

Kingdom of eSwatini

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Land Reform and Rural Transformation

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The Kingdom of eSwatini is a small, landlocked Southern African country bordered by the Republic of Mozambique to the east and surrounded by the Republic of South Africa¹. The history of Swati land tenure dates back to the 1870s when most African countries were under European colonial administration. In Southern Africa, the appropriation of land predominantly benefitted white European settlers and colonial corporations. In 1903 after the British victory in the Anglo-Boer war, eSwatini became a British protectorate. Following this, the traditional rulers of eSwatini granted several land concessions to foreign settlers. Part of the land was appropriated from the collective ownership by Swati nationals and transformed into free holding lease. The British converted foreigners' existing negotiated rights to a share in the use of Swati National Land (SNL) into absolute, exclusive inalienable ownership. As a result, a dual system was initiated where two systems of land use co-existed, the Title Deed Land (TDL) and the SNL.

The dual system of land ownership resulted in the colonial settlers having title deeds, whilst the majority who lived on SNL had none and could be evicted by traditional chiefs without recourse. Without title deeds, subsistence farmers had no collateral to raise financing to undertake basic improvements or acquire equipment such as irrigation systems to increase their yields. As a result, farming was restricted to traditional non-commercial methods and many people became vulnerable to food insecurity. The dual land system led to an increase in the national poverty gap owing to the rights afforded by the TDL and SNL systems. Key assets such as land and cattle were found to be unequally distributed, even among smallholder farmers on SNL. In general, the dual land tenure system exacerbated poverty among the indigenous people due to unequal distribution of land and resources.

Land is an important productive asset and a prerequisite for agricultural production. Agricultural production can cater for subsistence and commercial purposes, which often depends on the amount of accessible arable; therefore it is an essential aspect of people's livelihoods. From the late 1950s through to the 1970s, several African countries undertook land reform programs to redress the inequalities caused by regressive colonial land ownership and land use policies. eSwatini opted for a market-based acquisition and compensation using funds provided by the former colonial masters as agreed to at independence². These mechanisms were offered by the state for social and

¹ SADC 2012. *Swaziland*, on Southern Africa Development Community Website, viewed on 28 January 2018, from <http://sadc.int/>.

² WBG 2014. *Agricultural Land Redistribution and Land Administration in Sub-Saharan Africa: Case Studies of Recent Reforms*, on the World Bank Group Website, viewed on 4 February 2018, from <https://worldbank.org/>

economic reasons. New property rights were created and existing proprietary structures were restructured. For example, the privatisation of state farms and collectives, the redistribution of state-owned lands, direct state grants to purchase and improve private property and state sponsored credits were some of the instruments used in eSwatini's land reform programme.

Agriculture is the backbone of the Swati economy and socioeconomic development. The agriculture sector accounts for about 9% of the Gross Domestic Product (GDP) and employs about 70% of the working population³. eSwatini has a population of about 1.2 million people, with 75.8% of the population living in rural areas⁴. About 77% percent of the population residing in rural areas are deriving livelihoods from subsistence agriculture on SNL which accounts for 54% of the Swati land area⁵. On the contrary, agriculture on TDL which occupies 46 % of the land area is mainly commercial⁶. Since 1971 the government of eSwatini has been establishing rural transformation programmes to improve rural livelihoods. In an attempt to eradicate poverty and extreme inequality, the government of eSwatini crafted a national vision in the form of National Development Strategy (NDS). The NDS articulates the country's development vision and aspiration for 25 years from 1997 -2022⁷. The NDS focuses on improving the standard of living in the country, eradicating poverty, creating employment opportunities, promoting gender equity, social integration and environmental protection. These dimensions are, in turn, crucially linked to education, health and other aspects of human resource development.

According to the NDS, by the year 2022 the Kingdom of eSwatini will be in the top 10% of the human development group of countries founded on sustainable development, social justice and political stability⁸. To achieve the vision key macro strategic areas were identified, these are, sound economic management, economic empowerment, human resource development, agricultural development, industrialisation, research for development and environmental management⁹. The NDS identifies agricultural development as one of the major areas of strategic thrust, as a large portion of the population will continue depending on agriculture for their livelihoods over the next twenty-five years. Furthermore, the agricultural sector has strong linkages with other sectors in the eSwatini economy; therefore stimulating the sector is anticipated to stimulate other sectors of the economy. This strategic area essentially involves raising the capacity of the agricultural sector such that it generates a higher volume of goods and services for given factors of production, without destroying the environment. Essential elements in the strategy are food security,

³ FAO 2011. *Mid Term Evaluation – Final Report: Swaziland Agricultural Development Programme*, Food and Agriculture Organisation: Rome. Available At: <http://fao.org/> [Last Accessed: 6 February 2018].

⁴ WB 2014. *Swaziland - Country partnership strategy FY2015-2018*, on the World Bank Website, viewed on 2 February 2018, from <http://worldbank.org/>.

⁵ UNICEF 2016. *Swaziland United Nations Development Assistance Framework 2016 - 2020*, United Nations Children's Emergency Fund: New York. Available At: <https://unicef.org/> [Last Accessed: 26 December 2017].

⁶ GoS 2018. *The Ministry of Agriculture*, on the Government of the Kingdom of eSwatini Website, viewed on 25 March 2018, from <http://gov.sz/>.

⁷ UNICEF 2016. *Swaziland United Nations Development Assistance Framework 2016 - 2020*, *ibid*.

⁸ UNDP 2013. *Swaziland: A Framework for National Development Strategy (NDS) Review*, United Nations Development Programme: New York. Available At: <http://sz.undp.org/> [Last Accessed: 26 December 2017].

⁹ SNAT 1997. *The National Development Strategy*, Swaziland National Association of Teachers: City. Available At: <http://snat.org.sz/> [Last Accessed: 13 February 2018].

commercialisation of agriculture on SNL, efficient water resource management, and rational land allocation and utilisation.

Despite the good intentions behind the government's commitment to foster national development, the results have not been satisfactory. The country's economic growth has been slowing down since 2013, with a decline in GDP from 2.7% in 2014 to 1.7% in 2015¹⁰. The economic slowdown was driven by declining South African Customs Union (SACU) revenues, adverse weather conditions caused by the El Nino phenomenon, and poor regional economic performance. In 2017, economic growth is estimated to have declined further to 1.3%¹¹. Available national reports indicate that unemployment rate stands at 28.1%, this rate is exacerbated by skills mismatch and a high HIV/AIDS prevalence rate of 27.7% among adults¹². Due to the weak economic prospects, poverty and inequality are expected to remain critical challenges in eSwatini. However, some achievements have been noted in the development of the Maguga and Lubovane dams which led to an increase in areas under cultivation. The country has also significantly invested in the health sector although it continues to face the challenge of a high HIV prevalence.

Land reform can only be successful if sufficient resources such as infrastructure, appropriate technology, capital and human resources, are available to make the land productive. The government of eSwatini has provided infrastructure for rural transformation and land reform such as improving and extending road networks, market spaces, water and electricity. The road system provides access to remote districts, thus serving as a strategic link for the transportation of agricultural products and people. Moreover, the government of eSwatini launched a rural electrification programme to ensure that all parts of the country can access electricity, thus improving the quality of life of rural citizens¹³. Support has also been offered through improved technological information and low-interest-rate loans and grants. The contributions of local traditional institutions, communities, non-governmental organisations and the private sector cannot be ignored. They have supported the rural poor people in developing small businesses by encouraging participation in rural development projects. These projects have often taken into account the inclusion of women and young people.

eSwatini is inextricably linked to the Southern African Development Community (SADC) and the Southern African Customs Union (SACU) in a number of ways, including trans-boundary water resources, the migration of people and trade. The SADC region has 15 major river basins that are shared by two or more countries¹⁴. The Incomati Basin, is one example, flowing from the eastern part of South Africa, through northern eSwatini and into the southern part of Mozambique where

¹⁰ CBS 2016. *Annual Report 2014/2015*, Central Bank of eSwatini: Mbabane. Available At: <http://centralbank.org.sz/> [Last Accessed: 27 March 2018].

¹¹ CBS 2017. *Financial Stability Report June 2017*, Central Bank of eSwatini: Mbabane. Available At: <http://centralbank.org.sz/> [Last Accessed: 27 March 2018].

¹² SwaziStats 2017. *Latest Statistics*, on the Kingdom of eSwatini Central Statistical Office Website, viewed on 8 February 2018, from <http://swazistats.org.sz/>.

¹³ UNICEF 2016. *Swaziland United Nations Development Assistance Framework 2016 - 2020*, *ibid*.

¹⁴ SADC 2005. *Southern African Development Community Regional Water Policy*, Southern African Development Community: Gaborone. Available At: <http://sadc.int/> [Last Accessed: 10 February 2018].

it discharges into the Indian Ocean. Furthermore, eSwatini is a migrant sending country, with most Swati emigrants choosing to migrate to South Africa in search of work given its proximity to the biggest economy in the region. The country is also closely integrated into Southern African markets and is a member of all key regional institutions such as SADC, Common Market for Southern and Eastern Africa (COMESA) and SACU¹⁵.

The Malagasy land distribution model serves as an example for eSwatini and the rest of the continent. Several African countries have already shown interest in Madagascar's land reform process, given that it addresses difficult issues, and proposes technical and legal solutions that are viable and accessible. The success of the Madagascar land reform (2005) was due to the excellent technical organisation of the units concerned, coupled with great transparency and the active participation of the community. However, the Malagasy model might not be suitable in the eSwatini context. Tenure over SNL is not defined by legislation, the land is controlled and held in trust by the King and allocated by tribal chiefs according to traditional arrangements, therefore citizens can only access land as tenants, never as owners. Furthermore, access to land by women and the youth may continue to be constrained by traditional patriarchal land allocation practices, values and norms. The practices have resulted in women and youth regarded and treated as minors limiting them access to land. Addressing issues of social injustice is a prerequisite for sustainable economic development. However, it is unlikely that land reform would change the current leasehold system of land administration into free holding given the importance of the monarchy. The legacy of the colonial land policies in Africa is a major framework through which unequal landholdings undermine sustainable livelihoods at the individual country level.

The government of eSwatini is grappling with how to include the rural poor on activities that can lift them from poverty and promote sustainable development. Most households rely on agricultural output as a major source of income and food security, either as subsistence and small-scale farmers or as recipients of income from employment from medium- and large-scale commercial farms and estates. Across the entire African region there is a general consensus on the need to redistribute land. However, there is often controversy on how to do so peacefully and legally, without invoking rampant corruption, political interference, rent seeking, or social conflict. In countries such as South Africa and Zimbabwe, the historical and current appropriation of land is still a major source driving race relations and economic injustice. eSwatini is somewhat immune from this situation since most of the land is owned by the King and not former colonialists; but the efficiency of the current land administration is affected by its colonial legacy which undermines equitable distribution and access to land, and security of tenure.

¹⁵ AFDB 2014. *Kingdom of Swaziland Country Strategy Paper 2014-2018*, African Development Bank: City. Available At: <https://afdb.org/> [Last Accessed: 9 February 2017].

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Note:

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