political declarations of commitment to action. Again in 2004, government enthusiasm for land reform rallied in anticipation of national elections in November 2004. These post-independence trends demonstrate that political events are one of the principle motivational factors driving the land reform process and that political activity is a key determinant of government interest in land reform. Such inconsistencies in government interest and commitment in land reform do little to enhance the prospects for land reform in the long term.

¹²³ For further reading on the politicalization of land reform in Namibia, see Pankhurst's "Unravelling Reconciliation and Justice? Land and the Potential for Conflict in Namibia."

¹²⁴ In the colonial era, land was a major rallying issue amongst organizations fighting for independence across sub-Saharan Africa. In the post-colonial era, land remains a highly politicized issue, particularly in Southern Africa.

While the political leverage of land is very much apparent in and around major political events, land retains a great deal of clout in the day-to-day dealings of government. It is within this context that the governance biases of elitism and commercialism emerge. As Kanji et al. note, "... land has provided a source of political power and patronage essential for holding together the various interest groups on which the state depended" (7). Operating land policy in favour of the societal elites or the private sector often provides government with political, economic and social benefits on both a personal and professional level. While the government has a distinctly close relationship with the elite, it is the elite who largely comprise the management and leadership in both government and the private sector. In such a scenario, it is not difficult to understand how governance biases may emerge or that there may be ulterior motives behind some aspects of land-related governance. With such close government ties to the societal elite, one may interpret the government's persistent interest in adopting restrictive social and economic policy (in hopes of moderating social change) as a means of governance that serves its own self-interest. Such interpretation speaks to the issue of the level of commitment to social change on behalf of SWAPO and inevitably points to the prominence of the government-elite relationship in Namibian society and governance.

While these examples necessarily question government commitment to land reform, there is also evidence to suggest SWAPO is dedicated to the reform process. In spite of fluctuating government activity on land reform, SWAPO has persisted in keeping land reform within its development agenda. Further, as the Namibian people's liberator from the grip of South African rule, it seems the government would have at least some interest in emancipating its people from the poverty that was thrust upon them by colonizers. It

does seem that there is some degree of genuine commitment and interest in alleviating poverty and socio-economic inequality among the government, however their behavior post-independence does call into question the amount of this interest. Inevitably, the issue of political commitment with regard to land reform is a complex one both in Namibia and abroad.

Underlying the issue of political will is the problem of state capacity to carry out land reform; certainly the state capacity issue has tangible repercussions on opportunities for land reform. As Drimie and Mbaya observe, “there is an unbridgeable gap between the continuing public statements of politicians about land reform and the ability of governments to deliver” (4-5). More often than not, this issue speaks to the political nature of land reform; governments frequently feel compelled to issue promises without giving adequate consideration to the feasibility of increased land reform activities. While the state is often seen as an important actor in land reform (Barraclough 27), its ability to contribute to or carry out reform can be hampered by a number of factors as Namibia’s case demonstrates. In fact, some authors contend that the ability of African states to carry out land reform is definitively limited.¹²⁵ In the context of Namibia specifically, state fiscal restraints on land reform are a matter of debate among specialists and academics and it remains unclear to what extent financial issues constrain the land reform. Surely land reform is an expensive and multi-faceted undertaking. However in comparison to many of its African neighbours, Namibia is a relatively well-to-do country with sizable endowment of natural resources and corporate investment that would, in theory, allow for

¹²⁵ Refer to Manji, “Land Reform” 327-342.

a greater fiscal commitment to land reform as compared to many of its African counterparts. While state capacity issues play a role in the debate over the efficacy of land reform and prospects for social change, there is little chance that land reform endeavors will be abandoned in this regard. The political clout of land reform will ensure its centrality in SWAPO's political agenda for years to come regardless of fluctuations in government interest and commitment.

4.4 Neo-Liberalism in the Broader Context: MALR and National Development

Indeed many of these key weaknesses of Namibian MALR land policy inevitably speak to shortcomings in the overarching neo-liberal national development framework. To aptly situate the land reform in Namibian governance, it must be understood within the wider context of national development and more specifically amongst those elements of national development that have had the greatest discernable influence over the land policy – the national reconciliation policy and the Constitution.

Neo-liberalism has shaped Namibian governance to conform to the ideal of moderate non-radicalized change, placing stability as sacrosanct. While social and economic stability are ideal (particularly for the people of a nation such as Namibia who faced war, displacement and oppression in the pre-independence era), placing stability at the forefront of developmental priorities necessarily limits opportunity for social change and transformation. Socio-economic stability, while a cornerstone of the land policy, is paramount to the country's national reconciliation policy; adopted during independence negotiations, national reconciliation was itself derived from an international politic

dominated by neo-liberalism. National reconciliation, like neo-liberalism, aims to create development and change that is distinctly moderate in pace and that promotes greater socio-economic stability.¹²⁶ While aiming to redress historical wrongdoings, national reconciliation also strives for peace and reconciliation within the country – thus balancing the need for social justice with the policy priority of socio-economic stability. Given its roots in neo-liberalism, national reconciliation inevitably encompasses the competing objectives and values of the broader neo-liberal national development. While not contradictory objectives, the attainment of social justice and socio-economic stability are competing objectives. As government tries to bring about change and justice it must do so moderately, in turn limiting the overall pace and extent of change.

Since independence, SWAPO has been under political pressure to carry out the land redistribution at a pace deemed both socially and politically acceptable, while at the same time to retain socio-economic stability. As redistributive land reform is in itself viewed by many to be an essential component of national reconciliation (Werner, “Land Reform in Namibia: Motor” 2), for many the redistribution of lands appropriated by the colonizers is seen as a means of attaining justice and the redressing of historical based inequalities. Finding such a balance between the varying development objectives of national development (and the land policy) has proven difficult for the SWAPO government. Within a policy framework designed to maintain macro-economic stability, the ability of

¹²⁶ Much like some of Namibia's other neo-liberal derived policies, national reconciliation has been the victim of change due to government self-interest. As Melber notes, national reconciliation was compromised by the government, as the government itself deliberately blocked any substantive dialogue regarding human rights violations within the movement during the years of exile (*Limits to Liberation* 145).¹²⁶ In doing so, the government “gave away their comparative advantage of being able to claim moral superiority over those who committed (much greater) atrocities on behalf of the apartheid regime” (145). With a ruling party that retains a great deal of power, the government can avoid

governments (and other social actors) to enact socio-political change is limited. While political and economic stability offer a grounded platform from which to nation-build and consolidate democracy, it subsequently undermines the ability of social actors to challenge the status quo. As Pankhurst notes, many in Namibia feel that peace and stability, and thus national reconciliation, has taken distinct priority over social justice in national development (“Unravelling” 245). Pankhurst elaborates saying that for these individuals, “reconciliation was promoted at the expense of justice, which would have required some evening out of the gross inequalities of wealth and particularly access to land” (“Unravelling” 245), and that after independence, “reconciliation issues came to be prioritized over any sort of historical redress or structural change with regard to land” (“Unravelling” 250). Pankhurst and Tapscott further state that national reconciliation has acted to maintain the status quo of social inequality and to stall equity based policies, particularly those in relation to land issues.¹²⁷ Thompson consents the current policy of reconciliation “does not fundamentally challenge the racial distribution of wealth in Namibia” (71).¹²⁸ Indeed it is clear that the government has not found a balance between its development objectives – be it within Namibia’s policy on land or national reconciliation SWAPO has been notably reluctant to adopt any policy that might jeopardize national reconciliation; while the government faces both internal and external pressures in this regard, such reluctance inevitably obstructs socially transformative processes such as land reform.¹²⁹ While the government purports to work for social and

criticism with ease.

¹²⁷ Pankhurst, “Unravelling” 245, Tapscott, “National” 557-58.

¹²⁸ Some academics go as far as citing national reconciliation as a political compromise, sacrificing justice in favour of a stable economy.

¹²⁹ SWAPO’s reluctance to adopt any type of policy that might jeopardize national reconciliation has been prompted by pressure from not only the international community, but also internal pressure at the national level to maintain a stable

economic change, their unwillingness to compromise national reconciliation has significantly undermined social transformation. Such unwillingness speaks to the biases in Namibian governance; biases that are both externally and internally derived.

The moderatism inherent in neo-liberalism and national reconciliation is necessarily ingrained in Namibia's Constitution as well. As the Constitution was created under the auspices of the international community, it conforms to the ideals and values of the international community – much like the rest of Namibia's development legislation and policies. The extent of constitutional constraints on land reform is a matter of scholarly debate. Some academics believe the Constitution provides adequate flexibility with regard to the land question, pointing to the provision of expropriation measures to the government. Other scholars however note that the Constitution was, like national reconciliation, the result of political compromise and that it cannot bring about social justice in its current form. While providing for land expropriation, the Constitution does so in a moderate manner in which land must only be expropriated in the “public interest,” with “just compensation” (the market value of the land) provided to the owner. The primary constraints on expropriation are financial (the availability of resources for land purchase and program operation) and political (carrying out expropriation in a way that does not jeopardize stability and political relations) in nature. Although the constitutional provision gives the government some flexibility over the land available for the land reform (through expropriation measures),¹³⁰ the utilization of such an approach within a

environment for business. In this respect however, it is crucial to note that just after independence SWAPO was very conscious of the priorities of international donors and seemed to make the assumption that international donors were far more opposed to land reform than they actually were (Pankhurst, “Unravelling” 245).

¹³⁰ The government, as demonstrated in 2004, is able to distribute expropriation notices as it sees fit.

development context that cherishes social and economic stability is indeed limited.

4.5 The Question of Land Reform Efficacy

Prospects for a successful land reform must be contextualized within the broader debate over the efficacy of land reform, as efficacy is a defining issue of land question in Namibia and across the developing world. While the efficacy of land reform is a topic of spirited debate among academics, economists and land specialists, it remains unclear the extent to which land reform – whether market or government led – reduces poverty and socio-economic inequality. Regardless of this debate however, land reform has been adopted with full vigor by numerous countries in the developing world in order to alter land relations, reform ownership patterns and alleviate poverty – in short, to utilize land reform as an instrument of social change. In recent years, countries such as Brazil, Columbia and South Africa have adopted like-minded programs in hopes of resolving their own land issues and conflicts.¹³¹ There has been a propensity towards the adoption of market driven land reform and against large-scale land redistribution¹³² across the Southern African region, due primarily to what Moyo describes as the “specific settler colonial and racial hegemonic influences on the discourse (“The Land” 26).¹³³ Like Namibia however, none of these adoptive countries have thus far achieved their desired land reform objectives. Each of the MALR adoptive countries have faced challenges

¹³¹ Like Namibia, many developing countries have been forced to follow neo-liberal dictates regarding land and other economic policies. Under the auspices of the global neo-liberal politic, developing countries have been forced to follow neo-liberal dictates regarding land and other economic policies. Namibia’s struggle to balance competing neo-liberal objectives is a struggle shared by many governments across the developing world today.

¹³² Zimbabwe being a notable exception.

¹³³ Within Southern African countries, historical experience has had a significant influence over the policies adopted

similar to those of Namibia, forcing governments to come to terms with the limited efficacy of their land reforms in their current form. Given the questionable efficacy of land reform, the adoption of such a policy by government (and/or various other initiating social groups/movements) points to the highly political nature of land reform.

With the various approaches of land reform utilized over the past century, the debate over efficacy revolves primarily around the extent and nature of involvement of the market and state in the reform process. State led land reform, a method popularized during the 1940s-1970s in particular, has been the subject of much scrutiny in recent decades; indeed it was out of such criticism that the market driven model emerged. While thorough concrete evidence of the efficacy of market and statist land reform is lacking, pro-market and pro-state land reform proponents staunchly advocate the need for land reform in their respective fashions. Indeed there exists much debate over the merits of both MALR and state-led reform. On one hand as statist proponents point to the series of post World War II Asian land reforms as key examples of successful state led land reform initiatives,¹³⁴ pro-market critics question the efficacy and strategic impact of statist reform in general (Borras, "Towards" 33).¹³⁵ On the other hand, MALR proponents maintain that although recent adoptions of their model have not seen much success, more time is needed in order

post-independence (Moyo, "The Land" 26).

¹³⁴ Statist proponents of land reform point to the state driven land reform experiences of Japan (1946-50), Taiwan (1948-53) and Korea (1945-50) as poignant examples of the potential for land reform-related social change under a state led model; according to Hayami et al., these Asian reforms were highly comprehensive and effective in elevating poverty and landlessness. While outlining the success of these reforms, Hayami et al. (1990) concede that the Asian experiences provide little prospect for replicability, as the contexts of the reforms were very specific. Each of the Asian reforms had their distinct mix of land reform tactics: 1) in Japan, a combination of tenurial and redistributive approaches were used; 2) in Taiwan, the reform was primarily tenurial in nature with the use of expropriation for lands over and above the legal limit of ownership; and finally 3) in Korea, the land reform was predominantly redistributive.

¹³⁵ State led reform has also been criticized by pro-market advocates as being too costly, supply driven, coercive and statist centralized (Borras, "Towards" 33-34).

to fully reap the benefits of MALR. Statist critics retort however that given the principle dynamics of the MALR model, poverty alleviation to any significant extent is not plausible under a market led model.¹³⁶

With regards to redistributive land reform in the market driven context, there is some debate regarding the virtues of land redistribution. While there are undoubtedly social and political benefits to the redistribution of lands, the economic benefits in terms of productivity are not clear. In countries bound by the principle of market value compensation, Adams remarks that productivity gains through land reform have been modest (“Land Reform Old Seeds” 2). Further as Melber notes, from a macro-economic perspective the current pattern of commercial land use – namely the operation of commercial ventures on large land plots (chiefly in central and southern Namibia) – generally result in moderate to high levels of productivity and efficiency (“Contested” 4).¹³⁷ Indeed some academics suggest that the return of these lands to herdsmen may not be beneficial in terms of economic performance or in some circumstances, in terms self-employment. While it is true that those who have found the greatest success with farming have been beneficiaries of the AALS and members of the white settler community, it is crucial to be aware of the *potential* of properly supported and functional resettlement schemes. If adequately supported, such projects may provide a vehicle for poverty

¹³⁶ Refer to Hayami et al.

¹³⁷ The debate over large vs. small-scale farming (over benefits and productivity of farm type) definitively extends into the contest over the efficacy of land reform (toward development and poverty alleviation) more generally. As the small vs. large-scale farm debate is a prevalent issue across sub-Saharan Africa, it is of particular relevance to the Namibian land question due to the country’s harsh arid environment. The harsh environmental conditions experienced throughout much of the country make farm size a key consideration with regards to land reform and farming on the whole; the farm size issue inevitably reveals the complexities of farm productivity, rural socio-dynamics and environmental compatibility.

mediation and employment;¹³⁸ the failure of said projects has been largely derived from a lack of funding support and program planning. Moreover, although the productivity outcomes of such schemes are a pertinent question, the potential for poverty alleviation and the mere act of land redistribution itself would be strides towards social justice and change.

One of the other primary issues afflicting MALR efficacy has been the slow pace at which land reform tends to materialize under the model. With the adoption of such moderate land reform methods as MALR, the pace of land reform has become a serious concern throughout the Southern African region, raising questions of the consequences of implementing such slow paced social change. Certainly the experience of Zimbabwe in recent years embodies the risk of adopting a moderate approach to land reform. While there seems to be a consensus among academics that a land reform guided by principles that protect private property acquired prior to independence (i.e. the willing buyer-willing seller rule) is needed to maintain peace and stability in adoptive countries, there is acknowledgement by these same experts that MALR will not lead to a timely reform or results (Moyo, "The Land" 21). Even MALR proponents such as Banjeree concede "...that while market assisted land reforms have some advantages, it is implausible that they have the scope of the impact of successful traditional (coercive) land reforms" (35). In respecting private property rights and individual liberties, governments certainly face a slower process of implemented land-based social change. It is true that the market driven approach to land reform is both more limited in scope and slower in pace than other

¹³⁸ As noted earlier, while there are large-scale farming options for NRP beneficiaries through co-operative farming

approaches utilized during the land reforms of the past century.

Although Namibia's land reform has to date generally failed to bring about its intended outcomes, the program has been in place without adequate funding, infrastructure, planning and government commitment. If these deficiencies were properly remedied, the government could potentially bring about a more effective land reform, albeit at a slow pace. However such is an idealistic notion as it is very unlikely that these program deficits will be corrected any time in the near future. Given these terms of implementation, it is unlikely the government will be able to implement a more effective land reform.

4.6 Social Change Under MALR: Reality or False Hope?

Situated within these debates over the merits of land reform more generally and MALR more specifically, is the question of how can change of any significant magnitude take place within a system that so highly values macro-economic stability, commercialism and the well-being of the private sector? Further, how can such a system, and in turn the market itself, act as an instrument of social justice? As the case of Namibian land reform demonstrates, social change under a neo-liberal development framework is necessarily restrained. Namibia's MALR is plagued by a wide array of policy and operative-based problems – each of which impede the program's ability to bring about social change. Neo-liberalism and the current socio-political climate of the country place limitations on

ventures, these schemes have thus far failed to become independent of the state and productive in their own right.

radicalism, restricting opportunities for change whether through governmental or non-governmental avenues. Indeed, the strong market orientation of the development framework has substantially inhibited the government's ability to undertake sweeping reform initiatives and has helped to create a climate of socio-economic homeostasis.

As neo-liberalism seeks to maintain macro-economic stability, social change within the framework is sought to be in harmony with greater economic stability – a concept that creates substantive boundaries to social change. Certainly within the Namibian context, social change by way of land reform has been strictly legislated to be moderate in nature. As has been noted, there is much debate as to whether a conservative land reform approach such as MALR can bring about the holistic change that is needed to substantially alter the deep seeded societal inequality plaguing contemporary Namibia. While theoretical weaknesses in MALR (and hence neo-liberalism) compromise prospects for reform, so too do the highly disparate societal relations in which land reform occurs. Socio-economic relations, and in turn the economy, were founded on a long history segregation, discrimination and injustice – a complex situation in which land reform solutions are not easily found. While independence liberated Namibia's people from the grips of colonial apartheid oppression, it did not emancipate it from a vastly inequitable social structure; the elite of years past has been replaced by a new biracial elite – one that has assumed the wealth and power of its predecessor. The impoverished have on the other hand, remained both poor and disenfranchised. While the new Namibia firmly embraces notions of equality and participation by all, the poor generally lack the social, political and economic resources to participate in the market or national politics. Much like the former regime, Namibia's contemporary government is composed of the

elite and as such facilitates the doing of their will. It is within this societal context, that Namibia's "social change" is to occur – a change that while occurring in the pre-eminence of the market, is ultimately facilitated by the government.

Technical obstacles to land reform aside, it is crucial to be aware that the immense social inequality and poverty that the land reform purports to cure in and of themselves act to hinder land reform and social change. Indeed the discrepancies in power among Namibia's various social groups significantly contribute to the slow pace of land reform in the country (Werner, "Land Reform and Poverty" 13). The substantial disparity in economic and political power between Namibia's various social actors represents a marked challenge to a process that is founded on the principle of beneficiary participation and involvement. For certain, securing adequate participation by all social groups in a society as deeply divided along lines of wealth as Namibia is a complex and challenging task. On one hand, the poor generally lack resources (financial and otherwise) and have difficulty attaining adequate political representation – a deficiency that not only constrains the poor, but also the development of democracy. As Werner explains, one of the key reasons the land reform process has been slow to gain momentum is that "the landless and dispossessed do not have sufficient political power to exert pressures on politicians to accelerate the process" ("Land Reform" 15). While it is often the case that the poor are politically marginalized, such marginalization is evermore severe for the dispossessed and displaced communities. Representing a small percentage of the total population (approximately 10%), and residing in marginal territories (principally in the sparsely populated regions in the central and southern Namibia) the sheer number and geographic locale of the landless and dispossessed further contribute to their own political

marginalization (Werner, "Land Reform in Namibia" 15-16).¹³⁹ As Werner explains the "political balance of forces is (are) stacked against the landless and dispossessed in particular" ("Land Reform and Poverty" 13).¹⁴⁰ Deficiencies within the land reform program nonetheless impact most on the impoverished and dispossessed. While land reform remains at the forefront of political issues in the country, the landless and dispossessed, those for whom land reform would likely mean the most, have little input into the process. On the other hand, the newly emergent elite retain a great deal of economic resources and political influence and as such are able to manipulate the land reform process in ways that foster their own needs. Werner notes that it does not appear "farfetched to suggest that this new elite has a vested interest in the ownership of agricultural land and is thus not likely to move too fast on either land redistribution or tenure reform" ("Land Reform and Poverty" 13). Often the elite are not eager to witness land reform measures that will infringe on their own or potential land acquisitions.

Given the vast inequalities in the socio-political landscape, it is crucial that the government attain a more just balance of power among Namibia's various social groups in order to bring greater equilibrium to the land reform process. As international experience denotes, "...unless there are decisive shifts in power relations," the elite "tend to capture the benefits of land reform" (Kepe and Cousins 3). Without substantive change in the political sphere, the land reform process will continue along its path of

¹³⁹ It must be noted that the principle constituent support for SWAPO are the residents of the heavily populated north – a population that was not dispossessed of their land in any significant manner (Werner, "Land Reform in Namibia" 15-16). The popularity of the land issue thus speaks to the heavily political nature of land reform as well as to the collective memory of apartheid colonial injustices brought upon the Namibian people.

¹⁴⁰ The political marginalization of the dispossessed and displaced speaks to the "...differential impact land dispossession had on indigenous communities" (Werner, "Land Reform and Poverty" 13)."

mediocrity and dysfunction. Ultimately, the substantial political influence of the elite – as exercised through governance and the private sector – challenges neo-liberalism’s ability to fulfill its key objective of poverty alleviation. The situation is further worsened by the fact that many of the country’s neo-liberal minded policies act to perpetuate the current socio-economic and societal structure. Thus is the nature of Namibia’s land reform quagmire.

While MALR proponents advocate that social change may be brought about by moderate land reform methods, significant change has yet to materialize in any of the countries that have adopted a market based approach to land reform. As such, it remains unclear to many MALR critics how a moderate policy can bring about the change that is needed to create a society markedly different from that of apartheid colonialism. As Kepe and Cousins estimate with regard to South Africa’s experience to date, “sustainable rural development... will never be achieved without radical assault on the structural underpinnings of the poverty and inequality inherited from the three centuries of oppression and exploitation” (5).¹⁴¹ As with Namibia, South Africa’s wealth and political imbalances are thoroughly rooted in the societal structure and many critics argue without a fundamental change in the societal structure, little social change – namely the alleviation of poverty and socio-economic inequality – is possible.

Through the implementation of MALR in response to the need for land reform, the government has essentially adopted a market-based mechanism as a tool of social justice;

¹⁴¹ The call for a more radical approach to land reform is echoed by a number of academics, notably GKI.

such represents a convoluted atmosphere in which to instill development processes.

While theoretically the market responds to the will and desire of the people, this has yet to be the case with regard to Namibia's land redistribution. The post-apartheid era has been marked by a significant lack of incentive for landowners to sell their farmlands. Certainly the emergence of saleable lands on the market has been a slow process and thus has equated to a slow pace of land reform. At a fundamental level, the market led transfer of lands has not been responsive to the needs of the people. To remedy said dilemma, the government has utilized land expropriation tactics – a method that interferes with market operation by coercing landowners into purchase negotiations. As such, one sees the government rather than the market as being responsive to the desires of the people. While some degree of expropriation is inclusive in the Constitution, it is in contradiction to the principles of market transfer. It does seem however that this intervention is needed as without such, land reform would continue at a markedly slow pace, bringing about a laggardly shift in land ownership patterns. In sum, the market has not made available land in either sufficient quantity or at an adequate pace, thus stunting prospects for both social justice and change.

Given the impediments brought forth by Namibia's neo-liberal development and national reconciliation policies, as well as the current societal power structure, Namibia's land reform will likely result in little social change or transformation in the short term.

Further, given governance biases towards elitism and commercialism, it is questionable to what extent the change will be in the likeness of what is desired by the majority of Namibians. In addition, the legislative ban on ancestral rights continues to ensure the absence of true social justice for Namibia's dispossessed communities. Upon ruling out

ancestral land claims, the government discarded a fundamental means of redressing historical injustices. Although the ancestral land rights ruling may have been politically necessary,¹⁴² the decision comes with serious ramifications for the prospects of social justice. The ban has prompted criticism that the historically dispossessed are not being treated as a priority among redistributive land reform beneficiaries (Werner, “Namibia” 4).¹⁴³ The ban ultimately weakens the program’s ability to adequately compensate those who were the greatest victims of apartheid colonial wrongdoing.

While in the long term it may be possible for MALR to cumulate in some change of land ownership, program deficiencies could seriously jeopardize the effectiveness of the reform. The most notable and substantive change resulting from the land reform in its present design would likely be in the actual number of persons allotted land under the redistribution program (as opposed to an increased number of successful land reform projects). Whereas current land reform projects may not alleviate poverty to any great extent, the land transfer itself would be politically and socially symbolic as social justice in action. If in the long term, the process brings about a notable change in land ownership, it is unlikely that such change would coincide with a substantial alleviation of poverty and/or socio-economic inequality, given the wide array of problems with the current program. Thus while a shift in ownership may occur in the long term, it would not likely be effective at remedying the poverty and inequality dealt to the Namibian people by their colonizers – two of the most potent social injustices brought upon the

¹⁴² The government’s justification for the ban was the existence of overlapping land claims.

¹⁴³ Complexities in post-independence transition and governance tend to “...establish a situation of conflicting and overlapping jurisdiction (Kanji et al. 7).” In the presence of such conflict the government often can “...benefit from rents gained from interpreting the law in favour of wealthy and more powerful claimants (Kanji et al. 7),” furthering

Namibian people during colonization.

The current slow pace of land reform (and thus social change) lends the real possibility of civil unrest and violence. Indeed illegal land seizure and occupation have occurred post-independence, due to frustrations over the state of land reform in the country. In order to maintain peace and stability, and thus attain a pace of land reform that is deemed more politically acceptable, the government will have to alter its present method of land governance. Whether said alterations speak to the expansion of expropriation tactics or introducing new methods to encourage land transfer, such changes will likely be necessary to prevent social upheaval. Moreover, if social change is to adequately address the needs of the Namibian people, it must be thorough and comprehensive; to do so, SWAPO must better integrate the land reform process into a collective strategy for social change. Indeed it is unlikely that any MALR derived change will entail any significant decrease in poverty and socio-economic inequality unless there is action taken to increase supports (both financial and administrative) to the program as well as to better synchronize all anti-poverty measures undertaken across the country. Change in governance is critical, as under the current reform methodology, it is truly questionable as to whether the government will be capable of delivering the societal change so desired by Namibians.

As SWAPO attempts to overcome the growing pains of the new land reform program, there may be slight changes in the way in which the government handles the land reform.

worsening the lot of the poor.

While the nature of such changes are a matter of speculation, the government's overall approach to land reform is likely to maintain its current path under newly elected President Hifikepunye Pohamba. Many expect Pohamba, a close political associate of former President Nujoma, to maintain the land reform strategy set out by his predecessor.¹⁴⁴ To what extent Pohamba will implement expropriation remains to be seen, though the continuance of the initiative overall is likely given social and political pressure to expedite the process. Namibia's government has demonstrated a tendency in the past to accelerate land reform in response to political stimulus, such as elections and the upheaval over land in Zimbabwe in 2000. Whether the government's most recent burst in land expropriation (likely stimulated by the November 2004 national elections) develops into a more long-term strategy of expropriation is not known. Statements from SWAPO officials in Autumn 2004 suggest expropriation may well become a staple of the land reform program.¹⁴⁵ In spite of expropriation tactics, some experts contend that under current conditions, land reform will retain a relatively slow pace with little hope of hastening in the near future,¹⁴⁶ as government is unwilling to forgo peace and stability in the name of social justice. Such an approach, while theoretically conducive to a more stable economic environment, does leave the country vulnerable to political instability.

As with government activity regarding land reform, it is improbable that the coming years will witness any significant change in civil society and/or private sector involvement. The

¹⁴⁴ Pohamba, the handpicked presidential successor of former President Nujoma, Pohamba has long been a close political associate of Nujoma. Despite exiting the presidency, Nujoma remains the head of the SWAPO party and as such continues to retain a great deal of political power and influence (ABC News, "Pohamba Wins").

¹⁴⁵ Refer to ABC News Online article "Pohamba Wins November Election," dated Nov. 21, 2004, as well as the Sunday Times article "Namibian Whites Must Share Land" from June 10, 2005.

¹⁴⁶ Sherbourne 1; Werner, "Land Reform and Poverty" 13.

private sector, always having played a more definitive role in land reform, will likely continue with its current methods of participation. The sector will continue to see some expansion by way of new commercial farming/ranching ventures; these however will not likely benefit Namibia's poor and disenfranchised given the current insufficiencies of the program. Civil society on the other hand, is not likely going to provide any substantive voice for the poor in the near future or alternately, to enhance participation of itself or these groups. In the long term, civil society may emerge as a more significant player in the land debate, however the extent of this expansion is yet to be seen.

Overall in the short term, Namibia is likely to witness little change with regards to its land reform and hence land ownership patterns. Shifts in ownership will continue their slow evolution under the auspices of MALR, bringing minimal improvement to society wide levels of poverty and socio-economic inequality. It remains unclear as to what extent the slow pace of land reform will adversely effect peace and stability in the country.

However, the opportunity for land related civil unrest and violence is ever present. One can only hope SWAPO is able to strike a balance between the need for social justice and change and socio-economic stability in the near future in order to circumvent such occurrences.

Chapter Five: Conclusion

5.1 Looking Forward and Back: Lessons from Namibia's Post-Independence Land Reform Experience

Land reform by its very nature is a complex and convoluted political undertaking.

Whereas SWAPO may continue to seek social transformation through the auspices of MALR and neo-liberalism, these efforts will ultimately be hampered by the underlying contradictions, biases and general weaknesses of neo-liberalism itself. While MALR seeks the market to play an authoritative role in development, the state retains a key role as legislator, policymaker and implementor of reform. As such, the government has some flexibility – albeit quite limited in scope – to adapt policy to the needs of the government and the people; it is within this window of opportunity that biases in governance emerge.¹⁴⁷ Regardless of such emergent biases however, there exists some degree of commitment on behalf of the government towards bringing about land redistribution. The restrictions placed on government by MALR (and hence neo-liberalism) significantly impede its ability to modify land and other related policy and legislation to better accommodate the needs and desires of the populace. So while the land policy provides some flexibility in governance, it does not provide enough to meet the needs of the people. In order to meet the true need for land reform and social change, government must address the highly structural nature of poverty and socio-economic inequality and move towards achieving more fundamental socially transformative initiatives. This

¹⁴⁷ Such biases represent a micro society-level partiality towards the elite and commercial/private sector and worsen prospects for social change.

however, is unlikely under Namibia's heavily neo-liberal socio-economic system. Indeed the problems with the neo-liberal development framework and in turn MALR, are multidimensional in scope and have arisen in other MALR adoptive countries as well.

In bringing criticism upon the MALR framework, there is the persistent question of the counter-factual: if neo-liberalism cannot bring forth a more thorough and transformative reform, what are the alternatives? Such is indeed a complex question given the fundamentality of neo-liberalism in Namibian development. A more transformative program would likely entail an increasingly "hands-on" approach by the government towards land transfer – perhaps taking the form of an expansion of the current expropriation tactics utilized by the government.¹⁴⁸ While state led land expropriation challenges the values of neo-liberal development, its inclusion in the Namibian Constitution gives the government some flexibility to make the land reform a more widespread and transformative process. Beyond the expansion of the current expropriation, it is questionable to what extent other interventionist tactics could be utilized in the Namibian context without an abandonment of the neo-liberal national development ideology. There are however, several key lessons that may be drawn from Namibia's land reform experience thus far that address the issue of bringing about a more holistic and transformative approach to Namibia's land reform. While the following conclusions are by no means exhaustive, these lessons bear insight into how Namibia (and other MALR adoptive countries) could improve their approach to handling the land question.

¹⁴⁸ Certainly as many academics note, the most successful and widespread land reforms of the 20th century incorporated

Firstly, there is a significant lack in funding for the land reform process in general – a problem that substantially hinders program success. While the government makes promises of expansion, there continues to be a lack of adequate funds for land purchase, program delivery and administration.¹⁴⁹ As noted earlier, lack of financing for program delivery has been a substantial barrier to project success, as it has placed constraint on the availability of agricultural and other critical support initiatives for land reform beneficiaries. For the reform projects already in place, these resources are integral to project success – without them, such projects are likely to continue producing undesirable outcomes. This points to the need to loosen government policy on social spending, thereby increasing agricultural and social support programs as well as ministerial (namely MLRR) and planning capacity. Such change would subsequently help to expedite the reform process. It is clear that in order to ascertain the future of the land reform process, more funding – whether public or private – is needed to support the land reform.

Secondly, Namibian land reform has also been marked by a dearth in thorough and definitive legislation and policy. One primary example of this has been the lack of legislation to control the corporatisation of commercial farmlands. Necessarily developing a functional land reform takes time and practice, however when a notable problem arises, the government needs to take subsequent action to address the issue in legislation and policy. In the case of land corporatisation, there is a great need for increased surveillance and monitoring of corporate land acquisition in order to stop private sector aversion of land reform legislation and ultimately to counteract the slow

a high degree of land confiscation.

pace of land transfer (Fuller and Eiseb 1). The corporatisation issue is but one example of the deficits in land and poverty related policy. There is a definitive need to expand and better integrate land reform policy into the wider agenda of poverty reduction.

Thirdly, given the country's relatively strict adherence to neo-liberal principles, the government would do well to provide incentives and support to civil society and the private sector to further their involvement in the land reform program. There is a particular need to increase civil society's role in the land reform process. Increased civil society involvement could provide a stronger political voice for the poor and marginalized, helping to bring about a more well-rounded and responsive land reform.

Fourthly, Namibia's experience has also denoted a marked preference toward redistributive reform at the expense of communal tenurial reform. Communal reform, most sought after in the heavily populated regions in the north of the country, has the potential to positively impact a large number of people with widespread implementation. While the evidence of communal land reform's impact on poverty is not concrete, communal reform does offer the opportunity to alter land relations away from a system heavily influenced by apartheid colonialism. Such a move would help to achieve empowerment and social justice for the rural poor. As the government has voiced its interest in bringing about social change and poverty alleviation, it would do well to dedicate more energy and resources to communal land reform in order to further explore tenurial reform as an opportunity for social change.

¹⁴⁹ Such insufficiencies are noted by numerous experts, such as See Fuller and Eiseb.

Finally, poverty alleviation and attaining greater socio-economic equality are by their very nature, complex processes by which it is unreasonable to assume one approach to such social change – namely land reform – is sufficient to bring about these objectives. The present study of the Namibian reform experience distinctly reveals the intricate nature of land reform itself and how difficult it can be to reach desired program objectives. While land is often fundamental to change, there are other ways in which the government and/or society can seek social transformation and change; in the long term for example, bringing about poverty reduction will require increased focus on the urban centres rather than the rural areas, due to the current high rates of urbanization in the country. Despite this however, the political volatility of the land question dictates that the government will need to extend its program efforts for a long time to come (regardless of the land reform's actual tangible effect on poverty alleviation). In order to bring about a long term sustained reduction of poverty and socio-economic inequality, the land reform will be required to work more effectively as well as in further conjunction with other poverty alleviating programs. Moreover, in order to improve effectiveness, land reform must be better integrated into other schemes to foster social change.

While program integration is key, the Namibian case demonstrates a need to expand beyond traditional approaches to poverty alleviation and change. There is a distinct need for greater understanding of the socio-structural nature of poverty and socio-economic inequality – such understanding is crucial in order to properly address such social problems. As Moyo advocates that “land reform policy experiences must reflect a deeper understanding of the nature of the land question in the various countries, and go beyond limited fiscal evaluations of such reforms and concerns for macro-economic stability and

export-led development that preoccupy some elites and donors” (“The Land” 21). Indeed preoccupation with macro-economic stability and the commercial sector seem to prevent flexibility in policy, leaving little room for change and accommodation when policies fail to benefit the poor and marginalized.

In a country with such stark socio-economic inequality, more drastic transformation must occur in order for such inequalities to be remedied. Inevitably, change must come in a multi-faceted form. While it is important for government to utilize land reform as a method of social transformation and change, it is necessary for other social and economic development initiatives to play a part in societal change as well. Likewise, the involvement of non-governmental groups and organizations – both private sector and civil society – needs to be encouraged and fostered by government. Whether reform is radical or moderate in nature, to transform a society with such deeply rooted inequality requires a more holistic approach – one that is both thorough and inclusive.

Namibia’s land reform is undoubtedly still in its stages of infancy and therefore it is difficult to predict with any certainty the outcome of the land reform process. At this point in time however, based on the government’s record of handling the land reform, it is reasonable to speculate that land reform will make slow progress in the coming years and will encompass a relatively small proportion of Namibia’s land. As a result, social transformation or change as derived from land reform will be limited. Substantial socio-economic change requires several factors not present in Namibia’s current land scenario, including a sizable transfer of land, grassroots involvement in reform and general overhaul of the socio-economic structure in which land reform is to take place. Without

these elements it is difficult to comprehend how significant social change could be brought about. Due to the decidedly emotive nature of land, as well as the prominence of the agricultural sector in the Namibian economy and the high rural-to-urban population ratio, it is more than likely that land reform will remain a hotly contested issue for many years to come.

Appendix

Figure 1: Income in Namibian Dollars By Language Group, 2001

Language Group	Income (N\$)
German	30,459
English	21,708
Afrikaans	13,995
Tswana	5,326
Otjiherero	3,077
Nama/Damara	2,404
Oshiwambo	1,707
Caprivi/Lozi	1,692
Rukavango	1,652
San	1,315
Mean Income	8333.50

Source: Adapted from the United Nations Development Program (UNDP)'s "Namibia Human Development Report 2000/2001." UNDP. Namibia Human Development Report 2000/2001. New York: UNDP, 2001. <http://hdr.undp.org/docs/network/hdrstats_net/NamibiaHDR2001_StatisticsAnnexes.pdf>.

Figure 2: Life Expectancy By Language Group, 2001

Language Group	Life Expectancy (Years)
German	75
Afrikaans	67.2
English	66.9
Otjiherero	64.1
Tswana	61.7
Oshiwambo	61.3
Nama/Damara	58.6
Caprivi/Lozi	56.6
Rukavango	55.9
San	48.1
Mean Life Expectancy	61.54

Source: Adapted from the United Nations Development Program (UNDP)'s "Namibia Human Development Report 2000/2001." UNDP. Namibia Human Development Report 2000/2001. New York: UNDP, 2001. <http://hdr.undp.org/docs/network/hdrstats_net/NamibiaHDR2001_StatisticsAnnexes.pdf>.

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