

**EVALUATION OF LAND USE DEVELOPMENT FOLLOWING A SUCCESSFUL LAND
RESTITUTION CLAIM WITH REFERENCE TO CHATLEKA LAND CLAIM IN THE
CAPRICORN DISTRICT MUNICIPALITY, LIMPOPO PROVINCE**

by

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DECLARATION

I, POMPA PHESTINA MAKGABA, hereby declare that this dissertation submitted to the University of Limpopo for the degree of Master of Development, in the Graduate School of Leadership, Faculty of Management Sciences and Law has not previously been submitted by me for degree purposes at this or other university. I further declare that this is my work and all material contained therein has been duly acknowledged.

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DEDICATION

I dedicate this study to my late father, Rapetsoa Adolph Makgaba (1942 – 2008). You have left beautiful memories in our lives. You will always be in our thoughts and we will always cherish the memories.

'May your soul rest in peace'

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CHAPTER 1: INTRODUCTION

1.1 BACKGROUND OF THE STUDY

At the heart of South African's history lies the story of conquest and dispossession. From the beginning of colonial invasion in 1652, savage wars of dispossession were waged against the indigenous people of South Africa, processes that were aimed at seizing land for the exclusive use of white settlers. At the same time, colonial authorities explicitly sought to separate Africans from ownership of independent means of production so as to ensure their availability as cheap and docile labour force to service the agricultural and mining economies (RSA, Dept. Agriculture and Land Affairs, 2005).

The Report of the National Land Summit (2005) indicates that the Native Land Act of 1913 was culmination of this process. Not only did it prevent Africans from owning land outside the "reserves", especially established for that purpose, but it also prevented black people from playing any role in the rural economy, other than in the form of wage labour. The Native Land Act was one of many legislative and administrative means employed by South Africa's racist state to dispossess Black people to the extent that by 1990 the white minority owned 87% of the land or had access to it while the black majority had access to only 13% of the land (RSA, Dept. Agriculture and Land Affairs, 2005).

The Constitution of South the Republic of Africa (Act 108 of 1996) places a duty on the government to take steps that would enable citizens to gain access to land. It therefore established a constitutional mandate to ensure that land distribution is equitable and that the injustices of the past, especially those dating back to 1913, are effectively addressed.

In the Limpopo Province, a total number of 3774 (three thousand seven hundred and seventy four) claims have been lodged. Sixteen have since been dismissed and 741 (seven hundred and forty one) were settled by 2008. Limpopo has large

number of outstanding agricultural Land Claims, and of the successful 741 claims, the Department of Land Affairs provides technical support for agricultural projects on settled claims (Umsebenzi, November 2008).

1.2 PROBLEM STATEMENT

Land is a fundamental source of livelihoods for many of the poor and a basis for wealth creation and economic development. Well planned and organized land distribution safeguards against poverty and food insecurity, and provides a basis for access to and investment in livelihood opportunities by the poor in small scale farming and other activities. Moreover there is evidence that when ownership of land is inequitable, economic growth delivers less benefit for the rural poor, in terms of incomes, employment and direct access to the fruits of the land. In the formerly white-settler dominated countries of Southern Africa inequitable land distribution is widely recognized as both a cause, and a product of continuing poverty. The achievements of land reforms in terms of new land access and related poverty reduction in South Africa fall far short of both official targets and social demand. The prospects for continued progress and economic impacts in terms of agricultural livelihoods, employment, and growth are uncertain, despite sustained political and social demands in civil society, together with ongoing commitments to improved land access as a means of social inclusion of the poor and of black economic empowerment.

In Limpopo province, rural and urban landlessness, and in particular the under-employment of landless agricultural workers is a significant source of income poverty, social exclusion and vulnerability to food insecurity. Moreover, unequal land distribution constrains local economic development and social mobility, and is strongly associated with social and political conflict in rural areas. These are some of the challenges that may be resolved.

The problem statement, is the need for necessary planning procedures in land restitution projects, the need for a more integrated approach reconciling the

needs of economic development, employment creation and the social benefits which flow from control of land resources by the original, broader community, the importance of establishing coordinating structures between national and provincial government at local level that have clear mandates and authority; and the need to ensure that land restitution projects and plans are integrated into provincial development plans and budgetary cycle. If these planning procedures are not in place; an integrated approach is not followed, and clarity of mandate and authority is not done, there are costs to society of a socio- political nature because successful land restitution is predicated on these conditions.

1.3 AIMS AND OBJECTIVES

The overall aim of the research is to evaluate the current land use impact on restitution beneficiaries of Chatleka Land Claim.

The specific objectives of the study are as follows:

- To compare the land production before and after settlement;
- To find out if community members are benefiting from the settled Chatleka claim;
- To find the views of the beneficiaries on restitution process; and
- To formulate practical recommendations on how to achieve productive land use.

1.4 RESEARCH QUESTIONS

The research questions of this study are:

- What were the land use activities taking place at the settled property before restitution?
- What are the current land use activities?
- What benefits are accruing to households as a result of land restitution at Chatleka community?
- What are the constraints being experienced by the beneficiaries?

- What are the supporting activities required by beneficiaries to achieve optimum productive land use?

1.5 SIGNIFICANCE OF STUDY

Findings of this study will add value and contribute to the existing body of knowledge. The management of the Regional Land Claims Commission will not be obliged to implement this researcher's recommendations, but the researcher strongly believes the research findings and recommendations will be able to assist in implementing the successful land restitution claims as a strategy to redress the imbalances of the past in Botlokwa and the Molemole Municipality.

Through the findings of this study, the office of the Regional Land Claims Commission will understand the feelings, sentiments and opinions of ordinary residents and beneficiaries of the Chatleka claim. Other beneficiaries of the study will be government departments, particularly, the Departments of Agriculture, municipalities and the Department of Health and Social Development in the province. The information to be gathered from this study will be shared with all participants for application where feasible.

1.6 OPERATIONAL DEFINITIONS

According to the Restitution of Land Rights Act, No 22 of 1994, the following terms are defined thus:

1.6.1 Restoration of rights in land

"Restoration of rights in land" means the restoration of a right in land or equitable redress. Restoration of a right in land means the return of a right in land or a portion of land dispossessed after 19 June 1913 as a result of past racially discriminatory laws or practices (Restitution of Land Rights Act, No. 22 of 1994 as amended, Chapter 1, Section 1:9).

1.6.2 Right in Land

“Right in land” means any right, whether registered or unregistered, and may include the interest of a labour tenant and sharecroppers, a customary law interest, the interest of a beneficiary under a trust arrangement and beneficiary occupation for a continuous period of less than 10 years to the dispossession in question (Restitution of Land Rights Act, No. 22 of 1994 as amended, Chapter 1, Section 1:9).

1.6.3 Claimants

“Claimants” mean any person who has lodged a claim (Restitution of Land Rights Act, No. 22 of 1994 as amended, Chapter 1, Section 1:6)

1.6.4 Commission

“Commission” means the Commission of Restitution of Land Rights established by section 4 of Restitution of Land Rights Act of 1994 (Restitution of Land Rights Act, No. 22 of 1994 as amended, Chapter 1, Section 1:6).

1.6.5 Community

“Community” means any group of persons whose rights in land are derived from shared rules determining access to land held in common by such a group, and includes part of any such group (Restitution of Land Rights Act, No. 22 of 1994 as amended, Chapter 1, Section 1:6).

1.6.6 Racially discriminatory Laws

“Racially discriminatory laws” include laws made by any sphere of government and subordinate legislation (Restitution of Land Rights Act, No. 22 of 1994 as amended, Chapter 1, Section 1:8).

1.7 Outline of the Study

The study is concerned with the land use of land restitution claim in Chatleka situated in Botlokwa, Molemole Local Municipality. This study is made up of five

chapters. After the introductory chapter (i.e., Chapter 1), Chapter 2 discusses the land reform and extracts lessons from Europe, African countries; challenges for real transformation in South Africa; and the restitution of the land rights. The chapter also discusses the land reform policy as well as land settlement highlights.

Chapter 3 describes the Case Study area, the research methodology, choice of instruments, sampling methods, data collection procedures, as well as the method of data analysis. Chapter 4 presents and also discusses the findings of the comparative study and, finally, Chapter 5 wraps up the study with conclusions as well as recommendations of the study.

CHAPTER 2: LITERATURE REVIEW

2.1 INTRODUCTION

Land reform has been a subject of research all over the world. This year marks the 15th year of South Africa's young democracy and the 15th year since the inception of the Commission on Restitution of Land Rights. In line with the ethos and spirit of the constitution of the country, the commission is mandated to ensure restitution of land rights to people who were dispossessed of their land rights as a result of past racially discriminatory laws and practices (Yende, 2001:22).

This chapter reviews the existing literature and issues related to Land Reform, more especially land restitution. The perspectives are based on the history of Land Reform and its development both in South Africa and in the international arena. The focus of this research is to evaluate Chatleka community in the Capricorn District Municipality of Limpopo Province which is a land use development following a successful land restitution claim.

2.2 AN UNDERSTANDING OF LAND REFORM

2.2.1 Land Reform

Land reform is a policy and legal understanding to increase access to land by giving poor people ownership rights and ensuring sustainable land use (Binswanger & Elgin, 1992). Land reform is seen to be successful when it increases people's income.

According Martin (1995), the concept of land reform is widely accepted to mean the redistribution of property or rights in land for profit of the landless, tenants and agricultural labourers. Furthermore, land reform is the process of assessing and modifying laws, regulations and customs relating to land ownership and land tenure (Stibbe & Dunkley, 1997). According De Janvry (1981), land reform can also be seen as an endeavour by governments through public policies, aimed at

either influencing a change amid states of the agrarian structure or at preventing such change.

The case of South Africa demonstrates that land reform is one of a number of ways to increase access to land and productive assets by the poor (Deininger, 2003). When constitutional reforms were instituted in 1995, the white minority population represented nearly one-tenth of the total population, yet they controlled the bulk of the privately-owned agricultural land (83%) (Krishna, 2001). In contrast, native Africans, representing 77% of the country's population of 41 million (1993 data) accounted for 61% of all the poor, including 31% of rural households who were landless and who had no grazing rights and lived on 13% of the land (Krishna, 2001). According to Deininger (2003), South Africa began implementing a programme of agricultural liberalization. This was complemented by the land reform programme resting on the three pillars of strengthening security of tenure, restitution and redistribution.

2.2.2 Land restitution

The land restitution programme is associated with persons, households, communities dispossessed in the past by racially discriminatory regime. Land restitution is a direct response to the negotiated political settlement concluded in 1994 (Sibanda, 2003). In giving effect to this political negotiated settlement, Section 25(7) of the South African constitution states that: "a person or community disposed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress".

This programme provides specific compensation to victims of forced 'black spot removals' that is, wholesale eviction of black farmers located in white areas undertaken since 19 June 1913. Claims for restitution, which had to be lodged before the end of 1998, are dealt with by a Land Claims Court and Commission established under the Restitution of Land Rights Act of 1994 (Deininger, 2003;

Deiningner & May, 2000; Department of Land Affairs, 1997; Miller & Pope, 2000 Krishna, 2001; and Palmer, 2000).

2.2.3 Restitution of land rights (1993 & 1996 CONSTITUTION)

Planning for land reform started soon after the 1990 unbanning of liberation movements and the release of political prisoners. The initial steps, albeit hesitant, had already been taken by the De Klerk government before the first democratic elections. Just as the political reforms initiated on the 2nd February 1990 took many by surprise, so was the process of land reform sudden and unexpected. As a result, there has been a 'frantic scramble' by property lawyers to keep up with developments.

The most important first step to start the process of restitution under the De Klerk government was the Abolition of Racially Based Land Measures Act 108 of 1991, which repealed the 1913 Native Land Act, and 1936 Land Act, as well as the Group Areas Act of 1966. A Commission on Land Allocation was established in terms of this legislation to consider how to use state-owned land for restitution purposes. The commission, therefore, had, as its brief, the investigation of the use of all state owned land and its history, to determine whether it was acquired under racially discriminatory legislation and, if that was the case, to recommend whether or not it should be returned to its original occupiers. During its first three years - before the first democratic election and the new land restitution legislation - the commission received 300 claims covering close to one million hectares (Jacobs, Lahiff & Hall, 2003:40).

The 1993 constitution introduced a new phase in the land restitution process. For the first time, the right to have land restored was recognized as a constitutional right. In drafting the constitution, extensive debate took place on the scope of application: who would qualify for restitution and what was the timeframe of application - when did the history of dispossession start.

An important principle set by the new constitution was that land reform could not be limited to the scrapping of discriminatory legislation. The African National Congress (ANC) seemingly entered the transition that followed its unbanning in 1990 “with no analysis of the agrarian questions, and no agenda of agricultural restructuring and land distribution” although land reform had been on their agenda for many years. The World Bank was subsequently very active in assisting the ANC as a political party, and later as the new government, in formulating a land reform scheme. The main objectives of the Land Reform programme are to (*Umhlaba Wethu*, 2005:77):

- Redress the injustices of apartheid;
- Forster national reconciliation and stability;
- Underpin economic growth; and
- Improve household welfare and alleviate poverty.

2.2.4 An elaboration of land reform and its three elements

The land reform policy of the first democratic government comprised three elements, namely: tenure reform, redistribution; and restitution.

2.2.4.1 Tenure reform

Tenure reform refers to improving rights, especially of farm workers and persons within communal and former homeland areas. It was estimated that approximately four million people could benefit by upgrading tenure and providing a better legal basis for their rights to be present on land and to access land. Owing to the complexity of the issues, the government decided to approach the implementation on the basis of a series of pilot projects.

Two of the most important pieces of legislation to improve the rights of farm workers are the Land Reform (Labour Tenants) Act 3 of 1996 (the Labour Tenants Act) and the Extension of Security of Tenure Act 62 of 1997 (the Extension Act). Workers now derive their rights from the Labour Tenants Act and not from the “Whim” of the property owner, such rights include the right of the

tenant and members of his family to occupy and use a part of the farm they were using up to 2nd June 1995. In such cases, an eviction may only occur by order of the Land Claims Court (LCC). In terms of the Extension Act, security of tenure is offered to many people who may not have secure rights to their homes or dwellings and are, therefore, vulnerable to eviction.

Jacobs, Lahiff and Hall (2003:44) state that, in 2002, the Communal Land Rights Bill aimed at dealing with tenure in the former homelands, was published by the government for comment. It is not within the ambit of this dissertation to comment on the Bill, suffice to say that a number of issues, including ownership of land within the previous communal systems-remain unresolved. According to Cousins (2000:77), very little has been achieved to date regarding tenure reform in the former homelands. Even in the case of eviction from farms, the implementation of legal guarantees to the practical situation still requires much work.

2.2.4.2 Redistribution

Redistribution involves making available grants to individuals and families who do not qualify for tenure reform or restitution in order to assist them to purchase land on a willing-buyer willing-seller basis. The amount allocated per household is R16 000 (Settlement/Land Acquisition Grant or SLAG), which means that a community could pool their grants towards acquiring land for development.

A central piece of legislation to regulate the programme is the provision of Land and Assistance Act 1993. The Land Redistribution for Agricultural Development (LRAD) programme has become the government's flagship in recent years. The main aim is to facilitate the transfer of agricultural land to landless people who have the resources and experience to become commercial farmers under the SLAG and LRAD programmes. A total of one million hectares was transferred between 1994 and 2006 under LRAD. The LRAD is, however, criticized for "missing the point" in that it aims to benefit the 'haves' in the black community to the detriment of the rural poor (de Villiers, 2003).

2.2.4.3 Restitution

Restitution as per the Restitution of Land Rights Act 22 of 1994 (Restitution Act) is specifically aimed at compensating people who were removed from their land as part of the consolidation of homelands or the so called 'black spot' removal programme. The process is therefore claim-driven and requires basic evidence that people were deprived of their ancestral land in a manner that would be unconstitutional under the new constitution of South Africa. Approximately 63,000 claims had been lodged by the deadline of 31st December 1998.

While the interim and current constitution established the principle of restitution of rights to land, the details of the procedure to claim land were set out in the Restitution of Land Rights Act 22 of 1994. The principle established in the constitution is that any person or community is entitled to restitution of land rights by the State if the applicant was dispossessed after 1913 in terms of racial legislation of the time, since this would have been inconsistent with the prohibition of discrimination as provided for in the new constitution.

It is important to note that neither the new constitution nor the subsequent legislation was designed to address all possible land disputes by means of restoration. Only persons who were deprived of their rights after 1913 could claim full restoration; 1913, the year of the Land Act, was used as the "symbolic" date of the formal start of statutory apartheid.

The land restitution process is in some way the "most straightforward" of the three Land Reform programmes. It has a clear legal base in the constitution and the Land Restitution Act; the institution dealing with claims and the investigation thereof are established; and it is mainly a legal, claim-driven process.

The land tenure reform programmes are more complex in that a diversity of needs have to be accommodated and post-settlement support is seriously lacking or even completely absent. It should be acknowledged as was done by

the 1997 White Paper on Land Reform – that not all land aspiration and claims can be dealt with by the Restitution Act.

According to Hall (2004:77), the recent decision affecting the Richtersveld community, is according to the court, “unique” and does not establish a basis for the recognition of native title as such, but rather brings the rights of the Richtersveld community within the ambit of the Restitution of Land Rights Act as a customary interest in land. The applicability of the ruling to other cases would have been analyzed. Many groups do not constitute themselves today in a manner in which they did a century or more ago, and the risk of re-activating a form of ‘ethnic’ system, where the rights of people are based on ethnicity, would probably not attract wide political support.

2.3 REVIEW OF INTERNATIONAL EXPERIENCE OF LAND REFORM

2.3.1 Restitution in Central and Eastern Europe

The following discussion focuses on restitution in four countries of Eastern Europe, namely, Bosnia, Hungary, Serbia and Slovenia.

Bosnia’s current outstanding debt is a major inhabiting factor in considering any restitution program. In addition to restitution, Bosnia has yet to resolve three major categories of internal debt: frozen foreign currency accounts, debts of formerly State-owned companies, and war damages claims from the 1992-1995 conflict (Escobar, 1997:23).

Stiglitz (2003:52) states that religious freedom was passed in 2003 allowing religious communities the right to restitution for expropriated property “in accordance with the law”, however, there is no state-level law on restitution, and Bosnia’s governments have not made any real attempts to handle the issue. In the absence of a restitution law, municipal and cantonal governments have broad authority to allocate disputed property expropriated by the former communist

government. Local politicians often dole out these properties as political favours by awarding property to the ethnic/religious majority in their areas.

The Bosnian Jewish community has not benefited from the current ad hoc system of limited in-kind restitution of personal and/or communal property due to its small population and lack of political connections. The Jewish community maintains that it has not received any property back from municipal or cantonal governments since the current system of government was established in 1995 (Levin, 1997:50).

The Jewish community favours in kind or natural restitution (return of the original land and/ or property) but might be willing to accept cash compensation if in kind restitution is not possible. In the late 1990's, coupons were distributed by the State to many rights holders of formerly socialized properties. The coupons allowed the holder either to purchase socially owned apartments in which they had tenancy rights or to buy share in State-owned companies (Stiglitz, 2003:12).

Hungary's restitution process began in 1991 with the enactment of a law enabling religious organizations to apply for compensation for real estate nationalized after January 1, 1994. Twelve major religious groups submitted 8026 property restitution claims; 1383 claimants received property, 2670 claims were denied, 1731 claimants received cash payments and 968 cases were settled without government intervention (Robinson, 2002:77).

Greenberg (2004:40), as cited by Swinnen (2002:63), states that in 1997, the Hungarian property restitution law was amended to allow religious groups to apply for a government-funded annuity as compensation for unrestituted properties. Between 1997 and 1998, the Hungarian government signed compensation agreements with several religious organizations in order to implement fully the 1991 law and the 1997 amendment. The compensation agreements determined the monetary value of unrestituted properties and

specified the amount of the government funded annuity to be given to each organization.

The democratic coalition that gained power in **Serbia** after the ouster of Slobodan Milosevic in October 1990 promised to return and provide compensation for property nationalized during the communist era. However, no progress on restitution had been made until recently (De Vaus, 1991:17).

A law on registration of claimed properties was passed in the Serbian parliament and became effective on June 8, 2005. The law covers property taken through confiscation, nationalization, agrarian reform, expropriation and other regulations that became effective after March 9, 1945. The legislation sets a June 30, 2006 registration deadline. The law would allow deprived owners, their legal inheritors or legal successors to register a claim. According to the law, registering a claim for seized property would not represent a request for restitution or compensation for that property. However, registration would be a pre-condition for submitting an eventual restitution claim once a full restitution law is passed.

According to Borrás (2003:4), **Slovenia** passed and began implementing a law on the restitution of property in 1991, soon after independence. As of the end of 2002, the government had completed processing 30, 914 of the 38,126 property restitution. The government expects to complete the processing of all claims by the end of 2002.

Borrás (2003:16) states that unresolved cases include those in which the courts have not reached a final decision and those pending appeal. Court backlogs, a lack of trained Judicial and administrative personnel, amendments to the denationalization act and inadequate records of land ownership have slowed the processing of claims. Claimants have complained of general lack of transparency and procedures that are inconsistent with the law. Heirless property currently devolves to the State. Almost all private property claims by

Jews are resolved. Remaining to be adjudicated are claims by private Slovene citizens and claims by non-citizens.

2.4 LAND REFORM IN AFRICA

2.4.1 Land Reform in Zimbabwe

De Villers (2003:7) states that land reform during the past few years in Zimbabwe has been grabbing headlines in Southern Africa and other parts of the world. For the first two decades following independence, Zimbabwe's Land Reform policy had a low profile and to many it became a model of how land reform should be undertaken. Since the mid 1990's, however, it became clear that the political currency of land, the demands of the landless, lawful occupation of land and unfulfilled promises of Land Reform could soon develop a momentum that would be difficult to control.

2.4.2 Pre-Independence in Zimbabwe

The colonialism process in Zimbabwe began in 1889 when the British South African company received a Royal Charter of incorporation from Britain. The company, under the leadership of Cecil John Rhodes, established Northern and Southern Rhodesia (now known as Zambia and Zimbabwe, respectively). The charter included the right of the company to expropriate and distribute land. The company was so successful in the execution of its responsibility that by 1902 it had succeeded in expropriating three-quarters of the land for the benefit of new settlers who numbered approximately five per cent of the population (Kariuki, 2004:114).

According to Kariuki (2004:77), African reserves were created in the 1890's in Matabeleland and, thereafter, the exercise was repeated in other parts of the country. Various statutes such as the Southern Rhodesia order in Council 1898, Land Appropriation Act 1930, Native Land Husbandry Act 1951 and the Land Tenure Act 1969, compartmentalized land holding into racial categories. For example, the Land Tenure Act allocated 15.5 million hectares to 6,000, mainly

white, commercial farmers, 16.4 million hectares to 700,000 black families and 1.4 million hectares to 8,500 small-scale commercial farmers. In addition to the inequity, the land held by whites was generally in areas with higher rainfall and better soil quality.

The Zimbabwean Land Reform process has gone through three major phases, each having unique characteristics:

- Lancaster house 1980-1990, during which the main elements were: market-driven acquisition; the return of exiles and displaced persons; priority on the accelerated resettlement programme; availability of donor funds to assist with reform. Sixty percent (60%) of land redistributed since independence distributed during the first decade.
- Post-colonial Land Reform (1990-2000), during which the main elements were: a different order; the first steps of a social justice-driven acquisition programme; economic decline and drought; reduction of donor funds to a trickle; increased farm invasion and occupations; real distribution well below targets.
- Land invasion and occupation (2001) during which the main elements are: a general absence of a clear and sustainable land reform policy; a legal framework that enables the taking of land without due process; economic decline and famine. Although 'legitimate beneficiaries, such as peasant workers, have been allotted small plots, they have not been given any farm training; "no money to buy seeds, not even a spade" (de Villiers, 2003:11).

According to Wisborg and Rohde (2004:14), the kick-off for land reform in Zimbabwe began on a sour note. The new government never took effective ownership of the process; it was always seen as a measure imposed by a foreign power and as a continuance of control by remote; through a legal straight jacket called the Lancaster House constitution. De Villiers (2003:11) states that the first

decade nevertheless progressed well, but the land reform process was caught up in the complexities of political competition, the struggle to retain power and the souring of international relations between the UK and Zimbabwe. Although Land Reform has been part of the political campaign since 1980, it has been used over the years in order for the governing party to sustain support and to distract attention from other burning social and economic issues.

2.4.3 Land Reform in Namibia

Land reform in Namibia is still in its infancy. Limited success has been achieved in the acquisition of land for the landless but demands are increasing for a more drastic and radical approach to reform current land holding, it remains an issue that could cause turmoil in an otherwise stable land reform process. On the one hand, current landowners and international donors are encouraging the government to abide by a willing buyer-willing seller approach and not to entertain Zimbabwean style dispossession of land. On the other hand, however, there are increasing demands from the landless and from within the government party for a more drastic approach to land reform, similar to that of Zimbabwe.

Historically, Namibia almost immediately commenced implementing a land policy along racial lines similar to that adopted in its domestic law. It was therefore concluded as early as 1930 that “the mandatory policy (of South Africa) appears to be devoted to white rather than native interests. The key role of land in Namibia is easily demonstrated by the fact that 90% of the population derives livelihood from the land as commercial or subsistence farmers or as workers employed on commercial farms. The racial allocation of land predates South Africa’s control of Namibia. The entrance of Germany as the first colonial power already marked the acquisition of vast tracts of land for new white settlers. Before the Germans, the San were pushed off their land by black tribes moving into their areas (De Villiers, 2003: 40).

According to Lahiff (2003:11), although general reference is made nowadays to 'communal land', as if it has a universal meaning, the ethnic communities' respective land holding systems were unique and quite distinct from one another. In Ovambo, for example, communal property is such that the household head has lifelong use-rights. The occupier also has rights to improve his land subject to certain conditions. In Okavango, a different system exists whereby land can be freely obtained without permission, provided it does not encroach upon the land of another. The San, as hunter gathers, have a different system whereby bands have hunting areas but not necessarily to the total exclusion of others.

Namibia became independent on 21st March 1990. The new government inherited a system of land distribution along racial lines that had developed over more than a century with intensive state interference and financial and other support. Approximately 4,500 commercial farmers held 43% of all agricultural land while 15,000 Black households had access to 42% of the land. One difference, however, from Zimbabwe, and to a lesser extent South Africa, was that the settlers occupied mainly marginal agricultural regions while Africans were in the areas that were better suited for farming remained under the control of the indigenous communities. Commercial farming areas comprise approximately 44% of the agriculturally usable land, whereas communal areas comprise approximately 41%, although the latter carries approximately 70% of the total population.

The Land Reform process in Namibia was slow to get off the starting block. This is not totally surprising as the dispossession was not as large-scale as in Zimbabwe and South Africa. The success of land reform through market-led processes during the next few years will impact greatly on the direction that Land Reform is going to take.

Namibia, as did Zimbabwe, chose not to adopt a claims-based approach to Land Reform but rather to acquire land as it became available on the open market.

The decision not to restore ancestral land has, on the one hand, simplified the process and made it less legalistic and adversarial. On the other hand, it left a bitter taste in the mouth of those who lost their ancestral land without any compensation and this will remain a festering sore.

The complex nature of land reform and the time it takes to implement it in a successful way cannot be emphasized enough. Political reality may demand shorter time frames but the economic reality which, in turn, has political consequences is that the resettlement of farmers on land is one of the most complex programmes any government can tackle. It can only be done with a long-term vision guiding short-term programmes. The challenge for Namibia is, therefore, not only to speed up slow pace of land reform, but also to prevent the high risk of failure after new farmers have been resettled.

2.5 THE CHALLENGE FOR REAL TRANSFORMATION IN SOUTH AFRICA

Land reform in South Africa is seen by many as the ultimate test for the social, political and economic transformation of the country. The framework for land reform in South Africa is comparatively acute than the situation with her neighbours but it has to be acknowledged that the extent of dispossession and issues to be dealt with are also more extensive. The land reform process is based on three main pillars, namely, restoration of rights to ancestral land, acquisition of land and security of tenure of land. In addition, various support programmes exist to facilitate land reform.

The social engineering that characterized the apartheid system, the scars of which will remain visible for many years to come was directly linked to the ways in which occupation of, access to and rights on land were regulated. The struggle for land predates colonial presence in Africa. The first people to be dispossessed of their traditional lands were the San (Bushmen). But the process did not end there. Many wars over land control were fought before and after the first white settlers arrived. In short, land has for many years been the key for

empowering and disempowering people; and spatial segregation based on race became entrenched in the body politic long before the National Party (NP) took power in 1948 (de Villiers, 2003;134).

In 1931, the Black Land Act placed vast areas of South Africa under the sole control of whites, while blacks were given some 'traditional' areas where they were believed to have resided historically. The 1913 Act was followed in 1936 by the Black Trust and Land Act, which allocated 13% of South Africa to black people, although they comprised 80% of the population. It is estimated that 32% of the population currently continue to live in these areas (de Villiers, 2003:32). The extent of dispossession in South Africa, the low quality of land available in communal areas, and the violence that accompanied resettlement, coupled with the overpopulation that was the case in Zimbabwe, Namibia or arguably in any other parts of Africa are reflective of the deep socio-political conundrums in these neighbouring countries.

In South Africa, all political rights of blacks came to be restricted to these homeland areas, and it was hoped that the homelands would in due course become 'independent' from the rest of (white) South Africa. Black people, who lived outside the main black areas, were removed over time to eliminate "black spots" and to secure an exclusively white South Africa.

2.6 LAND RESTITUTION IN LIMPOPO

The Regional Land Claims Commission: Limpopo continues with its mandate of settling land claims. The year 2007 saw a substantial increase in the number of claims settled. To this end, the commission has been able to facilitate the resolution of the first phase of the Levubu Land Claim, which is one of the most massive and expensive Land Claims in the entire country. The RLCC:Limpopo also takes pride in the number of settlements of Land Claims, viz., Makgato tribe, Tshikota, Bakgaga ba Mphahlele, Chatleka etc.

The RLCC: Limpopo continues to grapple with challenges concomitant to the restoration of rights in land to previously disadvantaged African communities. Land ownership brings along other challenges such as ensuring the sustainability of current farming enterprises. Restituted communities have to grapple with the fact that they are now landowners. These challenges manifest themselves in conflicts that bedevil communities such as Pheeha, Marobala-o-itsose, Reboile and Tale Ga Morudu.

The RLCC formed strong relations with the Limpopo Department of Agriculture (LDA). This strong relationship resulted in LDA staff coming over to RLCC: Limpopo to assist in research and the finalization of claims on state agriculture land. The LDA also trained some of the restitution beneficiaries in dairy, poultry, beef and vegetable production and entrepreneurship.

2.6.1 Land Settlements Highlights

When current post-apartheid government introduced the restitution programme, its intention was to restore not only land rights, but also the pride and dignity of the victims of apartheid's forced removals. In this process of restoring land rights to communities, there are instances where prime agricultural land is returned to the people. As a responsibility of government, RLCC will endeavour to capacitate the beneficiaries of the land restitution programme and land reform. These were the words of the former Minister of The Department of Land Affairs Ms Thoko Didiza as she gave her keynote address during the land hand over celebration of the Sekororo Land Claim (Sibanda, 2003).

2.6.2 Key Outstanding Challenges

An insufficient institutional arrangement in terms of pre-and post-settlement planning is among a number of challenges the RLCC office has faced. The RLCC office has had to deal with disillusionment and discontent from the current land owners, which resulted in a lack of co-operation from some landowners. Job losses in the process were a cause for concern. Overlapping claims or

counter-claims delayed the process of claim settlement. The slowness of the land survey process was a challenge, as it delayed land delivery. The validity of some of the claims was challenged by landowners. There is suspicion of possible collusion between land owners and valuers, resulting in exorbitant land prices. The office was faced with bad media reporting. Balancing restitution and economic development was also a challenge.

Post settlement support is a challenge that needs to be addressed by the commission. Most of the restitution projects do not succeed because they are not given the necessary post settlement support. It is the responsibility of the government and the managers within the department to capacitate employees, for them to be able to carry out their responsibilities to a satisfactory level.

2.6.2.1 Key Challenges in Restitution

There is no systematic review of the impact of restitution on the livelihoods of beneficiaries has been done. But case studies have revealed some major problems such as inadequate infrastructural development, poor service provision and lastly unrealistic business planning.

2.6.2.2 Key Challenges in Tenure Security

Land tenure reform has been slowest and most difficult aspect of the land reform programme to date under Land Reform (Labour Tenants) Act No. 3 of 1996. Department of Land Affairs' ability to act on this is restricted, as noted by Sibanda (2003) by the following issues: limited capacity within DLA itself and changes in Legal Aid Board tariffs, coupled with the closure of the Independent Mediation Services of South Africa.

2.6.2.3 Key Challenges in Land Redistribution

Various problems experienced by the land redistribution programme have increasingly become evident. According to Sibanda (2001), these included the

inexperience of DLA officials in conducting land transactions, leading to lengthy delays and loss of interest from sellers; reliance on current owners to decide the price of land; weak coordination with provincial departments of agriculture and local government leading to poorly designed projects and lack of post-settlement support; cumbersome endorsement technique that needed ministerial approval for every project and the imposition of irrelevant plans on needy communities.

CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY

3.1 INTRODUCTION

The qualitative research method was used to evaluate the current land use impact on restitution beneficiaries of Chatleka Land Claim. A qualitative method is a systematic, interactive, subjective approach used to describe life experiences and give them a meaning (Burns & Grove, 2005:113). Furthermore qualitative methods focus on the qualitative aspects of meaning, experience and understanding the phenomenon (Brink 2006:113).

3.2 RESEARCH DESIGN

Exploratory and descriptive designs were utilized in this study to compare the productivity of land before and after settlement; find out if community members are benefiting from the settled Chatleka claim; explore the views of the beneficiaries on restitution processes; and to formulate practical recommendations on how to achieve productive land use

Exploratory designs are described by Uys and Basson (2006:38) as designs that explore a relatively unknown field with the purpose of gaining new insights into the domain phenomenon.

Descriptive designs are described as designs that are aimed at giving accurate portrayal of the characteristics of persons, situations or groups (Polit and Beck, 2006:498). Burns and Groove (2005:232) describe descriptive designs as designed to gain more information about characteristics within a particular field of study and to provide a picture of situations as they occur naturally. In this study a typical descriptive study design was used. These designs were used in this research as they enabled the researcher to obtain the information that addresses the research objectives and questions.

3.3 STUDY POPULATION

Greenstein (2003:60) defines population as a set of entities in which all the measurements of interests to the practitioner or researcher are presented. The population of the study was comprised of the 38 verified claimants of Chatleka community; including Land Claims officials and officials from the Department of Agriculture. These are deemed competent participants to provide credible answers capable of addressing the research questions.

3.4 SAMPLING AND SAMPLING METHOD

The researcher had to determine what type of sampling frame would be best suitable for the research. The researcher also had to establish the kind and number of people for sampling. This meant determining the size of the population and the sample to be derived from the population. According to Kumar (1999:53), the total of all possible people who display the characteristics the researcher is interested in is the population. A sample can be viewed as a subset of measurements drawn from a population in which the researcher is interested. The sample is studied in an effort to understand the population from which it was drawn (Macmillan & Schumacher, 1993:54). In a quantitative approach to research the researcher is usually interested in making inferences about a population from a sample. Schumacker and Macmillan (1993:159) state that sampling refers to the process by which a sample is selected from the population, with the purpose of generalizing to a large group of individuals.

Sampling involves following a rigorous procedure when selecting units of analysis from a larger population (Booyesen, 1993:100). Sampling is done due to constraints such as time, costs and personnel, given that it may not always economically viable to access the actual and full population to which findings are to be generalized.

The next step was to decide on the best sampling method for the research. De Vaus (2001: 54) argues that there are many sampling methods also known as

sampling designs. Participants in this study, who possessed the relevant characteristics required in this research, were all claimants of the selected claim. Thus in this study, the researcher made use of systematic random sampling to achieve a higher degree of accuracy and because it was deemed necessary for a study of this nature which triangulates. A list of verified claimants is available from the Office of the Regional Land Claims commission.

3.5 CHOICE OF INSTRUMENTS

De Vos, Strydom, Fouche, and Delport (2002:46) state that, to draw valid conclusions from the research study, it is essential that the research has sound data analysis and interpretation. Kruger and Casey, as cited by De Vos et al., (2002:315), state that a good questioning route has certain qualities, namely it has easy beginning and is a process, and uses the time available wisely. According to Glesne (1999:281), a good constructed questionnaire must adhere to the principle of reliability and validity. The questionnaire was pre-tested. The interview schedule, with open-ended questions, was also provided to deal with questions that request an interviewee to give his or her opinions, feelings and attitudes and perceptions. The interview and questionnaires were seen as appropriate tools to address the above stated issues.

3.6 PILOT SURVEY

The pre-testing was undertaken to verify the correctness and comprehensibility of the data collection tool (questionnaire). Amendments were consequently made. Glesne (1999:136) suggests that data gathering instruments should be applied and analyzed on a small population to test them. This is referred to as pilot study. Glesne (1999:46) stresses that piloting the questionnaire and interview questions enables the researcher to verify the time needed for their completion, all, vague and ambiguous items will be identified and singled out for corrections. The questionnaire and interviews were conducted with a few members of the verified claimants to examine whether the tools were clear and understandable which propelled the researcher to move to the next stage.

3.7 DATA COLLECTION PROCEDURES

Kumar (1999:147) points out that research that involves a face-to-face situation, i.e., between the researcher and the subjects, necessitates observation and, in certain instances, participation on the side of the researcher. De Vos et al., (2002:4) stress that first, there must be an agreement on the research parameters. In this study, informed consent was obtained from the subjects, which included consent to use electronic devices such as audiotape recorders and open-ended questionnaires and note taking for later analysis.

3.7.1 Secondary Data Sources

Published literature like relevant books on land restitution and land reform; current journals; published articles; research papers of relevance to the study were used.

3.7.2 Primary Data Sources

The present researcher is confident that the use of interviews and questionnaires in the both quantitative and qualitative study on beneficiaries, tribal office, Land Claims officials and strategic partners, helped to source the required data needed to address the research problem. Individual interviews were conducted with other members of Chatleka Land Claim particularly with those that were illiterate; while questionnaires were distributed to the beneficiaries of the claim, tribal office, strategic partners and officials from the Regional Land Claims Commission because most of them were literate and could self-administer on themselves the questionnaire. Obviously, the verified members of Chatleka Land Claim are the key sources of information in this study.

3.8 UNIT OF ANALYSIS

The unit of analysis, according to De Vos (2002:281) refers to the elements in the sample. For our purposes, therefore, the present researcher considered the beneficiaries to the claim, namely, the Machaka Tribal office, Land Claims

officials and strategic partners, e.g., the Department of Agriculture and the individuals from the community.

3.9 METHODS OF DATA ANALYSIS

Data collected through interviews and the questionnaires were analyzed. According to Mutton (2001:108) and Glesne (1999:30), data have to be broken up into manageable themes, patterns, and trends to make sense of it. Qualitative data analysis is primarily an inductive process of organizing data into categories and identifying patterns or relationships among the categories (McMillan & Schumacher, 1993:479). Thus, data collected were categorized, assessed and presented in a more explicit and objective manner.

Quantitatively, data analysis went through the systematic process of selecting, categorizing, comparing, synthesizing and interpreting the collected data to provide explanation of phenomena of interest. These steps were rigorously followed. Thus, the approach that was followed for data analysis in this research was based upon descriptive presentation of the findings of the research through graphs, frequencies and tables. The Statistical Package for Social Scientists (SPSS) was used to run the tables and graphs.

CHAPTER 4: PRESENTATION, ANALYSIS AND INTERPRETATION OF FINDINGS

4.1 INTRODUCTION

In this chapter, the main objective is to present, analyze and interpret the data collected on the experience of the respondents in terms of the planning phase of the projects on the restituted land; benefits derived from the restitution project; challenges faced by the project users and strategic approaches to improve the project. It covers issues about the project workers and also presents the key findings of the study. Data were gathered through questionnaires and interview of respondents participating in a farming project on restituted land of the Molemole local community, and a total of 38 people were sampled. All the tables in this chapter are derived from this study. The study was undertaken in March 2007.

4.2 DATA COLLECTED QUESTIONS

The researcher used both the interview and questionnaire instruments as techniques for data collection. The questions which were generated enabled the appropriate responses that enabled the furnishing of relevant information for this study. At the same time, the researcher grouped the processed information into two groups thus interview and for a questionnaire for ease of analysis.

4.3 SYNOPSIS OF THE STUDY

The overall aim of the research is to evaluate the current land use impact on restitution beneficiaries of Chatleka Land Claim.

The specific objectives of the study are as follows:

- To compare the land production before and after settlement;
- To find out if community members are benefiting from the settled Chatleka claim;
- To find the views of the beneficiaries on restitution process; and

- To formulate practical recommendations on how to achieve productive land use.

4.4 SOURCES OF INFORMATION AND VARIABLES

Data were obtained from 38 participants on the restituted land of the Molemole Local Municipality.

4.4.1 Demographic information of the sampled claimants:

There was a distinct difference between male and female participation in farming projects on restituted land of the Molemole Local Municipality. Large proportion (74%) of the respondents were male, while 26% of the respondents were females. The findings of the study indicate that there is need for the expansion of the involvement of women in the agricultural industry. Women participation is undesirably low. Respondents indicated that most of the invitations and opportunities to participate were confined to heads of the households and therefore limited the opportunities for married women.

4.4.2 Age group of respondents

The age distribution of the respondents is shown in Table 1 below. The findings of the study indicate that a high proportion (76%) of the respondents were above 50 years old, while 16% of the respondents was composed of respondents between 40-50 years of age (see Table 1.1 below).

Table 1. Age distribution of respondents

Age group	Frequency	Percent
less than 18 years	1	2.6
18-28	1	2.6
29-39	2	5.3
40-50	6	15.8
above 50	28	73.7
Total	38	100.0

A small proportion of 5% of the respondents was 29-39 years old, while 3% of the respondents were from the age cohort 18-28 years of age. Three per cent of the respondents were composed of respondents who were less than 18 years of age. These findings indicate that youth scarcely participate in agricultural industry. For instance, data in Table 1 indicate that about 10% of the respondents were below the age limit of 39 years of age. The level of youth participation in the agricultural industry is undesirably low. Respondents indicated that there are no efforts by stakeholders to encourage young people to turn to the agricultural industry as an opportunity for job creation. According to this study, the youth of the Molemole Local Municipality perceive agriculture as an outdated and old-fashioned industry suitable only for old and elderly people. It is no wonder that this study indicates in Table 1, that almost a two-third majority of the participants was above 50 years of age, mostly composed of pensioners and old-aged grants receivers. This implies that their productivity may be impaired.

4.4.3 Information on Marital status of the respondents

A high proportion 84% of the respondents was married, 8% of the respondents were single, 5% of the respondents were widows/widowers while 3% of the respondents were separated (see Table 2 below).

Table 2. Marital status of respondents

Status	Frequency	Percent
Single	3	7.9
Married	32	84.2
Separated	1	2.6
Widow/Widower	2	5.3
Total	38	100.0

Respondents indicated that communication and invitation to Land Claims meetings were mostly confined to household heads, who were mostly men, which offered them greater chances at the expense of their wives to attend these meetings. The small proportion of women participating in these projects was found to have been mostly drawn from the single, widower and separated fraction of the community.

4.4.4 Information on level of education of project participants

About thirty-two per cent of the respondents received only primary education, while about 24% of the respondents never received any form of formal education (see Table 3 below).

Table 3. Distribution of respondents by level of education

Qualification	Frequency	Percent
No formal education	9	23.7
Primary level	12	31.6
Matric	3	7.9
Post-matric certificate	3	7.9
Diploma	3	7.9
Degree	8	21.1
Total	38	100.0

About eight per cent of the respondents have completed Matric, or Diploma respectively. About 21 per cent of the respondents were in possession of a bachelor's degree. These findings indicate the low educational status of the respondents as indicated in table 3. As indicated in figure 2, almost two third majorities of the respondents were above 50 years of age composed mainly of old age grant beneficiaries, of whom the apartheid system of governance can be identified as one of the major causes of the low educational level of the respondents.

4.4.5 Information on employment status of project participants

Data in Table 4 below show that forty-seven per cent of the respondents were pensioners, 21% of the respondents were employed while 18% were unemployed and 13% self-employed.

Table 4. Employment status of project participants

Employment status	Frequency	Percent
Unemployed	7	18.4
Self employed	5	13.2
Employed	8	21.1
Pensioner	18	47.4
Total	38	100.0

Table 4 further indicates that a majority of the participants in the agricultural projects on restituted land was drawn from pensioners as evidenced by data in table 1 where 73.7% of the respondents was aged above 50 years. The pensioner group consider farming as source of income for the family and that vocation is in pursuit of traditional farming which was inherited from generation to generation, for instance, stock farming. Farming was also perceived as part of healthy living. The results further indicate a fair representation of the three major socio-economic classes of the community thus unemployed, employed and self employed.

4.4.6. Information on Income per month of project participants

A majority (53%) of the respondents was receiving a general income of less than R2000 per month. About 24% of the respondents received between R2001-R3000, while about 5% of respondents received an income between R3001-R5000 per month and about 18% of the respondents received above R5000 income per month (See Table 1.5).

Table 5. Income distribution

Income earned per month	Frequency	Percent
Less than R 2000.00	20	52.6
R 2001-R 3000	9	23.7
R 3001-R5000	2	5.3
above R5001	7	18.4
Total	38	100.0

There is generally high level of poverty within this income-earning-group as slightly more than half (53%) of the respondents on the project received less than R2000 per month. The salaries paid to the labourers form part of the budget given to the project by government.

4.4.7. Communication between the Committee members, the Department and the Chatleka community

A majority (84%) of the respondents were informed about the claim before settlement, with a small proportion of 16% not being informed of the claim before settlement.

4.4.8. Invitation to meetings on land claim before settlement.

Eighty-two per cent of the respondents were invited to attend Land Claim meetings before settlement and only a small proportion of 18% was not invited to attend meetings before settlement. These findings shown in Table 1.6 below indicate that overall there was a fair incorporation of the community in the Land Claim process before settlement as a majority was represented.

Table 6. Meetings on land claim before settlement

Response	Frequency	Percent
Yes	31	81.6
No	7	18.4
Total	38	100.0

It can be surmised that the community was part of the proceedings to come to agreement.

4.4.9 Information on the level of land Claim meetings attendance

Table 7. Level of Land claim meetings attendance

Times	Frequency	Percent
One	1	2.6
Three	1	2.6
Four	2	5.3
More than five	26	68.4
Never attended	8	21.1
Total	38	100.0

A majority (68%) of the respondents attended more than five meetings, and while about 21% of the respondents never attended even a single meeting. Five per cent of the respondents attended four meetings and about 3% of the respondents attended three and one meetings, respectively. These findings indicate that there was high participation of the community in the process of Land Claim before settlement as indicated by meeting attendance by the majority of respondents to more than five meetings. Those who failed to attend meeting were usually at work when most of the meetings took place.

4.4.10 Knowledge of the current land use

A majority (92%) of the respondents knew about the current land usage of the restituted land in the Molemole Local Municipality, while 8% had no knowledge about the current land usage in the Molemole Local Municipality. These findings indicate that most of the community members were well informed about the agricultural activities taking place on their restituted land; hence the respondents comprised both active participants and even non-active participants.

4.4.11 Main agricultural activities of the project as individuals

About 29% of the respondents were engaged in stock farming as the major agricultural activity on their farms (see Table 8 below).

Table 8. Distribution of agricultural activities on project

	Frequency	Percent
Ploughing	9	23.7
Stock farming	11	28.9
Poultry	7	18.4
Dairy	8	21.1
Others	3	7.9
Total	38	100.0

Twenty four per cent of the respondents were engaged in ploughing (green vegetables and crop production) as the major agricultural activity, 22% of the respondents were engaged in dairy production as the major agricultural activity and while 18% of the respondents were engaged in poultry production and, about 8% of the respondents used the land for non-agricultural practices such as a place for making bricks. Most of the farmers in stock farming were from the pensioner group, as most had cattle even prior to land redistribution and identified land redistribution as an opportunity to increase their livestock. Stock farming and dairy production were going on concurrently, and the majority of farmers in identified milk production as a source of income. This is in line with what De Janvry (1981), ascribes to land reform as an endeavour by governments through public policies to either influence a change amid states of the agrarian structure or at preventing such change. In this case people had choices as shall be seen elsewhere in this discussion.

4.4.12 Necessity to continue with the current land usage

A majority (90%) of the respondents shares the opinion that there is a necessity to continue with the current land usage and only 10% of the respondents were of the opinion that there must be alterations (for example, they wanted the properties to be leased to White farmers) from the current farming practice.

4.4.13 Reasons for the current land use practices

Data in Table 9 below show the reasons for current land use practices.

Table 9. Reasons for current land use practices

	Frequency	Percent
Productive	8	21.1
Inherited	7	18.4
Traditional	9	23.7
Manageable	12	31.6
Others	2	5.3
Total	38	100.0

Thirty two per cent of the respondents were in the current land usage because they are able to manage the practice, most of the respondents farming cite lack of knowledge and skills as a constraint to engage in other profitable but complex practices, 24% of the respondents were in the current land usage as a tradition which was passed from generation to generation, e.g., stock farming in which the pensioners were involved. About 21% of the respondents were in the current land usage because it was more productive. This reason is mostly shared by respondents who are able to generate better revenue from the practice. About 18% of the respondents were in the current land usage because they inherited it from the previous White farmers and believe the practice was profitable for previous farmers, then it shall be for them as well.

4.4.14 Information on roles played within the project

A majority (50%) of the respondents were committee members, while about 16% of the respondents were working in dairy production, 13% of the respondents were gardeners and about 21% of the respondents were composed of respondents taking part in the above options, while others were those playing no role, for example, because of studying.

Table 10. Roles played within the project

	Frequency	Percent
Committee member	19	50.0
Gardener	5	13.2
Working at dairy	6	15.8
Other (specify)	8	21.1
Total	38	100.0

4.4.15 Distribution of remuneration to project participants

About 82% of the respondents received no payments from the farming projects, 16% of the respondents received monthly payments of between R500-R1000, while only 3% received between R1001-R2000 per month (see Table 1.11 below).

Table 11. Remuneration to project participants

	Frequency	Percent
Nothing	31	81.6
R500-R 1000	6	15.8
R 1001- R 2000	1	2.6
Total	38	100.0

4.4.16 Distance travelled to project by participants

Table 12. Distance travelled to project areas

Distance	Frequency	Percent
5KM- 10KM	6	15.8
11KM- 16KM	4	10.5
17KM- 22KM	1	2.6
Above 22	27	71.1
Total	38	100.0

A majority (71%) of the respondents resides more than 22km from the project area, while 16% of the respondents resides between 5km and 10km, with about 11% of the respondents residing between 11km and 16km and only 3% of the respondents resides between 17km and 22km (See Table 1.12 above). This finding indicates that a majority of the respondents resides very a far from project area which makes it difficult for them to arrive on time. They indicated that sometimes they agree to meet the following day at 7h00 in the morning but because the majority of the participants stay far from the project, it becomes a problem because they arrive later than the agreed time. By arriving late, this means delaying work.

4.4.17 Transportation to and from the project area by participants

A majority (76%) of the respondents makes use of private cars as their means of transportation, 13% of the respondents use taxis for transportation to and from the projects areas (see Table 1.13 below).

Table 13. Means of transportation to the project area

Means	Frequency	Percent
By Foot	2	5.3
Taxi	5	13.2
Car	29	76.3
Other (specify)	2	5.3
Total	38	100.0

Five percent of the respondents walk and another 5% did not specify their means of transport. Respondents further indicated that usage of public transport to the farms is a problem hence their service is restricted to public roads in which they are obliged to the full price of distance even if they not travel to the taxis' final destination when the project is just on the way.

4.4.18 Benefits to the community

A majority (94%) of the respondents share the same opinion that the projects were benefiting the community with only 6% of the respondents having a different opinion with the existence of any form of benefit to the community brought by the project.

4.4.19 Individual benefits from the project

Data in Table 1.14 below show that a majority (24%) of the respondents individually benefit from the project by getting fresh products such as milk and green vegetables like tomatoes, potatoes and cabbages.

Table 14. Distribution of Individual benefits

	Frequency	Percent
Agri business training	8	21.1
Employment	5	13.2
Food security	4	10.5
Fresh products	9	23.7
Income	8	21.1
Other	4	10.5
Total	38	100.0

Respondents indicated that they were privileged to receive these products as fresh from the soil at cheaper price. About 21% of the respondents individually benefited by obtaining free agricultural business training. This is consistent with Government's policy that it is responsibility of government to capacitate the beneficiaries of the land restitution programme and land reform (Sibanda, 2003). This benefit was mostly shared by the active participants in the project. Respondents indicate that they attained useful skills in farming that may assist them in future to release them from poverty. About 21% of the respondents individually obtained income as benefit through active participation in the project. This represents income generated from selling of the products which is shared among project members after sales which are mostly seasonal. Thirteen percent of the respondents individually benefited through an employment opportunity from the projects. This benefit was shared by respondents providing their labour to project, e.g., gardeners and dairy workers. Respondents in this category were unemployed hitherto and had no source of income at all. Respondents indicated that family poverty level was considered upon employment with assurance that they assist in poverty alleviation within the community. Eleven percent of the respondents individually benefited in terms of food security from the projects. This benefit was shared by both project members, project labourers and the extremely poor non project members. For instance, respondents indicated that surplus stock was shared among project members, while workers and others donated to very poor families as part of poverty alleviation within the community.

These findings indicate that the projects played an enormous role in addressing three key socio-economic elements - poverty alleviation, food security and unemployment. This is in line with Umhlaba Wethu's (2005: 77) assertion that one of the key objectives of Land Reform is the improvement of household welfare and the alleviation of poverty as this project was doing.

4.4.20 Family benefits from the project

A majority (32%) of the respondents cite income as a benefit to the family. This benefit was shared by project members as income generated from selling of the produce shared among project members after sales, mostly done seasonally. (see Table 1.15 below)

Table 15. Distribution of family benefits

	Frequency	Percent
Food security	12	31.6
Create valuable asset	3	7.9
Income	12	31.6
Fresh products	9	23.7
Others(specify)	2	5.3
Total	38	100.0

Another 32% of the respondents, at family level, cite food security as a benefit from the projects. This benefit was shared by both project members and project labourers. Respondents indicated that surplus stock was shared among project members and workers, and others was also donated to very poor families as part of poverty alleviation within the community.

About 24% of the respondents at family level benefited by getting fresh products from the project, for example, milk and vegetables such as tomatoes, potatoes cabbage, respondents indicated that they were privileged to receive these products as fresh from the soil at a cheaper price. Eight percent of the respondents believe the benefit is in the creation of a valuable asset (the farm) from project. This benefit was shared only by project members who indicated that through farming projects they created a very valuable asset (farm) to be inherited by their children.

4.4.21 Challenges facing project members

Twenty six per cent of the respondents identified lack of funds as the major challenge facing project members. Respondents indicated that government agencies and private institutions were not doing enough in assisting project with funds for them to be able to expand in agricultural production market. (See Table 1.16 below).

Table 16. Challenges facing project members

	Frequency	Percent
Lack of knowledge (skills)	8	21.1
Access to market	9	23.7
Funding	10	26.3
Insufficient professional support	9	23.7
Others (specify)	2	5.3
Total	38	100.0

Project members face the lack of capital and, therefore, fail to sustain the quality of production required for the national market, fail to maintain their machinery and fail to obtain other essential inputs. About 24% of the respondents identified access to market as the major challenge facing project members. A substantial

amount of their production was either used for home consumption or sold to local residents, especially during payments of social grants, while the remaining was donated to poor people as they did not have cold storage facilities.

Twenty four per cent of the respondents identified lack of agricultural extension and related professional support as the major challenge facing project members. Respondents had no easy access to professional advice in relation to farming when required. It can be observed that some of these challenges emanate from what Sibanda (2001) ascribed to weak coordination between the provincial department of agriculture and local government leading to lack of post-settlement support.

4.4.22 Approaches to improving efficiency of the project

A majority (32%) of the respondents believes access to loans is important for the success of the projects. Respondents indicated that the government is failing to provide sufficient funds to the project, hence financial institutions should make loans accessible to small emerging farmers because lack of funds affects all areas of farming at the individual and community levels. (See Table 17 below).

Table 17. Approaches to improve project

	Frequency	Percent
Efficient monitoring	3	7.9
Organized	7	18.4
Loans access	12	31.6
Sufficient training	10	26.3
Efficient professional support	3	7.9
Others	3	7.9
Total	38	100.0

About 26% of the respondents propose sufficient training as the strategic approach to improve project performance. Eighteen percent of the respondents propose unity among community members as a key factor to improving the project. Eight percent of the respondents propose efficient monitoring from all relevant structures ranging from committee members, project members, community, and relevant department as key to project success. Eight percent of the respondents propose efficient professional support from field experts as a strategic approach to improve the projects. Other various strategic approaches were suggested by a 8% of the respondents such as voluntary labour, trust funds operation and land hiring.

In concluding this section, it can be surmised from the foregoing that while the prospects of the Zimbabwe style land grabs are distant in South Africa, the slow pace of land reform in Namibia, all point to the fact that regional countries have lessons to learn from each other if land reforms are to succeed in their respective countries.

CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This study was designed to analyze land use and land restitution claim on beneficiaries in a selected Case Study area of Limpopo Province in South Africa. The aim of this chapter is to draw conclusions and recommendations..

5.2 Conclusion

The main aim of the study was to analyze land use of land restitution claim in a community called Chatleka situated in Botlokwa, in the Molemole Local Municipality, Limpopo Province. It was also the aim of the study to evaluate the current land use impact on restitution beneficiaries. The study's objectives were, namely: compare the land production before and after settlement, investigate beneficiary views on the restitution process and formulate practical recommendations on how to achieve productive land use. Using a quantitative Research Design, the study found the following key conclusions:

- Land as an asset was appreciated by respondents as key resource to wealth creation. Many respondents appreciated the fact that having land could help in alleviating poverty in the community.;
- Families were able to harvest food for their households through the implementation of subsistence farming;
- Despite, the redistribution of land, communities were still living under poor conditions unworthy of human status;
- Evidence from the findings, and field visits to the study area showed prevalence of poor infrastructure, which may encourage labour migration. Rural areas are not viewed as habitable, with no amenities, thus people choose to settle in urban or semi urban areas.
- The study concludes that land is not fully utilized to maximum production;

The study also concluded that many occupants lacked skills in farming.

5.3 Recommendations

Based on the observations and conclusions made in the study, and also the available literature on the subject of Land Reform, the following general recommendations can be asserted:

- In terms of land as an important capital resource, the government should increase commitment at national level to post settlement support through conceptual (policy), fiscal, strategic planning and monitoring and evaluation provisions;
- The government should develop a provincial Land Reform post settlement implementation strategy;
- Promotion of integrated planning and implementation aimed at addressing the economic, social and environmental needs of projects);
- At project level, especially in the various activities, communities need to be the central drivers such that they not only feel the ownership of projects but also strive to sustain the projects for future generations;
- Strong emphasis needs to be placed on the purposive inclusion of women, youth and disabled in projects as they are the most disadvantaged group;
- New plans need to be formulated to take into account infrastructure that has been neglected;
- The government should make provision or subsidize projects with a planning grant for the community. These can be achieved by electing key people among the Communal Property Association (CPA) members and take them through a workshop on planning, financial management and project management;
- Government should also ensure that all communities get the basic services such as electricity and water.;
- The government should stimulate and encourage the use of extension officers so that the community will be aware of production factors and methods which, in the long run, will contribute to the lessening of poverty in the local communities;

- Beneficiary communities need to have access to finance for improvements on the farms and expansion of production but also skills and dedication, commitment to use land productively. These can be achieved by establishing strategic partnerships with private sector investors who will transfer skills to all beneficiaries so as to continue project activities in a sustainable way;
- Beneficiaries need to be trained in a range of activities related to farm operations like marketing management, financial management, artificial insemination, field management, identifying symptoms of different diseases, application of vaccines, record keeping and business skills which are critical to the success of farming and consequently to land restitution;
- Monitoring and evaluation of these projects must be done and an effective exit strategy for support by external stakeholders must be in place and all this must be well integrated and planned to encourage self reliance as the ultimate goal.

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APPENDIXES

Appendix A: Questionnaire

QUESTIONNAIRE

This questionnaire aims to gather information towards a Master's Degree in Development Studies. The questionnaire is completed anonymously and will take approximately 20 minutes of your time. Please mark the appropriate response with an **X**.

A. Profile of respondent		
1.	Gender	<input type="checkbox"/> 1. Female <input type="checkbox"/> 2. Male
2.	Age	<input type="checkbox"/> 1. < 18 years <input type="checkbox"/> 2. 18 -28 years <input type="checkbox"/> 3. 29-39 years <input type="checkbox"/> 4. 40-50 years <input type="checkbox"/> 5. Above 50 years
3.	Marital status	<input type="checkbox"/> 1. Single Man/Woman <input type="checkbox"/> 2. Married <input type="checkbox"/> 3. Separated <input type="checkbox"/> 4. Widow/widower <input type="checkbox"/> 5. Divorced
4.	Highest level of education	<input type="checkbox"/> 1. No formal education <input type="checkbox"/> 2. Primary level <input type="checkbox"/> 3. Matric <input type="checkbox"/> 4. Certificate <input type="checkbox"/> 5. Diploma <input type="checkbox"/> 6. Degree <input type="checkbox"/> 7. Other (specify)-----
5.	Occupation	<input type="checkbox"/> 1. Student <input type="checkbox"/> 2. Unemployed <input type="checkbox"/> 3. Unemployed, actively seeking for a job <input type="checkbox"/> 4. Self employed <input type="checkbox"/> 5. Employed <input type="checkbox"/> 6. Pensioner
6.	If employed, describe your work and the position you hold.	

	<hr/> <hr/>	
7.	If self employed, describe the nature of your business. <hr/> <hr/>	
8.	Income per month	<input type="checkbox"/> 1. < R 2000.00 <input type="checkbox"/> 2. R2 000.00 - R 3000.00 <input type="checkbox"/> 3. R3 001.00 – R 4 001.00 <input type="checkbox"/> 4. R4 002.00 - R 5 002.00 <input type="checkbox"/> 5. R 5 003.00 and above
B. Planning phase of the restitution project		
9.	Were you informed about the claim before settlement?	<input type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No
10.	If yes, have you ever been invited to attend land claims meetings?	<input type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No
11.	How many meetings did you attend?	<input type="checkbox"/> 1. One <input type="checkbox"/> 2. Two <input type="checkbox"/> 3. Three <input type="checkbox"/> 4. Four <input type="checkbox"/> More than the above mentioned numbers. <input type="checkbox"/> Never attended.
11.	Do you know the current land use?	<input type="checkbox"/> 1. YES <input type="checkbox"/> 2. NO
12.	If yes, please give a short description of the current land use? <hr/> <hr/> <hr/>	
12	Are you playing a role at the project?	<input type="checkbox"/> 1. YES <input type="checkbox"/> 2. NO
13	If yes, what role?	<input type="checkbox"/> 1. Committee member <input type="checkbox"/> 2. Gardner <input type="checkbox"/> 3. working at the diary <input type="checkbox"/> 4. Other (specify) ----- ---
14.	Do you get paid for the services you render?	<input type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No

15.	If yes, state how much? <hr/> <hr/> <hr/>	
16.	How far do you stay from the project?	<input type="checkbox"/> 1. <5 km <input type="checkbox"/> 2. 5km-10 km <input type="checkbox"/> 3. 11km-16km <input type="checkbox"/> 4. 17km- 22km <input type="checkbox"/> 5. Above 22 km
17.	How do you travel between the project and your place of stay?	<input type="checkbox"/> 1. By foot <input type="checkbox"/> 2. By bus <input type="checkbox"/> 3. By taxi <input type="checkbox"/> 4. By car <input type="checkbox"/> 5. Other(specify)----- --
18.	Who do you think owns the project?	<input type="checkbox"/> 1. Community <input type="checkbox"/> 2. Tribal Authority <input type="checkbox"/> 3. Municipality <input type="checkbox"/> 4. Provincial Government <input type="checkbox"/> 5. Other (specify)----- --
C.	Benefits derived from the restitution project	
21.	Does the project bring any benefit to the local people?	<input type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No
22. 1	How have you benefited as an individual from the project? <hr/> <hr/> <hr/> <hr/>	
22. 2	How has your family benefited from the project? <hr/> <hr/> <hr/> <hr/>	

22. 3	<p>How has the local community benefited from the project?</p> <hr/> <hr/> <hr/> <hr/>
D. Challenges faced by the project users	
23.	<p>Are there any challenges which project members face?</p> <div style="float: right;"> <input type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No </div>
24.	<p>If yes, describe in detail the nature of the challenges.</p> <hr/> <hr/> <hr/>
25.	<p>What challenges are faced by the community with regard to the project? Describe.</p> <hr/> <hr/> <hr/>
E. Strategic Approaches to Improve the project	
26.	<p>What action has the project members taken to deal with the challenges described above?</p> <hr/> <hr/> <hr/>
27.	<p>Discuss in detail, what strategies should be pursued in order to deal with the challenges, especially at;</p> <p style="padding-left: 20px;">a) project management (specify actions which the management should take)</p> <hr/> <hr/> <hr/> <p style="padding-left: 20px;">b) Community level (specify actions which the community should take)</p> <hr/> <hr/> <hr/>

	<p>c) Local government level (specify actions which local government should take)</p> <hr/> <hr/> <hr/> <p>d) Other institutions (e.g., Community based organizations, parastatals, etc)</p> <hr/> <hr/> <hr/>
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Thank you for your time