

RESEARCH Report 26

International Comparative Study of Strategies for Settlement Support Provision to Land Reform Beneficiaries

Susan Tilley



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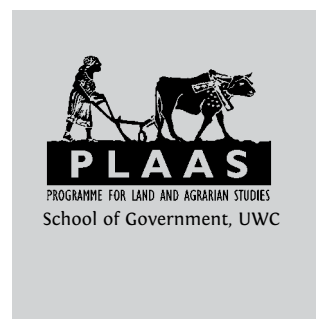
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Acronyms

AFC	Agricultural Finance Corporation
AGRIBANK	Agricultural Development Bank
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
AILC	Australian Indigenous Leadership Centre
ANGOC	Asian Coalition for Agrarian Reform and Rural Development
ARB	Agrarian Reform Beneficiary
ARC	Agrarian Reform Community
ATSIS	Aboriginal and Torres Strait Islander Services
BPD	People's Development Bank
CA	Community Association
CAP	Cultural Acquisition Program
CARP	Comprehensive Agrarian Reform Programme
CBO	Community-based Organisation
CONTAG	<i>Confederacao Nacional dos Trabalhadores na Agricultura</i> (National Confederation of Agricultural Workers)
CPRC	Chronic Poverty Research Centre
CPT	<i>Comissão Pastoral da Terra</i> (Pastoral Land Commission)
DAR	Department of Agrarian Reform
DDF	District Development Fund
DENR	Department of Environment and Natural Resources
DfID	Department for International Development
EAP	Economic Acquisition Program
ESAP	Economic Structural Adjustment Programme
FAO	Food and Agricultural Organization of the United Nations
FDT	Farmers Development Trust
FSD	Farming Systems Development
FUMAC	<i>Fundo Municipal de Apoio Comunitario</i> (Municipal Community Fund)
FUMAC-P	<i>Fundo Municipal de Apoio Comunitario-Piloto</i> (Pilot Municipal Community Funds)
GLSC	Goldfields Land and Sea Council
GMB	Grain Marketing Board
GO	Governmental Organisations
ILC	Indigenous Land Corporation
IMF	International Monetary Fund
INCRA	<i>Instituto Nacional de Colonização e Reforma Agrária</i> (National Institute of Colonisation and Agrarian Reform)
IRR model	Impoverishment, Risk and Reconstruction model
KMP	Kilusang Magbubukid ng Philipinas (Philippines Peasant Movement)
LBP	Land Bank of the Philippines
LC	Land Council
MADER	Ministry of Agriculture and Rural Development
MC	Municipal Council
MLT	<i>Movimento de Luta pela Terra</i> (Struggle for Land Movement)
MOU	Memorandum of Understanding
MST	<i>Movimento dos Trabalhadores Rurais Sem Terra</i> (Landless Rural Workers' Movement)
NGO	Non-governmental Organisation
NILS	National Indigenous Land Strategy
NNTT	National Native Title Tribunal
NRDP	World Bank Rural Development and Rural Poverty Alleviation Programmes in Northeast Brazil
NTRB	Native Title Representative Body

OLT	Operation Land Transfer
PAC	<i>Programa de Apoio Comunitario</i> (State Community Schemes)
PARPA 3	<i>Plano de Acção para a Redução da Pobreza Absoluta</i> (National Action Plan for the Reduction of Absolute Poverty)
PBC	Prescribed Body Corporate
PhilDHRRRA	Philippine Partnership for the Development of Human Resources in Rural Areas
PO	People's Organisation
RDC	Rural District Council
RILS	Regional Indigenous Land Strategy
SARC-TSARRD	Sustainable Agrarian Reform Communities – Technical Support to Agrarian Reform and Rural Development
SPGC	<i>Serviço Provincial de Geografia e Cadastro</i> (Provincial Cadastral Service)
TriPARRD	Tripartite Partnership for Agrarian Reform and Rural Development
UN	United Nations
UNORKA	National Coordination of Autonomous Rural Organisations

1. Introduction

The provision of sound planning and adequate settlement support within land reform has the potential to make a profound impact on the livelihoods of many South Africans. However, the process of providing settlement support is a layered and complex one and has few local precedents to guide it. It is therefore of value to reflect on the attempts made to address land and agrarian reform, and the associated support strategies deployed, in other countries and to draw lessons from these where appropriate. This paper provides some insights into international experience and attempts to distil the key areas of strategic value for consideration in developing a national strategy for support provision to land reform beneficiaries in South Africa.

Many recent land reform programmes (more specifically, those under the market-based approach which came to the fore internationally during the 1990s) have tended to focus on land *acquisition* and less on the requisite settlement support that accompanies it. In many instances, land acquisition is a highly-charged political process, with the emphasis on changing land ownership patterns and less on what occurs thereafter. As Moyo (2000) suggests, restructuring land ownership patterns, quite apart from the subsequent use of land, is the starting point in land and agrarian reforms. The international literature therefore tends to highlight struggles around the *acquisition* of land and provides less information on developments in the *post-acquisition* phase. Furthermore, many of the international examples include settlement support as an integral component of the reform process from the outset, making it more difficult to identify a distinct post-acquisition support process.



This paper draws lessons from experience in Brazil, the Philippines, Australia, Zimbabwe and Mozambique. The emphasis is on the strategic approach adopted and the institutional arrangements established in order to implement the objectives of land reform and provide post-settlement support to beneficiaries. While comparative studies can provide valuable insights about the way in which other countries have dealt with land reform and support provision, there is an inherent risk in drawing conclusions from one country and applying it to another without taking adequate account of the specific context and peculiarities which enabled such reforms to be realised. Nonetheless, it is hoped that this review of the international experience will provide useful input to the South African land reform process.

2. Conceptual framework – Understandings of settlement support and associated strategies

Settlement support – variously known as ‘post-settlement support’, ‘post-transfer support’, ‘post-distribution support’ or ‘post-acquisition support’, amongst others – has assumed various meanings and applications across different countries depending on the form, purpose and prioritisation given to land reform in general and the post-acquisition phase in particular. The degree of prioritisation given to the latter is informed by a state’s socio-political policy and legal framework and the specific target groups to which land reform is directed. These then give rise to the development of specific strategies and sets of institutional arrangements. It is these strategies and institutional arrangements that are the focus of this paper.

Land reform objectives inform the nature and content of settlement support

A number of different motivations prompting land reforms and their desired outcomes are evident across a range of countries. In turn, each variant of land reform – be it state-led, market-based or otherwise – has adopted a particular approach to the provision of settlement support, whether purposefully or by default. Some examples of the motivations and objectives underpinning land reforms include improving sustainable livelihoods, poverty reduction, local economic development and growth in line with macro-economic policy, wealth creation, social justice and righting the wrongs of the past, placating or suppressing mass mobilisation, and/or de-racialising landownership, amongst others. Any or a combination of these will determine the manner in which post-settlement support is addressed and where a state’s efforts and resources are directed.

Why the need for settlement support?

At the outset, the framework adopted in this paper reiterates a key finding of the Food and Agricultural Organization of the United Nations (FAO) that is based on its assessment of international land reform initiatives over the past 25 years: access to land is essential but not enough to bring about agrarian reform (FAO 2006). This conclusion is supported by assessments conducted by the World Bank (2003).

An earlier wave of agrarian reform started out to be quite promising in the period from the 1960s through the 1970s. However, when beneficiaries did not gain access to markets, credit, technologies and training, they soon found themselves indebted or in a state of deepened poverty. Many were subsequently forced to sell their land – with it often reverting to the prior landed elites. In essence, effective land reform requires the means to make land useful or productive and therefore requires the provision of support to beneficiaries (UN System Network on Rural Development and Food Security 2002). The extent to which communities can make use of land depends to a very large extent on the interplay of land as a resource with that of other social, human, physical and financial capital. The reduction of enduring chronic poverty can be seen as an outcome of this interplay between land and several of these other capitals (Bryceson 2000; Zimmerman 2002; DfID 2002).

In conceptualising the poverty-reducing effects of land reforms, this paper takes the view, following Chimhowu (2006), that land plays only a ‘permissive role’ in poverty reduction. This permissive role varies from country to country, and even at the local level. For example, giving land to a land-poor community may allow them to produce food or cash crops, but only if community members have the required skills and expertise, are healthy enough and have access to sufficient labour power, and if input supply and transport systems work and markets are predictable. It has also been argued that the above conditions for sustainable farm livelihoods are rarely met and so communities tend to combine the use of land with other off-farm and non-farm livelihood activities (Murray 2002; Bryceson 2003 as cited in Chimhowu 2006). It is therefore necessary that settlement support acknowledges and provides for a range of livelihood activities.

Rather than viewing the rural poor as land-constrained farmers, they can be seen as people with multiple livelihood strategies that may or may not be linked to farming at all times. Land therefore can provide them with a base from which to launch other livelihood ventures. It may provide chronically poor households with a key commodity, but one that still needs to be turned into a livelihood through other complementary activities (Chimhowu 2006).

Key ingredients of comprehensive support provision

Land reform becomes more effective when beneficiaries have or acquire the necessary experience in land use and management and when they have the capacity to generate sustainable income or sufficient food. Rural infrastructure, improved technologies and a range of responsive rural services, including training, have proved essential to effective and lasting agrarian reform (FAO 2006).

Once land has been acquired, the following key ingredients of a comprehensive support provision programme are necessary – as outlined in the Declaration of Principles and Programme of Action, also known as the ‘Peasants Charter’, adopted by the World Conference on Agrarian Reform and Rural Development in 1979 (FAO 2006):

- access to water, agricultural inputs, services, markets, credit, research, technology development and extension
- expansion and diversification of employment opportunities
- improved public and private utilities and services, that is, education, health, nutrition, safe drinking water, energy, roads and communication
- full and equitable integration of women in development
- participation by the beneficiaries
- facilitation of enabling macro-policies (that is, fiscal, price, trade and investment policies).

Furthermore, the livelihood assets and resources of rural households, communities and geographic locations need to be recognised and supported in terms of attention being paid to the following:

- natural resources (including land, water, forests, soil),
- financial (savings, credit, financial services)
- physical (roads, communications, energy)
- access to basic services (water, housing, electricity, health, transport, education)
- infrastructure (irrigation, storage, processing, market infrastructure)
- capacity development (education, skills training)
- social institutions and networks – both formal local institutions (for example, co-operatives) and informal ones (FAO 2006).

Bruce (1993) argues that many of the policy approaches adopted in African and Latin American countries – with their emphasis on registering land title – together with a failure to restructure the wider agrarian economy in order

to create an enabling environment for the participation of small-scale farmers, has led to little improvement in agricultural investment or the advancement of small-scale agriculturalists, nor to improved livelihoods.

The need for an integrated, ongoing and multi-disciplinary approach

International experience shows that support provision to land reform beneficiaries cannot be viewed simply as a narrow or technical issue and requires the involvement of a wide range of active and committed players, including community members, non-governmental organisations (NGOs), social movements, local government, a range of government departments and international agencies. While a wide spectrum of participants is necessary to effect land reform and settlement support, the institutional fragmentation that is evident across many international case studies serves to undermine the efficacy of land reform initiatives and retards the pace and potential impact of support provision.

In order to develop a strategy that supports sustainable development outcomes and builds on the needs and rights of beneficiaries, settlement support cannot be viewed as a component that is to be added on towards the end of a land reform process. Neither is it a discrete event. Rather, it is an integral part of the entire process of land reform through the planning, transfer and post-transfer phases. This implies that there can be no clear division between the planning, implementation, capacity development and settlement processes or between ‘pre-settlement’ and ‘post-settlement’. It also assumes that in order for the various interlinked processes to be realised, they need to be integral to a broader process of agrarian reform. This need for continuity implies the need for harmonisation of institutions or departments whose task it is to address settlement support.

The impact of settlement support can be maximised primarily through the harmonisation of institutions but also through strengthening the capacities of local community-based and local government institutions, as well as farmers’, producers’ and workers’ organisations, co-operatives, and government departments so as to enable them to support new landholders. To this end, the role of the new social movements that operate not only within countries but also at the regional and global level gives more effective power and influence to coalitions of the poor in claiming access to land and other livelihood assets, legal and political rights, and heightened attention to support provision through development policies and services in relation to the poor (FAO 2006).

Clear identification of the target group of settlement support

For a land reform programme and its associated settlement support strategies to maximise their impact requires that the target group is clearly defined and that the support needs of that group are understood. In some instances, land reform programmes may experience a disjuncture between their espoused and actual target group and a set of rhetorical assumptions about whose needs are being addressed. This lack of clarity will only serve to sow confusion and frustration and will lead to a wasteful use of available resources. Chimhowu (2006) argues that there is limited attention paid internationally to who actually benefits from the reforms or the support mechanisms. As a result, the question of whether land reforms actually help reduce poverty is often fudged. Work done at the Chronic Poverty Research Centre (CPRC) shows that there is need for a distinction between different poverties and the formulation of well-targeted policies (Hulme et al. 2001; Hulme and Shepherd 2003 as cited in Chimhowu 2006).

An acknowledgement of risks confronting beneficiaries

Cernea (1997) suggests that when planning for land reform and the resettlement of communities, it is critical to acknowledge the risk environment confronting beneficiaries and their households and factor this into the settlement planning process. This idea gave birth to the Impoverishment, Risk and Reconstruction Model (IRR model), which identifies 'eight impoverishment risks' that confront displaced households and outlines how these can be taken into consideration during planning and support provision. The eight risks identified are: landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food insecurity, social disarticulation, and loss of access to common property. Communities are seen to confront some or all of these as they resettle on their new land. If mitigation measures are not taken into account during planning, then impoverishment is seen as inevitable. The model is therefore a predictive-cum-planning tool that can help those providing post-settlement support to land reform beneficiaries and dispossessed communities by considering the risks they will face.

Table 1. Paradigm shift in support provision

Shift from an emphasis on:	To an emphasis on:
Participation as a consensual approach to gathering information and identifying people's needs (that is, tendency to apply an 'instrumentalist' and 'shopping list' approach to participation)	Participation as an engagement by all relevant stakeholders, including the negotiation of stakeholders' roles and the 'rules of the game', notably in key decision-making processes
Support provision as mainly a production issue and one that requires only technical support	Rural development and support provision as mainly a socio-political issue, that is, the capacity of different stakeholders to adapt to socio-economic and technical changes and make informed and meaningful choices on a range of development policy options, methods and technologies
Sectoral perspective	Livelihood and/or territorial perspective – this would include methodologies such as area-based, multi-disciplinary and integrated approaches
Needs-based intervention strategy	Rights-based intervention strategy (as this requires consideration of both people's rights and responsibilities to fulfil these rights, as well as governance issues)
Needs-based capacity development, based on skills	Rights, responsibilities and incentive-based capacity development, emerging from negotiations on stakeholders' roles and the 'rules of the game', to support effective partnerships
Quantitative data gathering for monitoring and evaluation (frequently on an ad hoc basis)	Impact assessment based on qualitative indicators that are tracked and used to learn from and further improve the programme

Participation and effective support provision requires a paradigm shift

Lessons from around the world highlight that post-settlement support cannot be conceived of as something that is 'done to' or 'given to' beneficiaries but rather that communities acquiring land and needing support must be viewed as active participants in the entire process. Land reform and its associated support is thus a people-centred activity and is a process of engagement as opposed to a welfarist or 'one-size fits all' approach. This has implications for the scope and nature of support provision and the manner in which it is identified and drawn upon. Building on the findings of the FAO (2006) in a number of countries, the key elements described in Table 1 on page 4 constitute a necessary paradigm shift required for more effective land reform and support provision to occur.

Access to land (whether as freehold or communal land) needs to be accompanied by policy changes and other interventions that include the provision of support and services if land use is to be effective and sustained. Policy change invariably needs to be accompanied by institutional changes. Without adjustments to the roles, responsibilities and incentives of those implementing policy reform, and the alignment of relevant institutions, existing power relationships can impede effective change.

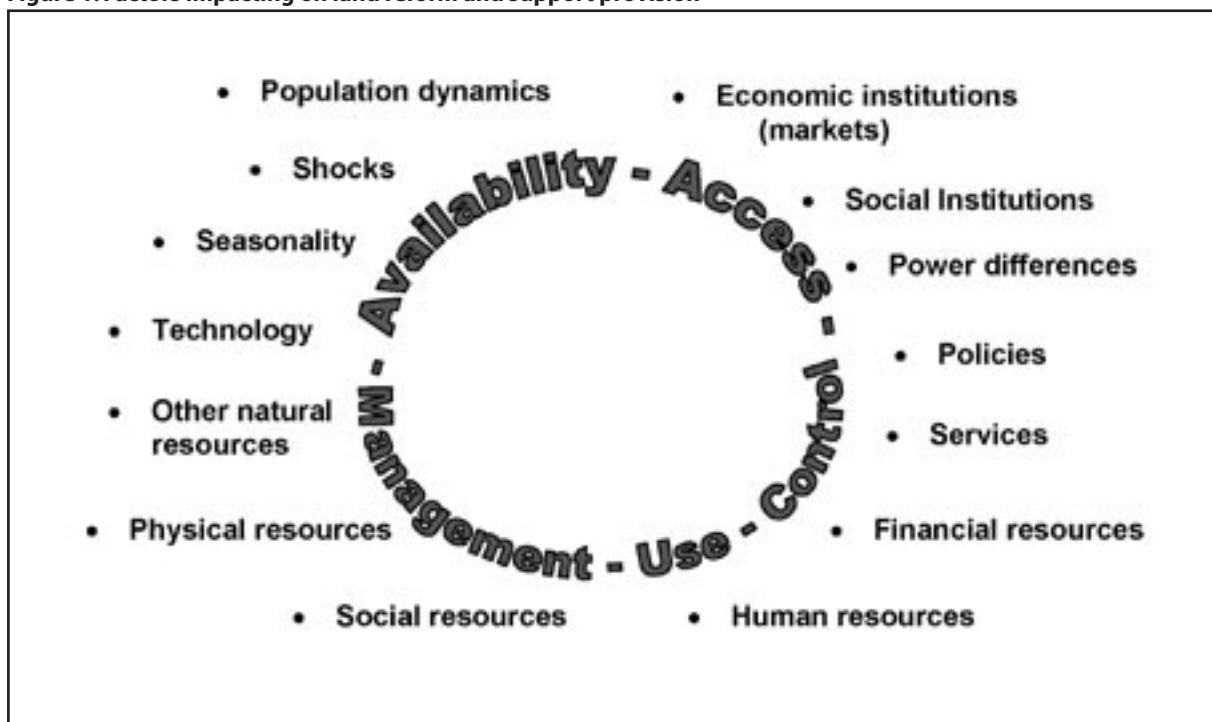
The factors that affect agrarian reform and rural development are highly complex, and interrelated, as can be seen from the diagram below, as borrowed from the FAO (2006). The key elements of availability, access, control, use and management represent a continuum. However, it is important to underline that the rural poor are particularly vulnerable to economic and political shocks as well as natural risks and disasters, and while their livelihood strategies are designed to better prepare for and cope with such shocks, their limited access to five forms of capital – human, social, natural, financial, and physical – constrain their opportunities for rapid and effective response and hinders their ability to maximise the use of their available capital. Thus, one of the key livelihood strategies is, amongst others, to develop strengthened local institutional mechanisms – at the community and local government level – to enhance preparedness, mitigation and rapid response in case of emergencies.

Key settlement support strategies and institutional arrangements

The principles and policies underpinning land reform in different countries have led to the adoption of various types of post-settlement strategies and institutional arrangements, which can be broadly categorised as follows:

- decentralisation
- centralisation and a high level of state involvement

Figure 1. Factors impacting on land reform and support provision



- variations of private sector involvement and partnership arrangements
- non-interventionist or no apparent strategy
- land occupations.

These strategies or variants thereof are accompanied by sets of institutional arrangements, which may include a separate institution or unit that addresses all aspects of settlement support; the administration and support provided by local government structures; or an arrangement whereby settlement support is integrated into the general support systems available to all rural landowners. The various country studies that follow later in this report highlight these possible institutional configurations.

Decentralisation as an institutional arrangement for support provision

Decentralisation and devolution of responsibilities for service delivery and support provision have gained increasing attention in development policy in recent years and in some cases this has extended to devolution of decision-making power. According to the FAO, decentralisation has advantages for the more efficient management of natural resources and for agricultural productivity at the local level, based on the notion that the efficiency of institutions is a function of their proximity to the beneficiary grouping (United Nations System Network on Rural Development and Food Security 2002). Ideally, these approaches focus on diversity and inclusion, in terms of ethnicity, gender, generational issues, and the selection and combination of instruments for land access, within wider perspectives on rural development based on cross-sectoral coordination and strengthened civil society partnerships (Quan 2006).

Effective, transparent and inclusive programmes to facilitate settlement support require institutional arrangements and policy environments that are accessible and responsive to conditions at regional and local levels. There is an emerging recognition of the importance of understanding regional and area-specific social, market and cultural conditions in order to formulate appropriate targeted strategies to provide support provision and rural development more broadly. This perspective is reflected in the idea of territorial development or area-based approaches, as developed and practiced primarily in Latin America, and Brazil in particular, (Quan 2006), and in the Philippines through its Agrarian Reform Communities (ARCs). Decentralisation was also adopted in Zimbabwe during its first phase of land reform in the post-independence period.

While the local poor might be more able to influence decisions at a local level, the outcomes of decentralisation

vary depending on the context. In China, this policy has raised the incomes of the rural poor and reduced poverty due to workable agreements between decentralised leadership and villages. However, in some countries decentralisation has strengthened the power of local elites and landlords, or has fed into ethnic struggles (Quan 2006). In Ghana, the state's decentralisation policy has in reality placed a heavier burden on communities as they have become responsible for financing their own development, infrastructure and social services (IFAD 2001; Chamorro 2002).

According to the FAO, one of the most important elements for successful decentralisation is the existence of a strong central government, with a clear vision for a national plan of action. The second condition is that the decentralisation itself be conceived as a transversal process, which cuts horizontally through the different sectors related to regional and local development. This means that decentralisation has a breaking-up effect on the sectors, changing from a fragmented or sectoral arrangement to a more integrated and territorial or area-based management of natural resources and support provision (United Nations System Network on Rural Development and Food Security 2002).

Centralisation and high level of state involvement

States which demonstrate a strategy of centralised land reform and settlement support are characterised by the state specifying the composition and quantity of output and providing the necessary inputs and taking responsibility for marketing. In general, it can be said that those states which adopted a centralised approach have viewed support provision as an integral part of a broader land reform process. The state apparatus responsible for land reform and agricultural production has also tended to be responsible for addressing the necessary support needs of such operations.

In the Soviet-bloc countries of Central and Eastern Europe, land was generally nationalised and production was, over time, collectivised – a notable exception being Poland, where land remained in the hands of small family farmers. Distribution of agricultural inputs and outputs and the nature and extent of support provided was also tightly controlled by centralised bureaucracies (Griffin et al. 2002).

Other examples of centralisation and a high level of state involvement are to be found in countries such as Mexico, Cuba and Nicaragua where communal or collective institutions played a prominent, but not exclusive role. Land reforms in these countries, and their resultant support mechanisms, centred on state, collective and co-operative institutional arrangements.

Reliance on private sector and partnership arrangements or variations thereof

A strategy adopted by a number of states – more particularly those operating within a market-based framework – since the early 1990s is that of relying on the private sector and partnership arrangements to provide the necessary post-settlement and developmental support. These may take the form of equity arrangements, contract or out-grower schemes, share-cropping, or company-supported schemes. These have become especially important as part of global commodity value chains supplying larger retail conglomerates in the most developed nations. The most common have been contract schemes. These involve producing agricultural commodities, such as sugar and timber, for the market under forward contracts that specify the commodity type, time, price and quantity of the goods to be delivered. Three types of contracts are common. Procurement contracts or marketing contracts specify sale and purchase conditions. It is the responsibility of landowners to produce according to stated quality specifications but using their own inputs. They are simply guaranteed the market and price. In partial contracts or production contracts, some of the inputs are supplied and the produce is purchased at pre-agreed prices. Total contracts usually require the contracting firm to supply and manage all the inputs and the land reform beneficiary supplies land and labour (Chimhowu 2006). Examples of contract schemes can be found in Brazil, Mozambique, the Philippines and Zimbabwe.

These partnership arrangements, particularly joint ventures, have enabled beneficiaries to access a degree of support based on the linkages to the established large-scale private farms and estates (Quan 2006; Mayson 2002; Mayson 2003). Through joint ventures, land reform beneficiaries have accessed additional sources of capital. Pricing prediction and regulatory structures allow them to take greater risks by venturing into high-value commodities. Some have also been able to access new technologies and inputs ordinarily inaccessible. On the other hand, the private farm or estate contracting the out-grower is assured of a stable source of quality raw materials without bearing any local overheads. The private firm also gains through gaining a positive marketing image as a firm working with formally disadvantaged communities. In some cases, partnerships are used as a marketing tactic on the part of the strategic partner or the commodity agent who promotes the products on the basis of empowerment, pro-poor initiatives or fair trade arrangements. In some cases, firms have also accessed concessional loans to promote such ventures. In some cases, it is commercial farmers who have initiated such ventures, increasingly so in the case of Zimbabwe, after the land invasions in 2000. There is no evidence, however,

that these schemes actually reach the chronically poor who, in most, cases find it difficult to organise or access such strategic links, due to their lack of both social and political capital (Chimhowu 2006).

Land redistribution without post-settlement support may compromise the ability, particularly of poor households, to make a living based on the new asset. New and emerging approaches of linking up with private farm owners in joint ventures may provide a potential avenue, at least in the short term while beneficiaries establish themselves, and as long as the ventures have access to markets and can still make profits. It is, however, still in question whether this approach will help those in chronic poverty. Indications are that better off small-scale farmers tend to move to exploit such ventures more than poorer farmers do (Chimhowu 2006).

The land reform and associated support strategies of some countries take the form of a hybrid of the two strategies outlined above. While there is a degree of state involvement, essentially in the form of grants, limited extension services, and a role in prescribing land use, the state also delegates (or abdicates) the responsibility for support provision to the private sector.

Brazil's strategy can be classified as a hybrid in terms of the existence of two parallel land reform programmes – one focusing on state-led initiatives prompted by pressure from rural social movements, and another on the market-based approach which relies more heavily on the market and private sector for support provision. However, even within the more market-based approach, there are degrees to which the state may play a role in the form of providing grants and loans.

The case of non-interventionism or no apparent strategy

Either by default or by intention (usually governed by a state's ideological framework and macro-economic policy), some countries demonstrate a non-interventionist or an apparent 'non-strategy' in relation to settlement support. Land reform is merely understood to be the acquisition of land, with no follow-through in terms of support provision thereafter. This situation is frequently compounded by particular biases towards urban centres or larger landholders and commercial farmers.

In some cases, countries have adopted a development support strategy that neglects agriculture and the rural areas due to an emphasis on urban areas. Rural areas are starved of investment in physical infrastructure such as

transport, roads, power, telecommunications and resource allocation. This urban bias makes it structurally difficult for new rural landowners to obtain the necessary settlement support they require.

Within the agricultural sector, state policy in some countries has discriminated against small farmers and in favour of large landowners and the commercial sector. This 'landlord bias' then permits the state to not pay attention to small-scale farmers or new entrants into the agricultural sector or land market (Griffin 1974). In effect, this bias results in no strategy being developed to assist new entrants. According to Griffin et al. (2002), this bias can take many forms:

- extension policies that concentrate on large-scale and commercial farmers
- emphasis on export crops and the neglect of subsistence crops
- agricultural price support policies that provide greater support, for example, to the production of crops grown by commercial farmers such as wheat, rather than crops such as rice, sorghum, millet and maize
- regional development policies that favour more fertile and accessible regions
- water distribution policies that favour large-scale irrigation systems supplying large-scale farmers
- credit policies that discriminate 'by default' in favour of literate, large landholders who have a marketable surplus, and against small-scale farmers who are more risk averse
- institutional policies that do not encourage the organisation of the poor, such as peasant leagues, small-scale farmers' co-operatives and rural labour unions – and frequently view them as subversive.

Land occupations as a land acquisition strategy that demands settlement support

While the strategies outlined above are essentially determined by the state and its institutions, the strategy



of land occupations, as deployed by social movements and landless people, has led to both land acquisition and, in many instances, to pressure being placed on the state to provide appropriate settlement support. An example of the strategy of land occupations is found in Brazil where land occupations have both spurred land reform and allowed the Landless Rural Workers' Movement (*Movimento dos Trabalhadores Rurais Sem Terra – MST*) and the communities with which it works to articulate and create alternative models for rural development and livelihoods and the necessary support during the post-acquisition phase.

Because the MST views agrarian reform in a multi-dimensional manner, agricultural production is viewed not simply in terms of its economic efficiency and potential in the global marketplace, but in terms of the production of healthy food for poor, rural Brazilians. Aspects such as food security, food sovereignty and how these relate to individual sovereignty, social justice, local economies and the protection of local environments define how the MST decides on its agricultural production systems (Kenfield undated). This approach to agrarian reform thus brings with it a particular approach to the nature, scope and content of support programmes associated with land reform.

3. The impact of market-based land reform on settlement support provision

The world economic recession after 1973 resulted in a shift away from state-led development as a result of debt and fiscal crises and the resultant structural adjustment programmes advocated by the World Bank and International Monetary Fund (IMF), more specifically during the 1980s. State-led development, regulation and expenditure in many countries was dramatically reduced or redirected under Economic Structural Adjustment Programmes (ESAPs), markets were liberalised and state agencies responsible for agricultural production, distribution, training and support were either closed down or privatised (Ghimire 2001).

The role of the state in land reform and in agriculture under neo-liberal policies since the 1990s has been further reduced and has resulted in governments withdrawing subsidies and public expenditure that once supported vulnerable rural groups, and the private sector becoming the identified source of support provision to land reform beneficiaries. In addition, subsidies and minimum prices for staple foods have been withdrawn or reduced, and technical assistance and agricultural research (a service previously provided by the state) have been privatised and reallocated to agribusiness, large corporations and the private sector. Government marketing boards have been abolished and the agricultural productive infrastructure has declined institutional credit diminished, and financial institutions are increasingly unwilling to provide loans to farmers who are becoming less able to repay them. The process of reducing public spending has resulted in the removal of subsidies for social services, health, education and social security. This has added to the burden placed on rural dwellers and workers, pushing their households below subsistence levels (UNRISD 1995 and 2000; Chamorro 2002). The absence of these support elements has meant that new entrants into agriculture through the land reform process are at a distinct disadvantage and struggle to make a success of the activities they undertake.

Kenfield (Undated) argues that the narrow focus on the market has a significant impact on how settlement support is framed and understood and narrows the parameters in terms of the kind of support required by beneficiaries and the content and purpose of such support. Private ownership of property and commercial agricultural production has taken precedence over issues such as household livelihood security, equitable distribution of benefits, food security and food sovereignty.

As part of the market-based approach, the market is deemed to determine what is to be produced on the newly acquired land, with a focus on commercial forms of production. This is expressed by Deininger (1999:30), one of the leading advocates of the market-based approach: 'Productive projects are likely to be the key of market-assisted land reform.' The market approach thus encourages commercial agricultural production in order to maximise a country's 'comparative advantage' in the global marketplace through cultivation of high-value crops and agro-exportables (Deininger and May 2000:6). This has a direct effect on rural dwellers wishing to engage in less commercial and less competitive agricultural pursuits, and the consequent support that is made available to them.

This is further evidenced by the imperative for all reform beneficiaries (whether intending to engage in subsistence, small-scale, semi-commercial or commercial operations or not) to draft business plans and subscribe to more commercial-style operations, even if these are inappropriate to their needs or developmental desires. Lahiff and Cousins refer to the current land reform policy in South Africa as making extensive use of 'the language of commercial and economic "viability", with the "commercial" logic being applied to all land reform applicants, regardless of their resources, abilities or stated objectives' (Lahiff and Cousins 2005).

The market-based approach to land reform has been adopted as the dominant model in countries such as Brazil, Columbia, the Philippines and South Africa, with versions of this approach being adopted in Kenya, Bangladesh, Indonesia, Nepal, Uganda and Central America (El-Ghomeny 2001).

The countries selected for this study include those with a sufficiently long history of land reform and settlement support provision to provide insights and learning for South Africa. To this end, experiences from Brazil, the Philippines, Australia, New Zealand, Canada, Zimbabwe, Mozambique, Central, Southern and Eastern Europe, and East Asia have been considered. A brief background to each country's land reform process is provided, followed by an overview of the key institutions involved in settlement support provision and the nature of support provided to beneficiaries.

4. Country study: Brazil

Brief background to land reform

Alongside South Africa, Brazil has one of the most unequal distributions of land in the world. Small farms of less than 30 ha are farmed by 30% of all farmers but these farms comprise only 1.5% of the total agricultural land (Quan 2006). Since 1985, the number of small farms has decreased from over 3 million to less than 1 million, resulting in the migration of millions of rural poor to the slums and fringes of urban centres. At the other extreme, farms in excess of 1,000 ha make up only 1.6% of all farms but take up 53% of the total agricultural land, as large estates continue to be further consolidated.

Under Brazil's constitution, land reform must take place through the expropriation of large landholdings that do not fulfil a social function or are considered unproductive. The expropriation process includes long-term payment of compensation through government bonds for the land, and cash for the improvements. Parallel to this state-led route is that of the market-based approach (known as *Cédula da Terra*), operating on the basis of willing sellers and willing buyers, introduced in 1998 with the support of the World Bank.

Various attempts at land reform have been undermined by the entrenched political power held by large landowners as well as successive military regimes. The state's attempts at land reform and the resultant challenges generated by the break up of large estates (*haciendas*) and the transfer of land to small-scale farmers or landless workers were exacerbated by the lack of state support to these new landowners and compounded by the failure of the state to restructure the broader agrarian economy in favour of small-scale agriculturalists.

Institutional arrangements and support agencies

State institutions and strategies

The institutional arrangements for land reform in Brazil, involve two ministries – one responsible for land reform known as the Instituto *Nacional de Colonização e Reforma Agrária* (National Institute of Colonisation and Agrarian Reform – INCRA), and one responsible for agriculture.

The state has adopted a decentralised approach to both land reform and its associated settlement support and has introduced the 'Territorial Development Approach'

which aims at targeting local areas in which economic opportunities for small-scale farmers are to be enhanced and where links between urban and rural and between districts and municipalities will be emphasised. The idea is to create a situation whereby government programmes are better linked horizontally and where links are forged between government and civil society. Quan et al. (2003) points out that one of the dangers inherent in this approach is that it ascribes a great deal of power to local elites. The mayor of a municipality or town, for example, could be in a powerful position to make far-reaching decisions about land allocation and the identification of beneficiaries based on his/her party political allegiances.

In terms of this decentralised approach, state technical units, which are housed in the Ministry of Finance or Ministry of Planning, play a key role. These in turn link and co-ordinate municipal councils (MCs) comprising elected representatives from community associations and local governments. These councils then interact with community associations (CAs) comprising elected community representatives.

The state has assumed and relied on the private sector to play a role, more specifically in terms of extension services to the land acquisitions under the market-based land reform programme. However, Borrás (2000) argues that the quality of privatised extension services was not as responsive or supportive as had been expected.

Social movements

While the state has its own land reform machinery and institutional arrangements in place, a key impetus for land reform and requisite settlement support has come from the rural social movements. Pressure from social movements of the landless has prompted the state to accelerate its land reform programme since the early 1990s. The emergence and social action of large, militant social movements of the landless, has impacted directly on the content and pace of land reform and the nature of support provided to beneficiaries. Two key rural worker organisations stand out among the social movements that are attempting to democratise land and to improve rural working and living conditions: The National Confederation of Agricultural Workers (*Confederação Nacional dos Trabalhadores na Agricultura* – CONTAG) and the Landless Rural Workers' Movement (*Movimento dos Trabalhadores Rurais Sem Terra* – MST), founded in 1985. Other organisations that focus on the needs of the landless include the Struggle for Land

Movement (*Movimento de Luta pela Terra – MLT*) and the Pastoral Land Commission (*Comissão Pastoral da Terra – CPT*), which is a unit of the Catholic Church with ties to the National Conference of the Bishops of Brazil. The MST's strategy is to occupy unused land and force the state to expropriate it in terms of the 'social function' clause of the Constitution. Between 1995 and 1999, largely as a result of the pressure from rural organisations, the federal government provided over 8 million ha of land to 370,000 families.

According to Schwartzman (2000 2–3 as cited in Kenfield undated), between 1995 and 1998 the Brazilian government settled more landless families on expropriated land than it had in the previous 30 years, an effort that would not have been possible without 'the continual, large-scale public pressure applied by the MST strategy of land occupations.' According to Wolford (Wolford 2001:311 as quoted in Kenfield undated), 'The figures indicate that over half of the settlements in Brazil received land as a direct result of social pressure... This suggests that the mobilization of the rural and urban poor in the pursuit of land reform is a fundamental determinant of success'. Not only has the mobilization of the MST quickened the pace of land reform in Brazil, it has allowed the rural poor to articulate and implement their vision of rural life on the land once they have acquired it, and to demand and access the necessary support during the post-acquisition phase (Kenfield undated). MST's campaign has brought pressure on the state to make significant investments in financing land expropriation and post-settlement support, delivered through the state land reform agency, INCRA.

Because the MST views agrarian reform in a multi-dimensional manner, post-acquisition support that is directed at agricultural production is viewed not simply in terms of creating economic efficiency and potential in the global marketplace, but in terms of the production of healthy food for poor, rural Brazilians. Aspects such as food security, food sovereignty, and how these relate to individual sovereignty, social justice, local economies and the protection of local environments define how the MST decides on its agricultural production systems (Kenfield undated). This approach to agrarian reform thus brings with it a particular approach to the nature, scope and content of support programmes associated with land reform.

The role of the church

The Catholic Church established a dedicated organisation, the *Comissão Pastoral de Terra* (CPT), to work with poor communities on land and agrarian development issues. CPT in turn assisted the emergence of the MST, while CPT

itself remained an important land rights advocacy and support organisation in its own right, working with groups with specific needs that often fell outside the network of the organised political movement, such as indigenous, afro-descendent and pastoralist groups, riverine dwellers, labour tenants and sharecroppers.

External support agencies

A number of external support agencies have assisted Brazil in its land reform and support programmes. An example is the FAO which has provided technical support to the country's agrarian reform and development of sustainable family farming strategies through a series of projects, such as the Agrarian Policy and Sustainable Development Guidelines for Small Family Farming; Guidelines for Agrarian Policies and Sustainable Development for Household Agriculture, Brazil; Integration of Gender Perspective in the Agrarian Reform Sector; and the National Plan for Agrarian Reform.

There is an ongoing policy development to improve the access to credits, to offer technical assistance and training and to establish essential rural infrastructure. Within this national policy for sustainable rural development, FAO provided assistance to INCRA to transfer technology and production systems of successful family farms to the new land reform beneficiaries.

The World Bank has also been integrally involved, not only in advocating particular policy frameworks such as piloting market-based land reform in Brazil, but also in providing technical assistance and grant funding for both land acquisition and the post-acquisition phase.

In addition, local and international NGOs play a role in addressing gaps in capacity building for land reform groups and projects and in the delivery of post-settlement technical support in farm production, marketing, and effective livelihood diversification (Quan 2006).

Aspects of settlement support provision

Land-use and business planning

Brazil's market-based approach requires that development plans are drafted prior to land being purchased. Empirical evidence suggests that the method of elaborating project plans *before* land is purchased has not been enforced. External actors who are supposed to be extension service providers, and who assist with the preliminary planning and post-acquisition support, have instead focused on land purchase negotiations and the immediate post-land

transfer activities, such as resettlement, since beneficiaries were moving onto new land which did not have previous settlements. In fact, government extension services continue to be used and are expected to be crucial in the future since the grant money has proved to be insufficient. Moreover, most of the purchased lands are of marginal quality. In addition, where irrigation facilities are absent if not impossible to install, there is no electricity, and the farms are generally far from roads and markets. The need to address these problems largely contributed to the rapid exhaustion of the allocated finance.

Financing

Brazil's market-based land reform programme is based on a loan-grant package of support to beneficiaries whereby a fixed sum of money is allotted to each beneficiary who is then to use the fund to buy land and pay for post-transfer development. The amount that is spent on the land purchase is considered a loan and has to be repaid. The remainder is considered a grant and is not to be repaid. The expectation is that peasant buyers will do their best to buy land at the lowest possible price in order to retain a bigger portion of money for post-land purchase development. This, however, impacts on the quality of the land which beneficiaries are able to acquire and the extent to which they are able to address their own post-acquisition needs (Deininger 1999; Buainain et al. 1999).

For the land purchase component, the state is expected to fund the initial stages of the programme, largely because multilateral and bilateral aid agencies are unlikely to be willing to finance private land purchase transactions between peasants and landlords. In the long run, and

for more widespread implementation, the market-based approach relies on commercial, rural and land banks as well as mortgage institutions to actually finance the transactions under market rules. The scheme is premised on the principle of co-sharing of risks by beneficiaries (Borras 2000).

In Brazil, beneficiaries avoided using their land titles to secure loans from commercial banks despite the growing need for additional funds. What the empirical evidence suggests is that beneficiaries look to more state-funded support in order to augment the grant-loan package. Commercial banks generally do not view beneficiaries as creditworthy because of their less-than-attractive farm conditions, frequently involving marginal lands and subsistence farming plans (Buainain et al. 1999:101–103). It is therefore not surprising that investments from the private sector have not been forthcoming and that post-acquisition support needs have not adequately been met.

The World Bank Rural Development and Rural Poverty Alleviation Programmes in Northeast Brazil (NRDP) assists by providing matching grants. Under the NRDP, which was initiated in 1995, projects are proposed by communities to a municipal council, which includes 80% representatives from civil society, and is thus not dominated by local political or executive authorities. Matching grants are provided to communities to finance their contribution to these projects (productive and/or infrastructure and/or social). Eligibility criteria are pro-poor, meaning that funds cannot finance individual acquisitions (including productive means), and fixed installations have to be collectively owned. The following extract highlights key elements of the NRDP and its role in providing financial support to beneficiaries in north-east Brazil.



A case study of partnerships between village and local governments

The programme's institutional arrangements evolved in three distinct phases: (a) *Programa de Apoio Comunitario* (PAC), (b) *Fundo Municipal de Apoio Comunitario* (FUMAC), and (c) *Fundo Municipal de Apoio Comunitario-Piloto* (FUMAC-P). State technical units housed in the Ministry of Finance or Ministry of Planning played a key role in all phases. They coordinated municipal councils (MCs) comprising 80% elected representatives from community associations, and 20% nominated by local governments. In turn, MCs interacted with community associations (CAs) comprising elected community representatives. To be eligible for funding, communities had to demonstrate that their CAs were self-organised and self-governing and had to permit all adults in the community to vote on project-related matters.

1. PAC (State Community Schemes)

This approach was used in the first NRDP project and continues to operate in those municipalities that lack the will or capacity to adopt the more evolved FUMAC or FUMAC-P approaches. The state unit receives applications directly from community groups across the state. To evaluate each request, project staff is required to visit the community to check the transparency of the consultative process, the legitimacy of the community-based organisation (CBO) formed, and the process of project selection. Based on this visit, the state unit then screens and approves projects. It authorises the release of funds directly to the CA upon receipt of an operating agreement that clearly spells out the CA's ongoing obligations. The CA controls and manages accounts for all project funds and is responsible for project design, implementation and its operational obligations as per the agreement.

2. FUMAC (Municipal Community Funds)

The FUMAC approach was successfully piloted under the reformulated NRDP and continues to operate in many

municipalities. Decision making regarding resource allocation is delegated to MCs, which prioritise community demands and approve sub-projects within a municipal budget set by the state unit. A fixed budget constraint induces rationality in allocation of scarce public funds. In this way, communities themselves, in partnership with local government, both of which have representatives on the MC, analyse applications, conduct site visits to verify transparency of processes of CA formation and so forth, and determine the best use of funds at the local level. The state unit performs an oversight function and is informed by the MC of project choices. The MC enters into an operating agreement with the CA that spells out ongoing obligations for the project, and then authorises the release of funds to the CA. The CA then controls, manages and accounts for all project funds and is responsible for project design, implementation and those operational obligations agreed upon with the MC.

3. FUMAC-P (Pilot Municipal Community Funds)

The FUMAC-P is a more decentralised variation of the FUMAC, still in pilot phase. Selected high-performing MCs are allocated an annual budget based on a distribution formula and past performance. The MCs then prioritise and approve community-proposed sub-projects and finance them from this annual budget – simulating a process of intergovernmental transfers. In this way, locally determined MC investment planning is supported and mainstreamed. Once a project is approved for funding and an operating agreement has been executed with the MC, the MC authorises the release of funds from its own account to the CAs, which control, manage and account for all project funds and are responsible for implementation, operation and maintenance as per the operation agreement with the MC.

(Excerpts from: Van Zyl, J., Sonn, L. and Costa, A. 2001. *Decentralized rural development, enhanced community participation, and local government performance: Evidence from Northeast Brazil*. Washington, DC: World Bank.)

Conservation

Conservation and natural resource management in Brazil require specific attention in terms of the nature of settlement support provided. Conservation issues can also become an important focal point for bringing together a range of different stakeholders around a seemingly 'neutral' issue as is outlined in an example where the issue of forest fire management was used as an entry point to cut across social differentiation. The NGO, Friends of the Earth, working in several parts of the Brazilian Amazon, chose the health effects of fire as its entry point to launch its programme. Since these effects concern everybody, irrespective of social

position, this strategy has managed to bring together very different groups of stakeholders (such as large landowners and small farmers) who may have divergent interests and may clash on several points, but agree on the need for effective action against fire. Through this common interest and frequent interaction, these stakeholders managed to get to know each other better and began a dialogue about more controversial issues (FAO 2006).

Monitoring and evaluation systems

A highly developed statistical monitoring and evaluation capacity is evident in Brazil. The emphasis is on capturing

the impact on beneficiaries and less on the sustainability of various programmes and activities, or the bigger picture. There is, however, an attempt to combine quantitative, qualitative and participatory approaches in the content and process of gathering information (Quan et al. 2003).

Summary of key settlement support issues

The case of Brazil highlights the role of rural social movements in ensuring that attention is paid to post-acquisition activities and in designing and developing the content of such activities.

The state's decentralised approach to land reform and its associated settlement support provision through the

'Territorial Development Approach', aimed at targeting local areas in which economic opportunities for small-scale farmers are to be enhanced and where links between urban and rural areas and between districts and municipalities will be emphasised, provides useful pointers for application elsewhere. It also suggests ways for government programmes to be linked horizontally and for links between government and civil society to be forged. The state's reliance on the private sector to address extension and other post-settlement support services, however, has proved to be miscalculated and has not brought the benefits that were anticipated.

5. Country study: The Philippines

Brief background to land reform

Like Brazil, the Philippines has a highly unequal pattern of landownership. A small political elite, closely linked to successive conservative regimes and transnational companies, controls extensive commercial landholdings and estates, most involving land leased for nominal rents from the state.

The history of land reform in the Philippines has been a turbulent one and by the mid-1990s the Philippines had witnessed eleven agrarian reform programmes. In recent years, issues of access to land combined with rural livelihood conditions have gained in importance. The reasons for this include the following are described below.

Fifty-six percent of the population are rural and are directly or indirectly dependent on agriculture for their livelihood. Half of the rural population live below the poverty line, providing labour to the large estates, and accounting for two thirds of the country's poor. A minority of the rural population is able to cultivate small plots of their own, many as sharecroppers. By the late 1980s, more than half of the total agricultural population in the late 1980s was made up of landless labourers (Riedinger 1995). The persistent widespread rural poverty in the Philippines is partially related to the dependence of rural households on inferior resource bases such as upland areas, and is aggravated by the lack of alternative rural employment. Extremely biased landholding patterns persist. Traditional landowning families have managed to retain power in the countryside through a network of patron-client relations and political alliances. Several large foreign and national corporations occupy the most fertile land, and their position is protected by the liberal free-market policies of the government (Ghimir 1999). The agriculture sector continues to play a significant role in the economy in terms of direct contribution to production, employment and farmers' income. It accounts for about 22% of the GDP and 16% of export income, and remains the most important source of employment, providing income to 43% of the labour force. Agricultural policies have given priority to the agricultural export-oriented commodity producers, dominated by a small proportion of large-scale landowners (Lurie undated).

During the 1960s land reform in the Philippines was restricted to the upgrading of sharecropping arrangements to leasehold tenancies. More substantial reforms were

attempted under the Marcos government from 1972 and, notably, under the Aquino government from 1988 under the Comprehensive Agrarian Reform Programme (CARP), implemented by the Department of Agrarian Reform (DAR). Under CARP, all farmlands, private and public, were subjected to reform, through either redistribution or the securing of tenure rights.

CARP includes a range of means for land acquisition and transfer:

- *Operation Land Transfer* (OLT) focuses on tenanted rice and corn lands, and involves an element of expropriation. Under OLT, land is purchased directly by the state, at market-related prices, and allocated to tenants.
- In recent years, more attention has been paid to *Voluntary Land Transfer*, a policy promoted by the World Bank, whereby landless people enter into direct negotiations with landowners, and pay a market-related price without support from the state.
- Where neither of these mechanisms is effective, the state may resort to compulsory purchase at a price below market rates.

Despite provisions under CARP for the distribution of private lands, the bulk of lands actually redistributed were government-owned properties, thus leaving the holdings of large landowners virtually intact. The persistent harassment of beneficiaries by landowners, who have used legal loopholes and resorted to outright violence to evict tenants, often with the aid of para-military forces, remains a key concern. Ongoing pressure from conservative elements within the Philippines' state and society has led to lower targets and reduced budgets for land reform and settlement support, and a greater reliance on voluntary transactions funded by the landless themselves. However, by 2004, an estimated 5,9 million ha of private and public land, or half of the country's farmland, had been redistributed to three million rural poor households, or two-fifths of the agricultural population (Feranil 2005).

Settlement support

Institutional arrangements for settlement support

The national Department of Agrarian Reform (DAR) is responsible for managing and administering land reform and settlement support provision. Its main thrust is geared towards food security and poverty alleviation through its

land reform programme and post-distribution support provision. DAR provides training, supplies and facilities to a range of community structures, and has established teams of development facilitators who have the task of coordinating the provision of services to land reform beneficiaries.

Under the CARP approach, attempts have been made to focus on the beneficiaries and their post-acquisition needs. This involves preparing the farmers to occupy and cultivate their lands. CARP has adopted an integrated approach where beneficiary development activities are integrated from the very beginning with land acquisition and distribution activities (Bravo 2001). Much of DAR's activities are focused on the Agrarian Reform Communities (ARCs) – contiguous areas composed of a cluster of *barangays* (villages) within a municipality. The Agrarian Reform Beneficiaries (ARBs) then constitute the next layer of participants in the settlement support structure. By December 2000, over a thousand ARCs had been established nationwide by DAR and there were plans to increase this number as the reach of the programme expanded. This strategy was found to be more effective than thinly spreading the government's limited resources over its scattered beneficiaries. As a result, the development of ARCs is increasingly becoming the centrepiece of CARP implementation.

The need for settlement support

Since the acquisition of land by beneficiaries, the problem of continued low farm incomes has been observed. In large part, this is related to weak rural infrastructure, limited expertise in improved farming technologies, insufficient marketing information, limited access to low-interest production credit, inadequate post-harvest facilities, weak farmers' organisations and the slow implementation of agrarian reform. This has been compounded by changes in the global agricultural sector and the drive for high-value export crops.

A shift in emphasis from low-value, high-volume crops to high-value export crops has had a direct impact on small-scale farmers and land reform beneficiaries during the post-distribution phase. This shift in emphasis can be traced to the period from 1992 to 1998 when the Ramos government actively implemented neo-liberal reforms, with the intention of encouraging economic growth and raising the performance of the industrial sector. These reforms were continued under President Estrada after 1998 and led to a more explicit shift in emphasis to high-value crops together with efforts to increase foreign direct investment as well as foreign exchange. State support for low-value, high-volume crops was increasingly withdrawn, with its bias being in

favour of high-value export crops and merchandise exports. The country's agricultural exports have a significant impact on the implementation of land reform and the selection of crops which beneficiaries are encouraged to cultivate, and subsequently on the nature and extent of the support they receive from the state (Feranil 2005).

A key challenge for land reform beneficiaries is the ability to access finance for post-acquisition development. This may well be made more complicated in that CARP is soon to be complemented by pending legislation that provides for acquired land to be used as collateral for accessing loans from banks and financial institutions. While this creates leverage for accessing finance, it creates the potential for beneficiaries to lose their newly acquired assets and for landowners to regain ownership in the event that beneficiaries fail to repay the loans (Feranil 2005).

Settlement support strategies

CARP highlights the role and obligations of the state in providing 'post-distribution' support that includes infrastructure and other support services necessary to augment the productive capacities of reform beneficiaries. Policies were put in place to safeguard indigenous lands, provide rural credit and extension services and organise potential beneficiaries into ARCs. For the first time, the DAR was given extra-judicial powers to ensure the efficient implementation of these and other elements of the programme and to provide secure legal land titles to beneficiaries (Ghimire 1999).

A range of settlement support strategies – including the decentralisation of implementation, attempts at participatory approaches, the use of strategic partnerships, and collaboration with people's organisations (POs) and NGOs – were utilised in the post-distribution phase. These are discussed below, along with an outline of the various institutional arrangements associated with these strategies. In many instances, it has been as a result of the social mobilisation of rural people that the state has been pressurised into implementing policy commitments and devising implementation strategies and the associated institutions to enact them.

Decentralisation and an area-based approach: Decentralisation was a key strategy for land reform and its associated settlement support programme in the Philippines. Similar to the local authorities found in Latin America, there are the traditional local authorities, called *barangay*, which assumed a great deal of responsibility, more particularly during the land reform implemented by the government of Corazon Aquino.

In close working arrangements with civil society and government, the FAO and the governments of Italy and the Netherlands supported a project known as Sustainable Agrarian Reform Communities – Technical Support to Agrarian Reform and Rural Development (FAO/SARC-TSARRD), which provided a working model for community development and negotiation. With the assistance of the FAO/SARC-TSARRD, the DAR has adopted an area- and people-focused approach that integrates the various development efforts for its beneficiaries. This is addressed in more detail in the case cited below.

To ensure that support services are provided to ARCs, DAR actively promotes activities for the development of the programme's beneficiaries. The need for the coordination of these activities has become more pronounced with the devolution of certain support service functions from the national government agencies to the local government units at the provincial and municipal levels. Basic services and facilities such as agricultural extension, community-based forestry projects, infrastructure projects and other support services have been transferred to local government units.

Within the ARCs there are several types of organisations, such as co-operatives, farmer associations and saving groups. The DAR has provided them with staff support through development facilitators who have the task of coordinating the provision of services to their respective ARCs. Given the scale and numbers involved, some of the organisations were able to take advantage of institutional credit that is not easily accessible to individual beneficiaries. The ultimate goal is to transform these ARCs into self-sustaining economic and social entities that could then be in a better position to request and obtain higher levels of support services from the different administrative and political bodies.

Participatory development approaches: To achieve its objectives, the FAO/SARC-TSARRD's support to DAR involved developing and applying participatory development approaches that helped project beneficiaries improve their access to the necessary support services and increased their levels of productivity and income on a sustainable basis. The major partners in this development process include:

- agrarian reform beneficiaries and their organisations
- local government units at the provincial and municipal levels
- government agencies such as the DAR, the Department of Environment and Natural Resources, the Department of Agriculture and selected state agricultural universities and colleges

- non-governmental organisations (NGOs) active in the ARCs and supportive of CARP at various administrative levels
- some foreign-assisted projects with funding from donor governments, international development banks and donor agencies that are involved in ARC development
- agribusiness enterprises representing the private sector
- small farm households and all community residents immediately beyond the boundaries of ARCs are also impacted upon by the project.

Strategic partnership arrangements: This participatory process includes agribusiness enterprises and the private sector and there has been a need to monitor the role and impact of these agents on beneficiaries and their post-distribution gains, more particularly under the Voluntary Land Transfer policy of CARP, where the state facilitates the process for land transfer while negotiation outcomes are virtually left to landlords and beneficiaries. CARP accommodated landowners and investors entering into joint-venture arrangements after the land had been redistributed to beneficiaries. The government, supported by agribusiness, has been eager to promote export-oriented crops and for the latest phase of CARP (1999–2004) had invited international agribusinesses to invest in peasants' ARCs as strategic partners, without considering the long-term impacts on local food security, the environment or social relations (DAR 1997b). In a number of instances, these joint ventures and strategic partnership arrangements have revealed that 'land owners in collusion with corrupt government officials, bind land redistribution to post-distribution agribusiness arrangements that tend to disadvantage reform beneficiaries. In extreme cases, these arrangements virtually lack the transfer of effective land control to beneficiaries' (Feranil 2005).

Social mobilisation and alliances: The Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) recognises that land acquisition is a necessary first step. However, at the same time there is also a need to ensure that small producers are able to access timely and adequate support services that would enable them to make their lands productive, improve their farming systems and secure their linkages with markets. Gradually, small producers may need to diversify – first, their farming systems, and next, their livelihood systems – in order to reduce their risks and vulnerability. Small producers must form strong organisations in order to improve their bargaining power vis-à-vis more powerful groups such as bigger landholders and traders.

A key lesson to be learned from the Philippines experience is the important role of civil society organisations. Civil society, through a coalition of farmers' groups and NGOs, has kept up the pressure on land reform to enable it to become a more developmental and sustained process that takes land reform beyond the acquisition of land itself. Since their strong and insistent intervention has been accepted as an important contribution by government, the emphasis has been on the development of sufficient support services (FAO 2000).

Many of the achievements of land reform and the ongoing pressure to provide support to beneficiaries in the Philippines can be attributed to the mobilisation of peasants in a wide range of political parties and people's organisations (POs). Recurring political mobilisation amongst the peasantry, including armed insurgency, has led to a succession of repressions and reforms by the largely conservative state, and land reform has been greatly constrained by the political and economic power of the large landowners. Peasant organisations have a long history in the Philippines, with links to the Communist Party of the Philippines and guerrilla movements such as the New People's Army. Movements such as the Philippines Peasant Movement (*Kilusang Magbubukid ng Philipinas* – KMP) played an important role in the overthrow of the Marcos dictatorship and, under democracy, have campaigned vigorously for legislative reform, the implementation of land reform policies and further developmental support. Between 1987 and 1993 these social movements were united under the banner of the Congress for a People's Agrarian Reform, but recent years have seen a divergence as various movements adopt differing positions on state reform policies. In recent years, a wide range of organisations have been mobilised under the banner of the National Coordination of Autonomous Rural Organisations (UNORKA). Peasant mobilisation in the Philippines has been characterised by a two-pronged strategy that combines constructive engagement with progressive elements within the state and mass mobilisation and land occupations.

Despite CARP's inadequacies, it has created space for collaboration between NGOs, POs and governmental organisations (GOs). Civil society groups have used this tripartite relationship to involve themselves actively in agrarian policy dialogues at all levels. A concrete manifestation is the Tripartite Partnership for Agrarian Reform and Rural Development (TriPARRD) launched by the Philippine Partnership for the Development of Human Resources in Rural Areas (PhilDHRRA). TriPARRD began in three provinces in 1989, and currently operates nationwide,

comprising 57 POs and 15 NGOs, as well as government agencies involved in agrarian reform – the DAR, the Department of Environment and Natural Resources (DENR) and the Land Bank of the Philippines (LBP). TriPARRD is mainly concerned with three main areas of CARP: improving land tenure; building and strengthening social infrastructure; and developing productivity systems. In addition, a paralegal component is part of TriPARRD's agenda.

An important government initiative in support of peasants and rural workers' interests during the pre- and post-distribution phases has been the creation of courts at the provincial and central levels to adjudicate agrarian reform matters. NGOs and peasant groups also continue to lobby for more active and central roles, providing policy alternatives and suggestions to reduce loopholes. Given the ambitious agenda CARP has set for itself, such groups argue that more measures, including greater involvement of civil society groups, are required to stem the use of illegal land conversions, the cancellation of land certificates, and the appropriation of various laws by landowners to suit their own purposes (Ghimire 1999).

Support intervention in the Philippines – The case of FAO/SARC-TSARRD

The key of the FAO/SARC-TSARRD programme is to develop beneficiary community capacity to use the larger civil society coalitions to 'negotiate' for their needs, such as farm roads, infrastructure, irrigation, based on a community-specific needs assessment (FAO 2000). The following case from the FAO (2000) provides informative insights regarding possible approaches to support provision and community intervention.

The case of FAO/ SARC-TSARRD

The project was initiated by the FAO in order to ensure that land reform facilitated more positive changes in the lives of communities and resulted in increased levels of sustainability. To achieve its objectives, the FAO/SARC-TSARRD project initiated and applied a large-scale participatory programme anchored on an expanded farming systems development process to address the priority constraints of ARCs. Since 1995 the project has collaborated with the DAR in developing these communities to improve their access to support services and increase their levels of productivity and income on a sustainable basis.

Institutional strengthening

The FAO/SARC-TSARRD project was set up primarily as an institutional strengthening project. Its specific mandate is to

assist DAR in transforming Agrarian Reform Beneficiaries (ARBs) into self-reliant and productive farmers. It also has the task of helping to address the main thrusts of DAR which are geared towards food security and poverty alleviation.

The project provides technical assistance to DAR in its implementation of CARP. CARP addresses national efforts to improve the tenurial status and livelihood of more than three million ARBs, more than half of whom have already received their land titles. Yet many of these beneficiaries, including those who are part of the ARCs, belong to the least developed rural households whose incomes fall below the established poverty line for rural areas in the Philippines.

Many beneficiaries, formerly landless labourers and tenants are now owners of small parcels of land. To make their land productive, they require a package of services such as co-operative development and management, agricultural extension services, access to institutional credit, infrastructure facilities (farm-to-market roads, irrigation and post-harvest facilities) and improved marketing linkages. They are also able to access information on market prices and respond quickly to the changing patterns in the domestic and international markets. These support services enable them to improve their on-farm and off-farm productivity and thereby increase their income. Many of these small farmers have been organised into various types of farmers' organisations and are now also the focus of assistance.

An important feature is the promotion of participation of stakeholders at all levels in the project's development cycle. This cycle consists of the following interrelated components:

- the application of the farming systems development (FSD) approach
- post-FSD training courses
- the establishment of agribusiness linkages
- credit facilitation.

Application of the farming systems development (FSD) approach

The FSD approach covers a wide range of community development processes. In addition to adopting the major FSD components that include classifying farm practices into farming systems and looking into their specific constraints and potentials, the approach has dynamically evolved and expanded to include integrated area development elements while placing emphasis on stakeholder participation.

Through a network of about 850 DAR field staff, the project established farmer-led development teams in each selected ARC. These teams are composed of farmer-leaders, DAR field staff (who are mainly municipal-level officers), representatives of the respective local government units (usually involving the

municipal agriculturist, planning officer and the municipal engineer), and personnel from NGOs active in the area. The composition of the teams reflects the choice of those who have the distinct advantage of a clear understanding of specific local conditions and are therefore most relevant to the ARC development process. As a whole, the applied FSD process is consistent with the decentralisation and devolution of development functions to local administrative levels.

The preparation of development plans

The FSD teams are guided by the project over a two-and-a-half-month period through a structured six-phase training-cum-planning exercise that results in the preparation of realistic development plans for the ARCs. These plans are presented by the teams to their respective broader communities and subsequently become part of the development plans of the local governments.

The training-cum-planning exercise aims to develop local teams that will be guided in the preparation of a development plan for their respective ARCs and that will continuously explore ways to improve their farm and non-farm productivity, thereby increasing the incomes of beneficiaries as well as other individuals in the area.

The exercise includes various phases and involves the following:

- Consultations with residents in their respective *barangays* (villages). People are encouraged to identify and prioritise their major constraints and to propose areas where community contribution would complement external support.
- Conducting household surveys to gather additional data relevant to the planning process and to be consolidated and developed into a profile of the ARC.
- A five-day residential training course where FSD teams are introduced to the fundamental concepts of systems development and how these are applied to develop their ARCs. The training is specifically designed to suit local ARC conditions.
- Fieldwork for the FSD teams, which conduct additional household surveys and focused dialogues with selected farmers to review the viability of their farming activities. The focused dialogue serves as a vehicle for identifying additional production, infrastructural and other needs, with an emphasis on available marketing outlets and on the use of improved farming practices. Off-farm and non-farm activities are also discussed as a means to augment incomes and improve livelihoods.
- A second five-day residential training course where the FSD teams analyse all the data collected from different sources to establish the constraints and potentials of the various farm types/models. Based on the results,

development plans are drafted for their respective ARCs. These plans include proposed development project performance indicators to monitor the progress of plan implementation, and ideas on resource mobilisation from various sources. An action plan to pursue implementation is also prepared.

- The collectively prepared ARC development plan is presented to the community by the FSD team, in the presence of local government unit officials and staff, headed by the municipal mayor, other relevant officials and NGOs. In most cases, the plan is approved by the community and becomes part of the local government plan. In many cases, the municipal mayors make pledges immediately for the implementation of several identified components. Eventually, these development plans are used to mobilise the needed resources for the ARC.
- Post-FSD training courses in the ARCs are held in line with the needs identified by the beneficiaries during the FSD process. These needs are also articulated in ARC development plans. To prepare for post-FSD training courses, collaboration between the respective local government unit and other relevant local institutions in the ARC is necessary. The broad objective of the training courses is to improve and/or initiate farm-level small-scale enterprises to increase the productivity and income of farm households. The courses also aim to promote self-reliance among the farmer participants and their co-operatives in order to strengthen their organisations. The specific objectives are to:
 - identify and promote improved technologies for farm or non-farm activities applicable in specific ARCs
 - utilise the available time of farm household members by engaging them in additional non-farm related activities
 - analyse the costs and returns as well as the projected incomes generated from these farm or non-farm activities/enterprises
 - satisfy local demand for specific goods and services
 - identify needs and provide access to training materials to initiate the adoption of the technologies being promoted
 - elaborate an appropriate farm plan and budget for the application of the technologies
 - enable farmer participants to apply the appropriate and improved technologies they have learned on their own farms and subsequently demonstrate them to other farmers for widespread adoption.

Other outcomes of the project are as follows:

- The project has also extended technical assistance in the application of the FSD approach to 24 local government units in five provinces in municipalities where ARCs are located. In some cases this has led to the formulation of municipal integrated development plans.
- The project has conducted three intensive trainers' training courses of 35 days each for selected field staff of the DAR as well as NGO personnel. This has enabled the project to establish a cadre of experienced trainers in order to cover more ARCs and, at the same time, ensure sustainability of the development process.
- The ARC development plans prepared using the participatory approach serve as a basis for sourcing funds from the farmer organisations' own savings, the DAR's Agrarian Reform Fund, respective local government units and foreign grants, as well as major loans from international banks and investments from the private sector.
- Expanding beyond the confines of ARCs, many of the solutions to the constraints within the ARC are found outside the confines of the community, at the municipal level and beyond. The community depends on the wider environment for most of its requirements in terms of specialised and essential services. Thus, linkages with municipal and provincial administrative levels are being closely established and must be sustained.
- The project monitors and evaluates stakeholder participation through the nationwide network of the DAR field staff who are in constant touch with other stakeholders. The performance of the project is checked mainly through progress monitoring and impact assessment exercises conducted as follows:
 - Data collected during the FSD training-cum-planning exercise enables the FSD team to prepare baseline data covering all the social and economic indicators pertaining to an ARC and its individual households.
 - After two to three years, the same types of data are collected and a comparative analysis between the two sets is undertaken to ascertain changes and impact.
- The project-supported activities are part of a long, ongoing process and not all the benefits derived from these interventions can be measured in a direct and quantifiable manner. However, there is already sufficient evidence as to their impact on the target beneficiaries. Two studies – one conducted by the project itself in 1998, covering the period 1995 to 1997, and a more recent one conducted by the World Bank-supported Agrarian Reform Communities Development Project (ARCDP) – have confirmed a significant positive correlation between the project's activities and an increase in

household income. Baseline information drawn from the ARC plans was compared with the situation at the end of 1999. Among many other performance indicators, the most prominent was the conclusion that the real net household annual income has increased by an average of 61% in 42 ARCs (or 76% of 55 ARCs studied).

- In terms of support services, thousands of farming households now have access to infrastructure facilities such as roads and bridges, thus substantially reducing the cost of transporting agricultural products to market centres. Other support facilities have enabled them to grow a second crop using irrigation systems, gain better access to credit at lower interest rates to fund farm inputs, improve farm technologies and practices through training and demonstration farms, acquire good quality seeds and planting materials, engage in non-farm and on-farm activities such as poultry and livestock production, and diversify into higher-value crops – all of which address concerns for food security and increased income.
- As a result of this collaboration, new linkages were forged, networks were expanded and limited resources were pooled and maximised. In all these activities, the participation of the stakeholders in the process of developing the ARCs was promoted.

Agribusiness linkages

Before the application of the agribusiness linkage approach, most ARBs relied on traditional crops such as rice and maize, and on traditional markets defined by the presence of intermediaries buying at very low prices. As a result of these conditions, ARBs obtained little profit from their farming operations and also lacked relevant market information about commodities in high demand, lucrative market outlets and current prices, and the necessary tools and mechanisms to embark on a market-oriented and demand-led production system.

The agrarian reform programme altered the structure of ownership and control over agricultural lands. Prior to CARP, farmers relied on landowners to run farms, mobilise resources, finance production and market products. With the transfer of landownership, ARBs were practically abandoned and left to their own problems relating to production and post-production.

Yet there was some wariness on the part of the private sector, particularly agribusiness enterprises and corporations, about dealing with small farmers. The sector did not know how to conduct business transactions in areas covered by agrarian reform, which were initially regarded as anathema to business interests. Business arrangements under the new

'landownership regime' were not yet defined and the business sector was hesitant to invest in such areas. There was little functional linkage between the ARBs and the private sector.

Moreover, the DAR had no clear strategy and operational framework for linking beneficiaries with agribusiness enterprises and corporations. There was no programme to encourage the sector to invest in agrarian reform areas and no DAR staff had been designated or trained for this purpose.

Since one of the project's main aims is to assist the DAR in improving linkages between ARBs (the producers) and agribusiness firms and enterprises in order to improve farmers' incomes, a three-pronged strategy was developed:

- a market-matching mechanism between farmers and agribusiness enterprises
- a network within the DAR consisting of Investment and marketing assistance officers at the central, regional and provincial levels
- a system of market information dissemination, including the publication of agribusiness-related bulletins, brochures and other materials.

The DAR found this strategy both effective and practical, and consequently launched the Investment and Marketing Assistance Programme as one of its major programmes, based mainly on the approaches developed by the project.

The market-matching activities provide a forum where farmer leaders of ARB organisations and representatives of processing enterprises, other buyers, agribusiness entrepreneurs and investors can discuss how to establish a buyer-seller relationship and conduct their business. The raw material requirements of processors and exporters are matched with the produce of beneficiaries willing to supply agricultural products under a buyer-seller agreement. In some cases, ARBs and agribusiness enterprises enter into other arrangements such as partnerships and joint ventures.

Credit facilitation

Despite the credit programmes available to farmers' organisations and the several years of implementing such programmes, loan utilisation as well as programme reach have been low. There are instances where ARB organisations in one region have not availed themselves of a single credit project under these programmes. The most common reasons cited have been the stringent qualification and lending criteria of financial institutions and the inability of co-operatives to go through the accreditation process. This is primarily a result of the low level of organisation of most organisations in terms of required membership, capital build-up, internal controls and other criteria. Even those that qualify find it difficult to

take advantage of the credit programme. The basic problem stems from the lack of understanding or appreciation of specific requirements in filling out loan application forms and the data or information required in a proposal. Hence, proposals or applications keep going back and forth between co-operatives and lending institutions such as the Land Bank of the Philippines.

To ease the problems of access to credit and to provide capital for viable projects and enterprises, the project developed an approach whereby ARB organisations or co-operatives with project ideas are matched with relevant financing institutions. This matching approach provides an opportunity for credit institutions to understand the ARBs' credit proposals and for co-operatives to understand loan procedures in order to meet the requirements of the credit institutions.

There is little available information for ARBs on prospective sources of financing. The project therefore produced and disseminated information containing basic information and

steps to be followed. The uptake of this information was widespread and the information packs were used by farmers' organisations, ARBs and the DAR field officers who were tasked with assisting in the delivery of support services to ARCs.

Conclusion

It was of paramount importance to establish a positive working environment in the DAR – from the top management to the field-level staff. By adapting to some culturally unique yet positive ways of working in the Philippines, the project was able to develop a second informal line of communication that facilitated its progress. It balanced its input in order to avoid creating a dependency on project activities and, instead, to stimulate active and enthusiastic participation.

(Source: Lourie, M. – Chief Technical Adviser for FAO projects. *Participation of stakeholders in developing agrarian reform communities in the Philippines*. FAO.)

Summary of key settlement support issues

In summary, the decentralised and participatory approach adopted by the Philippines in relation to settlement support provides useful insights for other countries. Although CARP may be critiqued for some of its failings, it demonstrates a progressive approach in its strategy of beneficiary development activities being integrated from the very beginning with land acquisition and distribution activities. This has been further enabled through the alliances forged between a range of government and non-governmental agencies which have played a critical role in ensuring that land reform does not stop at the transfer of land but is sustained during the post-transfer period.

The experiences of the FAO-supported programmes, with their mix of training and planning, are informative for capacity development and planning initiatives elsewhere. Experience from the Philippines also highlights the importance of enhancing participation but acknowledges that participatory support provision takes a considerable amount of time. Of particular significance is the Philippines' recognition of influencing factors such as the need to put in place experienced staff, the need to understand the local conditions and the establishment of an effective and reliable network of field staff, local government officials,

NGO personnel and private sector representatives. Attempts were made to establish collaborative, long-term working relationships, avoiding as far as possible ad hoc structures, which tend to collapse once a project ends. This enables project staff to build on, enhance and strengthen linkages from the national level down to the local level.



6. Country study: Australia

Brief background to land reform

The colonisation of Australia progressed on the assumption of *terra nullius*: an empty land that belonged to no one. In Australia, moves towards the restoration of ancestral lands to Aboriginal communities were initiated in the early 1970s, but only gathered momentum with the Mabo judgment of the High Court in 1992 and the passing of the Native Title Act of 1993. The Mabo decision overturned the *terra nullius* concept and Australia's Native Titles Act 1993 recognised that indigenous Australians had a system of law and ownership of their lands before colonial settlement. However, in striving to claim land, continuous connection with the land under claim has to be proved, and it cannot take away others' rights to land, including holding a pastoral lease or a mining licence (O'Donnell 2003).

While the mechanism for Aboriginal communities to claim their land rights has been established, these communities have been confronted by a complex legal process and their claims have been contested by powerful mining and farming interests. This has resulted in very few claims being processed – only 31 successful claims had been processed by the end of 2002 (De Villiers 2003a).

Native title in Australia is a 'relatively weak right' that falls short of the practical needs of Aboriginal people for access to land (De Villiers, 2003a). Many Aboriginal people, who had high hopes for land reform since the 1992 Mabo decision, are reported to be disillusioned about the lack of tangible reform that has resulted from the 'Native Title' process. The claim-driven process as embodied in 'native title' has run into a wall of disillusionment, costly and protracted litigation, a continued breakdown of government-aboriginal relationships, community conflict and an erosion of what could have constituted a sound basis for the recognition and protection of cultural rights of aboriginal people (De Villiers 2003b; 2004).

Land claimants and beneficiaries in Australia are faced with a number of challenges:

- Native Title has to be proven through a litigious process due to the unwillingness of the government in Australia to develop a sensible land reform policy. Native Title is constantly subject to erosion by the rights of others. It is at the proverbial bottom in the hierarchy of rights. Very few Aboriginal people will

benefit from native title but it represents at present their only hope for some land reform.

- Claimants have to demonstrate that their laws and customs have survived sovereignty, continue to exist, and are still adhered to. This is a very high onus of proof, which will be difficult to meet in many cases.
- In case studies drawn from African countries, such as Zimbabwe, Namibia and South Africa, the state is seen as a partner in the land claims process, while in Australia the government is seen as opposing native title. This attitude is reflected in the post-restoration support that is given by the respective governments. Unfortunately, the level of evidence required by the government for a consent determination in many instances exceeds the minimum threshold for legal settlement, hence the small number of consent determinations.
- Australia is probably best placed amongst all the countries studied – from an economic perspective – to provide sustainable post-acquisition support to new landholders, but a long-term vision and the political will to do so is lacking.

Commenting on the brutal history of Aboriginal dispossession and the inadequacies of the Native Title process, Brian Wyatt of the Goldfields Land and Sea Council (a representative body for Aboriginal communities) had this to say:

To be blunt, Aboriginal people had their land stolen from them towards the end of the nineteenth century by the government-pastoralist partnership. It was done in the name of 'progress and development'. But the push by governments to settle and 'develop' the interior was a process that ignored the fact that Aboriginal people owned the land at the time. Consequently, deep-seated animosity resulted. Sometimes there was bloodshed. Often whole families were forcibly removed from their land, herded into local towns or onto mission stations.

Despite the push by government and the squatters to 'settle' the region, we still regard the land as ours and are pursuing recognition of this fact through the Native Title process. But, as most of you would be aware, the Native Title process has proven to be something of a sham. It is costing the nation a squillion and causing endless frustration for indigenous people ... (Wyatt 2004a).

Institutional arrangements

Australia has a set of institutional arrangements for the planning, support and implementation of land reform processes, including the provision of settlement support. The structures listed below and their associated roles are of relevance.

The Attorney-General's Department

Native Title Unit has a number of responsibilities:

- The formulation of legal policy and provision of advice and administrative support to the Federal Court.
- Assists the Attorney-General in the administration of the parts of the Native Title Act of 1993 that are not administered by the Minister for Immigration, Multicultural and Indigenous Affairs, such as those dealing with Prescribed Bodies Corporate (the landholding entities) and Native Title Representative Bodies.
- Liaison with state and territory governments on the implementation of alternative Native Title regimes.
- Manages Commonwealth involvement in Native Title Act litigation.
- Develops agreed conditions for the provision of financial assistance to the state and the territories, under Section 183 of the Native Title Act, to meet costs related to the implementation of the Native Title Act.
- Shaping a Native Title system that delivers fair, effective and enduring outcomes.
- Seeks to resolve Native Title issues through agreement, where possible.
- Facilitates inter-governmental coordination across the Native Title system.

National Native Title Tribunal (NNTT)

The National Native Title Tribunal (NNTT) is a statutory body (similar to South Africa's Commission on Restitution of Land Rights) which works in conjunction with other statutory bodies such as the Native Title Representative Bodies (NTRBs or land councils) and the Indigenous Land Corporation (ILC) that deals with land purchases, land management and development.

The NNTT was established in terms of the Native Title Act and is responsible for the following:

- Provides for recognition and protection of the Native Title, the rights and interests of Aboriginal and Torres Strait Islander people in land and waters according to traditional laws, customs and practices recognised under Australian law.
- Assists claimants in processing Native Title claims to the Federal Court.

- Facilitates mediation, arbitration and negotiations to reach agreement.
- Maintains a register of Native Title applications, determinations and agreements.
- Liaises with indigenous groups, local and state governments, pastoralists, farmers, miners, the Federal/ High Court and other interested parties.

Indigenous Land Corporation (ILC)

The ILC is an independent statutory body established by Commonwealth legislation in 1995. Its focus is on development planning and support and it conducts a number of land acquisition programmes including the following:

- The Cultural Acquisition Program (CAP), which acquires culturally significant land for traditional owners and indigenous people.
- Environmental Acquisition Program (EAP), which acquires land and other assets required to run a business.
- The ILC has land management initiatives which focus on managed use, care and improvement of land. These include:
 - group-based planning (sound cultural, environmental and economic goals)
 - enterprise development (sustainable and viable enterprises including not-for-profit initiatives)
 - regional development (benefits which accrue to local indigenous people)
 - management of land held in trust or land to be transferred to indigenous people
 - coordination and research to ensure sound land management and enterprise development.
- It has established the Indigenous Land Fund, a public trust account that provides funding to the ILC, NNTT and the land councils
- It has also been included in the development of the Regional Indigenous Land Strategy (RILS) and the National Indigenous Land Strategy (NILS).
- ILC has bought more than 160 properties of more than 5 million ha, involving more than 60 000 beneficiaries. The number of indigenous people who actually derived direct benefit from ILC was 1,014, of which 474 were indigenous residents 157 employees and 383 part-time workers.

The ILC is an example of supply-led land reform whereby land is identified, acquired and developed in consultation with claimants. Rigorous business development planning is done before the land is handed over to communities. Until a clear business and development plan is done, the

land is not handed over. Professional assistance in the form of planning, consultation, facilitation, design, management structure, capacity building, business planning, technical assistance, funding and implementation is provided, with the assistance of the ILC.

Challenges for the ILC are as follows:

- A review conducted by the ILC revealed that 58% of the groups that were assisted lacked appropriate skills and knowledge to manage the acquired property, 29% had limited commitment to manage the land and 33% were embroiled in community conflict.
- Vast portions of land transferred to indigenous people were of poor quality, heavily eroded and generally unproductive.
- The initial approach of the ILC was to transfer volumes of land to indigenous people (advocacy approach), without the 'assessment approach'. Consequently, bare land (without plant, equipment and production infrastructure) was purchased. No serious assessment of the cultural, social, environmental and economic context was undertaken. There was a lack of consideration given to capacity building, management competencies and production management. All of these contributed to undermining the successes of the ILC and the ability of beneficiaries to maximise the use of the land.
- In response, the ILC has revised the NILS and RILS for its programmes. It established a capacity-building function within ILC and refined the operational plan requirements for the NILS/RILS implementation framework.
- For legacy projects approved in the past, ILC has designed a property-by-property Remediation Program, which is designed to turn these projects around. The critical issues include domestic water for resident population, stock water, accommodation, capitalisation and commercial viability.

Native Title Representative Bodies (NTRBs)

Each region in Australia, where appropriate, has established a Native Title Representative Body (NTRB) or a Land Council (LC), of which there are 17 throughout Australia. The purpose of these is to provide support to land reform beneficiaries. The NTRBs or LCs were established under the Native Title Act to perform the following functions:

- act as a representative community organisation for traditional landowners to help Aboriginal people get their land back and look after the land for future generations
- support claimants in preparing land title applications and in obtaining legal representation

- conduct research, provide written statements for Native Title claims and agreements and ensure that the claims meet the necessary criteria
- dispute resolution and agreement making
- consultation, information dissemination to all interested parties, setting of priorities, governance and administration training as well general advice to claimants
- support claimants in taking up their matters with NNTT and the Federal Court (legal processes in dealing with the claim) as well as with ILC
- support Aboriginal people in dealing with ILC (development projects and land management)

NTRBs/LCs are governed by a democratically elected and representative executive committee with sub-committees which focus on issues such as grants, reviews and audits

Prescribed Bodies Corporate (PBCs)

The Native Title Act provides for the establishment of Prescribed Bodies Corporate (PBCs) to hold Native Title as a trustee or an agent on behalf of the community. This provision was included in the Native Title Act in order to ensure a certainty as to the identity of the claimant group, its membership and procedures for dealing with matters affecting Native Title. A PBC has to be incorporated under the Aboriginal Councils and Associations Act of 1976 (De Villiers 2003a).

Several problems have arisen in areas of successful determination of Native Title due to the inability of PBCs to access funding for their activities. A PBC has a wide range of functions, including:

- holding Native Title on behalf of the group (trustee corporation) or acting on behalf of the group (agent corporation)
- providing continuity to the group
- acting on behalf of Native Title holders in matters affecting their rights and interests, which gives the group a legal persona to enter into agreements and to sue and be sued.
- keeping a list of all members of the Native Title group
- ensuring that decisions affecting the Native Title are made in a manner that complies with corporate and internal procedures
- developing, recording and implementing policies and procedures adopted by the group
- becoming party to indigenous land-use agreements (De Villiers 2003a)

Although only a few PBCs have been established (owing to the limited number of determinations of Native

Title), concerns have been expressed about the role and functioning of the bodies. According to De Villiers (2003a), some of the concerns are:

- The very nature of an incorporated entity is foreign and culturally inappropriate to many Native Title holders. As a result they do not always accept ownership of the entity and the policies and procedures that arise from it. Hence the observation by Tony Lee, member of the NNTT: 'I think we will see structures that are culturally inappropriate. And in the end it will be "easier" for PBCs to employ non-Aboriginal "experts" to run and administer them rather than Aboriginal people – history could repeat itself.'
- It is perceived to be discriminatory that Aboriginal people are obliged to be incorporated in a specific way rather than them being able to choose the most appropriate mechanism (for example a company or unincorporated entity) for the Native Title to be held and managed.
- The capacity of PBCs to fulfil their obligations under the Native Title Act, the Aboriginal Corporations and Associations Act and general legal principles is severely limited.
- The funding of PBCs is uncertain and there is no strategy in place to develop the capacity of those who are responsible for the daily running of PBCs.
- The imposition of a PBC is in some instances causing conflict and competition between traditional leadership/elders and those elected as office-bearers of the PBC.
- In many instances the younger generation feels obliged to become more involved in the management of Native Title affairs, which in turn may lead to conflict with and confusion of roles amongst the older generation.
- The PBC structure does not necessarily allow the flexibility to reflect cultural and customary needs as far as group membership and hierarchy are concerned. The dynamics of a cultural community can be nuanced, while legal structures and membership lists of PBCs are generally rigid and inflexible.

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

AIATSIS is an independent research institute devoted to Aboriginal and Torres Strait Islander research and studies. It was established through an Act of Parliament passed in 1964. It is governed by a council of nine members, five of whom must be Aboriginal persons. The other four must be elected by the institute's membership.

Australian Indigenous Leadership Centre (AILC)

The AILC is an independent non-profit organisation established under the auspices of the AIATSIS. It aims to develop a leadership cadre amongst the indigenous people of Australia and conducts educational and experiential leadership training programmes. It develops appropriate and effective training materials and tools for participative programmes and for the sharing of ideas, skills and experience. It offers regional and national certificate and diploma programmes on leadership. As an example, the Indigenous Mentorship Program is offered in partnership with the Department of Employment and Workplace Relations.

Another example of a training programme is the Kimberly Indigenous Pastoralists 'Grazing for Profit' course. This is a joint initiative involving the state Department of Agriculture, officials from the Registrar of Aboriginal Corporations and Consultants. New landholders or farmers engage in three one-week residential training sessions. The training content is prepared by practitioners in the field, who have practical and relevant experience, and the methodology is participatory and practical. The focus of the training is on business skills development, record keeping, business management and governance.

Case study and lessons from the Goldfields Land and Sea Council (GLSC)

The box below outlines the work of a Native Title Representative Body, the Goldfields Land and Sea Council (GLSC), and highlights the challenges faced by these agencies and the PBCs, as well as other structures that have been established to address support to beneficiaries. It is drawn from a series of presentations made by Brian Wyatt, the Executive Director of the GLSC (Wyatt 2004a, 2004b, 2005).

Case study and lessons from the Goldfields Land and Sea Council (GLSC)

The GLSC is the Federal Government-certified Native Title representative body for the Goldfields region in Western Australia. First established in 1984, the GLSC is an association of Aboriginal people, enjoying widespread support from communities, organisations and individuals within the region.

Like most NTRBs, the GLSC is disappointed with the way that Native Title is operating. Poor funding is seriously undermining the ability of representative bodies to effectively

discharge their functions under the Commonwealth Act. In spite of the length, costs, damage to relationships, and injustice of the Native Title litigation process, there are few resources provided for finding alternative ways of satisfying land justice outside of this process.

However, there have been numerous and separate agreements struck between Native Title claimants and miners, explorers, governments, pastoralists and others. The GLSC has been at the forefront in securing these agreements on behalf of Goldfields indigenous people. The agreements, including the Pastoral Access Principles Agreement, can be attributed to the determination of Aboriginal people, and not the support they had hoped for from government. The most noticeable absence with all of these agreements is the one that matters most – an agreement on settlement of Aboriginal people's Native Title rights. The agreements are pragmatic agreements – invariably struck between two parties who have each sniffed the Native Title wind and concluded that a possible Federal Court judgment is years away, and simply not worth the wait.

Once the court processes are complete, and a determination of Native Title is handed down, there is still the need for the Aboriginal people concerned, and other groups, to work out how they are going to live and work together in their local communities. They still have to set up and sustain the legally-durable and accountable title-holding organisations, such as PBCs.

The lack of funding for PBCs or their governance and capacity needs, despite their requirement under the Native Title Act, is well-documented. Poor funding is seriously undermining the ability of representative bodies to effectively discharge their functions under the Commonwealth Act. In the Goldfields, the GLSC's budget is not enough to run contested Native Title claims in the Federal Court, let alone meet the immediate demands of the state's mining authorities and miners for prompt processing of the heritage aspects of the hundreds of exploration and mining tenements received each year. Not only are funding levels inadequate but the uncertain and drawn-out administrative processes for release of grants and litigation funding through Aboriginal and Torres Strait Islander Services (ATSIS) is arduous.

The GLSC has been engaged in a process – as have many regions across Australia – of designing models for regional governance. Goldfield's Aboriginal people are in a process of working out how they want to work in their communities; who they want to work with; how they want to make decisions and govern themselves; and what they need in resources and support to achieve this. One of their main aims in this exercise is to work from where they are, to speak in their own voices

and identify their own objectives from the ground up, rather than again responding to the latest idea out of Canberra or Perth. Governments may reject or seek to change or diminish what Goldfields Aboriginal people come up with on their own behalf, but the process itself is important. It represents a desire for independence and self-responsibility that is critical to any prospect that Aboriginal people might regroup and take their place in the Australian community – with all that implies – while continuing to be themselves.

Agreements

Recognising that the Goldfields region is a major economic driver of the Australian mining industry, the GLSC has sought to increase Aboriginal participation in the regional economy by securing a range of mutually-beneficial protocols and agreements with individual miners and their representative organisations. Through these arrangements, Goldfields Aboriginal people have facilitated regional economic development, while seeking to protect what remains of their heritage. Despite the differences that exist between role players, strong relationships with local miners and pastoralists have been developed through these agreements.

Some examples of the GLSC's agreement successes so far include the following, and are indicative of the level of support provided to Aboriginal groups in the region:

- a MOU with the Western Australian Government's Conservation and Land Management Department to lay out the process for achieving joint management of Goldfields conservation reserves and national parks
- an MOU for joint management with Shire of Esperance of council lands within the Esperance Nyungar claim area
- a Pastoral Access Protocol that has smoothed the way for access to traditional land and cultural sites on properties throughout the Goldfields
- an MOU with the state Department of Planning and Infrastructure for ensuring the land needs of Aboriginal people are properly considered when land is proposed to be taken for public and private use
- an MOU with the state's Aboriginal Lands Trust for hastening the hand-back of reserve lands held in trust to Goldfields Aboriginal people
- land titles which will be transferred to legally durable and accountable Aboriginal corporate bodies
- procedures for post-transfer support to holders of land titles laid out in MOUs, including landholders getting advice on fencing and vermin control, financial assistance, and business and management support
- the Goldfields Heritage Agreement between the GLSC, State of Western Australia and mining industry bodies, which has expedited the granting of prospecting

and exploration applications and facilitated greater protection of Aboriginal heritage

- an agreement with the Amalgamated Prospectors and Leaseholders Association for the purpose of conducting site surveys under the Aboriginal Heritage Act of 1972
- one-on-one agreements between specific traditional owner groups and transnational and national mining companies.

According to the executive director of the GLSC, there is a need for the state to acknowledge the status and contribution of aboriginal groupings and representative bodies: 'What governments have to do is to start to see us as equal partners – people they are working alongside, rather than working on' (Wyatt 2005).

Community projects

In both Australia and New Zealand, communities have opted to use their resources to establish economic, cultural, social and environmental projects which are conducted strictly along business lines for the greater benefit of the community. Community trusts are established and resources are channelled into education, social programmes and employment creation, thus ensuring greater benefits for the communities. The concept of community assets is emphasised and there is an attempt to move away from creating dependency and a reliance on welfare from the state.

Support for the management of contractual parks

With the growing international acceptance of indigenous land rights, many contractual national parks are emerging from highly political land claim processes that result in land reform and consequent changes in landownership. Contractual national parks have their longest history in Australia where the Aboriginal Land Rights (Northern Territory) Act of 1976 granted title to certain areas in the Northern Territory to traditional Aboriginal owners. The lease for Kakadu, the first contractual national park on Aboriginal land, was signed in 1978 (Fig et al. 2004).

South African and Australian contractual national parks have much in common. Many (but by no means all) national parks in both countries were established on land forcibly obtained from local communities through discriminatory processes, and several contractual national parks have emerged from the complicated process of restoring land rights to these communities. Environmental justice is, therefore, an important common theme. Both countries have

made progress regarding the creation of a legal framework to deal with local communities' rights to ancestral land, but both also demonstrate cases where land is only returned to communities on the condition that it is leased back to the national conservation authority. Contractual national parks in both countries are managed by joint management committees, which are also responsible for drawing up management plans and making decisions about park management. In general these management frameworks are technical and bureaucratic, and have been criticised for inhibiting effective joint management in both countries. New landowners often lack necessary skills in the areas of conservation, business and technical matters, which has limited the power that they can exert over the management of their land (De Villiers 2003b)

Australia's considerable experience with joint management and contractual park arrangements has enabled it to take specific steps to develop and improve support provision in conservation areas. These have included attention being paid to:

- emphasising the importance of cultural conservation and non-Western management practices
- increasing flexibility regarding habitation and resource use in protected areas
- innovative approaches to increasing income from tourism, possibly capitalising on cultural attractions
- creative approaches to raising community employment levels
- facilitating involvement with external agencies to raise employment and training levels, ensuring legislation, contracts and joint management plans are up to date, and providing appropriate support for equitable joint management
- recognising and supporting the dynamic nature of joint management
- facilitating equitable power sharing through innovative joint management board structures, employment strategies and conflict resolution mechanisms (Fig et al. 2004).

Summary of key settlement support issues

While the mechanisms have been established for Aboriginal communities to claim their land rights and associated support needs, these communities have been confronted by a complex legal process and their claims have been contested by powerful mining and farming interest. This has resulted in very few claims being processed, thus making Native Title in Australia a 'relatively weak right' that falls short of the practical needs of Aboriginal people for access to land (De Villiers 2003a).



Professional assistance in the form of planning, consultation, facilitation, design, management structure, capacity building, business planning, technical assistance, funding and implementation is provided and the necessary structures have been established to engage with communities around their support needs. However, a limited number of communities are able to access these facilities and programmes as they experience frequently insurmountable obstacles in their attempts to acquire land in the first place.

Furthermore, Australia's emphasis on rigorous business planning and development being done prior to the land being handed over to communities serves as a useful pointer for those wishing to obviate elite capture or inappropriate land use, but in some instances serves as a bureaucratic obstacle to those wishing to access their land and embark on developmental activities.

The need for appropriate forms and an acknowledgment of cultural styles and approaches to establishing representative structures of indigenous peoples is highlighted by the case of the PBCs in Australia. In addition, the case of Australia highlights the importance of the state providing sufficient resources and funds to give effect to such institutions so that they can play their role, as mandated.

7. Country study: Zimbabwe

A brief background to land reform

Zimbabwe opted for a land reform programme whereby land would be acquired for agricultural use rather than for a claim-based process where ancestral land could be returned to those who had suffered dispossession. The land acquisition policy is thus not based upon the legal restitution of particular private or community land rights which had been expropriated during colonial rule. Zimbabwe has experienced three broad approaches to land acquisition, namely: market land acquisition led by the state; state-led compulsory land acquisitions with full compensation or compensation only for improvements; and attempted land seizures through land occupations (Moyo 2000; De Villiers 2003a). These three approaches fall into three distinct historical periods, as follows.

The post-Lancaster House Agreement period between 1980 and 1990

Key features of this period include the following:

- market-driven acquisition
- the return of exiles and displaced persons
- an accelerated resettlement programme
- the availability of donor funds to assist with reform
- huge increases in small farmer activity
- distribution of marginal and under-used land
- 60% of land distributed during the first decade.

Post-colonial land reform between 1990 and 2000

The main features include:

- a different legal order
- the first steps of a social justice-driven acquisition programme
- economic decline and drought
- reduction in donor funds
- problems experienced with implementation programmes to sustain land reform
- increased farm invasions and occupations
- real distribution well below targets.

Land invasion and occupation from 2000 to date

The key features of this period include:

- a general absence of a clear and sustainable land reform policy
- a legal framework that enables the taking of land without due process
- termination of international aid
- large-scale occupations

- no support or training given to 'legitimate beneficiaries' such as peasant workers who have been allotted small plots
- the resettlement process has been described as 'chaotic' with little attention given to implementation or support services such as training, inputs, access to basic services, clinics, schools and roads.

Settlement support

The objectives and need for settlement support

During Phase One of the resettlement programme, the Government of Zimbabwe sought to provide infrastructure in accordance with its professed socialist egalitarian philosophy that emphasised increasing access to services and productive capacity of rural communities. Land redistribution was thus regarded as a major rural development thrust through which these services and developments could be realised by the hitherto landless and poor sectors of the population (Gonese & Mukora undated).

The Phase One land reform policy objectives represent a rehabilitative programme, targeting war-displaced communities, returning refugees, demobilised war combatants, and the identified landless from the communal areas and abandoned farmland that required infrastructural and productivity revival. In addition to the rehabilitation focus, the programme also sought to extend 'productive agriculture' and employment opportunities to the small-scale or subsistence farming sector and the destitute, as well as provide some infrastructure for social and economic development.

Phase One of the programme occurred during a period of land availability and relative abundance that facilitated planning for large numbers of beneficiaries in contiguous land blocks. Phase Two was characterised by greater scarcity of land for resettlement, reduced resource availability on the part of the government, as well as a rejuvenated demand for resettlement land by communal land households and other prospective beneficiaries. This phase exerted greater demands on the government in terms of outputs, infrastructural needs and support services (Gonese & Mukora undated).

The initial objectives were modified under Phase Two of the programme. These modifications focused on the optimal use and sustainability of the land resource. The identification and selection of resettlement beneficiaries, together with

the modalities of providing support services, were altered to reflect the changed circumstances defined by these objectives. In particular, policy identified the target group of the programme at this stage in terms of the numbers and attributes of intended beneficiaries, as well as their expected contribution to the national economy.

The Fast-Track Programme has, within a very short period of time, in effect enabled a wholesale transfer of high-value and high-potential land from the white commercial farming sector to predominantly smallholder black farmers. A correspondingly robust framework that effectively supports the new farmers and ensures their long-term growth and viability is therefore essential and necessitates the formulation of a package of productive services and inputs that enhances the farmers' effectiveness – encompassing crucial ingredients such as extension and training, credit and input services, and marketing infrastructure (Gonese & Mukora undated).

Institutional arrangements

The Department of Rural Development undertook the implementation of the land reform programme through its Development and Resettlement Management teams. The teams were responsible for translating all project plans into provisions on the ground. Development teams were responsible for the delivery of physical infrastructure and related services, either directly through their own effort or by contract. The resettlement officers, as project managers, interacted directly with beneficiaries during the processes of beneficiary selection, settler mobilisation for communal services, general scheme development, and solicitation of other agencies' services (Gonese & Mukora undated).

The key governing institutions of rural areas are rural district councils (RDCs), which the government established in 1993 as a result of the amalgamation of rural councils and district councils. There are 57 RDCs, which were created in order to give meaning to local self-governance through community-based administrative organs. The councils are political institutions whose councillors are elected on party political lines for a term of four years. In terms of Section 74 of the Rural District Councils Act, the developmental roles of the of RDCs are to:

- promote the development of the council area
- formulate policies – both short and long term
- prepare annual development plans for the council area.

In addition, RDCs are mandated to develop and maintain infrastructure in council areas, and have the authority to charge and collect revenue (Ndlovu & Mufema undated).

However, and more recently, the RDCs' involvement in the Fast-Track land reform programme is not very clear. It appears that there are no clearly defined policies, implementation procedures, roles and responsibilities, and checks and balances within the framework of Fast-Track. The RDCs are faced with a number of dilemmas, including the fact that RDCs have responsibility for the land reform exercise but without the necessary corresponding authority.

The project management role previously played by resettlement officers has in effect been discontinued, and seems to be filled variously (as circumstances require) by district administrators, extension workers or the District Development Fund (DDF) technicians. As all schemes are now incorporated into the rural district authorities surrounding them, the streamlining of services and support to resettled farmers is no longer possible (sometimes considered not necessary), as they are invariably now administered from the district centres. The absence of the resettlement officer also deprives the area and community of the decisive enforcement function that enabled a resident officer to resolve interpersonal conflicts and other practical problems that the extension worker or the distantly-based district administrator would not have been able to tackle. A more critical effect of this absence, however, is the apparent dearth of records, information or data about the affairs of and developments at the schemes (Gonese & Mukora undated).

In the absence of resettlement managers, beneficiaries have had to play active roles in local scheme administration, constituting management structures that attend to local needs – a development that may help to locally democratise decision making, but may also be divisive if not properly managed or guided. Such structures tend to be project specific to address local needs and problems and may, where necessary, require assistance in linking up with relevant external services or resources. Local community structures range from management committees that undertake internal administrative functions to social groupings acting to promote or safeguard particular farmer interests. While diverse in terms of their unique interests or peculiar circumstances, such management structures play a vital role in engendering beneficiary participation in scheme administration, development planning and general local resource management as they provide a crucial means of interaction between schemes. The government and external non-government players.

In the absence of the anticipated external (donor) funding to support the Inception Phase Plan of 1999 to 2000, the Zimbabwean government adopted the Fast-Track

(Accelerated) Programme, which sought to hasten land acquisition and maximise beneficiary emplacement without immediate provision of physical infrastructure. Physical developments were to follow later to complement the resettled communities' immediate access to and use of the land resource. In terms of the new policy, only basic infrastructure was to be provided at the time of land allocation. The Fast-Track strategy ultimately focused more on the allocation or redistribution of the land resource and less on the infrastructure and supportive framework and services that could facilitate or complement effective agricultural productivity and consolidate community development (Gonese & Mukora undated).

The relevant institutions have remained largely unformatted and unresponsive to the new dispensation. They are housed in different ministries, operate disjointedly, are fast losing capacity and institutional memory and are focused on current subsistence and commercial tenures with unstable legislation. Infrastructure in the form of roads and water resources as well as weak financial resources to support land and agrarian reform render these institutions ineffective in delivering services to the beneficiaries (Chigumete undated).

In conclusion, widespread poverty and runaway inflation have become the main problems afflicting rural development. The new farmers' demand for social services and development of infrastructure such as roads, schools and clinics, amongst others, outstrips all available resources in terms of personnel, finance or logistics. The institutional poverty of the RDCs mirror community-level poverty. The councils have no means to finance developmental projects and have neither the resources nor the capacity to address the demands and needs of the land and agrarian reform process (Ndlovu & Mufem undated).

Settlement support services

Access to funding, finance and credit

Funding for resettlement in Zimbabwe was provided by the government on a programme basis through the Public Sector Investment Programme allocations to the then Ministry of Lands, Resettlement and Rural Development, and later to its successors, who were charged with the overall responsibility for programme implementation and co-ordination (Gonese & Mukora undated).

While, in principle, the government funded infrastructural development through either budgetary allocations or provision of personnel through line institutions, the resettled communities made significant contributions by providing labour, their own resources and locally available materials

in the construction of facilities such as schools, clinics and community centres in order to cut costs and as a way to engender participatory development through self-reliance. In addition, the farmers also had to construct their own housing. It was only after 1984/85 that resettled farmers were able to benefit from the Improved Rural Housing Programme which offered some housing construction Credit that was repayable through marketed agricultural produce.

Access to private sector bank credit in Zimbabwe has tended to be concentrated on the large-scale commercial farm sector, while public sector financial institutions have slowly begun to increase their coverage of smallholder farmers. Although the capacity of these public sector institutions to provide long-term credit has been limited, the government's financing of seasonal credit through parastatal suppliers has been growing relatively to the role of the private sector. Government funds for seasonal credit are channelled to settlers mainly through the Grain Marketing Board (GMB) and to a small extent, through the Agricultural Development Bank (AGRIBANK). The GMB uses its branch structure for distribution but repayment rates have been disappointing. The Farmers Development Trust (FDT) also obtains funds from the government to provide seasonal credit to tobacco farmers (Sibanda undated).

The former Agricultural Finance Corporation (AFC) was to provide credit to enhance farmer productivity on the newly acquired lands. Unique organisational and operational mechanisms and experiments for servicing resettlement farmers were tried during the period 1981 and 1988 (under the names of Resettlement Loan Fund; Resettlement Credit Scheme, etc.), prior to new farmers being incorporated into the mainstream smallholder farming community. Exclusive state funding of infrastructure (as was the case in Phase One) proved expensive to the fiscus as social services and physical infrastructure together accounted for over 65% of the total resettlement costs by 1987/88. With the onset of the structural adjustment thrust in the late 1980s, calling for reduced spending on social services and emphasising cost-recovery and beneficiary contribution-based development strategies, it was not surprising that the government initiated measures in beneficiary selection and service provision that in effect discriminated in favour of those with resources and the means to shoulder land development costs and maximise their own productivity with little dependence on state coffers (Gonese & Mukora undated).

Research and extension services

Agricultural and extension services are essential elements of any resettlement or agricultural development pro-

gramme. However, in recent years the flow of new research has declined and this has made the impact of extension workers less effective. Moreover, the resources allocated to extension workers for field travel, training and planning support in the resettlement areas has been dwindling. The capacity of the existing staff to provide new settlers with extensive advice required at the initial stages is indeed limited (Sibanda undated).

Monitoring and evaluation and information management

During Phase One, because schemes were implemented as distinct projects following a clearly defined project appraisal and approval process within the framework of the national programme, the department had specific accountability for progress in both physical implementation and financial expenditure. Its respective teams, therefore, necessarily had to generate and maintain comprehensive, up-to-date records and reports for both internal and external scrutiny. While this arrangement may have posed operational constraints due to centralisation and bureaucratic delays, it effectively provided for accountability and transparency. The presence (and residence) of the resettlement officer in the scheme also facilitated prompt trouble-shooting among settlers as well as developing a data bank that could prove invaluable in documenting the land redistribution process in the country. With the role of the resettlement officers and RDCs effectively being discontinued under Phase Two, a consequent dearth of records, information and data about the affairs of and developments at the schemes has become evident (Gonese & Mukora undated).

A lack of systematic evaluation and learning systems in Zimbabwe's land reform programmes is evident. This lack of systematic monitoring and evaluation systems and infrastructure makes it difficult for lessons learned to be fed into improving future programme design. In Zimbabwe, Mukora and Gonese (2003) make the observation that since the demise of the then Department for Rural Development in 1993 and the withdrawal of resettlement officers, systematic monitoring systems have largely collapsed. Thus, the lack of systematic formal data collection on the effects of the reforms on poor households means that the potential to find out what works and what does not work is limited. One of the key areas for intervention is the establishment of such learning systems as an integral part of policy (Chimhowu 2006).

Summary of key settlement support issues

The first phase of Zimbabwe's land reform programme demonstrated a heightened level of support to beneficiaries and attention to broader agrarian reform. However, the current land resettlement phase is characterised by a lack of financial resources to provide hard and soft infrastructure for the farms, inadequate resources to support emerging institutions and organisations, and is accompanied by increased levels of environmental degradation.

The major issues of concern regarding Zimbabwe's more recent land reform and associated settlement support programme relates to its planning and organisational modalities. The government's failure to provide basic infrastructure, credit input support and strengthening of local level institutions and organisational structures largely undermines the gains made in land reform thus far. Institutional reform is one of the key missing links in the current land reform programme and central government has assumed the dominant role in the process, at the exclusion of other key players such as the RDCs, non-state actors and financial institutions.

What Zimbabwe's land reform history demonstrates, amongst other things, is the impact that a lack of resources can have on the land acquisition and post-settlement processes. In addition to the basic resettlement of people, the infrastructural, technical, financial and educational support programmes required for new settlements were not adequately in place. In general, government departments lacked the experience to oversee and implement the settlement process and this was compounded by that fact that there were several ministries responsible to oversee different aspects of settlement. This in turn affected planning and budgeting, and contributed to interdepartmental conflict, competition and confusion.

It can be said, however, that the land reform programme has enabled a large number of rural and urban households in Zimbabwe to gain access to land assets. This does provide them with a starting point from which to pursue more remunerative livelihood strategies. However, it is critical that the necessary and appropriate support provision is realised timeously. There needs to be a considerable injection of resources in order to finance the necessary infrastructure and support services, if the gains made from land acquisition are to be realised in the post-transfer phase.

8. Country study: Mozambique

A brief history of land reform

Land rights in Mozambique have undergone a dramatic and rapid change in the last decade. The first amendments in the previous socialist approach to land management and the recognition of individual land-use rights came in 1987 with the revision of the existing land law regulations. Although these permitted concessions for private land use rights to be awarded by the state, in many other respects the fundamental bases of land policy at this time remained in place. The state continued to be the owner and manager of the State Land Fund, the purchase and sale of land was still not legally recognised and land areas cultivated by the family sector were protected only in principle (Liversage & Norfolk undated).

By the early 1990s it became clear that the national legal and regulatory framework governing land-use rights did not provide secure tenure rights to either smallholders or larger commercial interests. In addition, the amended constitution had obliged the state, for the first time, to recognise rights acquired through inheritance or occupation. Together, these heralded the subsequent revision of the land law and a new land policy was adopted in 1995 followed by new land law in 1997.

Under the land law:

- Land remains the property of the state; communities, individuals and companies only gain use rights (leases).
- Use rights can be transferred but cannot be sold or mortgaged.
- Use rights are gained by occupancy or by the grant by the state of a lease of up to 100 years.
- Formal title documents showing the right to use land can be issued not just to individuals and companies, but also to communities and groups.
- Communities or individuals occupying land for more than ten years acquire permanent rights to use that land, and do not require title documents.
- Courts must accept verbal evidence from community members about occupancy. (Verbal testimony was restricted under the old law, which gave absolute preference to paper titles. This clearly worked against peasants.)
- Titles for use cannot be issued on land already occupied by others.
- Titles for use rights are only issued if there is a development plan. Titles are issued provisionally for

two years and made permanent (for up to 100 years) only if the projected development is being carried out (Hanlon 1997).

Regulations for dealing with rural land parcels were promulgated in 1998. The regulations also signalled that a Technical Annex was to be approved by the Ministry of Agriculture and Fisheries (which has since become the Ministry of Agriculture and Rural Development), in order to specify the requirements for the registration of community rights. This process became known as 'delimitation', rather than the term used for the registration of private land rights holdings, which is known as 'demarcation'. After a piloting process, the Technical Annex was approved in 1999. These were introduced during a time of transition from a socialist state to political pluralism.

The 1995 land policy was built upon a set of principles that highlighted the need for greater protection of existing use rights to land and the establishment of an environment within which the rural poor could increase the benefits from the most common form of natural capital available to them: land. The policy was consciously designed to have a positive impact on the livelihoods of the rural poor.

The national land policy has dual objectives: it aims to create conditions for the development and growth of local communities and to promote investment in rural areas through the involvement of the private sector. Most importantly, perhaps, the land policy underlined the importance of developing a legal framework for land rights that would be sufficiently flexible to accommodate different systems and scenarios, particularly in respect to rights and land holdings in the family sector. There was a recognition that customary land holding mechanisms did not necessarily consist of rigid rights and precise rules and that customary law in respect of land-use regulation was by nature procedural. To give some effect to this, the role of traditional authorities in the prevention and resolution of conflicts was secured in the subsequent legislation. Finally, the policy maintains the concept that all land belongs to the state, despite a strong lobby for the full privatisation of land (Liversage & Norfolk undated).

The policy principle of the recognition of customary rights had thrown up the tricky problem of defining in some way the range of people who could hold such rights. The new land law solved this problem through the introduction of a definition for a local community that is capable of broad

interpretation. The new law defines a 'local community' as 'a group of families or individuals that has the aim of safeguarding common interests through the protection of living areas, farming areas whether cultivated or fallow, forests, sites of cultural importance, pasture, water sources, and areas of expansion.' Local communities can have use and occupancy rights and can be issued collective titles. Before any title is issued, local communities must be consulted to confirm that the area is free and has no occupants.

This broad definition enables the myriad forms of customary land rights to fall within the protective mechanisms offered by the law. There was no linkage made in the legislation between land rights and tribal, traditional or group allegiance despite political pressure at the time to the effect that 'traditional leaders' should be the recognised representatives of all community level land rights-holding entities. In addition, individually held tenure rights within the broader group rights are capable of being identified, agreed upon and registered.

Settlement support provision

The need for settlement support

One of the most important aspects introduced by the new land policies was that of mandatory consultation processes with local community groups. These are now necessary in every single application for natural resource rights in rural areas. The consultation process is an important opportunity for the establishment of a potential long-term partnership between a local community and private sector investors in rural areas and is of primary importance in reducing the potential for later conflict.

As a new institution, these consultations are beset with myriad problems. In some cases they are not taking place at all or they may be performed in a perfunctory manner. Local elites may manipulate the process. Local administrative structures may not provide supportive guidance. Structural problems exist, such as the inclusion of a mandatory financial 'incentive' for the community group and the lack of a system for capturing the terms of agreements and monitoring compliance.

The following kinds of problems were identified with community consultation processes regarding private land applications in Zambézia:

- Very few files of the applications contained documentary evidence of the consultation, or the documents were vague and unclear.
- Consultations were taking place without the concerned community being given the opportunity to clarify their rights or the nature of the process.

- In some areas several different consultations were being undertaken independently and in isolation of each other and frequently by different officials of the *Serviço Provincial de Geografia and Cadastro* (Provincial Cadastral Service – SPGC).
- Little or no information regarding existing land rights or applications was given to the community groups.
- Documentation regarding the consultation was often unclear on who had participated in the meeting and what agreements, if any, had been made.
- Very large land applications were being subjected to consultations involving very few members of the community (Kanji et al. 2002).

A report from Cabo Delgado province states:

In reality, the new law has not turned out quite as well as planned. While it does defend community land rights, it has not produced the close relationships between investors and rural communities that its designers envisioned. Instead of contracts spelling out ongoing financial relationships between investors and communities, the practice of one-off (compensation) payments continues, leaving community members with a short-term flush of cash and long term loss of their lands (Bechtel 2001).

There is also very minimal recording of the nature and elements of any longer-term agreements that may be being made, making the monitoring and enforcement of these an extremely unlikely scenario in the future.

A frequently stated view is that the consultation processes act as a disincentive to investment in rural areas, but it appears to be rarely the case that a community will reject an application during consultation. Most community groups in fact welcome the potential presence of a new local actor with resources and social capital that they do not possess, perceiving this to be a positive impact upon local development.

The World Bank has indicated that 'a lack of transparency and an ad hoc approach to the granting of large-scale agriculture, tourism, wildlife and other natural resource related concessions threaten the sustainability of development in these areas' (World Bank 2003). Large tracts of high-quality coastline have been parcelled out to investors, many of whom have little long-term investment commitment or experience. The benefits of investments associated with these concessions are largely being captured by narrow interests, and local communities are being excluded from decision making and are gaining little benefit.

While the land law includes a number of progressive provisions, there are a number of cases where communities

enter into consultation with external agents about the use of their land and they frequently find themselves in a vulnerable situation. Hanlon (2002) cites Arlindo Chilundo of the Land Studies Unit (NET):

No one is assisting the communities. They do not have lawyers. They are vulnerable and have no one to defend them. Civil society must organise itself. We need community advocates. Proposals must be more widely publicised and consultations more widely advertised. We need local NGOs to do this.

Community organisers could be involved in five overlapping roles:

- supporting communities during consultations
- working with communities on delimitations
- helping communities to monitor existing title-holders within their area
- doing more detailed work with communities to promote investment – helping them to identify their resources and then to go out and to sell to an investor
- serving as a professional intermediary between investors and the community, but explicitly on the side of the community.

Communities which have been 'consulted' and come to an agreement often have no understanding that they are giving up this land permanently, and they have no understanding of the value of what they are giving away. 'Consultation now is really just selling land. Communities feel they have no choice, and have no sense of the value of their land,' commented one donor official. The vague promise of jobs is always important; one consultation in Zambézia actually contains a promise to create 50 jobs, but no promise that these would go to community members. On top of this, it is widely reported that in the consultations, communities are asking for small infrastructure – a well, a shop, a health post, or a school. This is often agreed, but the community does not realise the investor is only offering the building, and not the management and upkeep, or assistance with salaries for a teacher or a nurse, for example (Hanlon 2002).

In one instance, peasants agreed to release 2,000 ha in exchange for a payment of 60 million mt, about US\$2,600. In effect, the investor bought the land for \$1 per hectare. This may seem like a lot of money to local people, but they have lost the land forever (Hanlon 2002). 'Not only is little attention given to the registration of community use rights as a means to improve the capacity to "negotiate" out of poverty, but there would also appear to be a growing level of government resistance to this aspect of the new policy framework' (Norfolk & Liversage of the Zambézia Agricultural Development Project cited by Hanlon 2002). Indeed, there

are 'clear indications from senior officials that the provisions of the Land Law that are designed to protect community tenure are considered to be obstacles to the objective of attracting capital investment and land development in rural areas. This view maintains that there are already enough disincentives to rural investment in Mozambique without requiring investors to enter into expensive consultation processes with local communities' (Norfolk et al. 2003).

Many rural areas with large populations and considerable agricultural potential continue today to have extremely difficult access to the national road network. The IMF review of implementation of the PARPA 3 (*Plano de acção para a Redução da Pobreza Absoluta* – National Action Plan for the Reduction of Absolute Poverty) in 2003 stated that the 'nationwide coverage of transitible highways is still fragile, however, which has discouraged private-sector investment and slowed the development of rural markets for agricultural inputs and products' (Cited in Norfolk 2004).

Rural trading is therefore beset with problems of transport availability, at costs that make Mozambican trading comparatively disadvantaged. A number of studies have identified market access and prices as the most important determinant for agricultural production. Physical capital in the form of the network of small stores (*cantinas*) that existed during the colonial period has been decimated – these used to offer the option of bartering agricultural produce for consumer goods and agricultural inputs, and provided an important bulking-up function. They may also have offered small-scale production or consumption credit to local people. Now, many farmers have to travel long-distances to local markets where their bargaining position is weak.

Institutional arrangements and support agencies

Initially, the Inter-ministerial Land Commission was responsible for managing and administering land reform and associated settlement support strategies. However, this institution has been collapsed into the Ministry of Agriculture and Rural Development (MADER).

At a district level the structure and the composition of the agricultural directorates vary widely but are generally characterised by a very low level of human, physical and financial resources. Very few districts have specific representatives from the provincial land services, which tend to be concentrated in the provincial capitals. For regulatory activities, therefore, the provincial offices will depend upon the participation of generalist technicians based in the districts.

Representatives of the district administrative authorities also play a role in land adjudication processes. Land consultations have to be accompanied by a representative of the district administrator, although in many cases this role will be allocated to the District Directorate of Agriculture. At sub-district level there is even less specialist capacity and this is usually restricted to extension workers.

Traditional authorities

In relation to land resources, the power and legitimacy of the traditional authorities seem to have been largely maintained. The end of the war and the consequent return of displaced populations in the early 1990s proved this continuing durability of traditional institutions of land allocation and adjudication: the re-establishment of legitimate and widely accepted land-holding patterns (between groups and individuals that had remained in the countryside, those that had returned and those arriving to new areas) occurred within the framework of the customary rules of the rural populations. The process occurred largely without conflict and required little intervention from formal authorities.

Since the peace accord, the traditional authorities in an area may be used by local people as a forum for resolving disputes. In many areas access to land can be through kinship networks or neighbours rather than through the chieftaincies. Outsiders who come to a new area in search of land would traditionally be expected to ask permission from the local traditional authorities, but in some cases this may just consist of informing them after the fact in order for the boundaries to be confirmed. The traditional authorities are often used by NGOs as dispensers of aid and by companies as agents and generally have high stocks of social capital and influence.

Local communities

The land law introduced a concept of 'local communities' which related directly to a spatial area within which a group of people lived and made use of resources. The Technical Annex introduced a legally prescribed methodology for the identification of the community and the related areas, a process that was intended to be in the hands of the particular community and to be one largely of self-definition (with safeguards such as obligatory consensus with neighbours, etc.). Thus the communities could be anything from a traditional unit based on membership of a clan or chieftaincy to a simple group of neighbours.

Role of NGOs

Civil society has played a major and dynamic role in the land debate, and still plays a key role both in provoking debate

and in providing information and delimitation services to rural communities. Kanji and Braga in a new study on the role of NGOs promoting land rights in Mozambique say their 'fieldwork revealed considerable confidence and trust in NGOs, in particular, as a vehicle of communication between local people and governmental authorities. ... Increasingly, peasant groups actively seek the assistance of NGOs to resolve land conflicts or to make land claims' (cited in Hanlon 2002).

Mozambican NGOs and civil society organisations often do not have the capacity to present a strong voice at policy consultations and considerable work is needed for them to become familiar with issues and to organise around them. Only a few NGOs are in a position to react to unexpected opportunities to influence policy, which often arise at short notice and give little time to consult their membership. In addition, many of the Mozambican NGOs often find it difficult and time-consuming to work together in alliances, as evidenced by the problems being faced by some of the provincial structures established in the wake of the Land Campaign.

Role of the private sector – Joint ventures and strategic partnerships

The results of an analysis done on some of the agreements flowing from land consultations with communities in Zambézia reveal that the predominant form of agreement (58% of cases) was for opportunities for local employment. In only one of the 48 cases, however, was any detail provided in respect of this agreement; for the vast majority, the number and nature of opportunities to be created, remuneration levels, selection policies, and so forth were all unspecified. It was also noted that none of the agreements specified any form of training that was to be made available. The predominant feeling of those who were attending the consultations was that what was involved here was access to cheap labour rather than investments in and improvements to human capital. Several reports have noted the fact that usually only low-income positions are involved (Kloek-Jenson 2000).

A further 15% of the cases involved the applicant agreeing to make local produce available for purchase, to establish a local mill or to construct other amenities (including shops). Anecdotal evidence from elsewhere attests to the predominance of agreements that involve an investor promising to build social amenities such as a school or health post, or to improve access roads to the area involved. A lack of coordination with local government authorities has left some new facilities unstaffed and unused. In the forest areas there is evidence that physical capital may

in fact be destroyed. There is apparently no expectation by government that logging companies will build or maintain transportation infrastructure. The requirement for management plans, for example, makes no explicit call for operators to invest in road or bridge construction, nor does it require them to repair damage done to existing roads and bridges.

Still lacking are concrete financial benefits to communities as a result of partnership or joint venture deals. (It was noted above that only four of 100 consultations resulted in an agreement that resulted in the payment of compensation to existing rights holders – all of these were in the form of one-off cash payments.)

The private sector has an important role to play in increasing opportunities for livelihoods but the existing monopolistic practices of many agribusiness traders and companies are actually reducing access to markets for individuals and emerging small-scale enterprises. There is a clear need for a regulatory presence of the state to ensure competitive behaviour and the maintenance of low barriers to market entry. Appropriate incentive structures which encourage the private sector to be responsive to community groups (who have little or no economic power in the marketplace) are particularly difficult given the limited taxation base in the natural resource sector in Mozambique, thereby reducing the possibility of using tax incentives to guide private sector behaviour.

A loss of livelihood options is also being noted in the case of some private sector development initiatives, particularly those in the tourism sector that target areas of high conservation value. Under the guise of providing support for alternative livelihood strategies and generating local wealth, some of these projects are in fact having a net prejudicial impact upon local livelihoods.

Other large concessions that have an impact upon local land rights, mostly related to mining activities, have tended to take a classic compensation route and aside from a few social infrastructure developments appear not to be interested in establishing long-term relationships with local people.

However, the incidences where benefits are captured by local elites are many. Many of the individuals employed by forestry companies in Zambézia, for example, are related to local leaders. One company representative noted that he always pays a salary to the local traditional authority, even though the individual is not required to work. Another company official noted that many of the individuals hired are nephews or relatives of, or are closely associated with,

the traditional authority, party secretary or other local leader (Kloek-Jenson 2000).

External support – Donor agencies

The government of the United Kingdom, through its Department for International Development (DfID) has been exploring the potential of a programme on the implementation of the land law which would provide support to communities to pilot ways to develop the land delimitation process into an active and democratic one that delivers livelihood benefits. DfID commissioned an appraisal of the challenges that would face such a programme, completed in 2003, and have allocated further financing in 2004 in order to move towards a detailed design phase.

Other donor groups, including the Dutch, Swiss and Swedish development assistance agencies have expressed an interest in providing joint support, and a coordinating committee between these donor groups has been established to oversee the design phase. Terms of reference for this design phase are currently being developed. Various other entities from the international and national NGO sectors, the private sector and local government institutions might be brought into participating in such a programme, with a focus on developing the right kind of institutional environment for the provision of support to land-holding communities such that they can realise tangible benefits from their newly-acquired capital.

Settlement support mechanisms

There are three key elements of the contemporary land reform programme in Mozambique that are designed to contribute to poverty alleviation objectives and the provision of settlement support. These are as follows:

- **Strengthening of land tenure security for family sector producers**

The use of land as a productive resource is recognised as forming an integral part of the rural poor's survival strategies. In Mozambique, land and natural resource use by rural communities occupies a central position in their livelihoods. By strengthening security of tenure for family sector producers it is hoped that people will invest more in the land that they already occupy, feel safe in extending the present areas used for production, feel able to defend their use of land from encroachment by private interests and will hence be able to produce more and get easier access to credit. It is recognised that a range of other inputs would also be required and that land tenure security in itself will not necessarily lead to increased economic activity and poverty reduction.

- **Encouraging investment in the rural economy through the granting of private land concessions**

This is, to some extent, a return to the pre-independence system and in some regions has manifested a revival of old colonial concessions. By allowing private land concessions it is hoped that there will be increased investment in production and employment creation in the rural areas. Part of the programme of granting concessions involves the generation of a tax base in land rentals to the state, at various levels, to ensure future sustainability of the land management system.

- **Establishment of partnerships between investors and rural communities**

This is the crucial element for bringing together the two elements mentioned above. By encouraging partnerships it is hoped that land tenure security of both communities and investors will be strengthened, that mutually beneficial relationships will develop, leading to a better environment for investment by both outside investors and rural communities.

Land delimitation exercises

After the initial land delimitation exercises undertaken in 1999 as part of the piloting processes of the Technical Annex, the level of government finance, resources and involvement in this area of implementing the new policies has been extremely limited. Most land delimitations since this time have in fact been undertaken through off-budget donor-supported exercises that have been implemented by various NGOs, with government participation occurring as a reimbursed service to these groups. Indeed, although there was apparently considerable support for the resource and funding requirements that would be needed to implement and test the new poverty-focused elements of the law, it soon became apparent that the government considered these to be of secondary importance and embarked instead upon a drive to attract outside investment and to facilitate the allocation of private land-use rights.

Despite limited government funding for the proactive delimitation of community land, a considerable number of delimitations have been completed in various parts of the country, largely through the support of NGOs. Information on and monitoring of the implementation of these delimitations has been fragmented and partial.

The extent to which the process of delimiting community land forms part of a 'joined-up' implementation approach, which has as an objective the integration of the poor in the social and economic development of an area, has also been of concern. Many delimitation processes to date have

been criticised for having been undertaken in isolation and without a clear vision of how the exercise would form part of further, obviously necessary, processes of local planning and development. Some commentators lay the blame for this more squarely with the NGO groups that have been implementing the delimitations. They criticise them for not having stimulated further planning activities or for not actively having looked for potential alliances with private sector organisations that would be interested in negotiating access to some of the resources over which community groups had acquired legally-registered access (Norfolk et al. 2003). Others consider that long delays between activities and poor planning and coordination between state and NGO service providers are partly to blame. In the community of Canda, for example, land delimitation was undertaken as part of the FAO/DNFFB Community Based Management of Natural Resources Project, but the long delay between this and the initiation of a management component to the exercise were judged to have left people in the area feeling that the delimitation process had no real purpose (CTC Consulting 2003).

Decentralisation

According to Norfolk (2004), there is a problem with the forms of participation, with the mechanisms of decentralisation and the creation of 'new' institutions of natural resource management. Along with other southern African countries, Mozambique is committed to administrative and political decentralisation. But this is taking a particular form in practice. The operation of local elite networks, party connections, kin-based linkages, and relations between government and traditional authorities all play a part in affecting the degree to which decentralisation (in its various forms) leads to benefits for the poor living in rural areas. Many rural areas in Mozambique remain remote and marginalised from the political and economic mainstream and, as a result, the standard patterns of administrative and political authority do not operate. Very often there are intermediaries – local elites, NGOs, donor projects and others – who have significant influence on the way in which resources are allocated. Thus it is at the local level where bargains are made, deals negotiated and politics practised, and this is where the gains or losses for livelihoods are made. With multiple and competing lines of authority, the local political context is key, and is often ignored in the standard models and assessments of decentralisation policies (Norfolk 2004).

Finance and access to credit

Banking regulations and requirements will make it almost impossible for community groups to open and manage

accounts, despite the fact that they may have been awarded legal recognition through the operation of the land law. Alternative financial institutions providing more accessible and tailored services to the rural poor in Mozambique do not yet exist outside of the rather narrowly-focused and NGO-managed credit programmes.

The People's Development Bank (BPD) was set up in the socialist era to provide rural credit, and it still had branches in all district capitals at the end of the war in 1992. It proved effective and efficient in paying out demobilisation money to 90,000 soldiers and was one reason why so many returned to their rural homes. But BPD was privatised, its rural branches closed, and agricultural lending stopped. The private banking system in Mozambique is urban and is happy to lend for consumption, such as cars, or for urban house building, but has absolutely no interest in rural lending for farming or marketing. Banco Internacional de Moçambique (BIM), which dominates the market, gives only 8% of its credit for agricultural purposes (Hanlon 2002).

Numerous foreign NGOs and aid agencies have set up micro-credit schemes, mainly for traders, but also a few for farmers. But this is not a banking system. And there is no rural banking system because the private sector is not interested. Agricultural lending is fundamentally more risky than other kinds, because farming is affected by weather and pests. The general demand is that donors or government create some sort of insurance or guarantee system to reduce the risk to borrower and lender.

Interest rates remain very high. The interbank interest rate in April 2002 for two months or longer was 36%, which means commercial borrowers paid nearly 50%. The rate is being kept high by the government in order to meet IMF demands for low inflation rates. But farmers and traders doing agricultural marketing cannot make a profit at those interest rates.

Monitoring and evaluation and information management

With increasing emphasis in Mozambique on programme or direct budgetary support (building capacity through responsibility), the need for governance feedback loops and monitoring mechanisms becomes ever more critical. These mechanisms are vital in order to gauge whether current policies and institutions are hitting the target, a critical question that can only be answered through the detailed technical and consultative review of field-level impacts in

often distant locations (Norfolk 2004). In addition, there is a high degree and complexity of spatial differentiation within Mozambique: Policy in practice can vary greatly between different parts of the country, according to local variations in the institutional/organisational environment. This environment can also change over time, without change in policy statements.

Information regarding the impact of new natural resource policies in Mozambique is characterised by its fragmentary and ad hoc nature at the moment, emanating from various institutions and organisations and consisting very often of anecdotal rather than empirical evidence. There is clearly a need for a more rigorous and institutionalised process of monitoring policy impact that builds upon and supports the presently fragmented collection of data and studies that are being conducted.

The Inter-ministerial Land Commission, for a period at least and with a varying degree of success at different times, functioned as a focal point for the initial monitoring and necessary iterative processes involved in the policy formulation period in respect to the land law. Now that this institution has been folded into the MADER, it is difficult to identify a central institution that can serve as the collection and analysis point for the kind of monitoring and feedback processes that are necessary.

Summary of key issues

While Mozambican land law emerged from a consultative and democratic process, and includes a number of progressive provisions, more focused support is needed in order to actually empower local communities to use the provisions of the land law both to defend their land and to promote local development. In the absence of this support and coordination from the state, beneficiaries are increasingly being left on their own to negotiate and consult with investors and the private sectors, including large agribusiness transnationals. There are numerous cases of beneficiaries who have effectively lost their land to these agents because they did not understand the implications or terms of agreement.

Mozambique therefore provides a prime example of how decentralisation, in the absence of strong national coordination and a clear vision for settlement support, can in fact precipitate an undermining of the gains made through land reform.

9. Conclusions

As can be seen from the international experiences outlined in this report, the objective of post-settlement support in land reform differs from country to country and varies in scope and intensity, depending on the historical, socio-political and economic paradigm in which it is being implemented.

In each country, the history of land struggles and the process of dispossession, accompanied by social mobilisation to regain land, and the subsequent outcomes, have shaped the nature and content of the support provided to beneficiaries. Specific national histories, the histories of dispossession, political and economic conditions within the country, and international trends at the time of the planned reform all differ, and have all informed the adoption of particular approaches to land reform and settlement support. The level of organisation and of rural social mobilisation in each country have also contributed to shaping land reform programmes and have been major factors in them meeting their objectives.

Besides the necessary political will and allocated budget for land reform and support provision, there are a range of factors and pre-conditions which need to be present in order for useful approaches adopted elsewhere in the world to have applicability and relevance to the South African context. The following key features in relation to the applicability of various land reforms and support programmes as practised elsewhere need to be considered:

- integration of settlement support within the broader development and land reform agenda
- the extent to which beneficiaries have experienced an ongoing attachment to the land and the rural environment
- the extent to which agricultural production plays a role in the economy
- decentralisation and institutional arrangements for support provision
- the presence of social cohesion and organisation in rural communities and social movements
- the ratio of land to population density and settlement patterns of rural communities.

The key lesson that can be drawn from the international experience is that, irrespective of the political or historical milieu, the transfer of land alone is not sufficient and requires buttressing by settlement support provision from a range of institutions and sectors. In the absence of ongoing support and capacity building, new land owners will run the risk of

being set up to fail. For development activities on acquired land to be sustainable and to impact positively on the lives of beneficiaries, a comprehensive, responsive and ongoing interaction between those requiring and determining the support they require and those who provide such support is needed.

If the objective and scope of land reform are to improve rural livelihoods or facilitate integration into local or global economies, if land reform is to go beyond the mere transfer of land and the narrow focus on technical and agricultural production support to new landholders, then it is necessary to pay attention not only to the immediate support needs of claimants but also to wider agrarian reforms such as infrastructure development, technical support, the provision of credit and access to finance, and the regulation of input and commodity markets in ways that favour and support small-scale farmers and new landholders (Adams 2000; Griffin et al. 2003).

Effective, transparent and inclusive programmes to facilitate land acquisition and settlement support require institutional arrangements and policy environments that are accessible and responsive to conditions at regional and local levels. As a result, many of the more successful land reforms and support delivery agencies have operated in the context of decentralised systems, based on the notion that the efficiency of institutions is a function of their proximity to the beneficiary grouping (United Nations System Network on Rural Development and Food Security 2002a). There is therefore an emerging recognition of the importance of understanding region and area-specific social, market and cultural conditions in order to formulate appropriate targeted strategies to provide land access, support provision and rural development more broadly.

Lessons from international experiences all emphasise the key importance of strengthening the participation of local communities and stakeholders within a locality in decision-making processes for development (FAO 2006). Of particular importance is the notion of accountability between right-holders, for example, communities and producer groups, state agencies and other service providers. Accountability is critical for any decision-making process or monitoring and evaluation system to be effective, and assumes that all partners are sufficiently empowered with regard to access to livelihood assets, adequate institutional capacities and political voice (FAO 2006).

Most land reforms have implied a key role for the state but in the 21st century under neo-liberalism and the market-based approach to land reform, the state is no longer viewed as a central player and this limits the scope and options for the provision of settlement support. Within the framework of market-based land reform (MBLR), no institution – other than the intended beneficiaries – is responsible for ensuring that the most needy or marginalised beneficiaries participate in the programme, or receive the necessary support. Nobody is ultimately responsible for ensuring that new farmers obtain the type of support services they require or for ensuring that land reform settlements are integrated into wider processes of social and economic development. As argued by Griffin

et al. (2002), one cannot simply give land to the land-poor and then abandon them and expect that the private sector will respond and provide for their needs.

In conclusion, each country's land reform programme and associated support provision is unique and has evolved through struggle and contestation. Thus, no one model will necessarily be appropriate or workable in a different context. There are, however mechanisms and approaches from elsewhere that can be considered and adapted to the South African context, once due consideration has been given to their relevance and applicability.

10. References

- Adams, F. and Werner, W. 1990. *The land issue in Namibia: An inquiry*. Namibia: Institute for Social and Economic Research, University of Windhoek.
- Adams, M. 2000. *Breaking new ground: Development aid for land reform*. Overseas Development Institute.
- Ali, A. 2003. *Participatory impact assessment report for Al-Makha, Taiz Governorate*. Yemen: United Nations Development Programme (UNDP)/Food and Agriculture Organization (FAO) Community-Based Rural Development Project. June.
- Ashcroft, J. 1988. *Land reform in Kenya and Zimbabwe: Some lessons for South Africa*. Newick Park Initiative. February.
- Barracough, S. 2001. The role of the state and other actors in land reform, in *Land reform and peasant livelihoods: The social dynamics of rural poverty and agrarian reforms in developing countries* edited by K.B. Ghimire. London: ITDG Publishing.
- Bechtel, P. 2001. *Land law and agricultural development in Cabo Delgado, Mozambique and in Swaziland*. Paper presented to the Southern African Regional Poverty Network Conference on 'Land reform and poverty alleviation in Southern Africa', Pretoria, 4–5 June.
- Bernstein, H. 2002. Land reform: Taking a long(er) view. *Journal of Agrarian Change*, 2(4).
- Bledsoe, D. and Giovarelli, R. 2001. *Land reform in Eastern Europe – Western CIS, Transcaucuses, Balkans and EU accession countries*. Rome: Rural Development Institute, Food and Agriculture Organization.
- Borras, S.M. 2000. *Market-led agrarian reform: Re-interpretation of empirical data from Brazil, Colombia and South Africa – Implications for developing countries like the Philippines*. Paper prepared for the Rural Development Seminar (RDS), Institute of Social Studies, Netherlands.
- Borras, S.M. 2006. The Philippine land reform in comparative perspective: Some conceptual and methodological implications. *Journal of Agrarian Change*, 6(1).
- Bourassa, S.C. and Strong, A.L. 2002. Restitution of land to New Zealand Maori: The role of social structure. *Pacific Affairs*, 75(2).
- Bratton, M. 1990. Ten years after: Land redistribution in Zimbabwe: 1980–1990, in *Agrarian reform and grassroots development: Ten case studies* by R.L. Prosterman, M.N. Temple and T.M. Hanstad. Lynne Rienner.
- Bravo, M.R. 2001. Agrarian reforms in southeast Asia: The role of NGOs and other actors, in *Whose land? Civil society perspectives on land reform and rural poverty reduction – Regional experiences from Africa, Asia and Latin America* edited by K.B. Ghimire. Rome: International Fund for Agricultural Development.
- Bromley, D. 2006. *Land rights movements*. University of Wisconsin-Madison. Southern African Regional Poverty Network. Regional themes: Land. Last update 30 June.
- Bruce, J.W. 1993. *The variety of reform: A review of recent experience in land reform and the reform of land tenure, with particular reference to the African experience*. International Development Studies (Occasional paper: no. 4).
- Bryceson, D. 2000. Peasant theories and smallholder policies: Past and present, in *Disappearing peasantries?* edited by D. Bryceson, et al. London: ITDG Publishing.
- Buainain, M.A., da Silveira, H., Souza, M. and Magalhaes, M. 1999. *Community-based land reform implementation in Brazil: A new way of reaching out to the marginalized?* Paper presented at the GDN conference in Bonn, Germany, December. (<http://www.gdnet.org/bonn99/confpapers.f1ml>)
- Byres, T.J. 1996. *Capitalism from above and capitalism from below. An essay in comparative political economy*. London: Macmillan.
- Cernea, M. (ed.). 1985. *Sociological variables in rural development*. New York: Oxford University Press.
- Cernea, M. 1997. The risks and reconstruction model for resettling displaced populations. *World Development*, 25(10):1569–1587(19).
- Chamorro, A. 2002. *Land reform: Trends and challenges*. International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF). (Land and Freedom Project discussion paper; no. 1.)

- Chigumete, R. Undated. *Land reform, land markets and financial capitalisation of agriculture*. Land Information Services Consultant.
- Chimhowu, A.O. 2006. *Tinkering on the fringes? Redistributive land reforms and chronic poverty in southern Africa*. Manchester: Chronic Poverty Research Centre Institute for Development Policy and Management (IDPM), School of Environment and Development, University of Manchester. (CPRC working paper; no. 58.) January.
- CTC Consulting. 2003. Appraisal of the potential for a community land registration, negotiation and planning support programme in Mozambique. A report for DfID.
- Cousins, B. 2000. The Zimbabwe crisis: Lessons for the region – Could land invasions happen here too? Cape Town: Programme for Land and Agrarian Studies, University of the Western Cape. (PLAAS seminar paper; no. 5.)
- De Janvry, A., Platteau, J-P., Gordillo, G. and Sadoulet, E. 2001. Access to land and land policy reform, in *Access to land, rural poverty and public action* edited by A. de Janvry, G. Gordillo, J-P. Platteau and E. Sadoulet. Oxford: Oxford University Press.
- De Villiers, B. 2003a. *Land reform: Issues and challenges – A comparative overview of experiences in Zimbabwe, Namibia, South Africa and Australia*. Johannesburg: Konrad Adenauer Foundation.
- De Villiers, B. 2003b. *Native title just another round in dispossession*. Media statement, 9 September.
- De Villiers, B. 2004. *Exploring non-native title outcomes: Experiences in southern Africa*. Paper presented at the 'Building relationships' Annual Conference of Native Title Representative Bodies and interested parties held in Adelaide, 3–4 June.
- Deininger, K. 1999. *Making negotiated land reform work: Initial experience from Colombia, Brazil and South Africa*. Washington, DC: World Bank. (World Bank policy research working paper; no. 2040.)
- Deininger, K. and May, J. 2000. *Is there scope for growth with equity? The case of land reform in South Africa*. Washington, DC and Durban: World Bank and University of Natal, School of Development Studies.
- Department for International Development (DfID). 2002. *Better livelihoods for the poor people. The role of land policy*. Draft land policy paper. London: DfID. November.
- Dorner, P. and Thiesenhusen, W.C. 1990. Selected land reform in East and Southeast Asia: Their origins and impacts. *Asian-Pacific Economic Literature*, 4(1).
- ELF-NGO Land Working Group. 1999. *Zimbabwe: Reflections on the land reform and resettlement programme – Phase 2*. October.
- El-Ghonemy, R. 2001. The political economy of market-based land reform, in *Land reform and peasant livelihoods: The social dynamics of rural poverty and agrarian reforms in developing countries* edited by K.B. Ghimire. London: ITDG Publishing.
- Evtimov, V. 2006a. Databases on land tenure in the Western Balkans, with particular reference to Albania and Croatia. *Land reform, Land Resettlement and Cooperatives*, 2006/1.
- Evtimov, V. 2006b. Databases on land tenure in Central and Eastern Europe: A summary of case studies of Hungary, Poland and Bulgaria. *Land reform, Land Resettlement and Cooperatives*, 2006/1.
- Feranil, S.H. 2005. Stretching the 'limits' of redistributive reform: Lessons and evidence from the Philippines under neoliberalism, in *Reclaiming the land: The resurgence of rural movements in Africa, Asia and Latin America* edited by S. Moyo and P. Yeros. London: Zed Books.
- Fig, D., Leader-Williams, N., Magome, H. and Reid, H. 2004. *Co-management of contractual national parks in South Africa: Lessons from Australia*. <http://www.conservationandsociety.org/reid>
- Food and Agriculture Organization. 2000. Contemporary thinking on land reform. [http://www.SD DIMENSIONS/Land Tenure/Analysis](http://www.SD_DIMENSIONS/Land_Tenure/Analysis). 24 March.
- Food and Agriculture Organization. 2006. *FAO's contribution to good policies and practices in agrarian reform and rural development: A brief overview*. Paper presented at the International Conference on Agrarian Reform and Rural Development, Porto Alegre, 7–10 March.
- Ghimire, K.B. 1999. *Peasants' pursuit of outside alliances in the process of land reform: A discussion of legal assistance programmes in Bangladesh and the Philippines*. (Discussion paper; no. 102.)
- Ghimire, K.B. 2001. Land reform at the end of the twentieth century: An overview of issues, actors and processes, in *Land reform and peasant livelihoods: The social dynamics of*

- rural poverty and agrarian reforms in developing countries*
edited by K.B. Ghimire. London: ITDG Publishing.
- Ghimire, K.B. and Moore, B.H. 2001. *Whose land? Civil society perspectives on land reform and rural poverty reduction – Regional experiences from Africa, Asia and Latin America*. Rome: International Fund for Agricultural Development.
- Goldman, I., Carnegie, J., Marumo, M., Marumo, D., Kela, E., Ntonga, S. and Mwale, E. 2000. *Institutional support for sustainable rural livelihoods in southern Africa: Framework and methodology*. (ODI Natural Resource Perspective; no. 49.)
- Gonese, F.T. and Mukora, C.M. Undated. *Beneficiary selection, infrastructure provision and beneficiary support*. Harare: Centre for Applied Social Sciences and Department of Geography and Environmental Science, University of Zimbabwe.
- Griffin, K. 1974. *The political economy of agrarian change*. London: Macmillan.
- Griffin, K., Rahman Khan, A. and Ickowitz, A. 2002. Poverty and the distribution of land. *Journal of Agrarian Change*, 2(3).
- Gwanya, T., Shange T., Mphela, T. and Jansen, B. 2004. *Study tour report by land restitution commissioners from South Africa – Australia: 23–29 May 2004; New Zealand: 29 May–5 June 2004*. Commission for the Restitution of Land Rights. 7 June.
- Hanlon, J. (ed). 1997. *Mozambique Peace Process Bulletin*, 19. <http://www.awepa.org>
- Hanlon, J. 2002. *The land debate in Mozambique: Will foreign investors, the urban elite, advanced peasants or family farmers drive rural development?* Pretoria: Oxfam.
- Indigenous Law Bulletin*. Making amends for past injustice: Restitution of land rights in South Africa. <http://www.austlii.edu.au/au/journals/ILB/1999/67.html>
- International Fund for Agricultural Development. 2001. *Rural poverty report: The challenge of ending rural poverty*. United Kingdom: University Press.
- Jacobs, P., Lahiff, E. and Hall, R. 2003. *Land redistribution*. Cape Town: Programme for Land and Agrarian Studies, University of the Western Cape.
- Kanji, N., Braga, C. and Mitullah, W. 2002. *Promoting land rights in Africa: How do NGOs make a difference?* London: International Institute for Environment and Development (IIED)
- Kenfield, I. Undated. *Broadening the discourse of 'negotiated land reform.' A comparison between land reform projects in South Africa and Brazil*. Davis: University of California Small Farm Program. (ICARRD contribution paper.)
- Kloek-Jenson, S. 2000. *Locating the community: Administration of natural resources in Mozambique*. Madison: Land Tenure Center, University of Wisconsin-Madison. (Working paper; no. 32.)
- Lahiff, E. 2001. *Land reform in South Africa: Is it meeting the challenge?* Cape Town: Programme for Land and Agrarian Studies, University of the Western Cape. (Policy brief; no. 1.)
- Lahiff, E. 2006. *International trends in land reform, 1990–2005*. Cape Town: Programme for Land and Agrarian Studies, University of the Western Cape.
- Lahiff, E. and Cousins, B. 2005. Smallholder agriculture and land reform in South Africa. *IDS Bulletin*, 36(2).
- Lindemann, T. 2005. Decentralisation and local government development in rural areas of Latin America, in *Land reform: Land settlement and co-operatives*. Rome: Food and Agriculture Organization.
- Liversage, H. and Norfolk, S. Undated. *Land reform and poverty alleviation in Mozambique*. A paper for the Southern African Regional Poverty Network, Human Sciences Research Council.
- Llanto, G.M. and Ballesteros, M.M. 2003. Land issues in poverty reduction strategies and the development agenda: The Philippines. *Land Reform, Land Resettlement and Cooperatives*, 2003/3.
- Lourie, M. Undated. *Participation of stakeholders in developing agrarian reform communities in the Philippines*. Rome: Food and Agriculture Organization.
- Mathiessen, L. 1986. *Landbouontwikkeling in SWA/Namibië*. Paper presented at the 'Namibia – Perspectives for National Reconstruction and Development' Conference held in Lusaka.
- Mayson, D. 2002. *Agrarian reform and agricultural co-operatives in Cuba – Some lessons for South Africa*. Cape Town: Surplus People Project.
- Mayson D 2003. *Joint ventures*. Cape Town: Programme for Land and Agrarian Studies, University of the Western

- Cape. (Evaluating land and agrarian reform in South Africa series; no. 5.)
- Moyo, S. 2000. *The interaction of market and compulsory land acquisition processes with social action in Zimbabwe's land reform*. Conference paper presented at the SARIPS Colloquium, Harare.
- Natural Resources Institute. 2005. *Background for a Food and Agriculture Organization policy note*. Greenwich: Natural Resources Institute, University of Greenwich.
- Navarro, Z. 1998. *The Cedula da Terra Guiding Project – Comments on the social and political-institutional conditions of its recent development*. Washington, DC: World Bank.
- Ndlovu, F. and Mufema, E. Undated. *Rural district councils: Need for decentralisation and capacity strengthening to deepen agrarian reform*. Harare: Association of Rural District Councils and Economic History Department, University of Zimbabwe. [Contribution to conference proceedings.]
- Nichols, S. and Rakai, M. Undated. *Canadian land reform: An overview of aboriginal rights and land claim settlements*. Fredericton, Canada: Department of Geodesy and Geomatics Engineering, University of New Brunswick.
- Norfolk, S., Nhantumbo, I. and Pereira, J. 2003. *Só para o Inglês ver – The policy and practice of tenure reform in Mozambique*. Brighton: Institute of Development Studies. (Sustainable livelihoods in southern Africa research paper; no. 11.)
- Norfolk, S. 2004. *Examining access to natural resources and linkages to sustainable livelihoods. A case study of Mozambique*. Rome: Food and Agriculture Organization Livelihoods Support Programme (FAO Livelihoods Support Programme working paper; no. 17: Access to Natural Resources Sub-programme.)
- Nyamu-Musembi, C. and Musyoki, S. 2004. *Kenyan civil society perspectives on rights, rights-based approaches to development, and participation*. Brighton: Institute for Development Studies, University of Sussex. (Institute for Development Studies working paper; no. 236.)
- O'Donnell, K. 2003. Traditional lands: The case of nature divided. *Savanna Links*, 24. http://savanna.ntu.edu.au/publications/savanna_links_issue24.html?tid=33813
- Organisation for Economic Co-operation and Development. 2006. *OECD review of agricultural policies: South Africa*. Paris: Public Affairs Division, Public Affairs and Communications Directorate. <http://www.SourceOECD.org>
- Polman, W. 2005. Local participatory governance in support of pro-poor rural enterprise development in Asia and the Pacific. *Food and Agriculture Organization Land Reform Bulletin*, 2005/2.
- Pozarny, P. 2005. *Note on the Projet d'Appui aux Organisations Paysannes de la Province de la Kompienga dans le Cadre de la Sécurité Alimentaire et de la Décentralisation (GCP/BKF/041/BEL)* (internal note). [For a summary and translation see: Rome: Food and Agriculture Organization, 2006.]
- Putzel, J. 2002. The politics of partial reform in the Philippines, in *Agrarian studies: Essays on agrarian relations in less-developed countries* edited by V.K. Ramachandran and M. Swaminathan. London: Zed Books.
- Quan, J., Lahiff, E. and Tan, S.F. 2003. *Assessing the impact of major land reforms on livelihood opportunities for the poor*. Paper submitted to the 'New Directions in Impact Assessment' Conference, Manchester, November.
- Quan, J. 2006. *Land access in the early 21st century: Issues, trends, linkages and policy options*. (FAO Livelihoods Support Programme working paper; no. 24.)
- Riddell, J. 1999. *Private/public partnerships in land administration in Black Sea countries, Part 1*. Rome: Chief Land Tenure and Settlement Service, Food and Agriculture Organization.
- Riedinger, J.M. 1995. *Agrarian reform in the Philippines: Democratic transitions and redistributive reform*. Stanford CA: Stanford University Press.
- Rosset, P. 2001. *The multiple functions and benefits of small farm agriculture in the context of global trade negotiations*. Oakland: Food First/Institute for Food and Development Policy. (Food First policy brief; no. 4.)
- Sibanda, M. 2003. Delivery of land services to land reform beneficiaries, in *Delivering land and securing rural livelihoods: Post-independence land reform and resettlement in Zimbabwe* edited by M. Roth and F. Gonese. Harare and Madison: Centre for Applied Social Sciences, University of Zimbabwe, and Land Tenure Center, University of Wisconsin-Madison.
- Spisiakova, M. 2006. Asian NGO perspectives on land reform and access to land. *Making a difference in Asia and the*

- Pacific*, 9 (March/April). <http://www.ifad.org/newsletter/pi/9.htm#10>
- Thanh, H.X., Anh, D.N. and Tacoli, C. 2005. *Livelihood diversification and rural-urban linkages in Vietnam's Red River delta*. London: International Institute for Environment and Development. (Rural-urban working paper series; no. 11.)
- United Nations Research Institute for Social Development. 1995. *States of disarray: The social effects of globalisation*. Geneva: INRISD.
- United Nations Research Institute for Social Development. 2000. *Visible hands: Taking responsibility for social development*. Geneva: INRISD.
- United Nations System Network on Rural Development and Food Security. 2002a. *Interview with Tomás Lindemann* (Rural Institutions Service, SDAR, FAO). June. http://www.rdfs.net/news/interviews/0206in/0206in_decentr_en.htm
- United Nations System Network on Rural Development and Food Security. 2002b. *Interview with Bruce Moore, Co-ordinator of the Popular Coalition to Eradicate Hunger and Poverty*. December.
- Van Zyl, J., Sonn, L. and Costa, A. 2001. *Decentralized rural development, enhanced community participation, and local government performance: Evidence from Northeast Brazil*. Washington, DC: World Bank.
- Watson, D. 2002. *Pro-poor service delivery and decentralisation*. Fifth Africa Governance Forum (AGF V) on 'Local governance for poverty reduction' held in Maputo, Mozambique, 23–25 May. (Issue paper; no. 3.)
- World Bank Institute. 2005. *Land redistribution in Africa: Learning from experience – Course overview*. Washington, DC: World Bank. April.
- World Bank. 2003. *Land policies for growth and poverty reduction: A World Bank policy research report*. Washington, DC: World Bank. http://econ.worldbank.org/prr/land_policy/text-27809/ [Accessed on 23 June 2004.]
- Wu, B. and Pretty, J. 2005. Social connectedness in marginal rural China: The case of farmer innovation circles in Zhidan, north Shaanxi. *Agriculture and Human Values*, 21:81–92.
- Wyatt, B. 2004a. *Retrieving lost ground – Pastoral access principles for the goldfields*. Address by Goldfields Land and Sea Council Executive Director Brian Wyatt. Brisbane, 20 July.
- Wyatt, B. 2004b. *Native title – Achievement, despite the odds*. Address by Goldfields Land and Sea Council Executive Director to the Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, 29 March.
- Wyatt, B. 2005. *Agreement – The key to sharing Australia's wealth*. Address by Goldfields Land and Sea Council Executive Director Brian Wyatt to the Native Title Conference of the Australian Institute of Aboriginal and Torres Strait Islander Studies, Coff's Harbour, 3 June.
- Zimmerman, F.J. 2000. Barriers to participation of the poor in South Africa's land redistribution. *World Development*, 28(8):1439–1460.

