

Land Conference And The Land Question

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• WOLFGANG WERNER

'LAND CONFERENCE back on track' read a headline in *New Era* on 12 February, after President Hage Geingob announced in his opening address to Cabinet that the national land conference will have to take place this year.

It will be held under the auspices of the Prime Minister, but the minister of land reform will chair a high-level committee comprised of ministerial staff and members of civil society.

The President stated that it is important to clarify the objectives and outcomes of the land conference.

The objectives, outcomes and deliberation of the envisaged land conference require that we can broadly agree on what the land question is today. The land question is not cast in stone, but 'evolves over time as political and social (and now environmental) objectives change' (De Witt et al. FAO, 2009). We have to recognise that the current land question in Namibia differs in some important respects from the way it was conceptualised in 1990. To be sure, large-scale land dispossession and racially structured access to agricultural land before independence, as well as insecure tenure in non-freehold areas and the need to improve land administration there continue to be constitutive elements of the land question.

But many things have changed since 1990, requiring a much more nuanced policy.

To start with, a curious disjuncture exists between the need to address past injustice, in particular land dispossession, and our resettlement policy.

On the one hand, colonial land dispossession has legitimised land acquisition and resettlement by referring to the need to address past injustices.

While this is perfectly correct, we have failed to acknowledge that land dispossession and genocide have impacted very unevenly on different communities in our country. At the risk of sounding like an apartheid apologist, it must be stated that large communities in Namibia were never dispossessed of their land.

We need to acknowledge this fact in order to review the decisions taken at the first land conference on the restitution of ancestral land rights. The complexity of this issue should not lead us to pretend that there is nothing that can be done about it. Open and frank discussion is required to arrive at an acceptable solution. Not putting it on the table increases the risk of social and political unrest and instability.

There is also a need to interrogate the notion that all previously disadvantaged citizens should benefit from land redistribution. Against the background of the policy of national reconciliation, this made sense. But we know now that it permitted large-scale elite capture of land redistribution. After one generation of independence, a literal reading of previously disadvantaged should take 1990 as reference point. Many of those who were disadvantaged then have benefited from the fruits of independence over the last 27 years, and cannot be considered as disadvantaged today by any stretch of the imagination. A redefinition of the land question needs to take this into account, and consider substituting 'previously disadvantaged' with 'currently or economically disadvantaged'. In addition, it is also necessary to

question the wisdom and legitimacy of equating landlessness with poverty. Many Namibians are landless, but not poor.

It is also necessary to take a very sober look at the potential of land access to alleviate poverty. What kind of support do asset-poor small-scale farmers in particular need to become self-sustaining? A proper cost-benefit analysis will be helpful to facilitate an informed debate about this. In the late 1990s, the land reform ministry, reflecting on experiences with resettlement at the end of the first decade, had reservations about the potential of resettlement to alleviate poverty.

The minister at the time called for a paradigm shift in selecting beneficiaries. Since then, the ministry has gradually placed more emphasis on economic criteria rather than political ones in selecting beneficiaries. A perusal of the resettlement criteria confirms this. But this new 'paradigm' leaves little room for asset-poor farmers to obtain land.

Support to small-scale farmers in both the freehold (resettlement) and non-freehold (communal) areas requires a thorough policy debate. Small-scale farmers in general do not get the support they need to make a success of their farming activities. The absence of registered leasehold and a regulated land market in the resettlement and communal areas precludes them from offering their land as collateral.

At the same time, many asset-poor farmers are unable to service a bank loan, even if they offer land as collateral. This raises two questions: should we continue to provide registered leaseholds to people who cannot service a loan, or do we have to think about alternative forms of tenure security, particularly on resettlement land, as well as financial instruments to provide affordable finance to small-scale farmers?

Significant changes have taken place in the non-freehold sector. An unofficial land reform process has accelerated since independence, turning large chunks of commonages into privatised, fenced farming units. Simultaneously, small-scale farmers under customary tenure regimes find it increasingly difficult to depend on agriculture alone for their livelihoods.

Off-farm incomes are becoming more and more important to complement their land-based incomes. This state of affairs, together with a rising demand for land in communal areas, may be contributing to a growing informal and unregulated land market in communal areas. This requires policy intervention as soon as possible.

The issues raised here are not comprehensive. They serve to show, however, that the upcoming land conference needs to go beyond a review of the consensus resolutions of 1991, as well as the land bill, 2016.

It must provide the space and information for stakeholders to raise new issues that have arisen, and are in urgent need to be addressed. The quality of discussions at the conference and its outcomes are dependent on identifying these issues as accurately as possible.

This, I am sure, is what the President had in mind when he stated in his opening address to Cabinet that consultations 'must be supplemented with inputs from subject matter experts and other important stakeholders who were not included in the first round of consultation' (Geingob, 2018). Sound as this approach is, it requires time and resources, like the preparations of the conference on land reform and the land question in 1991.

** Wolfgang Werner is working in the department of land and property sciences of the Namibia University of Science and Technology (NUST). The views expressed in this opinion piece are his own, and do not reflect those of NUST.*