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The restitution of Roman Catholic Church land to indigenous people in post-apartheid South Africa: 1994–2014

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The political and legal perspectives on and understanding of the process of land reform in South Africa differ from the church's vision and understanding on what land reform entails. Currently, land reform through the restitution of church land to indigenous people is still not solved to all party's satisfaction, although this issue is on the table since 1994. The research focuses on the actions by the Roman Catholic Church that argued that 'society ensures justice when it provides the conditions that allow associations or individuals to obtain what is their due, according to their nature' (O'Neil & Black 2004; O'Brien & Shannon 2006). The church also suggests that land is an arable resource that gives people access to certain basic needs necessary for them to lead a dignified life. This article discusses and evaluates the outcomes of the restitution of Catholic Church land since 1994–2014. It also addresses the contribution by the Catholic Church to land restitution during the period of 1994 –2014 to advocate and encourage further participation in the land reform programme. In light of this reality, one can ask whether the Catholic Church can bring about positive influence to the present challenges facing the land reform programme. Positive examples of the trainings and workshops conducted by the church within different communities are showcased to note possible future structures for dealing with land restitution from the church's perspective.

Keywords: South Africa; land redistribution; Roman Catholic Church, Land reform; beneficiaries; poverty reduction.

Introduction

In 1995, various members of the congress alliance ratified a document 'Freedom Charter'. This is a document that triggered a paradigm shift in thinking about the democratic rights of black people and their protection under the law. However, the Freedom Charter has been elevated to the status of religious dogma. In other words, this document has political, legal and churchly background. The policies set out in the charter include the following statement (Boddy-Evans 2017):

> The land shall be shared among those who work it, demands a redistribution of the land and state assistance for the peasantry, as well as the abolition of any restrictions on movements of people, access to land, and stock holdings.[1]

Researches and workshops on national land hunger and needs conducted by the Human Sciences Research Council (HSRC 2016, 2018) uncover that the government's land reform programme (LRP) appears to be failing to promote the widespread productive use of land to provide household food security and strengthen agricultural markets (Mail & Guardian September 2017). The HSRC (2016) also reports that numerous analysts have criticised the institutional arrangements from the overall design of land reform in South Africa, incorporating the actual implementation and notably the lack of sustained and coherent post-settlement support.

Moreover, De Villiers' (2003) research found that since 1994, however, it became clear that the political currency of land, the demands of the landless, unlawful occupation of land and unfulfilled promises of land reform could soon develop a momentum that would be difficult to control. In their research, Duke and Junjie (2014) discover that land-use change is arguably one of the most pervasive socio-economic forces affecting economic systems and human well-being. The current land programme, however, has not been trusted in providing an insight into the impact of land restitution projects that have been implemented. Achieving greater equality in land ownership and improving the livelihoods of rural people are the main challenges facing land restitution in South Africa

1.This document is part of a collection held at the Historical Papers Research Archive at The University of the Witwatersrand, Johannesburg, South Africa: collection number AD1137.

(Jacobs, Lahiff & Hall 2003). The problem still continues to be one of the major challenges demanding urgent attention in South Africa. To avoid ambiguity with respect to what is meant by restitution of church land, the Catholic Church addresses the concern of security because it is instrumental to progress and development; it enhances elements of citizenship, community and a sense of belonging and assists in the balance of power relations and social inequity (Pienaar 2014). In addition, the Catholic Church observes the land restitution as an important assert in the reduction of poverty. Drawing from this historical narration, this article demonstrates the contribution by the Catholic Church to land restitution to indigenous people in post-apartheid South Africa.

Background to the restitution of Church land

The quest for inclusive and participatory governance enshrined in the South Africa's LRP resonates with efforts to develop and strengthen an active and critical rights-based citizenship. The need to boost local community awareness of land reform challenges necessitates continuous evaluations of the lived realities of poor communities through participatory and collaborative methodologies to articulate their socio-economic problems. Land is regarded as a resource that gives people access to certain basic needs necessary for them to lead a dignified life. The context of this article addresses the contribution by the Catholic Church to land restitution during the period 1994–2014 to advocate and encourage further participation in the LRP. The main focus of this study was on eight dioceses that fall under the South African Catholic Bishop's Conference (SACBC). Diocese of Bethlehem, Bloemfontein Archdiocese, Dundee, Kokstad, Keimoes-Upington, Mariannhill, Umzimkulu and Witbank were determined to contribute to this study. The main aim of this study was to demonstrate a concrete contribution made to auditing process of the church's property on the one hand. All these dioceses were selected because they were also significant landowners (SACBC Land Audit Report 2004). This article further provides an overview of the findings of the audit process and identifies possible strategies for further development of the SACBC's commitment to ensure the just and sustainable use of land in the current and future South Africa.

Similarly, the research also demonstrates that the Catholic Church benefited from the land that it accumulated by developing innovative missionary methods such as building hospitals, schools and welfare institutions, bringing agricultural activities led to the expansion of the church. This positive achievement is an implication that the quality of the land owned by the Church had the potential to assist in enhancing long-term sustainable development in the community. However, the inadequate support for various land restitution systems has a differentiated impact in promoting the injustice of poverty in South Africa. Institutions such as Non-profit organisations (NPOs) and churches often have the necessary knowledge, skills and experience for rural service delivery programmes.

With the land issue being crucial for the future success of the country, there is a need to pose the question about the church's role in the process of church land restitution both from the perspective of the Church as landowner and from the position of the members of the Church as landowners.

Contribution of the Catholic Church to socio-economic development on land reform programme

The LRP has suffered many failures, and its beneficiaries have, in many cases, seen little or no improvements to their livelihood (Xaba & Roodt 2016). As a result, the continuation of this dilemma encouraged the Catholic Church to be in close relationship with impoverished communities and acts as trusted representatives, ensuring that potential beneficiaries play an active part in its policy formulation and implementation of the Church Land Programme. This is important because of the land programme's emphasis on the process being demand-driven. In addition, the development and empowerment of marginalised communities remain the focus of Roman Catholic Church in the post-1994 era. As South Africa moved towards the dawn of democracy, poverty, hunger and high rate of unemployment remain a threat to the social and economic development of marginalised communities. Just as at the period of the Church's arrival in South Africa, the Roman Catholic Church met the development needs of underdeveloped communities.

Consequently, through the restitution of land programme, the Catholic Church is still called to empower the disadvantaged communities in the entire period of its existence.

In 1998, the Department of Land Affairs was included to be part of the land audit process, and a Church Land Desk team was established (Philpott & Zondi 1998). This was a means of redressing the imbalances of the past and fulfilling the mission of the Church. Tsele and Butler (1998) observed that this initiative was a theological entry, pointing out that the poor are the subjects and not the objects of a land reform policy which is informed and affected by the poor themselves. For this reason, the Catholic Church is called to be an ally to the landless. Adams (2000:v) concurs with the Catholic Church's view when he notes that land reform is generally accepted to mean the redistribution and/or confirmation of rights in land for the benefit of the poor.

The Catholic Church also believes that it has an important role to play in the development of a just and viable land reform in South Africa, more because land reform needs to be underpinned by a preferential framework and option for the poor[2] (Justice and Peace Department [JPD] 2012).

The study on socio-economic development, conducted by Stiglitz (1998), Zimmerman (2000) and FAO (2006), reveals that positive results on the issue of socio-economic development of

2.The notion of an 'option for the poor' developed in Latin America as church leaders there began to implement the renewal sparked off by Vatican II (Dorr 1992:2).

beneficiaries will be realised if the reforms were to be complemented with infrastructure development such as financial support, skills development and extension services. On the contrary, however, Lopez and Valdes (2000) contend that land reform can make an effective contribution in alleviating poverty. They contend that the impact of such a programme on poverty is limited (Lopez & Valdes 2000).

Evidence from other parts of the world proves that providing support to land reform beneficiaries entails the involvement of various categories of role players such as beneficiaries themselves, local government, various government departments and non-governmental organisations including the Church. For Luwanda and Stevens (2015), providing proper support is often made difficult by the lack of coordination in institutions tasked with providing settlement duties.

The church is also seen as the driving force behind action towards socio-economic development. According to various reports, the call to church land restitution was made by the different denominations in the Rustenburg Declaration of 1990. At this meeting, the church was inspired to commit itself to examining its land ownership and working towards returning all land expropriated to its original owners (Rustenburg Declaration 1990).

Unfortunately, the restitution development goals connived the restitution of the church land plight for inclusion, and the continuous debate does not address restitution of church land directly, meaning that the church does not directly become part and parcel of the subject matter.

From ecclesiastical point of view, land restitution in South Africa has been effectively subordinated to an economic development model that will not ultimately transform land and agriculture along biblical and ethical lines (Philpott 2004). Therefore, it is not surprising that as the debate continues about land restitution, the Catholic Church in the development agenda renders itself to fill gaps in sustainable development and community capacity building as some of the priority areas in addressing the situation of church land restitution.

In his analytical view, Maluleke suggests that the contribution and analysis on the question of the church and its land, while it cannot exclude other inputs, must be ultimately a theological one (Maluleke 1995:64). Philpott and Zondi suggest that the concept of church-owned land is of significance because of the following reasons (Philpott & Zondi 1998:17):

- The starting point is that the church is a landowner.
- The second point to make is that there are people living on church-owned land communities who for generations have been tenants, or in other uncertain relations with the landowner, while also being members of the very same church who is the landowner.
- It is generally held that the quality of church-owned land is of a sufficiently high standard that it could make a significant contribution to the livelihoods of rural communities.
- The land owned by the church is potentially a significant resource base for the church to play a meaningful role in the development of the rural areas.
- The extent and nature of church-owned land allows for the possibility of developing a range of models for land reform, in general, of our country.
- Given the history of land dispossession of black people in South Africa, there is the need to redress this injustice and to change the balance of white ownership of land. This needs to be done in the context of the strengthening of black people's rights and access to land, and the development of effective models of ownership, management and use of this important resource.
- Unlike any other private land owner, the church has an ethical obligation to deal with its land in a morally responsible manner, seeking to do the 'right thing' for the broader society but with a particular concern for the poor and marginalised.

The SACBC (2012) contrasts its concern regarding the church land restitution in the following manner:

We are very conscious that the struggle for land justice will only be won if all people of goodwill can develop an effective collaboration to realize it. This is why we would like to share our reflection more broadly and make it a public document. We hope that it will stimulate some discussion and debate amongst all land reform and rural development stakeholders and contribute towards the evolution of a consensus meaningful solutions to the land questions we face (SACBC 2012: p. v).

The Catholic Church further recognises land not as a mere commodity but as our mother, the locus of life, God's gift to all, of which we are responsible custodians (SACBC 2012). This recognition is an implication that the land must be used in a respectful and caring way, for the present and future generations, the quality of life of all, including rural people. In addition, the Catholic Church's reflection teaches that the church has a moral obligation to impact the communities with its social responsibilities. The Catholic Church offers reflection on land access and proper usage, thereby developing a vision for land reform which, it hopes, will assist the process of bringing land justice to South Africa (SACBC 2012:2). The Catholic Church offers this by giving a brief review of key biblical themes and principles that provide the moral and theological basis for a Christian perspective on land matters. It lays out the theological view of land question, by reflecting on the following (SACBC 2012:2):

- Liberation is a process.
- The land belongs to God and is given into the care of all God's people.
- Care for the gift of land is an opportunity for sharing and not a license for domination.
- Concentration of land in the hands of the rich and powerful while many are without is a scandal.
- Private property is subordinated to the universal destination of goods.

- Respect for the community property of indigenous populations.
- Redistribution and re-allocation of land are not enough.

Although the church has reflected upon these theological aspects of land, it is important to point out that the church is not interested in a theoretical notion of land reform. Instead, the church is more concerned with the practical reality of how best it can make use of the land it owns as a resource in poverty alleviation (Philpott & Zondi 1998). However, the question remains as to what level of support the Catholic Church would provide to communities as they seek to maintain viable livelihoods from the land.

In 1998, the Chief Land Claims Commissioner appealed to the church that it has to make full transparent disclosure of its land holdings, and the need for a national survey of church land was identified (Gillan 1998:vii). The commissioner proposed that the church reveals the possession of its land and contribution it is making in redressing the injustice of the past regarding the land rights of the landless. This mandate was taken further by the Catholic Church by undergoing the land audit progress which shall be disclosed in the following topic.

The South African Catholic Bishop's Conference audit preparation

The initiative audit process report was a sign of commitment to action that was made by the different denominations in the Rustenburg Declaration in 1990 towards the restitution of church land to indigenous owners. The mandate assisted the SACBC to work towards a new economic order in which the needs of the poor can be adequately addressed. The process was meant not only to assist the church for inventory purposes, but also to assist the relevant government departments as well as the community associated with a particular property in the transferral of ownership.

The SACBC Land Desk uncovers that the audit process did not commence immediately after the Rustenburg Declaration. Between 1990 and 1995, the SACBC had to find ways to create a Land Desk Office that will be in charge for Catholic Church land ownership and the audit process. After the discussion, all the people present were assigned to go back to their respective dioceses to start the required process of the audit. The agreement was made and each diocese was expected to hand in their final report in 2004 (SACBC Land Audit Report 2004). To take the initiative forward, the SACBC mandated the Department of Justice and Peace to take responsibility for this project and secured financial resources for the project from Misereor.[3] The Department of Justice and Peace appointed the Church Land Programme to implement the project. The report on this initiative provides an overview of the findings of the audit process, and it identifies possible strategies for further development of the Southern African Catholic Bishops Conference's commitment to ensure the just and sustainable use of land in the current and future South Africa.

In 1999 at the plenary meeting of the SACBC held in Durban, the decision was made that there will need to be initial discussions with each diocese to clarify the nature of the audit and the development of policy, as well as the various expectations within the diocese. These discussions were needed to ensure the commitment of the bishop and identify the key role players and structures within each particular region, as well as to ensure that community groups were included in the process, for instance, Diocesan Pastoral Councils, Laity Councils and Religious Congregations active in the diocese (SACBC Land Audit Report 2004:4). As a result of the preparatory work in each diocese, it was decided that there will be (SACBC Land Audit Report 2004:4):

- support for the envisaged process from all stakeholders
- a structure (working group) in place that will take responsibility for this process within the diocese
- clarity concerning plans, timeframes, accountability and reporting mechanisms.

After the discussion, all the people present were assigned to go back to their respective dioceses to start the required process of the audit. The agreement was made and each diocese was expected to hand in their final report in 2004. Consequently, the church paid particular attention to the development of policy through the inventory of land audit process. Thus, one can correctly argue that the land audit process may be generally fair in relation to sustainable development 'as a prime necessity for the fulfilment of social obligations' (O'Brien & Shannon 2006:596). How this inventory of land audit process has been collected will be described below.

The inventory of the South African Catholic Bishop's Conference land audit

This information was collected in the process of the inventory prior to the commencement of the SACBC land audit. According to SACBC Justice and Peace Land Desk, this information was printed in previous reports, but it will be included in this section for ease of reference. The inventory collected basic information on all property owned by the 26 Catholic dioceses in South Africa. The inventory contains the following information (SACBC Land Audit Report 2004):

- Name and plot number of each property.
- Details of name of ownership.
- The extent of the property.
- The location of the property (in most cases).
- Present use of the property.
- Diocesan decision-making structures of relevance for the property.

The collection of information concerning each property made it possible for a description and initial analysis to be

3. Misereor is a Catholic development and funding agency in Germany. This organisation supports the weakest members of the society: the poor, the sick, the hungry and the disadvantaged. Projects supported by Misereor strengthen the self-initiative of the poor and encourage them to articulate their interests and needs – not as supplicants, but as people who know their rights and obligations.

made of all landholdings at a diocesan level, as well as at a denominational level. The results below are representatives of the findings of the audit.[4] In the inventory results, it emerged that the overwhelming majority of Catholic properties are less than 1 ha in size and are used primarily for local parish buildings or other ecclesial functions. A relative number of 48 properties were found to be larger than 100 ha, yet these properties constitute 82% of the total area of land owned by the Catholic Church. It is, therefore, these larger properties that are of interest for the more detailed audit of the Church's properties.

It also emerged from the inventory that not all dioceses own properties larger than 100 ha and that there are a few dioceses that are significant landowners. This is an important indication that the land that was owned by some diocese was not designated for agricultural or farming purpose to employ the community for poverty eradication. Initially, seven dioceses volunteered for the audit of their properties. The Diocese of Mariannhill (DOM) volunteered later in the same year. That is why it is included in this article. All of the eight dioceses are the ones that have been investigated in this article.

The implementation of the audit process of the various dioceses was an attempt made to ensure some consistency in approach. A framework for the audit process was adopted, and in each diocese, the specifics were then developed to work towards a common goal. The framework presented here is to clarify the intention of the audit. It was intended that through dialogue with various stakeholders such as diocesan leadership and members, communities to be affected and government departments, the audit would ensure that the following information is collected (SACBC Land Audit Report 2004):

- the community
- the diocesan information and policy
- the land
- regional dynamics
- resources available and required.

In some areas, the project made use of affiliates of the National Land Committee (NLC) to conduct these audits in the five dioceses. In the Diocese of Witbank, the audit was conducted by the Nkuzi Development Association, while in the Diocese of Keimoes-Upington, the Surplus People Project (SPP) facilitated the audit process. In the Diocese of Free State, the Free State Rural Development Agency (FSRDA) was contracted to conduct the audit. Unfortunately, this agency was not able to complete the task required because of the incompetency and insufficient service delivery of the FSRDA officials. The Social Academy of the Diocese of Free State were requested to facilitate the outstanding processes. In both the Diocese of Dundee and the Diocese of Umzimkulu, the Church Land Programme was responsible for the implementation of the audit process (Mariannhill Land Desk 2016).

4.The author would like to acknowledge and thank the SACBC Land Desk for providing permission to use their work in his article.

Before 1998, communities of church-owned land at Mariannhill opened negotiations with the DOM with the idea of taking transfer of the land that they occupied and used for residential purposes and agricultural activities. The DOM LRP openly and willingly agreed to provide facilitation support in those negotiations.

From 1998, the DOM developed a land redistribution and agricultural support programme through which it made eight farms available for redistribution to various communities using government's land reform processes. At the same time, the diocese instituted an agricultural support programme using agricultural experts seconded by a German-based development funding agency, Misereor. Since the commencement of the audit process after 1999, that programme managed to transfer almost half of the 6000 ha of land owned by the diocese to communities and enhanced the capacity and skills of many Church land beneficiaries in agriculture and animal husbandry. Letty et al. (2002) testify that in 1998, the Diocese Rural Development Project (RDP) also started supporting cropping activities (vegetables and dry land crops) at St. Bernard's and later in other areas. Bayer et al. (2003) contend that later in 2002, the process reached the point where residents needed to create legal entities to take the transfer of land. The DOM LRP was concerned that the resulting arrangements should work for residents after transfer, as well as meet the technical and legal requirements. The Legal Entry Assessment Project (LEAP) developed a theoretical framework to understand performance in Communal Property Institutions (CPIs) and practical tools for fieldwork. The DOM LRP and LEAP agreed to cooperate on legal entity establishment.

Between 13 August and 10 September 2003, a further study was conducted by Bayer et al. (2003) on livestock keeping practices within project farms of the RDP of the DOM and Mdukatshani RDP. This study was supported by Misereor and conducted in collaboration between an external consultant and the project teams. These two projects tried to hand back to black communities either Church-held land or former commercial farms. Advice on how to manage land, crops and possibly animals was deemed necessary. According to this study, the external consultant indicated that emphasis was given to the following (Bayer et al. 2003):

- What people in the project area are presently doing with livestock?
- The reasons why they keep livestock and which types.
- What productivity is achieved?
- Constraints on livestock production.
- Marketing, conflicts and so on.
- Exploring possible measures of technical and organisational support and investment.

More detail of each of the categories identified in the framework for the audit is provided in the description below. The description is presented as it was agreed to at the outset of the audit process, and so reflects the commitment to the

intended process, and not simply a record of past events (SACBC Land Audit Report 2004).

Using participatory measures, the agency conducting the audit was mandated to interact with the community associated with a particular significant property to (SACBC Land Audit Report 2004):

- Ensure that a representative leadership structure was either already present or established, and seek to strengthen this leadership structure through the process of the audit.
- Obtain and provide adequate and appropriate information for community groups. This included learning of the community's history, and the nature of their rights to the land. An understanding also needed to be developed of the community's intentions regarding the land.
- Explore all options and references for the tenure, use and management of land.

The option was also needed to consider the possibility of the community entering into partnerships with appropriate bodies for the development of the land. It was reported that a key consideration was in what way land contributes to the livelihood of the community concerned (SACBC Land Audit Report 2004). For each participating diocese, the audit was to clarify the following (SACBC Land Audit Report 2004):

- The needs and intentions of the diocese regarding each property. These were particularly significant if the dioceses gave rise to any limitations for the options for future arrangements and use of the land. This was also necessary to explore whether these needs could be met in other ways, or more efficiently, that would not impose limitations on the various options.
- The diocesan decision-making structures for the properties concerned.

The agency conducting the audit for each diocese ensured that the following information was collected for each significant property (SACBC Land Audit Report 2004):

- The use of the land, both in the past and present. This information could be found from a mapping exercise with the community and will lead to a detailed map being developed.
- Restrictions on the land in question, and relevant details, for example, leases, claims and zoning.
- Potential use of the land, including its agricultural potential. Information was also required on water availability, where appropriate.
- The management systems for the land and the option for the continued management of the land. There will need to be clarity on any possible implications for proposed tenure arrangements.

The mandate of the audit also gave consideration to the dynamics within each region that impacted on the possible tenure arrangements, the use and management of each property. This includes the regional council or local government structure, as well as the regional functioning of various government departments, the Department of Land Affairs and Department of Agriculture. In some circumstances, consideration was given to the role and expectations of traditional leadership (SACBC Land Audit Report 2004).

The SACBC further reports that the church envisaged in exploring a range of options for the further tenure, use and management of each property. The audit intended to identify the resources required for the various options, including financial and human resources. Consideration was given as to the possible sources for these, and recommendations were made concerning possible options. These resources could be located within the community, the diocese, the broader church, private or public agencies. It was intended that on the basis of this information and in dialogue with the stakeholders, various options for the use and ownership of the properties in question could be identified and initial plans developed (SACBC Land Audit Report 2004).

The audit analysis

The experience of implementing the audit of SACBC-owned land generated important insights, challenges and learning. Some of the most important issues are briefly highlighted below. They are not only simply a record of past events but also at the heart of the continuing developmental agenda for church-owned land in South Africa.

Information-gathering exercises like the inventory and audit processes are quite clearly prior to and distinct from the actual implementation of developmental processes on the ground. However, they inevitably raise discussion and expectations about the future use of land. The experience thus far shows that implementing agents such as the Church Land Programme (CLP) and other role players get pressured prematurely into implementing the first ideas that emerge. This is almost certainly not advisable. The audit phase should generate information and a kick-start debate about a range of options. Once these have been identified, role players should be enabled to carefully consider those options, and the trade-offs between them, before choices, are made that will, in turn, enable implementation to proceed.

In the section of developmental options, a wide range of decisions must be made. Currently, those decisions are not guided by a framework policy reflecting the values and intensions of the SACBC. Many such decisions are invariably complex and they demand discernment and wisdom. Apart from that, particular development choices may raise broader ethical issues. For example, it appeared that land in the Diocese of Keimoes-Upington may be suitable for producing paprika for an export market. This raised the following key ethical questions (SACBC Land Audit Report 2004):

- Does export-oriented commercial mono-culture fit the vision of developmental use of church-owned land?
- Will church-owned land be used for the propagation of genetically modified produce?

The auditors believe that the use and control of pieces of land owned by the church cannot be divorced from issues concerning the use and control of land in the broader South African context. One issue that confirmed this insight already in the audit concerns the role and powers of traditional authorities. The SACBC-owned land at Witbank, for example, is adjacent to land controlled by a traditional leader, who exercises *de facto* control over the church-owned land. The resultant impasse is proving profoundly difficult to resolve. This situation resulted in a decisive impact on future options for the land in question.

Another dynamic that confirms the inter-relation between church-owned land and the broader land context was the role of government bodies and policies. For example, it showed clearly that some of the relevant government agencies were under pressure to spend their budget and add hectares to their performance record.

Accordingly, church leadership was approached directly by the Commission on the Restitution of Land Rights (CRLR) with offers of money to buy church-owned land. This may offer genuine opportunities, but in fact it was more likely to place role players under inappropriate pressure to make quick and ultimately unsustainable deals.

Other examples revealed the debilitating degree of policy incoherence between and given within government departments. One particular example was worth noting in this regard. After investing a significant amount of time, resources and pressure, the DOM convinced the Department of Land Affairs to allocate land reform grants to beneficiaries, even though the land was being donated by the church and therefore had no purchase price (Mariannhill Land Desk 2016). The grants could then be pooled into a development fund for the beneficiaries. However, this would seem the logical and value-adding route to follow where church land was being donated and where beneficiaries are using options within government's land reform package. The Department of Land Affairs (DLA) subsequently refused to repeat the deal insisting that such grants were to assist in the provision of land only and not for development purposes (SACBC Land Audit Report 2004).

The audit project drew on the services of land rights organisations where these seemed better located in terms of geographic location. In fact, this turned out to be a weak link in the project implementation, not least because NPOs outside the church did not have a good grasp of church dynamics. This seemed to reinforce a more general observation that capacity for developmental work on the land needed to be substantially developed within the church sector.

Social processes around land and development were almost inevitably complex and all too often characterised by conflict. This was the experience of development practitioners generally and proved no less true of church-owned land. It emerged that these difficulties may sometimes prompt selling of other pieces of land to avoid these difficulties. For example, the ongoing difficulties regarding land at Maria Ratschitz over the past decade helped motivate the sale of St. Joseph's in the Diocese of Dundee. At one level, this was understandable, especially given that the owners and administrators of church-owned land were not sufficiently guided by church policy nor supported by in-house (or at least relevant and accessible) developmental capacity in these matters. But again, bearing in mind the underlying motivation of the land initiative (LI), the sale of church land would well represent an abdication of responsibility and the loss of significant opportunity (SACBC Land Audit Report 2004).

The results indicated that a consequence of the process of doing inventories and audits of church-owned land was to place particular dilemmas or challenge experiences at the local level into the purview of the larger church. In this context, and bearing in mind the principles articulated at the start of these processes (principles of poverty eradications, development and social transformation), ongoing sales of significant pieces of land during the audit process were noted with deep concern. However, the audit report showed that the plan for the audit did not go accordingly for some reasons:

- Lack of competent co-operation from the state department (i.e. they did not fulfil their agreement made between them, the communities and the church).
- Some dioceses felt that the government department (e.g. Department of Land Affairs) failed them. Hence, they lost interest in the audit process along the way.
- Other communities did not have sufficient development skills to sustain their livelihood after the Trappist's left the farms.

Another aspect that was discovered was that the commitment of decision-makers to the land restitution programme could be helpful for reform policies. Loss of a sense of community and further destruction of moral fibre in the communities raised more questions than answers about land and African spirituality. There was also a growing tendency towards greed and commercialisation of land that was gradually destroying the sense of 'community serving humanity' which is the basis of the spirituality. There was also the feeling of hopelessness among the victims of landlessness that poses a challenge to the church and to communities. Because land is life, there is no life for many. What is needed is a concerted effort by government to solve land struggles in a competent manner.

After the final audit report of 2004, the church decided to focus more on giving development training skills in agricultural activities and animal husbandry to rural communities in particular. Such training skills are facilitated by accredited church organisations such as Catholic Community Service (CCS), Sekelwe Centre for Social Reflection, Justice and Peace, Mariannhill land Desk and Misereor from Germany.

Development and training

The training initiative for a way-forward started at Oetting farm in Kwazulu-Natal. The SACBC Justice and Peace Office was part of the facilitation of the training. Oetting is a farm of about 260 ha, half of which is settled and used by the community. For this community, the training focused mainly on permaculture. The process of facilitating this training started with the question, 'what is a household'? This gave the trainees an opportunity to define in their own terms, what they regarded as a household. The elements of what they defined were further interrogated. For instance, they had to list the food types they consumed, where they sourced them. This discussion led to the communities identifying the types of foods they could produce for themselves. This is then what they were trained on. According to Mariannhill Land Desk (2016), the training was 30% theory and 70% practical. Trainees were highly motivated and were ready to go and apply the new learnings. As part of the facilitation, the SACBC Justice and Peace Office mandated the community volunteer to send updates on a monthly basis regarding the application of lessons in people's homestead gardens (Mariannhill Land Desk 2016).

The restitution of Church land research illustrates that an LRP is a vital key aspect of social and economic development in South Africa. This is described as a way of redressing past injustices and addressing the problem of poverty in the country, especially in rural areas. Evidence, however, demonstrates that a large number of land reform beneficiaries have not been able to meaningfully use their land because of inadequate nature of the post-settlement support provided. Historically, land reform beneficiaries are confronted by numerous challenges such as poor infrastructure on farms, group tensions and access to affordable inputs and lack of support from official agencies. These and other challenges ultimately hamper beneficiaries from making effective use of land. The study also shows that inappropriate planning and lack of post-settlement support are critical weaknesses in South Africa's LRP. Indeed, inadequate and inappropriate planning, and lack of meaningful consultation with beneficiaries give rise to negative community dynamics, a lack of institutional support and uncoordinated service delivery. The absence of post-settlement support impacts negatively on land use and on the livelihoods of intended beneficiaries. The research findings confirm the need for the state to rethink its strategy on post-settlement support and the involvement of a range of institutions, especially the Church, in the post-settlement stage of land reform. The impact of Land Redistribution and Agricultural Development (LRAD) projects on beneficiaries is more difficult to discern, more because the projects and training that were discussed in the research are not necessarily characteristic of LRAD overall. The projects are initiatives of the Catholic Church.

It is also necessary to emphasise that at times the intervention of the 'devil's advocate' is invited for the smooth running of special responsibilities given to people. Having discussed all this, therefore, the church could be undoubtedly encouraged to take up this role because the disadvantages of current model of LRP from the Church's point of view are that most land might remain dormant.

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Competing interests

The author has declared that no competing interests exist.

Author's contributions

I declare that I am the sole author of this research article.

Ethical consideration

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References

Adams, M., 2000, *Disclaimer: Evaluation of ODA to the land sector*, International Organisation Development, London, viewed 29 August 2018, from https://www.treasury.gov.za/publications/other/devco-op/section2/08.pdf.

Bayer, W., Alcock, R., Dladla, F., Gilles, P., Masondo, M., Mkhize, P. et al., 2003, 'A struggle of indigenous livestock management in Rural KwaZulu-Natal, South Africa', Unpublished rural development project, Mariannhill Diocese, Mariannhill, viewed 29 August 2018, from https://www.mdukatshani.com/resources/Report%20on%20livestock%20in%2.

Boddy-Evans, A., 2017, *The Freedom Charter in South Africa. Document calls for equality, freedom and justice*, viewed 29 August 2018, from https://www.thoughtco.com/text-of-the-freedom-charter-43417.

De Villiers, B., 2003, *Land reform. Issues and challenges*: *A comparative overview of experiences in Zimbabwe, Namibia, South Africa and Australia*, Republic of South Africa, Johannesburg.

Dorr, D., 1992, *Option for the poor: A hundred years of Catholic social teaching*, rev edn., Gill and Macmillan Ltd, Goldenbridge, Dublin.

Duke, M. & Junjie, W. (eds.), 2014, *The Oxford handbook of land economics*, viewed 29 August 2018, from https://global.oup.com/academic/product/the-oxford-handbook-of-land-economics-9780199763740?cc=za&lang=en&.

FAO, 2006, 'Agrarian Reforms: Social Justice and Sustainable Development', A paper presented at the International Conference of Agrarian Reforms and Rural Development, Porto Alegere, Brazil, March 7-10, 2006.

Gillan, D.S. (ed.), 1998, *Church land and poverty: Community struggles, land reform and the policy framework on Church land*, Progress Press, Braamfontein, Johannesburg.

Human Sciences Research Council (HSRC), 2016, *Presentation to the high-level panel on the assessment of key legislation and acceleration of fundamental change*, Africa Institute of South Africa, HSRC, Pretoria.

Human Sciences Research Council (HSRC), 2018, *Policy brief: Can we unlock rural socio-economic transformation through land reform: Revisiting the land redistribution public policy imperatives in South Africa*, Africa Institute of South Africa, HSRC, Pretoria.

Jacobs, P., Lahiff, E. & Hall, R., 2003, *Agricultural land redistribution: Toward great consensus. Land redistribution in South Africa*, School of Government, University of the Western Cape, Cape Town.

Justice and Peace Department (JPD), 2012, *Catholic Church vision for land reform in South Africa*, Hoge Presentations and Graphics, Pretoria.

Letty, B., Alcock, R., Masondo, M., Trench, T., Gumede, S. & Dladla, F., 2002, *A study of indigenous livestock management in rural KwaZulu–Natal, South Africa*, Report on livestock in Msinga and Mariannhill, viewed 03 March 2020, from http://www.mdukatshani.com/resources/Report%20on%20livestock%20in%20msinga%20and%20marianhill%20july%202003.pdf.

López, R. & Valdés, A., 2000, *Rural poverty in Latin America*, Macmillan Press, London.

Luwanda, M.C. & Stevens, J.B., 2015, 'Effects of dysfunctional stakeholder collaboration on performance of land reform: Lessons from community based rural land development projects in Malawi', *South African Journal of Agricultural Extension* 43(1), 122–134.

Marrianhill land Dessk Report, 2016, *Church Land transferred to the people*, Diocese of Mariannhill, Durban.

Mail & Guardian, 2017 September, *Land reform*: *A broken ladder*, viewed 19 August 2018, from https://mg.co.za/article/2017-09-18-00-land-reform-a-broken-ladde.

Maluleke, T.S., 1995, 'Church and land. The land of the Church of the land: A response to the whole issue: Church and land', *Bulletin for Contextual Theology in Africa* 5(3), 61–64.

O'Brien, D.J. & Shannon, T.A., 2006, *Basic human rights and the humanitarian crises in sub-Saharan Africa*, Pickwick Publishers, New York.

O'Neil, J.K. & Black, P., 2006, *The essential moral handbook: A guide to Catholic living,* rev. edn., Liguori Publications, Liguori, MI.

Philpott, G., 2004, 'Land in South Africa: Gift for all or commodity for gift for all or commodity for a few?', Occasional paper, No. 1, Church Land Programme, Pietermaritzburg, viewed 19 August 2018, from https://churchland.org.za/wpcontent/uploads/2012/07/OccasionalPaperNo1.pdf.

Philpott, P. & Zondi, P., 1998, 'Church and land*:* A strategic resource in the war against poverty', *Bulletin for Contextual Theology in Africa* 5(3), 17–39.

Pienaar, J.M., 2014, *Land reform*, Juta's Property Law Library, Juta and Company (Pty) Ltd., Cape Town.

Southern African Catholic Bishop's Conference (SACBC), 2012, *Vision for land reform in South Africa: A Pastoral Statement,* Hoge Presentations and Graphics, Johannesburg.

Southern African Catholic Bishop's Conference (SACBC), 2004, *SACBC land audit report*: *A pastoral statement*, Hoge Presentations and Graphics, Johannesburg.

sele, M. & Butler, M., 1998, 'Church and Land, Towards a Theology of Church Land in South Africa: CHURCH AND LAND', Bulletin for Contextual Theology in Africa. 5(3), 40–45.

Stiglitz, J., 1998, 'Distribution, efficiency and voice: Designing the second generation of reforms', Paper presented at the conference on asset redistribution, Poverty and Economic Growth, Brasilia.

Tsele, M. & Butler, M., 1998, 'Towards a theology of church land in South Africa', *Bulletin for Contextual Theology in Africa* 5(3), 40–45.

Xaba, M.B. & Roodt, M.J., 2016, December 06, *Mail & Guardian South Africa's land reform efforts lack a focus on struggling famers*, viewed 19 August 2018, from https://mg.co.za/article/2016-12-06-south-africas-land-reform-efforts-lack-a-focus-on-struggling-farmers.

Zimmerman, F., 2000, 'Barriers to participation of the poor in South Africa's land redistribution', *World Development* 28(8), 39–60. https://doi.org/10.1016/S0305-750X(00)00029-2