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## **LANDREFORMEN IN AFRIKA**

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**Inhaltsübersicht:**

4	Editorial
	ROBIN PALMER
6	Struggling to secure and defend the Land Rights of the Poor in Africa
	ARMIN PAASCH
22	Marktgestützte Landreformen: Eine Zwischenbilanz aus menschenrechtlicher Perspektive
	SAMUEL KARIUKI
40	Contested Terrain: The Politics of Land Reform Policy in Post-Apartheid South Africa and Post-Independent Kenya
	MARTIN ADAMS, FAUSTIN KALABAMU, RICHARD WHITE
55	Land Tenure Policy and Practice in Botswana – Governance Lessons for Southern Africa
	BIRGIT ENGLERT
75	From a Gender Perspective: Notions of Land Tenure Security in the Uluguru mountains, Tanzania
	CHRISTIAN LUND
91	Conflicts and Contracts in Burkina Faso. Land and Local Law between State and Community
108	AutorInneninfo

## 1. Introduction

The history of liberation in southern and parts of eastern Africa is one that was rooted in land struggle as a central political denominator that fuelled the struggle against the white settlers. In South Africa, there have been sporadic confrontations between the „settlers“ and the indigenous population over territorial rights and right of access to certain resources. In all these confrontations, directly or indirectly, the main *casus belli* was land. The South African Land Acts of 1913 and 1936 and subsequent legislation such as the Group Areas Acts of 1950, designated land for particular racial groups, ensuring that the majority of the land would no longer be accessible to Africans (Levin *et al.* 1994: 160-164; De Klerk 1992; Bundy 1979). In Kenya, such skewed distribution was achieved through the Crown Lands Ordinance of 1902. This established a dual society in which the colonial government set aside 3.1 million hectares for 3,600 European farmers (Juma and Ojwang 1996; Leo 1984: 134). This legislation was drafted on the assumption that Africans had no title to waste land or to unoccupied and uncultivated land. Acquisition and ownership of land were crucial to the establishment of a settler economy, since title to land in the sense of the Western system was the crucial tool in the exploitation of natural resources (Miller 1984).

Hence, dualistic interests to land were entrenched from the onset. African agriculture was suppressed through a variety of measures. Colonial governments, influenced by European settlers, restricted black African land rights and created reserves that were too small to support independent African agriculture. They suffered acute resource degeneration as a result of forcing an impoverished population onto too little land (Binswanger *et al.* 1996: 87; Moyo 1995: 131). Consequently, a series of state interventions such as de-stocking were effected by colonial governments to control land use. Black agriculture in Kenya and South Africa was systematically destroyed through a series of legislative processes while white large-scale agriculture benefited from an extraordinary set of privileges and favourable policies (Binswanger *et al.* 1996: 87).

In both countries, officials sought to solve the problems caused by insufficient land in the reserves by changing African agricultural practices through „betterment planning“ by which people would be relocated into villages in which land was allocated to residential, arable, grazing and woodland areas. However, „betterment“ disrupted people's lives, reduced the land available to them for farming

and provoked resistance to state agents. In Kenya, the restriction on African commodity production, the expulsion of labour tenants, and the imposition of agricultural regulations all contributed to the *Mau Mau* rebellion (1952-1959) (Williams 1996: 143).

In South Africa, the Tomlinson Commission had been set up in 1948 to „devise a scheme for the rehabilitation of the native areas with a view to developing within them a social structure in keeping with the culture of the native based on effective social economic planning“ (Harrison 1981: 177). The commission proposed that if the homeland policy was to be viable, there would have to be the necessary infrastructure, land and money to make it work. The report advocated that money should urgently be spent on alternative jobs and agricultural improvements. As noted by Williams (1996: 143), the commission proposed to grant freehold title in the South African reserves to a class of full-time farmers on economic farm units. This would have displaced half the rural population. Hence, government rejected this plan and instead „betterment“ continued as part of a policy of settling even more people into the reserves.

The Tomlinson Commission is similar to Kenya's Swynnerton plan (1954) in the sense that they both aimed to create a class of black commercial farmers. The Swynnerton plan sought to create a class of accumulating „yeoman farmers“ established on economic units. This was to be done through a process of consolidation and registration of land as freehold property, prohibitions on further subdivision of land, the selective loosening of restrictions on African cultivation of high value commodities, and the selective provision of credit and extension facilities. However, the Swynnerton plan did not give rise to distinctive classes of yeoman farmers and full-time labourers. The plan did not resolve disputes over land, it weakened rights of women to own land and freehold title did not stimulate the growth of a credit market as expected (Williams 1996: 143).

Both Tomlinson and Swynnerton plan sought to promote commercial production by a class of „progressive“ farmers within the native reserves. Tomlinson's plans were aborted. Swynnerton's aim of expanding cash crop production was realised in the 1960s, but on a greater scale and under quite different conditions from those envisaged. However both strategies operated on the assumption that poverty and overpopulation in the reserves could be dealt with by eliminating the constraints limiting access of African farmers to output markets and to land outside the reserves and by providing secure title which could be used to generate credit required for farm development (Williams 1996: 143).

Another similarity that unifies the two countries is the state support white farmers received prior to democracy and independence. Historically, white farmers were an important political constituent of the apartheid state. Past governments and associated institutional structures protected and subsidised production

and made available large tracts of land, ample water supply and cheap labour (Levin and Weiner 1997). As a result productive capacity grew but this was below the optimum level given cost-price ratios and ecological conditions. In Kenya, settler farming was more dependent on the government to come up with punitive labour practices that would coerce African people to go and work for settlers. Settler agriculture was therefore a „parasitic sector” that operated below optimum production levels (Heyer *et al.*, 1976:156). Hence, the battery of laws that were set-up by the respective regimes helped to institutionalise a bi-modal agriculture with a skewed agro-support infrastructure.

The emergence of the national liberation movement in Kenya and South Africa was directly linked to the impact of land dispossession Africans experienced. The formation of the *Mau Mau* in Kenya, and the underground armed wing of the ANC, *Umkhonto weSizwe*, were some of the responses to the land dispossession experiences Africans endured. On the other hand, the policies of land dispossessions among the Africans in Kenya precipitated the formation of the *Mau Mau*, which was also known as Kenya's Land Freedom Army. There was a growing wave of unrest in the cities and on the native reserves where the African population had been increasingly concentrated in conditions of dire poverty since European occupation of the land began shortly after the turn of the century. Following the years of prosperous export during the World War II, economic grievances intensified with the steady maturation of the nationalist movement, which culminated in the *Mau Mau* revolt in the 1950s.

## 2. Constitutional constraints

The policies of settler colonialism created massive poverty and landlessness among Africans. Hence, upon independence, governments embarked on massive development programmes. In Kenya, this was dealt with through the Sessional Paper no. 10 of 1965 entitled *African Socialism and Its Application to Planning in Kenya* (Ochieng 1995: 84), which was a market-oriented document. Irrespective of the heavy statist economies which characterised the world at that time, Kenya chose to rely on private ownership and market forces in her development policies (Ochieng 1995: 85) and projects like the land reform process. Similarly, set against a similar backdrop of poverty and landlessness, the South African Reconstruction and Development Programme (RDP) of 1995 approximated to the sessional paper in Kenya. Yet, unlike the sessional paper in Kenya, the RDP document operated under the auspices of a vibrant civil society. Collective effort from civil society institutions, state institutions and local communities was regarded as paramount for delivery of RDP projects (Coetzee and Graaf 1996: 325). The Sessional Paper no. 10 (Kenya) and the RDP (South Africa) are similar in that they both operate within the logic of market capitalism.

The creation of a market-led land reform in both countries has consequently raised questions as to the extent to which poor communities can become active participants given the limited government subsidy to which beneficiaries are entitled. During the transition from white minority rule to black majority rule in Kenya and South Africa, there was a radical shift in the land redistributive models the respective liberation movements opted for. Nationalisation and „land to the tiller” approaches which were articulated during the struggle against white minority rule were gradually replaced by a more conservative market-based land reform model in Kenya and South Africa. This model was an outcome of the balance of forces that came to pervade the negotiated settlements in 1960 at the Lancaster House Conference, in the United Kingdom in the case of Kenya and in 1994 at the World Trade Center in Kempton Park, South Africa in the case of South Africa.

Therefore one can safely note that land reform in Kenya and South Africa is not only embedded within the political and economic interests of the new elites in society, but is also subject to certain institutional constraints. A review of the literature on Kenya and South Africa concurs on the fact that the land reform process is predominantly attributed to the political compromises that were reached in the negotiation process towards independence in Kenya and majority rule in South Africa (Gutto 1995; Levin 1994). The use of restrictive jurisprudence and market principles are taken as the preferred means to achieve the desired land reform. A deliberate adherence to these, due to their restrictive nature and their attendant political and economic character, sustains the status quo. Political compromises and „fear of capital flight and inflow” have taken precedence in shaping the mechanisms of the land reform process in both countries. This in turn places the land hungry communities at the mercy of landowners whose property is protected within the constitution (Levin and Weiner 1994: 308; NLC 1996; Gutto 1995; Deininger 1998).

In Kenya, Gutto (1995) aptly notes that the double strategy for securing the existing ownership which was based on the existing unjust distribution while removing legal restrictions against acquisition, use and disposal of land by the Africans effectively meant that the tenure reform measures would be limited. This is not actually surprising given the fact that the political leadership has been dominated by those who are comfortable with neo-colonial arrangements and relations. It benefits their class interest, as manifested in all manners of legal and extra-legal primitive accumulation processes. The land question in post-colonial Kenya therefore fell hostage to the negotiated transition processes whose central concern was to tinker with the prevailing agrarian relations the legacy of colonialism had created.

Discussing the South African context, Meer (1999) suggests that one should think of land reform programmes within a transitional context as processes that

occupy a „middle ground”. This has subsequently limited its ability to enact a wide and comprehensive land reform programme. The overarching macro-economic framework (GEAR) that calls for fiscal austerity, as exemplified in a paltry budgetary allocation of less than one per cent to land reform, brings into question the extent to which the programme will achieve its objectives. These outcomes, as argued by Hendriks (2001: 296), are symptomatic of the success of the apartheid regime in dominating the constitutional negotiations, by restricting what is achievable and linking the parameters of policy to the inevitable compromises of the negotiations. In this manner, the popular demands may be restricted to what is acceptable to the previous regime.

The state's approach to land and agrarian reform cannot be separated from its thinking on reform in general. Reform is a mechanism used by those in power to adjust to changes in the social system through structural reform and to relieve pressures through ameliorative reforms in order to rule. The extent to which the authorities are prepared to reform depends on their representatives and the pressures brought to bear upon them. The narrower their social base and the greater their sense of security, the less responsive they are to people's needs as far as the diverse interests to land are concerned. The depth and nature of the mediation of property rights within such a transitional context is often anchored on the strategic role land occupies within the discourse of the liberation movements and how land grievances and concerns are articulated within the broader polity of a new democratic order.

### 3. The role of the liberation movement

The evolution of a nationalist sentiment based on land rights as a rallying call against white minority rule took different forms in Kenya and South Africa. Despite the central role that land dispossession and forced removals have played in the development of colonialism and apartheid in South Africa, land has never featured very highly on the ANC's agenda, being largely relegated to the background of strategic agendas and thinking (Levin and Solomon 1994: 259). The ANC's focus was historically on urban mass struggles and trade unionism (Bundy 1972, Levin and Solomon 1994: 259-60). Unlike organised urban constituencies who could embark on industrial action and protests in big towns, the rural people were dispersed across different farms; there were few big centres in which they could congregate on a noticeable scale, and repression had intensified in the rural towns and on the farms during the 1980s. Mass-based resistance against apartheid laws in the 1950s in Zeerust, Sekhukhuneland, Zululand, Pondoland, and other parts of the Transkei demonstrated clearly the possibilities of rural-based programme. The national liberation failed, however, to develop an adequate rural programme of resistance and organisation centering on land and

production. This is because its top strategists and guiding ideology were drawn from an emergent petty-bourgeoisie and the ranks of the proletariat in the areas (Levin and Solomon 1994: 175, Hendricks 2001). Hence the achievement of national liberation in 1994 through a negotiated settlement at the World Trade Center in Kempton Park was inspired more by the urban mass struggles and political unionism of the ANC-led alliance than by rural interests (Levin and Solomon 1994: 175). While the anti-apartheid struggles in South Africa were largely urban based, in Kenya the struggle against colonialism was largely a rural-based struggle.

In Kenya the combined effects of agricultural stagnation and landlessness in the reserves became critical after World War II leading to a political ferment and culminating in the *Mau Mau* rebellion (1952-59). The colonial administration responded with a series of political reforms and land reform programmes aimed at agricultural intensification, the most significant features of which were transformation of indigenous land tenure through land consolidation of fragmented peasant holdings. The rural revolts, in other words, formed the basis of Kenya's nascent land reform programs and the transition to independence (Gutto 1995). Even though Government proved itself able to contain and finally destroy the Kikuyu movement in the forests, it was forced to speed up constitutional reform. In this respect, *Mau Mau* hastened the process of independence.

Despite the varying methodological strategies deployed to fight white minority rule in Kenya and South Africa, the outcome of the land reform systems has tended to reinforce and promote the power and privilege of a small elite rather than tackling equal citizenship and political rights for all Kenyans and South Africans, respectively. In both countries, land is often a tool used to mediate the dialectics of reconciliation and transition over and above the need to effect a meaningful and radical agrarian transformation. Land therefore becomes a „reconciliatory arena” where contesting notions of rights to land are constantly mediated and codified by law. Quite often, the political pressure to constitutionalise contesting and vested rights to land overrides the policy commitment to spread social and economic justice across race, class and gender divides. This inherent political imperative has the potential for leading to mild conservative reforms that are unable to „unlock” skewed ownership of land in South Africa and Kenya.

The „middle ground” context adopted for both schemas on Kenya and South Africa is based on Meer's (1999) understanding of the role land reform plays in the democratisation process of post-apartheid South Africa. Land reform programmes are some of the strategies used to balance competitive interests with varying needs and concerns to land.

As argued earlier in the paper, land reform policy-making process in South Africa and Kenya fell hostage to the imperatives of national reconciliation and

transition, as well as the imperatives of a market economy. In this regard, the policy is expected to deliver on two competing forms of democracy. On the one hand, the policy is expected to spread and consolidate constitutional democracy by acknowledging rights to land for its constituents across race, class and gender divides, and on the other hand, the policy is conterminously expected to consolidate a market democracy. The emergence of a market-led land reform in Kenya and South Africa justifies this latter logic that informs the overall thrust of the policy's contents in both countries. This delicate balance is symptomatic of the transformative limits inherent within land reform programmes that emerge from a negotiated transition to democracy.

The transition from white minority rule to black majority rule is a transition, which is elite-driven and the central concerns of the rural poor are marginal issues in the democratisation process. The socio-economic transformation envisaged in post-independent Kenya and post-apartheid South Africa is embedded within a paradigm of development that emphasises on participatory, bottom-up approaches to development but which nevertheless become blue prints for the legitimisation of other non-participatory approaches such as market-led reforms and top-down elitist development approaches. This is exemplified in the cacophony of approaches that marked both conflicting ideologies of development, which purport to have informed the land reform policy-making process in Kenya and South Africa. Instead the policies that emanate from these varying ideological approaches to development are policies which are not in consonance with the fundamental concerns of the rural poor as voiced through civil society organisations during the policy-making process. For instance, the contestations around the market mechanism and the property-clause were indicative of the compromises to which the land question had been subjected under the pressures of reconciliation.

For both schemas, the dual imperatives of transition the land reform policy had to reflect was galvanised through the middle ground both policies came to occupy in the democratisation process. This was a process that was highly exclusive even though it was couched within a developmental ideal of „participatory, bottom-up approaches“ to development as legitimisation processes. The protracted nature and divergent interests in the policy were reflected in the range of stakeholders and their approaches that came to be involved in the policy process.

#### 4. South Africa

The World Bank was a key player in the formulation of the ANC's land reform policy as reflected in its initial land policy, the *Rural Restructuring Programme* (RRP) which the ANC government adopted wholeheartedly. The RRP advocated two main pillars of land reform: „redistribution“ and „restitution“. The „redistribution“ pillar involved the „use [of] land already on sale and land acquired

by corrupt means from the apartheid state or mortgaged to state and parastatal bodies“ for redistribution to the poor. (Levin and Weiner 1994).

Compare this to the RDP's own „redistribution“ pillar. Significantly, the RDP argues that government must aim to redistribute 30 per cent of agricultural land within the first five years of rule. This proposal is a further indication of the World Bank's influence on the RDP, because the figure of 30 per cent of land appears to have been derived from the World Bank's estimate that about six per cent of White-owned farmland would come onto the market annually over that period.

Apart from that, both the World Bank's RRP and the RDP call for a process of land „restitution“ in which the sufferings of people dispossessed of land through forced removals and racist laws since 1913 would be addressed by a Land Claims Court that will operate for a limited period (Levin and Weiner 1994).

This development underlines the fact that the RRP (and later the RDP section on land reform) was produced through what Walt, in the context of health policy, has called an „elitist technicist policy process“ (Walt 1994). Rural working class and poor people were sidelined in favour of a bevy of local and foreign consultants who developed the proposals through a short-term desk study. The World Bank's view was equally echoed in other sectors of the economy.

For instance, the *Urban Foundation* (UF) and the *Development Bank of South Africa* (DBSA) implicitly or explicitly acknowledge that the state is a major actor in the land reform process. What is in dispute is the role that the state should be assigned. For the ANC, the state is central to the land reform process. It has to facilitate and intervene directly. It has both to create enabling conditions and make the reforms materialise. In contrast, the DBSA, UF and World Bank contend that the state's role should be contained and confined to facilitation and regulation. The difference between these two positions centred on whether the state should lay claim to any land or not and whether by doing so it would extend the outreach and hasten the tempo of the reform or not. The present state clearly remains both a facilitator and an actor albeit in the interests of the status quo (Levin and Weiner 1994: 287).

For the ANC, a land reform programme arises out of the logic of its historical commitment to the national liberation of the dispossessed black majority. Land reform is also designed to support its more general promise of equality, social justice, and a general improvement of the quality of life of ordinary people in the future. The specific direction of the programme that the ANC advances reflects both the need for a way out of the present crisis and for this avenue to generate sustainable sectoral and macro development in the medium and long term.

The DBSA, the *Center for Democracy and Enterprise* (CDE) and World Bank were instead driven by the national and sectoral crisis gripping the country. They

considered land reform central to its resolution. At the heart of their proposals was a commitment to entrenching and expanding capitalist production relations, although for the World Bank, on terms significantly different from those established in the past. For all these interests, future stability and security rests on the stimulation of a (black) farming „middle” class which will serve as a bulwark against radical reform.

For the World Bank, the specifics of a land reform programme will determine, in part, whether and under what conditions they would be willing to extend loans to a future South African government. Crucially, there are three sets of disagreements between the ANC and the World Bank, with regard to the land reform process.

The first centred on the rationale of the land reform process. World Bank motivation for a land reform process is driven by the transnational interest of global capital. The ANC on the other hand is driven primarily by the national interest and only of late by the transnational interest of global capital. As experience from Asia, Latin America and Africa shows, sufficient international pressure can often be brought to bear to force national governments in transition to acquiesce or redefine interests to fit in with the demands and expectations of global capitalism.

The second major area of disagreement has been based on the key beneficiaries of land reform. The ANC seems ready to cast its net as wide as possible so that it can accommodate multiple class interests in the countryside. The World Bank on the other hand focuses its land reform programme on a new farming class, as do the CDE and the DBSA, albeit from a narrower and more limited understanding of the reform process.

The third area of disagreement centres around the institution which should lead the process.

However, the position ANC had advocated in regard to the key beneficiaries of land reform has significantly changed over time, as indicated in the policy directives the current minister of land affairs, Ms Thoko Didiza, has proposed. The central aim of these policy initiatives is to deracialise the agricultural sector by building a sizeable stratum of „black emergent commercial farmers” in the countryside. The different positions articulated within the agrarian sector reflect the contested character of the land reform process.

However, the final policy output reflected hegemonic interests of national and global capital. Most of the protracted issues such as land tax, property clause, expropriation of unused or underutilised lands were not met in the final end. These concerns were expressed by organisations such as the *National Land Committee* (NLC) and the *Pan Africanist Congress* (PAC). What essentially emerged was a mild and conservative land reform policy that would appease the fears of

„white capital” on the one hand and also accord on a rather modest way, historical redress to the black population.

## 5. Kenya

A comparative probe at Kenya, will reveal similar contentious issues and the range of diverse stakeholders the policy had to engage with. As in South Africa, land and agrarian transformation was the primary process used in Kenya to enact a peaceful transition to democracy. A complex mix of international and national forces came to bear upon the trajectory the land question took in Kenya. The political conflict that ensued between the different political parties in Kenya was partially based on the divergent approaches to the land reform programme. The controversy centred on the market-based approach that the Kenya government had adopted in lieu of a more socialist path that would rely on heavy state intervention as a key mechanism to redistribute the land to the people. This argument formed a decisive divide between the „moderate” politicians such as Jomo Kenyatta and Tom Mboya and the radicals such as Bildad Kaggia, Oginga Odinga and J.M. Kariuki.

The conservative wing of KANU felt that the principle of fair and just compensation was uncalled for because it directly countered the needs and interests of the people. The moderates asserted that „development” would continue along the same lines as under colonialism, making the implicit assumption that colonial-style „development” was in fact the issue. The pro-British land formula, which they agreed upon, represented the most critical compromise of the independence negotiations.

Similar to South Africa, the divide in terms of approaches to the land question was based on whether the market model was the preferred one or not. Opposition parties such as the *African People's Party* (APP), the *Kenya African Union* (KAU), *Kiama Kiama Muingi* (KKM), all vehemently supported a state-led land reform programme. They accused the KANU government of betraying the pledges that they had made to the masses before independence.

On the other hand, the World Bank, *Commonwealth Development Corporation* (CDC), *International Monetary Fund* (IMF), British Government, and the conservative wing of KANU managed to push through their preferred model of a market-assisted land reform programme within a hostile opposition to market reforms. The final outcome of the policy in Kenya reflected the political and economic interests of national and global imperatives of transition under the guise of neo-colonialism and less on the urgency to accord to comprehensive redress to Kenya's unresolved land question.

The emerging and often conflicting discourse around the land question was one of the most overt signs of the extent to which post-independence Kenya had

renege on its promise of democracy, self-rule and prosperity, colonial denial of which virtues had previously catapulted the country's liberation struggle to wage a revolt against the British colonialists. Kenyan nationalists first agreed to maintain private land title and a land registration system for the whole nation, a decision that deeply influenced the nation's social structure and affected how the production and exchange of goods and services would occur. The nationalists, in short, accepted a capitalistic, free-enterprise, private property system. They also agreed to buy out European farmers at fair prices, to remain in close economic alliance with the west, and to receive Western foreign aid (Miller 1984: 28-29).

Hence political favouritism towards the whites in Kenya was articulated through the economic policy statements the first president Kenyatta made. He went out of his way to show his disdain for militant nationalism and the wishes of the majority of Kenyans. He was determined to make the foreign interests feel at home in „independent Kenya” and use them to enrich himself and his political allies.

At independence, Kenyatta and those in power around him were faced with the choice of adopting a policy, which would lose them the support either of the remaining settlers or of the forest fighters. On the one hand they could have nationalised the land and expropriated the farms in the white highlands: this would have resulted in a mass exodus of whites and more important would have very severely jeopardised the inflow of foreign largely British capital on which their economic policy was based. On the other hand they could fulfil Kenyatta's pre-independence promises not to nationalise and expropriate. They chose the latter because the loss of capital investment posed a more immediate serious class threat than the disaffection of the forest fighters (Heyer 1981).

Hence, some of Kenya's most deeply rooted political conflicts remained unresolved in the post-independence era in Kenya. Leo (1984) has similarly argued that the colonial government, in conjunction with aid agencies like the World Bank, ensured that the colonial structures prevailed after independence. The Africans who took over the land from the Europeans were men linked professionally, socially and economically to the foreign capital enclave, able to borrow from foreign banks, having accounts with foreign equipment suppliers and holding directorships in foreign companies.

Large-scale farmers emerged by means of free-market purchase and government lending arrangements. Many of them were members of parliament, cabinet ministers, senior civil servants and urban businessmen. Despite the efforts to establish and expand the individual property system of small holders, the overall pattern has continued; land redistribution within a capitalist system of heavy control of asset ownership in agriculture retains its high degree of land concentration (Leo 1984).

Some land in the highlands was sold to the landless in order to buy security for the large number of highland farms, which either remained in settler hands or passed to the African large landowners. The Million Acre Scheme was thus a way of pre-empting political strife and was in accord with the moderate nationalist stress on continuity, not change. It was hoped that the scheme was to be part of the transfer of land from white settlers to Africans, but far more important, it was designed to relieve land hunger, mainly among the landless in Kikuyu country. The existing colonial agricultural framework of large mixed farms and numerous small holdings was transferred more or less intact to „independent” Kenya. There was of course a cosmetic difference in that the former „white” highlands were now the „multi-racial” highlands (Leo 1984). The nationalists, with the exception of the radical fringe opposed to the principle of compensation itself, came to see land settlement as a way of killing two birds with one stone: defusing rural unrest and promoting the interests of the African landed class.

## 6. Conclusion

The land policy process in Kenya and South Africa both reflect the dual imperatives the land reform policies were meant to serve: transition and reconciliation on the one hand, and global capital on the other. The emergence of a market-led land reform was a normative outcome of these processes in both countries. Certain key interests (national and global capital, political stability) tend to undermine the historical impetus to have a radical and wide-ranging land reform programme.

At the level of policy various macro-limits have come to impede the success and capacity of land reform programmes in Kenya and South Africa. However, the failures of the land reform programmes in both countries are not merely linked to the limits of the transition itself, but also to the bureaucracy established to implement these policies. The lack of adequate resources, weak institutional structures and the very nature of fragmented rural communities are some of the key obstacles that have inhibited a rapid implementation of the mild policy itself.

## Abstracts

The central concern of this paper is to analyse the dynamics of the land reform policy-making process in South Africa and Kenya. In this paper, land reform policy is viewed as a political and economic process that is geared to effect a sustainable transition to democracy. However, it will be argued that certain key imperatives such as national and global capital interests, political stability, nation building and reconciliation have come to undermine the historical impetus to have a radical and wide ranging land reform programme in post-colonial Kenya and post-apartheid South Africa. It will be shown that both policies were essentially



elite-driven, top-down in character and the participatory approaches they alluded to were merely strategies of legitimisation used to rubber stamp the imperatives of reconciliation in both countries. The comparative discussion used in this paper, attempts to locate the similarities and differences that characterise the land reform policy process in these two countries.

Dieser Beitrag hat die Dynamik der Landreformpolitik in Südafrika und Kenia zum Thema. Landreform wird als politischer und wirtschaftlicher Prozess betrachtet, der eine nachhaltige Wandlung zur Demokratie zum Ziel hat. Jedoch, so wird argumentiert, haben bestimmte Schlüsselfaktoren wie nationale und globale kapitalistische Interessen sowie das Ringen um politische Stabilität, *Nation-Building* und Versöhnung dazu beigetragen, eine historisch begründete radikale und weitreichende Landreform im post-kolonialen Kenia und post-Apartheid-Südafrika zu verhindern. Es wird argumentiert, dass die Landreformpolitik in beiden Ländern von Eliten und einem *top-down* Ansatz geprägt war und dass die partizipativen Ansätze lediglich als Strategien der Legitimierung dienten. Die vergleichende Diskussion in diesem Artikel versucht, die Gemeinsamkeiten und Unterschiede zu lokalisieren, die den Landreformprozess in diesen beiden Ländern prägen.

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## The Politics of Land Reform Policy in South Africa and Kenya

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