



Figure 1 Namibia Land Tenure (1990)

GRAPPLING WITH LAND REFORM IN PASTORAL NAMIBIA

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Introduction

It is often asserted in Namibia that the war of independence was fought over land. More than half of the agriculturally usable land in the country is occupied by some 4,200 commercial farmers, mainly white; the rest provides a home and, in varying degrees, a source of subsistence for about 120,000 black rural households.

Today, about 44 per cent of the country is freehold land, occupied by surveyed and fenced commercial farms. The remaining 43 per cent is communal land, most of it unsurveyed and unfenced, lying mainly in the north of Namibia. About 13 per cent of Namibia is state land, unsuitable for agriculture and designated as desert. It is mainly in the west of the country, much of it leased for diamond mining or set aside as national park (NEPRU 1991a). See Figure 1.

When Namibia came to independence in 1990, the SWAPO government announced its intention to 'transfer some of the land from those with too much of it to the landless majority'. Who should lose land and who should gain it, how the land should be utilised and conserved, what this transfer would cost in terms of land prices, lost taxes and export earnings and the resettlement and servicing of small farmers, were not at that stage considered. In the political euphoria of the post-independence period, the sobering experience of neighbouring Zimbabwe and Botswana with pastoral settlement and development schemes was not fully taken into account.

As the government began to consider the practicalities of land reform, it became evident that a great deal of information and consultation was required before policy could be formulated and a programme of land transfer could be initiated. Research into a wide range of land related issues was therefore started in late 1990 under the aegis of the Namibian Economic Policy Research Unit (NEPRU) and the findings and recommendations were made available to the National Land Reform Conference held in Windhoek, in June 1991.

At the time of writing (September 1991), it is still too early to comment on the implementation of land reform in Namibia, as it has not yet begun in earnest. Land policy has yet to be detailed and ratified, the institutions for implementing land reform and settlement programmes have to be appointed and

Figure 2 Namibia Land Use

in some cases created *de novo*, and large sums of money have to be found. This paper is therefore addressed, as its title implies, to the process of grappling with the issues of land reform in a largely pastoral setting, in preparation for what is already perceived to be a long and difficult process of implementation.

Environmental and Historical Factors in Namibian Land Use

Namibia is very largely a pastoral country; only relatively small areas in the north are suitable for crops and these are frequently stricken by drought. In the south and west, with mean annual rainfall of 50 to 200 mm, and highly variable, small stock predominate. In the centre and north, which receive up to 600 mm, cattle are more important (see Figure 2).

The traditional pastoral systems which prevailed before the colonial period and the introduction of fenced farms were, perforce, flexible and mobile. The pastoralists and their stock ranged widely over the semi-arid rangelands in response to the varying availability of water and grazing.

Towards the end of the last century the enclosure of the immense open rangelands of Namibia began. Settlers, at first mainly German and later South African, started to erect fences around the land they had acquired, ensuring that they had within their boundaries sufficient scope to practise rough systems of grazing rotation and conservation of forage for the eventuality of drought. By 1883, practically the whole of the semi-arid rangelands of central and southern Namibia had been acquired by concession companies (Werner 1991). Actual settlement and enclosure of the land gathered pace about the turn of the century.

Namibia did not escape the rinderpest pandemic which decimated Africa's herds in the mid and late 1890s. On top of this disaster, the traditional pastoralists were losing their freedom to move in search of water and grazing as their land was alienated and their migration routes blocked by fences. Many were reduced to destitution and were forced to seek work with the very same farmers who had deprived them of their land.

Impoverishment and a growing sense of outrage at the loss of their ancestral land led to disturbances and uprisings which were put down with the utmost ferocity by the German colonial authorities. In the first decade of this century, most of the Nama and Herero pastoralists of central and southern Namibia either fled from or were exterminated by the Germans. Those who remained were refused permission to own land, but small reserves were created for Baster, Damara and Nama communities with the intention that they should provide labour pools from which the settlers could draw at their convenience. After the first world war, Namibia, known then as South West Africa, became a South African mandate and was from that time until its independence administered virtually as a South African province. The doctrine of apartheid was applied here as rigorously as in South Africa itself, and accordingly a series of tribal 'homelands' was established. In some cases, as in the north of Namibia, this involved little redrawing of boundaries or shifting of people. In the centre

and south of the country, major relocations of people were undertaken in an effort to ensure that every black person in the country was registered as an inhabitant of a specific tribal area and remained there until required as a worker on a white-owned farm or other enterprise, or as a domestic servant. This process of 'separate development', as it was euphemistically known in the administrative language of the time, was expedited in the early 1960s by the 1962 Commission of Enquiry into South West African Affairs (the 'Odendaal Commission') which examined the land requirements of the main racial and ethnic groups in the light of apartheid policy and assigned a tract of land to each.¹ In some cases this involved the purchase of blocks of white-owned farms on which were settled black families no longer needed as labourers in the white economy.

The people of the more densely settled, mixed-farming areas of northern Namibia (Ovambo, Kavango and Caprivi) were less immediately affected by the grand design of apartheid land policy. Their large populations, organised in relatively strong kingdoms and chiefdoms, the lack of exploitable minerals and their remoteness, all protected them from white land expropriation and settlement. However, their increasing populations, their lack of infrastructure and development, and their exclusion from the commercial livestock market ensured that acute poverty prevailed and that most able-bodied people were forced onto the labour market to the south.

The veterinary cordon fence, known as the 'Red Line', still prevents the movement of stock from north to south, officially in order to prevent the spread of lung sickness from the northern communal areas bordering Angola and Zambia, where it is difficult, if not virtually impossible, to control, into the commercial stock producing areas. Its presence there would damage the export of livestock to South Africa and the EEC.

Commercial Ranches

To the south of the Red Line, the freehold farms cover 36 million hectares, 57 per cent of the agriculturally utilisable area, comprising 6,292 pieces of registered land, 6,123 of which were owned by individuals (as opposed to companies, churches, etc) in April 1991. Of these, only 181 belonged to black farmers. Most of this land receives a mean annual rainfall of less than 400 mm and is suitable only for extensive stock raising. However, conditions for groundwater development are generally favourable (NEPRU 1991b). Cattle ranching predominates in the central and north-central areas and small-stock are raised in the west and south, where rainfall is lower and much less reliable. In

¹ Agricultural development in the ethnic homelands was separately administered until independence in 1990, after which time the powers of the 'second tier authorities' were subsumed by central government. In 1991, the Delimitation Commission announced new administrative boundaries drawn along non-ethnic lines.

1989, cattle contributed about 60 per cent to gross commercial farm income and small stock (meat and karakul pelts) about 25 per cent. Game farming, which combines well with beef production and generates income from tourism, is increasing in importance (MAWARD 1991).

In April 1991, there were 4,205 registered farm businesses with an average size of 8,592 hectares. The southern sheep ranches, averaging 11,600 ha with an average stock holding of about 2,300 SSU², are almost twice the area of cattle ranches to the north. The latter have a mean size of about 6,600 ha and an average holding of about 450 LSU. Prior to independence, the establishment and maintenance of both cattle and small-stock ranching was made possible only by generous subsidization, initially through concessionary finance and subsequently by direct payments, eg for 'drought relief', bush control, soil conservation and boreholes (NEPRU 1991c). Many of these subsidies were withdrawn shortly before independence. Despite their geographical extent, the sheep and goat enterprises are not expected to survive without generous state subsidies. In the commercial beef ranching areas, bush encroachment continues to be a major factor reducing the viability of enterprises.

With the growing interest in land reform, attention has focused on the inequality of land ownership in the freehold areas. Of particular concern is the number of farms (282, or 6 per cent) owned by foreigners, mainly South Africans; the number of owners with more than one registered parcel³ (about 1300, or 30 per cent); and the number of owners living outside the district, but within Namibia (265, or 7 per cent), or outside the country (6 per cent)⁴.

Communal Land

Approximately 33.5 million ha are under communal tenure, but not all are exploitable without major investments (often uneconomic) in water development. In the northern communal areas, where more than half of Namibia's 1.5 million people live, there are large tracts of land which, until recently, have been accessible only to wet season grazing due to the shortage of water. The currently usable communal area is about 27 million hectares. Broadly speaking, the communal areas north of the Red Line have higher production potential than those to the south where farmers are unable to grow subsistence crops and are more dependent on their income from livestock. Many of these southern communal areas are so arid and degraded that only small stock can survive.

² In Namibia, six small-stock units (SSU) are equal to one large-stock unit (LSU) of 500 kg.

³ A registered parcel of land is not necessarily financially viable.

⁴ These groups are not necessarily mutually exclusive.

The traditional system or, more correctly, the system of tenure which prevailed in pre-colonial times, provides for communal ownership with household user rights. Typically, the grazing is unenclosed, but land allocated by the tribal authorities for subsistence cropping is usually fenced off. With the exception of the herds and flocks of the Ovahimba in Kaokoland in the north west, animals are not closely herded, but allowed to roam freely, finding their own way to grazing and regularly returning to water points only in the dry season.

Following the South African government's 'Odendaal' Commission, the tribal reserves or 'bantustans' of the Damara, Nama and Herero people were enlarged and extended into the marginal western, southern and eastern parts of the country. At the same time, the areas allocated to other groups (eg the Bushmen and the Ovahimba) were reduced. Blocks of white-owned commercial farms were bought by the government and people were involuntarily moved to their designated areas. The settlement of black people was not intended to establish them as farmers, but rather to evacuate them from the white-farming areas and move them to reserves where they would constitute a labour pool. The crowding of settlers on to land of low production potential was not conducive to the development of a self-sufficient farming community. The result has been acute range deterioration, and the formation of classes of part-time farmers and impoverished labourers, dependent on massive water supply and fencing subsidies. The former tribal reserves continue to be a residence-of-last-resort for ex-farm workers from the commercial districts and those unable to survive in the towns (NEPRU 1991d, e, f, g).

The National Land Reform Conference

The struggle for independence was primarily a reaction to the colonial land theft upon which the structures of apartheid and labour exploitation were based. Transforming these structures into means for effective utilisation and equitable distribution of the land is a major challenge for development planning and national reconciliation.

A year after independence, the government, supported by the opposition parties, conducted a national consultation on the land question which culminated in the National Conference on Land Reform and the Land Question, held in Windhoek, 25 June to 1 July 1991. The objective was to achieve the greatest possible consensus on the major issues and to make recommendations to Government on a policy of land reform and a programme of action for the implementation of the necessary changes. The role of the conference was an advisory one; supreme decision-making power resides in the legislature, headed by the National Assembly.

The Conference, chaired by the Prime Minister, involving 500 participants and 150 observers, brought together all the major rural constituencies, political organizations and interest groups. Specialists on land-related topics from Namibia as well as from neighbouring countries, specifically Zimbabwe,

Botswana and Malawi, were engaged to inform and structure the debate. Steps were taken to facilitate the participation of unorganised and commonly excluded sections of the community. The views of rural people were elicited and expressed in a video documentary based on a national survey of opinions on land issues (NEPRU 1991h) which was shown at the Conference and on national television.⁵

In the run up to the conference, political groups, representing different ethnic interests, were pressing for the restitution of their ancestral rights to land in the central parts of the country now occupied by the white-owned freehold farms. The passion with which these competing claims were prosecuted threatened to wreck the conference and the fragile process of national reconciliation. A major achievement of the Prime Minister was to obtain broad agreement from the participants on the third day of the conference that the restitution of specific areas of land to specific groups was impracticable because ancestral land rights of the various peoples of central and southern Namibia had been superimposed on one another for centuries, if not for millenia. Land boundaries in the pre-colonial period were not precisely demarcated and shifted frequently. Accordingly, the resolutions emerging from the conference acknowledged past injustices but, at the same time recognised the impossibility of restoring specific areas of land to modern communities on the basis of ancestral claims.

The Conference then moved on to debate the inequity of land ownership in the freehold areas. Although there was insufficient time to consider the details, the conference resolved that: a) foreigners should not be allowed to own farmland; b) underutilised freehold land should be reallocated; c) land of absentee landlords should be expropriated; d) 'very large farms', and/or ownership of 'several farms' should not be allowed; and e) that a land tax be imposed on commercial farm land. Other resolutions related to the need to improve the conditions of farmworkers (NEPRU 1991i) and to resolve land-related issues in the communal areas.

For the organisers and the majority of participants and observers, the conference met its immediate objectives, namely to reach a satisfactory consensus of opinion on the land question. This satisfaction was reflected in the media and the mood of the public. Bearing in mind the wide gulf which separated the various factions at the beginning of the conference, the level of consensus reached among participants was remarkable. However, it remains to be seen whether the conference's recommendations will or can be followed up. Several of the resolutions, for example on the use of and access to grazing land, raise fundamental issues relating to pastoral land use and development, problems with which neighbouring African countries have long been grappling.

⁵ The two films, 'Voices from the Land' and 'Whose Land?' are available for purchase from New Dawn Video, PO Box 1071, Windhoek, Namibia.

Major Land-Related Issues

Widening the Basis of Ownership in Commercial/Freehold Areas

The most commonly held view, and one which received the most attention at the conference, was that freehold farms, purchased by government, should be made available on financially favourable terms to the owners of the larger herds in the communal areas. It was noteworthy that large stock owners themselves were not necessarily in favour of moving their stock to commercial farms. Indeed, the conference took note of the fact that 'under the constitution, no-one may be forced to leave communal land'. The pressure for this reform comes from several disparate groups: a) from white politicians who favour what the leader of the opposition called an 'optical' solution, introducing rich black farmers into the white farming community; b) from black businessmen and government officials who wish to own farms themselves; and c) from small farmers in the communal areas who resent the pressure on grazing exerted by the large herds and flocks of wealthy stock owners. Small farmers are supported by Ministry of Agriculture officials who argue for the transfer of the large herds to commercial farms on environmental grounds. It should be noted that both environmental and equity arguments for moving larger livestock owners to fenced farms were advanced as a major justification for the Tribal Grazing Land Policy (TGLP) in Botswana at its inception in 1975. However, TGLP's impact is reported to have been negative on both counts (Segosebe 1991).

The level of demand for freehold farms by large communal area stock owners will clearly depend on the credit terms available. At current rates (18 per cent), demand is expected to remain negligible (NEPRU 1991j). The problem will be to target the larger farmers in the Communal Areas and minimise applications from businessmen and officials. It is reasonable to expect a marked reluctance on the part of the larger stock owners to move their herds entirely from the communal areas while they continue to enjoy free grazing, water, drought relief and various services without having to pay income tax. It should also be recognised that a programme of assistance for communal area farmers to buy commercial farms would reach only a fairly small number. It would provide only temporary and partial relief to the crowded communal grazing where the environmental benefits of the programme would be difficult to detect. Nonetheless, there are strong arguments in favour of wealthier communal area stock owners acquiring commercial farms rather than pursuing the present trend towards enclosure of communal land (NEPRU 1991d and e).

By comparison with the attention given to the relocation of large farmers, the technical and socio-economic problems of settling poor families, landless people, farm labourers and returnees on commercial farms received very little attention at the conference. Once the argument regarding the restitution of

ancestral rights to indigenous pastoralists was out of the way, the conference might reasonably have discussed the opportunities for resettling the rural poor from the overcrowded Nama, Damara and Herero reserves onto freehold land, but it neglected to do so. Not that any promising solutions are at hand. As a NEPRU briefing paper (1991k) for the conference warns, the settlement, as farmers, of peasants from overcrowded communal areas on former commercial ranches raises a number of difficult practical issues. The most densely settled communal areas (Ovamboland, Kavango and Eastern Caprivi) lie in regions of higher rainfall where the farmers are mainly engaged in mixed livestock and arable farming (see Figure 2). Resettlement on mixed farming schemes in the present freehold area is unlikely to have any significant impact on land pressure in the north as only limited areas of commercial land are suitable for this type of agriculture. Most of the communal areas to the east, south and west are suitable only for raising livestock. They are also heavily over-populated and overstocked and space will eventually have to be found on the commercial farms in the area.

In the light of experience with pastoral settlement schemes elsewhere in Africa, and even in Namibia itself, the options are limited:

(a) *Moving the larger stock owners to commercial farms*

The simplest approach is a programme, such as that outlined above, for helping the larger stock owners from the communal areas to buy commercial farms. However, its impact on the communal areas and on the majority of stock holders is likely to be small and temporary.

(b) *Sub-division of purchased farms into family units*

Most commercial ranches in Namibia are made up of a number of paddocks ('camps'), each with access to water. One approach to the settlement of such a ranch, which is current in the thinking of several government departments, would be to install one household, or herd management unit (eg a *kraal*), on each camp, where it would have exclusive grazing rights. Depending on the physical development of the ranch, each camp would have its own borehole or would share one with a neighbouring camp. Responsibility for operating and maintaining these installations would be handed over gradually to the users.

The cost of settling small-scale livestock farmers, with reasonable standards of social and economic infrastructure, would be very high and the economic return almost certainly negative. The financial viability (from the farmer's point of view) would depend on government providing the land and services (borehole maintenance and fuel) free (NEPRU 1991j). In addition to the economic consequences of sub-division there are likely to be far-reaching environmental effects. Small herds, of 50 to 100 head of cattle, are difficult to manage as commercial units. Offtake is likely to be much lower, (less than half)

than from a commercial herd. Initially, herd growth rates would be fast, assisted by good grazing relative to that on most communal areas and by low offtake. But in the narrow confines of the camp, grazing pressure would be intense and continuous, to the detriment of the herbage and, in some areas, of the soils.

After the Odendaal Commission, this settlement model was used initially in Damaraland and Namaland on subdivided, formerly white-owned farms. It soon became necessary, on account of the large numbers of families applying for resettlement and the limited number of boreholes or camps, to settle several families in the same place. Families came to join their relatives and could not be refused. Both economic constraints and limited space combined to put intense pressure on the land. Today these areas are profoundly impoverished and degraded, yet they are extremely expensive to maintain, with the government spending large amounts maintaining and operating boreholes which, despite their efforts, are frequently defunct.

(c) *Group ranching*

This requires the establishment of a group of Communal Area stock owners on one or more ranches which are then farmed as a single unit. Group ranching has been tried in many African countries over several decades, and very few examples have survived.⁶ Experience in Kenya and Botswana has shown that the main difficulty lies in getting the members of the group to make corporate management decisions and then to abide by them, or to delegate management to a single person. There is a strong tendency for the members to retain as much control over their individual herds as possible, and this often results in the original ranch or ranches being divided up into as many farms as there are members or boreholes. This subdivision is invariably highly destructive to the soils and vegetation, boreholes break down and are not repaired, fences collapse or are not erected because the mini enterprises into which the groups fragment are not economically self-sustaining. Alternatively, the ranch becomes a small-scale communal area with no effective range management or control over stock numbers.

(d) *Cooperative ranching*

One of the more successful ventures into cooperative ranching is the Yatta B ranch in Kitui District, Kenya, on former Crown Land. Cooperative members

⁶ See for example 'Group Ranches in Africa' by Clare Oxby, *Pastoral Development Network Paper 13d*, Overseas Development Institute: London 1982; *Botswana's First Livestock Development Project and Its Future Implications*, National Institute of Research, University College of Botswana, Gaborone, June 1982; *Management of Pastoral Development in the Third World* by Stephen Sandford, Wiley: New York and ODI: London 1983.

initially contributed cattle to the cooperative, but these were translated into shares and the separate herds were merged into a single management unit under the control of a paid manager. Members surrendered control over their own cattle once they had entered the ranch and received dividends from time to time in proportion to their share holdings. In addition, some of the small shareholders were employed by the cooperative as herders. This type of cooperative is not a 'group ranch' as the members merge their separate identity into a single corporate body, with responsibility delegated to a manager. Nor is this strictly a resettlement scheme, since only the livestock and the employee-shareholders (as opposed to the families) move onto the cooperative ranch.

Most communal area stock owners are not prepared to cede control over their animals to some other person or institution, especially when it means that the only benefits they receive from their livestock will be in cash. If they can no longer plough with their cattle, or milk them, or use them to meet social obligations, many of the most important advantages of owning cattle in a rural community are lost. For these reasons, the cooperative ranch, as represented by Yatta B, is likely to have only a limited appeal to communal area farmers. It could have a greater attraction for people with other sources of income, such as civil servants, who are interested in farming but cannot tend to their animals themselves.

(f) *Zimbabwe's Model D*

This approach to resettlement has been proposed in Zimbabwe for the drier areas, known as Natural Region V, where crop cultivation is marginal. It is essentially livestock country, like much of Namibia. The Model D concept involves the utilisation of purchased commercial ranch land by communal area cattle owners on a cyclical basis. Every few years their cattle are relocated onto the purchased land for a period of one year during which the communal area grazing is rested and regenerated. During this period, the respite from grazing pressure provides an opportunity for implementing land use plans, including perhaps some resettlement in the communal area. So far there is little experience to draw upon in evaluating this approach to resettlement, for only one pilot project has been attempted in Zimbabwe (Moyo and Nyoni 1991).

Some of the difficulties experienced have been:

- the cattle numbers in the communal area were greater than could be held on the purchased ranch without the danger of overstocking

- no agreement could be reached with the stock owners on the maximum number of livestock which the communal area and the farm could sustain⁷
- some cattle owners were reluctant to leave the ranch and take their cattle back to the communal area where the grazing was still in worse condition than on the farm
- the scheme only benefited households with cattle; those with no cattle refused to participate in the resettlement part of the programme

Certain parallels can be drawn between the Zimbabwean Model D and the commercial ranches bought at various times by the local authorities in pre-independent Namibia to ease the grazing shortage in times of drought. Communal area stock owners were allowed to take their animals to these ranches until the grazing on the home range had recovered. Some owners, however, refused to remove their stock from the ranches after the drought and have settled there. Since these ranches are now grazed continuously, they are in poor condition and can no longer be used as a drought reserve. They have become, in effect, communal areas in miniature, detached from their parent districts.

(e) *Extending the Communal Areas*

If the farms in question are adjacent to a communal area, the boundary fence between the two could be removed and the communal area simply extended. This solution tends to be favoured by the poorer stock owners who feel acutely constrained in their access to grazing. They are often hemmed in by the boundaries of their communal area, the proximity of their fellow stockowners, the fences of wealthy stock owners who have illegally enclosed tracts of communal land, and their grazing movements are restricted by lack of water. In the experience of the poor, there is no substitute for space to move in. The adoption of this solution would depend on the acquisition of a number of adjacent farms adjoining the communal area.

These approaches to the resettlement of pastoralists, with the exception of (e), have in common the tendency, once the intended management system begins to break down, of reverting to a communal system of grazing. This is not necessarily a bad thing in itself, but in a confined area, such as a ranch, it tends to be more environmentally damaging than in more extensive communal areas. Communal grazing has many virtues, which are often ignored, but the more confined the space, the more destructive it becomes. The evidence from

⁷ It is probable that access to improved grazing and water supplies would accelerate the increase in stock numbers and that owners would still be unwilling to impose a limit on their herd sizes.

neighbouring Botswana is that efforts to improve communal grazing systems by subdividing communal land into separate camps, or by transferring herds from communal land to individual camps on commercial farms, have generally resulted in an accelerating rate of environmental degradation, even if stock numbers are not increased. This leads us to the conclusion that if commercial farms are to be allocated to groups of communal area stockowners, without effective communal range management systems, it would be better to amalgamate several farms, take down the internal fences, retain only the minimum number of water points needed for the herds and flocks, and to leave the occupants to use the farms as a communal area (NEPRU 1991). This is not to say that communal area management systems are unnecessary but that to date no proven models are available for application under Namibian conditions.

Management of Grazing in the Communal Areas

Namibia's National Conference on Land Reform and the Land Question devoted two out of the available six days to the consideration of the situation in the communal areas. Half the recommendations of the conference were concerned with the resolution of land-related problems in the communal rather than the commercial areas.

Official thinking on the development of the communal areas has for long been characterised by a particular approach to land use, derived from the commercial farming sector. Agricultural progress, as envisaged by many officials and some of the larger farmers, has been confined to the idea of transforming traditional stock keepers into commercial farmers and replacing customary forms of land tenure with freehold or leasehold title. This line of thought on the subdivision of communal land into fenced holdings known as 'economic units' has provided a theme for development plans in overcrowded Namaland, Damaraland and Rehoboth for several decades (NEPRU 1991g). Some conference participants, especially from these crowded communal areas, urged that the communal land be subdivided into economic units and for communal tenure to be abolished. This attitude is not surprising since for most of this century the communal areas or 'reserves' have symbolised deprivation and backwardness.

In the northern communal areas (Ovamboland and Kavango) there are large tracts of undeveloped land. Boreholes and water pipelines have recently enabled the authorities to open up this land which has been leased to stock owners with an interest in commercial farming. Some of the more enthusiastic exponents of this approach foresaw that eventually the entire area of communal land would be converted to private holdings, linked to the translocation of the Red Line, thus enabling owners to sell their livestock on the national market. As this process moved northwards, it would gradually absorb communal land, and traditional land holdings would give way to modern individually held farms.

They anticipated that the communal areas would diminish in size and eventually disappear. Thus, all farming in Namibia would ultimately be 'commercial'.

This formula for the development of the communal areas is, of course, based on the assumption that 'traditional' agriculture and forms of land tenure are inimical to progress and that improvements in husbandry and land management can only be achieved on individually titled and fenced farms, a view which has prevailed elsewhere in Africa and led to widespread landlessness. These views are widely subscribed to by Namibian politicians and officials and by certain large communal-area stock owners with aspirations for farms of their own. They tend not to be shared by the majority of poor farmers, who would be dispossessed in the process and crowded into a smaller area. This division of opinion on the future of the communal area was clearly demonstrated by a national attitudinal survey on land issues, carried out in preparation for the conference (NEPRU 1991h). Town-dwelling people and commercial farmers seemed to hold the view that communal tenure was an obstacle to development. On the other hand, the great majority of people living in the communal areas wished to retain the system.

The more egalitarian view won the day at the Conference which reached the conclusion that, since the communal areas sustained the great majority of Namibian households, especially poor households who depended on the land for much of their subsistence, 'the communal areas should for the present be retained, developed and expanded where necessary'. However, the conference called for the necessary reforms in land allocation and administration by the yet-to-be-established regional and local government institutions in which 'women should be fairly represented'. Other resolutions, reinforcing this point of view, recommended that the fencing of land by wealthy stock owners be halted and that such illegal fences be removed. Finally, the holders of commercial farms should not also be allowed access to communal grazing land, ie 'dual grazing rights'.

The recommendations, although recognising the welfare function of the communal areas, tend to perpetuate the idea that communal land should be used for no activity other than production for subsistence and that, if people wish to commercialise their operations, they should be established individually on fenced farms. There is a failure to recognise the continuum which embraces predominantly subsistence production and predominantly commercial farming. A major difficulty in designing schemes to foster improved production in communal areas is the lack of systematic information on the strategies adopted by farmers at different stages of development and their relative performance. This applies to those who have remained in the communal areas as well as to those who have opted to move to commercial farms.

Protecting the Land Rights of the Weak

There are in Namibia a number of small and somewhat isolated communities with a strong sense of identity and tradition, occupying remote areas, which are coming under increasing pressure from their neighbours. Two such groups are the Bushmen (San) and the Ovahimba.

The land rights of the Bushmen have, until recent times, been generally disregarded by their neighbours and governments. Their traditional livelihood, of hunting and gathering, does not seem to stock-keepers and cultivators of the soil to represent a serious form of land use, and therefore is not considered a means of establishing a defensible right to the land. As a consequence, the Bushmens' pastoralist neighbours, the Herero and, to a lesser extent, the Kavango, have felt free to establish themselves on Bushman territory without prior permission from the users of the land (NEPRU 1991m). The previous government allocated 30,000 sq km of Bushman territory to Herero and 13,000 sq km to Kavango stock keepers. A further 4,000 sq km were proclaimed a game reserve and the Wildlife Department made a strong bid to take over the rest of their land.

The Bushmen fear that, with land reform and redistribution in the wind, they will once again be the losers. At the Land Reform Conference, however, their elected representatives made a strong and articulate case for the integrity of their territorial claims and for the rights to have them respected. The Bushman spokesmen, accustomed to being ignored or derided when defending their rights, were applauded by a great many of the delegates.

The Ovahimba are nomadic pastoralists who inhabit the remote and arid north west of Namibia, the Koakoveld. In dress and lifestyle they adhere strongly to their traditions. With few educated leaders they do not feature prominently in national politics, with the result that their voice is seldom heard. Their territory borders on that of the numerous and enterprising Ovambo, who are beginning to settle on land regarded by the Ovahimba as theirs. Since that land has been used as seasonal grazing by the Ovahimba and is unoccupied for much of the year, the new settlers regard it as unclaimed territory and feel free to establish themselves there. The Ovahimba fear that this process of encroachment will escalate in future as land pressure in Ovamboland intensifies.

Recognising the vulnerability of such groups as the Bushmen and Ovahimba and grouping them with the 'disabled', the conference resolved that their land rights should receive special protection. How this is to be achieved, under conditions of increasing land hunger and limited administrative resources, remains to be determined.

Moving On from the Land Conference

While the conference achieved a remarkable degree of consensus on a wide range of extremely contentious issues, it could, of course, not enter into detailed considerations as to how its resolutions should be implemented. Various institutional proposals were made and subsequently adopted and these provide at least an indication of how implementation might proceed.

A Land Reform Bill

Several specific proposals relating to ownership of commercial farms were adopted at the conference. These, together with the need to give effect to the constitutional principle of affirmative action in redistributing land rights, the application of a land tax to promote the productive use of farm land, and so on, were recognised as needing the force of law to put them into action. A Land Reform Bill will therefore be drafted for consideration by Parliament.

A Technical Committee on the Use of Commercial Land

In view of the wide range of complex and technically involved issues to be incorporated into the new bill and acted upon by government and other agencies, the conference decided that a technical committee be appointed to advise government on these matters. No decision was reached on who would comprise the committee or exactly what its terms of reference would be. Given the heavy orientation of the previous administration towards the interests of large-scale commercial farming and fenced farms, and the fact that the present government has inherited the staff of that bureaucracy almost intact, there is some doubt that the expertise available in Namibia is adequate to deal with the issues raised at the land conference. The technical committee may therefore have to augment its capacity with international expertise.

Namibia has a certain advantage over most other African countries in that it achieved its independence later than they did and can therefore learn from their experience. In the sphere of pastoral development and land use there is a particularly useful body of negative experience, one might even say of development disasters, upon which to draw.

The whole question of how to proceed with land reform and rural development in general in the communal areas is still open (NEPRU 1991n). Most of the local authorities have suspended action pending directions from the centre; the centre, unaccustomed to dealing with the perplexing problems of small farmer and communal area development has itself been waiting for inspiration or direction from elsewhere. But action is urgently needed, and expectations of action have been heightened by the conference. While international expertise has been notably ineffectual in pastoral development, some way may be found to help Namibia avoid the innumerable blind alleys into which other countries have been led.

Land Allocation and Administration in Communal Areas

The traditional authorities in Namibia were used by the colonial regimes as a means of administering the rural areas. During the war of independence many of the traditional leaders were coerced into collaborating with the army in the fight against their own people. In this way their authority was compromised. This was exacerbated by the difficulty of enforcing any system of land administration in areas torn by the war and by the return of large numbers of ex-combatants and refugees after the war, many of whom wanted land and simply allocated it to themselves. Those wealthy enough to afford fencing enclosed large tracts in the communal areas and proclaimed them as their own farms. The chiefs were often powerless to intervene.

A new system of land allocation and administration is therefore urgently needed. It should not necessarily or immediately exclude the traditional authorities, but it should have a wider democratic base, a means of technical and administrative support, and it should operate within a clearly defined national land policy (NEPRU 1991o).

Botswana's experience with district land boards was closely examined at the conference and was felt to be a useful starting point for the development of Namibia's own land allocation and administration system.

Research into Traditional Land Tenure

The conference noted that traditional land rights need to be updated and codified and brought into line with the Constitution. In some areas, land allocation seems to have been perverted to serve the ends of the wealthy and the influential while the poor, especially women, are in practice deprived even of those rights they had in the past. Substantial numbers of rural Namibians depend heavily on the security of their rights to land, so that if these rights are to be reformulated it is essential that the changes do not threaten their tenure. It is therefore necessary to launch a programme of research, to be conducted in close collaboration with local communities, into the traditional land tenure and land allocation systems practised in all parts of Namibia (NEPRU 1991p, q).

Concluding Remarks

Consultations, conferences, meetings, research papers, etc, are but words. Alone, they put nothing back into the soil; they do not ease the empty stomachs of people, and even less of cattle; nor do they satisfy the craving of poor people in remote country areas for a better life. Nevertheless, in a country racked for decades by racial and ethnic strife, where for most families, land and water are the basis of subsistence, these words, if skillfully and compassionately used, can prepare the way for better things to come.

Namibia's National Conference on Land Reform and the preparations that went into it were extraordinary events. Recognising that in the land and its history lay the source of a general and massive discontent, the government, instead of trying to avoid or repress the issue, took it head on. By this courageous act, of providing for all Namibians, including the white farmers whose land claims were at the heart of much of the debate, to argue their case in a public forum, the government earned for itself a considerable measure of respect and confidence. By its manifest good intentions, it also bought itself a little more time to resolve some of the most intractable problems a newly independent state is likely to encounter.

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