

**DISTRICT DEVELOPMENT FORUMS?  
TOWARDS AN ALTERNATIVE TO CURRENT LAND  
REFORM POLICY IN SOUTH AFRICA.**

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Assignment presented in partial fulfilment of the requirements for the degree of Master of Philosophy (M Phil. in Applied Ethics) at the University of Stellenbosch.



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## DECLARATION

I, the undersigned, hereby declare that the work contained within this assignment is my own original work, and that I have not previously in its entirety or in part submitted it at any university for a degree.

Signature:

Date:

## English Abstract

Muden is a poor, rural hamlet in KwaZulu Natal, South Africa. The sub district of Mudén forms part of the Presidential Lead Pilot Land Reform Redistribution Project within KwaZulu Natal. This study analyses the negative impact of the current land reform programme on this rural environment. The research indicates a situation of severe poverty, high dependency, a lack of social infrastructure and a need for strong participatory government at local level. It also shows how existing land reform policies and current development practises are inappropriate within their current context. Proposals are formulated about a possible strategy that can be used to move beyond these problems.

This study follows a systematic approach in which the reader is first shown what the facts about land reform within Mudén, KwaZulu Natal are, and secondly what challenges are induced by these facts. In each chapter the perspectives are altered to add depth and to illustrate the complexity of the situation. The focus also falls on moments or aspects of crisis and how the different stakeholders have actually responded to these. From a normative perspective, guidelines are identified in a reasoned manner from the discussion in each chapter that help identify what could be done in order to overcome the crisis of development and land reform in Mudén.

The first chapter introduces the reader to Mudén, KwaZulu Natal, through a brief history of the district from a land reform perspective. The reader is given an understanding of the current situation prevailing in the Mudén Valley through an explanation of the origins of the conflict over land and other natural resources. In the second chapter the social fabric of Mudén is described, considering the perceived ethical dilemma between development and environmental management within the context of land reform. A need for an integrated management strategy emerges. In the third chapter the social lens is exchanged for an environmental perspective, discussing the concept of sustainability in terms of the natural environment. Through a discussion about the quality of life of the people of Mudén, both pre and post land reform, Chapter 4 brings together the social and biophysical arguments and makes a case for sustainable development. Against the background of this overview of the current situation of Mudén, Chapter 5 is used for a rigorous scrutiny of the current approach to land reform/rural development. In this chapter the critical points of intervention are identified. These are points where decisions have impacted negatively

upon the land reform project in the respective stages of project planning and project implementation and how these have contributed to the current crisis within Muden.

The final chapter formulates a (hopefully) persuasive proposal towards the establishment of District Development Forums as an alternative approach to the current/conventional approach to land reform /rural development in Muden, KwaZulu Natal. I propose that these forums may form a practical institutional framework which have the potential to move us beyond the present quandaries of the current land reform/rural development experience.

## Afrikaans Opsomming

Muden is 'n arm landelike dorpie in Kwa-Zulu Natal. Die Mudén distrik vorm deel van die Presideasiële Loodsprojek vir die Herverdeling van Grond in KwaZulu Natal. Hierdie studie ondersoek en analiseer die negatiewe impak van die bestaande grondhervormingsprogramme op die landelike omgewing waarin dit geskied. Die navorsing dui op omvangryke armoede, 'n hoë vlak van afhanklikheid, 'n gebrek aan sosiale infrastrukture en 'n behoefte vir sterk deelnemende bestuur op plaaslike vlak. Verder toon dit aan dat bestaande grondhervormingsbeleid en ontwikkelingspraktyke onvoldoende is binne die bestaande landelike konteks. Voorstelle word binne hierdie studie gedoen vir 'n moontlike strategie om die genoemde probleme te oorkom.

Die studie volg 'n sistematiese aanpak waarin die leser bewus gemaak word van die bestaande feite rondom grondhervorming in Mudén. Voorts word die uitdagings wat uit hierdie situasie spruit aan die leser gestel. In elke hoofstuk word die perspektief gewysig om insig in die situasie te verdiep en die kompleksiteit daarvan aan te toon. Momente van krisissituasies word beklemtoon en die wyse waarop rolspelers daarop reageer word bespreek. Vanuit 'n nomatiewe hoek word in elke hoofstuk riglyne op 'n beredeneerde wyse geïdentifiseer om oplossings te vind wat die bestaande krisisse in grondhervorming in Mudén kan oorkom.

Hoofstuk een stel die leser voor aan Mudén en die geskiedenis van grondhervorming in die distrik. Begrip vir die huidige situasie in Mudén word geskep deur 'n bespreking van die oorsake van konflik oor grond en ander natuurlike hulpbronne. Hoofstuk twee beskryf die sosiale samestelling binne die Mudén distrik en bring dit in verband met die oënskynlike etiese konflik tussen ontwikkeling en bewaring binne die konteks van grondhervorming. Hieruit spruit 'n behoefte voort vir 'n geïntegreerde en omvattende bestuurstrategie. In Hoofstuk drie word die sosiale invalshoek vervang met 'n omgewingsfokus en word die konsep van selfonderhoubaarheid van die natuurlike omgewing ter sprake gebring. Terselfdertyd ondersoek dit lewenskwaliteit van die mense in Mudén vóór en ná die grondhervorming. Hoofstuk vier kombineer sosiale en biofisiese standpunte en ontwikkel 'n pleidooi vir selfonderhoubare ontwikkeling. Teen die hierdie agtergrond word grondhervorming en

ontwikkeling krities beoordeel in Hoofstuk vyf. Kritieke sake vir intervensie word so geïdentifiseer. Hierdie sake word beskou as die produk van besluite wat negatief ingewerk het op die verskillende fases van projekbeplanning en implementering. As sodanig het die gemelde besluite dus bygedra tot die huidige grondhervormingskrisis in Muden.

Die laaste hoofstuk formuleer en argumenteer ten gunste van die vestiging van Distrik Ontwikkelingsforums as 'n alternatiewe benadering tot die konvensionele en bestaande aanpak van grondhervorming en landelike ontwikkeling in Muden. As sodanig kan hierdie forums dien as praktiese institusionele raamwerke met die inherente potensiaal om bestaande probleme in hierdie verband te oorkom.

## **Dedication**

For my family: Peter, Richard and Cameron, who have been patient and understanding while Mom wrote this assignment.

For the people of Muden, KwaZulu Natal, who deserve a better future.

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## **Introduction**

### **1. Problem statement and purpose of the study**

Should we adopt the model of Rural Development Forums as a structural and procedural way forward for land reform and rural development and should we implement this specifically in the case of the land reform projects within Muden, KwaZulu Natal?

The purpose of this assignment is to use the case study of land reform in Muden, KwaZulu Natal, to highlight in the first place how existing land reform policies and current rural development practises are inappropriate within their current context. In the second place it's purpose is to explicate the normative-ethical grounds on the basis of which the question posed above can be answered. This will be done by way of conducting a thorough critical analysis of all the relevant values pertinent within the specific situation of Muden.

Development forums are an alternative model which have emerged as 'a way forward' within the Muden land reform/rural development case study. These forums form a practical institutional framework which, I will show, have the potential to move us beyond the present quandaries of the current land reform/rural development experience. The alternative is for the community to continue to decay into chaos. There is a real need to realise a sound and responsible development strategy for Muden and this forms the 'gut' purpose behind this assignment. This case study of land reform in Muden is aimed at making a substantive contribution towards the formulation and application of an appropriate approach to land reform/rural development.

Too often projects/communities are launched in a direction, seemingly the best at the time, only to realise with additional information, the wrong route has been taken. This is very much the case of Muden. The result is that everything suffers, the people, the project and it is usually very different to rekindle the momentum and get things back on track. Presently, in Muden, it is the local community who are bearing the brunt of these bad development decisions. Generally these

decisions were made upon their behalf by external stakeholders like the Department of Land Affairs and the iNdllovu Regional Council.

This study analyses the negative impact of the current land reform programme on the rural environment of Muden, KwaZulu Natal. It will observe the historical, legislative, economic, environmental and focus on the social issues relating to the land reform process in general. The results of this research indicate a situation of severe poverty, high dependency, a lack of social infrastructure and a need for strong participatory government at a local level.

Far from dogmatically prescribing the formation of development forums as the panacea for all rural development ills I propose to methodically explore the options and draw recommendations from the emerging points in order to clearly identify the challenges that **any** alternative approach to rural development/land reform should meet. Though this assignment I will show that the current approach to land reform/rural development in Muden has not provided the opportunities for the beneficiary communities to break out of the poverty trap. By explaining why this is the case I will argue that land redistribution cannot be isolated to be an end within itself, there is still a substantial distance to go if appropriate development is to become the outcome. Options for sustainable development do not simply hinge on the land. I suggest that the people of Muden need to seize the initiative to embark on projects which will improve their quality of life and that it should be a priority of Government to support them towards this end. I propose that to achieve this kind of development there is a need for adequate supporting structures, and that this need may be fulfilled through carefully structured and managed District Development Forums.

Development is a term which we assume has a common understanding. For the purposes of this assignment I will spend some time 'unpacking' the concept to enable some of the grey areas to be clarified from the onset. All further references to development will assume this understanding of development.

The Overseas Development Administration, 1995, states that development is “ *the attainment of sustainable improvements in economic growth and the quality of life that increases the range of choices open to all, achieved by people’s own efforts in the private sector and through*

*Government support.*” (Overseas Development Administration, 1995: 2)

A local leader from Muden, Jotham Myaka, has a different version. He says *“If our philosophy of development puts people at the centre, if we believe that development cannot be done from outside, but is sustained and elaborated by a community on their own, if we believe that development is not merely a series of processes, organisations, people spread over a period of time, then we see that partnerships are fundamental to any such development effort.”* (Jotham Myaka, Muden Land Committee, 1998)

In the light of the title of this paper, which proposes an argument for development forums as the platform for the planning and implementation of sustainable land reform and rural development, my bias is towards the second definition of development. This focusses on the people rather than the processes as a mechanism for achieving the objectives of development.

Land reform has been heralded as the catalyst for development. I will investigate whether land allocation is a stepping stone towards achieving development as it intends to be in terms of the Department of Land Affairs’ White Paper of Land Reform Policy for South Africa. (Department of Land Affairs, 1996: 56) Certainly, within the context of Muden, land reform has been an issue around which many poor people have mobilised. The community leadership within Muden used ‘landlessness’ and insecure tenure as issues to galvanise people into participating in the development process. The UNDP Report states that *“once mobilised people can themselves choose the directions in which they wish to move to address the sources of their deprivation.”* (UNDP, 1998: 67) It seems that this fundamental principle of community empowerment has been somewhat ignored within current land reform and rural development policy and this therefore requires further exploration.

## **2. Structure and methodology**

This assignment will be structured as follows:

To set the scene, so to speak, I will utilise Chapter 1 to introduce the reader to Muden, KwaZulu

Natal. To achieve this I will sketch a brief history of the district from a land reform perspective. The origins of the conflict of land and other natural resources go some of the distance towards creating an understanding of the current situation. The purpose of Chapter 1 is to scratch below the surface and establish a platform for more in depth investigations to assist us to identify and resolve the current developmental challenges facing the area.

The second chapter will describe the social fabric of Muden, considering the perceived ethical dilemma between development and environmental management within the context of land reform. The chapter will explore possible common ground for an integrated management strategy to provide a potential way forward for Muden's land reform/development strategy. The third chapter will add greater depth to the complexity of the situation from an environmental perspective. Various standpoints within environmental ethical theory will be evaluated with respect to their applicability to the context of Muden. I will discuss the concept of sustainability in terms of the environment. The following chapter will assess the quality of life of the people in Muden, both pre and post land reform. Chapter 4 will bring together the social and biophysical arguments and make a case for the right to sustainable development. In Chapter 5 I will rigorously scrutinise the current approach to land reform/rural development, identifying critical points of intervention where decisions have negatively impacted upon the land reform project in the respective stages of project planning and project implementation and how these have contributed to the present crisis in Muden. This series of studies, each of which add more dimensions to the complexity of the land reform situation of Muden, will refine the insights into the development challenges facing the district. The final chapter will formulate a, (hopefully) persuasive argument for the establishment of District Development Forums as an alternative approach to the current/conventional approach to land reform/rural development within Muden, KwaZulu Natal.

This assignment follows a story/narratology. (Flyvbjerg, 1999: 7) Essentially I will take the reader on a tour of land reform within Muden, KwaZulu Natal. To quote Wittgenstein: "*In teaching you philosophy I'm like a guide showing you how to find your way around London. I have to take you through the city, north and south, from east to west, from Euston to the embankment and from Piccadilly to Marble Arch. After I have taken you on many journeys of the city, in all sorts of directions, we shall have passed through any given street a number of times, each time traversing*

*the street as part of a different journey. At the end of this you will know London; you will be able to find your way about like a born Londoner. Of course, a good guide will take you through the more important streets more often than he takes you down side streets; a bad guide will do the opposite. In philosophy I'm a rather bad guide.*" (Gasking et al, 1967: 51) Just as Flyvbjerg did with his study of the Aalborg project, through this assignment the reader will have the opportunity of discovering the reality of land reform first hand through the Mudén experience. The story unfolds in it's complexity as I alter the perspectives from social to environmental and then to view land reform through the 'quality of life' lens. Within the narrative that will unfold about land reform and development in Mudén, I will also focus on moments or aspects of crisis and how the different stakeholders have actually responded to these. By pinpointing these moments of crisis I anticipate being able to sharpen the grasp and understanding of possible responses and to fine tune the criteria to distinguish appropriate from inappropriate responses. It is very difficult to take a single 'snap shot' image to identify a moment or decision as a watershed which precipitated the following events. In the case of Mudén there have been few single incidents, rather a growing unease that all is not well. However the crisis-response model is an invaluable tool to prompt us to ask questions that will allow us a '*meta-view*' of a given situation and, where possible, I will use it to provide the necessary insights. My objective is to advance ethical theory through engaging with real practical problems within land reform and rural development.

I have made every effort to be fair and thorough in my descriptions. For many years I have been immersed within the land reform situation of Mudén in both my private and professional capacity. This assignment has forced me to place a distance between myself as the researcher and the subject-which has enhanced my objectivity and will assist me to focus on the real issues in the future.

### **3. The importance of this study**

The importance of this study lies in the fact that the sub district of Mudén, KwaZulu Natal, forms part of the Presidential Lead Land Reform Redistribution Project. Experiences from this Pilot project have contributed to subsequent land reform policy. Although there was much discussion and research into other land reform models throughout the world this was the first time South

Africa had embarked on a project of this nature. Within KwaZulu Natal the Muden sub district 'piloted' the Pilot, so to speak, so the experiences discussed within this assignment come straight from the coal face. The solutions or probable solutions which have emerged have done so through a 'homegrown' process.

It is also important to acknowledge that land reform projects within South Africa, especially those within KwaZulu Natal, certainly have much room for improvement. The redistribution of land has secured tenure but not necessarily secured better livelihoods for the beneficiaries. In most cases land reform projects have negatively affected the surrounding area. This assignment is therefore aimed towards enabling the 'fine tuning' of a future development strategy for Muden that would afford the community the opportunity for a better livelihood. The principles behind these recommendations may also be applicable within other districts.

## **Chapter 1**

### **Muden: An overview**

#### **1. Introduction**

In Chapter 1 I will introduce the reader to Mudén, a poor, rural hamlet in KwaZulu Natal. For the purposes of this assignment I will sketch the recent history of the district from a land reform perspective, focussing on milestones within the process of the Pilot Land Reform Redistribution Programme as it has been experienced in Mudén. Then I will probe a little deeper into the origins of the conflict over land in this area as I maintain that the past sheds an important light on the current situation within the district. The local dynamics are complex and it is only with a thorough understanding of these that the future development of Mudén may be successfully planned and implemented.

#### **2. Location**

Mudén is a rural hamlet situated at a road junction between Weenen and Greytown, at the crossroads which lead from Mudén into the former 'homelands' of Msinga, KwaZulu Natal. (See attached map of the iNdllovu Regional Council labelled Annexure 1) There is no local authority to administer the small town which is infrastructurally inadequate for the population it serves. There is no permanent clinic, no taxi rank, no pension payout point to mention a few of the obvious limitations to the town of Mudén. It is a 'bottle store/post office' size town, barely a mention on any road map.

The climate is dry with a summer rainfall. The surrounding terrain is mountainous with marginal agricultural potential aside from the fertile river valley along the Mooiriver. The available arable, irrigable land is owned predominately by white commercial farmers who grow sugar cane and intensive vegetable crops. Landowners in the peripheral areas traditionally own large tracts of land on which they practise extensive cattle and game ranching. The carrying capacities are low,

around 5.8 hectares per LSU (Large Stock Unit ). The actual stock on the land is far higher than the recommended stocking rates and a substantial reduction in numbers is required if the natural resources are to be used sustainably. 27 000 people call Muden 'home', the focus of this assignment is upon these people.

### **3. A recent history: From a land reform perspective**

In September 1994, just a few months after the first democratic elections held in South Africa, members of the black community of Muden and Weenen organised themselves to address their land needs to the Minister of Land Affairs, Minister Derek Hanekom. At the request of this community the Minister visited the area where he held council with a senior delegation of black community members. The story is fondly recalled that the people sat the Minister down on a very hard rock under the very hot sun and made him listen to their grievances. A forced land invasion was threatened if the request to redress the skewed distribution of land was not met. This threat was well publicised by the media in September 1994. (*The Natal Witness*, 24 September 1994) The New Government, very soon initiated a series of nine Provincial Pilot Land Reform Redistribution Projects, each with a budget of R35 million to purchase land for beneficiary families.

Following a series of emotive and lengthy meetings between local stakeholders during 1994 a resolution was taken by which the sub districts of Muden, Weenen, Estcourt and Colenso jointly applied for the status of the Pilot Land Reform Redistribution project within the province of KwaZulu Natal. This was awarded to these sub districts in March 1995 with an accompanying budget of R35 million or roughly R6.5 million per sub district to be used to purchase land for redistribution to landless people. Within the sub-district of Muden a self appointed Land Committee organised the black community to participate in the prioritisation of possible properties to be acquired through this programme, a list of properties and potential beneficiaries were drawn up. This prioritisation was based on a number of 'need related' criteria identified by the black community. The first list of possible beneficiaries included over 2 000 households. These lists were later re-worked and reduced through a series of participative workshops facilitated by the Muden Land Committee. The resultant list aligned more realistically with the available budget.

of R6 million which was allocated for land redistribution within Muden. The Pilot Land Reform Redistribution Programme allowed for a once off Land and Settlement Grant of R15 000 per household to assist landless people to acquire land to secure their tenure. Policy dictated that up to 50% of the grant funding could be spent on the acquisition of the land, the balance was to assist the beneficiaries in developing the property with infrastructure such as water, roads, fencing, basic sanitation etc. Given the current market value placed on land within Muden in the early 1900's the Muden Land Committee estimated that the Pilot Land Reform Redistribution programme could only accommodate an estimated 600 needy households and facilitated the prioritisation of the beneficiary lists accordingly.

Another land reform policy prescribed by the Department of Land Affairs was that land was to be redistributed on the basis of *willing buyer/willing seller*. The bottom line was if the land from which the household originally came from was not for sale then the tenure of that family could not be secured through this programme, irrespective of the need of a household.

In December 1995 the Muden Land Committee tired on the deliberations of new government employees and their attempts to set up the Pilot and initiated preliminary planning with outside assistance and funding. The first application made within the Pilot area was for the Muden property, 'Rocky Drift'. This was considered by the Provincial Land Reform Steering Committee in January 1995.

The Provincial Land Reform Steering Committee was chaired by the Provincial Director of the Department of Land Affairs. It included representatives from various government departments associated with land reform (Departments of Agriculture; Local Government & Housing; Traditional Affairs) as well as representatives from organised agriculture and the private sector.

The 'Rocky Drift' application to the Provincial Land Reform Steering Committee was supported by a pre-planning exercise in which the community identified the development vision for the property, where they would live, graze their cattle, cultivate etc. The decision makers at Steering Committee level were handicapped by not having any precedents, previous examples or any other standard on which to base their decisions. "*Again, as government, we fumbled and approval for*

*the application was only granted by February 1996.*” (Del Grande, 1996: 16) Eventually, though reluctantly, the application for resettling 232 families on 4 300 hectares on the property ‘Rocky Drift’ was passed. The unease on the part of the decision makers was based on a lack of criteria by which they could substantiate their support or rejection of the application. The property, ‘Rocky Drift’, was purchased and transferred to the Rocky Drift Trust through Act 126 procedures in July 1996. *“The Muden Land Committee had pioneered the way for the rest of the district.”* (Del Grande, 1996: 16) The Minister of Land Affairs attended the celebration ceremony on 27 July 1995, an occasion charged with emotion. The Minister urged the community to fulfill its promise to the state to prove that the government’s land reform programme is sustainable in the long run. Local leader Jotham Myaka stated *“The community vows to make good use of this resource, to sustain ourselves and our families well into the future. But we still need you Mr Minister, to train us in farm management, economics and the care of our environment.”* (Department of Land Affairs Journal, 1996: 15) Del Grande points out that *“... underlying each speech were indications of far more serious work to come. In reality we had reached base camp. The question the Department of Land Affairs now faces is whether this joint effort, by the department and the beneficiaries was a solid enough foundation to leave the beneficiaries to find the way to the peak themselves.”* (Del Grande, 1996: 16) The present negative experience in Muden now indicates that this was an insufficient grounding.

Institutionally ‘Rocky Drift’ is held by a Trust, a group of respected members of the community elected by the new owners, in terms of the Communal Property Act. While the beneficiary families have been allocated household plots of 70 square metres each they do not hold individual title to these. The whole farm is owned communally.

The next milestone within the land reform redistribution process was for the Provincial Department of Local Government and Housing, at the instruction of the Steering Committee, to appoint consultants to lead the community through the formal Planning process. The Planning Phase was to culminate in a compilation of a comprehensive Business Plan. This Business Plan would ‘unlock’ the balance of the grant funding, the infrastructural component of the budget whereby the beneficiary community could access potable water, roads, fences, basic sanitation etc. In retrospect, it is at this point that the ‘derailment’ of this land reform initiative began. While the

consultants appointed to facilitate the Planning Phase of the project were professionals within their field, facilitating a land reform process with a largely illiterate community was, in my opinion, outside their field of expertise. It was an unsatisfactory engagement and the resultant Business Plan is not 'owned' by the community.

Following the example of 'Rocky Drift' eight other projects, all smaller in size, have followed a similar process. As with 'Rocky Drift' concerns were raised at Steering Committee level regarding the value of the farms, the expectations regarding the provision of infrastructure, the issue of carrying capacity and consultation with the neighbours. Richard Clacey, the Regional Director, Department of Land Affairs, confirmed that applications to purchase the properties: 'Hazerwoude', 'Lonsdale' and 'Lunenberg' were approved by the Provincial Land Reform Steering Committee but noted that there were concerns. See Annexure 2, Application and Planning Grant and Settlement Subsidy, Lonsdale, Lunenberg and Hazerwoude, extracted from the Minutes of KwaZulu Natal Land Reform Steering Committee, 23<sup>rd</sup> May 1996.

Once again the need for an appropriate set of criteria by which to evaluate a project was brought to the attention of the decision makers. The application process has been subsequently refined by lessons learnt through the first few applications. A number of criteria have emerged and are now used as a basis for evaluating applications. (See Annexure 3 for explanatory notes regarding these criteria.) The Department of Land Affairs has now introduced policy which require that Redistribution projects go through a specific process, the length and steps within each phase varying according to the specific needs of the project.

#### **1. Phase 1: Making an application**

Individuals or the community approach the Department of Land Affairs with their needs. Those within the group who qualify for the Government's assistance complete a 'Registration of Need' form.

#### **2. Phase 2: Planning for settlement**

This phase involves employing an external facilitator/consultant to assist the community to prepare a project proposal. The beneficiaries are identified and their accessibility to the

grant aid verified, land is valued and purchase negotiations commence. The community is assisted to form a legal entity to hold title to the land. The land use is planned and work is also done around potential infrastructural development and the financial feasibility of the project.

**3. Phase 3: Approval and land transfer**

The project application is presented to the Minister of Land Affairs for designation in terms of Act 126 of 1993. Upon designation a budget is allocated to the project to purchase the land and pay for the development. The land is then transferred and settlement takes place.

**4. Phase 4: Detailed planning and implementation**

Depending on the proposed land use this phase involves detailed planning either for agricultural use or for settlement or a combination of the two. The output from this phase is a detailed plan, a blueprint which the community can follow.

**5. Phase 5: Development and support**

The final phase of the project is ongoing in the form of extension support, marketing and enterprise development. This function would be provided for through local government structures.

At local level stakeholders within Muden, outside the beneficiary group, expressed a wish to have an input in the process of land reform. There was no institutional framework in place to provide this opportunity. A small group of concerned people convened the Muden Working Group in March 1995. The function of this body was to provide a local platform to review and endorse the Muden land reform applications. A further purpose of the Working Group was to provide a communication conduit for urgent conflict issues. This group was successful in resolving conflicts and diffusing local tensions. The Muden Working Group was not supported by any resources except for the 'will' of the local people. I will return to the Muden Working Group because this is an important point of departure for the emergence of a district development forum.

The Mudén Group discussed the conflict around land and tenure issues, one of the frequent issues was the conflict across boundaries. The district of Mudén comprises a complicated geography between the former KwaZulu Reserve area of Msinga and the white commercial farms of KwaZulu Natal. One of the policies emerging through the early Steering Committee deliberations was that no 'border farms' would be included within the redistribution programme. To do so, they claimed, would merely lead to an enlargement of the desertification of these already degraded areas under traditional authority jurisdictions of Msinga. This was not a new problem for the area. The 1961 Desert Encroachment Committee report stated that "*The existing conditions are so disturbing, indeed in some places so appalling, that nothing but a national emergency should permit their continuance.*" (CAP Newsletter, 1984: 21)

This issue is still unresolved as many people who were evicted from these 'border' farms during the early 1970's now live on the other side of the fence within Msinga. The area of Msinga is known as "*the hottest, driest, most over populated, over grazed and poorest areas within KwaZulu.*" (Daily News, 14 May 1996) The *border farms*, along the boundary between KwaZulu Natal and the former homeland areas are real areas of conflict. Here the tensions are over resources before introducing a racial dynamic. It is along this line that a few white commercial land owners try to farm against the daily pressure from a great number of resource hungry people and their stock on the other side of the fence. This is still an outstanding issue when I consider the Mudén land reform case study.

At the point of transferring the properties to the incumbent land reform project Trusts there was a transfer of institutional responsibility from the Department of Land Affairs to the Provincial Department of Local Government and Housing for the implementation of the Business Plans. In line with the devolvement of government functions to the appropriate tier of government Local Government and Housing commenced negotiations with the Regional Councils for them to take on this responsibility. Within the Regional Council demarcations of KwaZulu Natal the rest of the Pilot Land Reform Redistribution Programme the sub districts of Colenso, Weenen and Estcourt fall under Region 04, iThukela Regional Council. Mudén is alone within Region 05, iNdllovu Regional Council, this has serious implications for the Mudén programme.

The iNdlovu Regional Council felt that it could not accommodate the implementation of land reform within their present function. They claimed a lack of staffing capacity, inadequate office space, no engineers etc. For many months the inter-departmental wrangle went backwards and forwards with Muden out in the cold. Implementation budgets for the land reform projects could not be accessed because this was a function of the Regional Council. The Regional Council would not or could not conclude the contract with the Department of Land Affairs to enable them to take responsibility for the implementation of land reform within their region. The Muden stakeholders watched in the wings while this was tossed back and forth. This was an issue outside their area of influence and it seemed that this 'bureaucratic blockage' could not be budged. The Muden community were pro-active with correspondence and meetings with the Regional Council, the Department of Land Affairs but to little effect.

Back at home in Muden, the situation deteriorated as new land owners, impatient to move onto the land, built their homesteads, outside the Settlement Plans. With the absence of water and other basic services there seemed little motivation to adhere to these plans. There were no resources to erect internal fences and so the stock was grazed over the whole property, a rotational grazing system simply could not be implemented. Neighbouring farmers felt the pressure when, after a long winter, the grazing resources on the land reform project farms was depleted and stock was pushed onto neighbouring properties to graze. The situation has deteriorated into a vicious cycle of neighbouring farmers impounding illegally grazing stock and arresting trespassers. To some land reform in Muden is a dismal failure. The beneficiaries perceive that they have been 'abandoned' by the Government. In an interview with the *Daily News* reporter, Keith Ross, members of the Muden community expressed their frustration and disappointment as they described how the Muden Land Reform Project has failed to live up to the communities' expectations. (Appendix 4, Ross, K, *Daily News*, "State has abandoned us-new farmers." September 7<sup>th</sup>, 1998) The buoyant feeling of working together as a community between black and white members of the Muden community has been severely eroded and the land is paying the price.

It is very clear to all the stakeholders that a huge effort must be made to retrieve Muden. The local people have a clear vision. In my opinion, it is these community members who hold the key

to successful land reform and rural development. They have remained focussed on other development issues which they can influence. Stakeholders within the local Muden community have come together to form a community based organisation, 'Zibambeleni', or roughly translated into English "*We do it ourselves*". This organisation forms an umbrella body for various development initiatives ranging from a newly established rural bank, creche, paralegal office, Aids education and adult literacy to name a few. This is extremely encouraging and clearly points the way to self governance and an alternative approach towards development.

For the purposes of my case study and in order to determine the appropriate criteria in order to critically assess this alternative it is necessary to delve deeper into the crisis experienced through the Land Reform Redistribution Project, initiated in March 1995, in Muden. The preceding paragraphs give the reader some insights into the context of the Pilot Land Reform Redistribution Project within Muden. Nine land reform applications were made to the Provincial Land Reform Steering Committee, a total of 616 beneficiary families have been resettled on the farms acquired through this process. In reality the total number of households who now reside in Muden far exceeds this figure. The Pilot Land Reform Redistribution Programme has placed additional stresses on the social environment of Muden: the sellers vs non sellers, the beneficiaries vs land claimants who wished to return to land which was not for sale, in short there are winners and there are losers within the present land reform programme. In terms of the natural environment the future does not look bright and the reasons for this will be explored within this assignment. Land reform has not yet added value to Muden.

A crucial step towards an understanding of the present situation is to look at the history of the conflict over land in Muden and the assumptions which the current land reform policy has to accommodate to address the skewed distribution of land within South Africa.

#### **4. Background to the conflict over land in Muden.**

If I view the Muden scenario from within a historical perspective then I must recognise that the past sheds important light on the current situation. In this section I will attempt to highlight key issues which impact on the present conflict over land. Further I will endeavour to provide the

reader with relevant background to the current land/tenure reform legislation within South Africa.

In the first place it must be recognised that the process of alienation and dispossession of black people from 'their land' has been both long and gradual, taking place over the last hundred years. The framework of dispossession was laid down long before the policy of apartheid or 'separate development' was formulated. The 1913 Natives Land Act and the 1936 Natives Trust and Land Act were the foundations of the segregated land use between blacks and whites within this country. The Natives Land Act, 1913, prescribed areas where Africans could own land and where they were prohibited from doing so. The Natives Trust and Land Act, 1936, increased the amount of land set aside as African Land Reserves to an estimated 14% of the total land area of South Africa and stipulated that the only blacks that could reside on 'white' land were registered squatters and farm workers. This legislation was only viciously enforced after 1948.

Rural protest came in the form of the Industrial and Commercial Union, (ICU), which opened its offices in Greytown in 1926. (Bradford, 1987: 45) Many poverty stricken rural people perceived this group as their saviours who were to reverse the process of dispossession. Militant youths, known as '*gosos*', wrenched popular support from the traditional leaders and '*native trouble*' became synonymous with the thorn veld farms around the districts of Muden/Weenen. The Greytown Offices of the ICU were burnt down by irate white farmers in 1928. The ICU purchased one of the land reform project farms, 'Lonsdale', but this property was inadequate to house the huge numbers of dispossessed people who were appealing to them for assistance.

The 1930's-1940's saw Natal struck by a number of ecological disasters, malaria, drought and locust invasions. There was a growing concern over the severe nature of the soil erosion and land abuse in the Muden/Weenen area during the period, 1930-1940. The Government took action against landowners whose farms were severely eroded by expropriating the land. This led to evictions of people from these farms. While expropriations of land occurred mostly in the neighbouring Weenen area there was the inevitable ripple effect in Muden. (Bundy, 1990: 3) People evicted from land which had been expropriated by the Government moved towards alternative available land, in many instances people settled on properties within the district of Muden.

In 1951 the Prevention of Illegal Squatters Act gave magistrates arbitrary powers to remove people and demolish structures. In 1956 the Land Act was amended to prohibit farmers from taking on any more rate paying tenants. There was growing pressure for the complete abolition of the Labour Tenancy system and this was achieved with the 1964 amendment to the Land Act. Tenants on white owned farms were now classified as 'squatters' and so began the traumatic removal of an estimated 10 000 - 20 000 people throughout KwaZulu Natal over a period of 3 years commencing in July 1969. (Bundy, 1990: 8) The eviction process included forced stock sales, violence, bulldozers and the dreaded GG trucks moved people to 'settlement camps'. The 'surplus' families were dumped in areas of Msinga. Many of these families have strong historical ties to Muden and have been able to return through the process of land reform.

Labour tenancy as a system of procuring labour was common in KwaZulu Natal during the first half of this century. The mechanism provided for labour to be employed on a 6 monthly rotational basis in return for the right for farm workers to reside and conduct pastoral activities on white owned land. In 1956 the Land Act was amended to prohibit farmers from taking on any more rate paying tenants. In 1964, under growing pressure for labour tenancy to be abolished as I have indicated above, a further amendment of the Land Act re-classified tenants as squatters.

After the massive state subsidised campaign individual farmers continued to evict individual or groups of occupiers from their land at will. Legislation only required a month's written notice and soon paralegal organisations took up the plight of the evictees. Amongst these were the Association for Rural Advancement (AFRA), Legal Resources Centre (LRC) and the Church Agricultural Project (CAP). There was much controversy over cattle impounding. To commercial farmers this was a legal mechanism for responding to the illegal grazing of stock, their only recourse to prevent the cutting of their fences and the loss of resources. Black stock owners alleged that they were being robbed as there were no laws to protect them from exorbitant trespass fees levied by the white farmers. (Kockott, 1993: 35)

In the early 1990's the Government under the Nationalist Party leadership of F W de Klerk initiated a new political climate for this country. The African National Congress was unbanned ushering in the way for the first democratic elections in 1994. The 1913 and 1936 Land Acts were

removed from the statute books and limited land reform took place through the Commission of Land Allocation (COLA). Yet it was only after the appointment of Minister Derek Hanekom as the Minister of Land Affairs in 1994 that any comprehensive land reform programme was initiated.

Since 1994 policy makers at national level have a four-fold mandate to fulfill in respect of land reform: redressing the segregated land policies of apartheid, building reconciliation and stability within rural communities, supporting economic growth and alleviating poverty.

The Restitution of Land Rights, Act 22 of 1994, applies specifically to applicants who can prove that their land rights were lost through racially discriminatory laws, since June 1913. These include the Native Land Act of 1913 and the Group Areas Act of 1950 and 1966. Land is restored to its rightful owners and where this specific land is unavailable then alternative land or monetary compensation may be granted. Restitution is a restoration process which has dedicated Acts and a court driven procedure. The Act looks carefully at each claim via ministerial approval and through the Land Claims Court.

Within the Muden area few people had such clear cut claims to land. These people had, in most cases, been part of a labour tenant system. It is important to note that labour tenancy, while obviously an oppressive system, is claimed to have had some advantages for black communities. (Lambert, 1995: 14) For many years these families lived on farms, grazed their cattle and tilled the land in return for a member of the household providing labour to the landowner, usually on another farm. *“Co-operation between farmers and tenants was to the advantage of both parties. Farmers often relied on their tenants for produce and vegetables, while Africans were remunerated for herding and kraaling the farmer’s cattle, and hired their oxen when the latter’s fields had to be ploughed.”* (Lambert, 1995: 14)

Lambert argues that perhaps it might have been viable at this stage for policy makers to review some of the elements of labour tenancy which could have given people secure tenure and access to land, not necessarily making them land owners. Redistribution of land has placed an enormous strain on the Government’s resources as it has purchased land, usually marginal agricultural land,

on which to resettle people on. The question arises as to whether appropriate sites were selected for project areas and whether the criteria for considering applications need to be re-visited.

The Labour Tenants Act, 1996, grants labour tenants the right to acquire land on the property where they were employed or alternative land through the provision of the R15 000.00 Land and Settlement Grant. A labour tenant, in terms of the Act, is a person who lives on the farm or has the right to live on the farm and has the right to use the grazing/cropping land on any farm owned by the same person in return for providing labour to the owner or the person leasing the farm from the owner. A labour tenant is also a person whose grandparents or parents lived on the farm who provided their labour in return for using the land for crops and cattle. The definition of a labour tenant is tightly defined and not many landless people are entitled to qualify for assistance through this mechanism. One group of black people within the Muden community opted to pursue this process. Their claim, known as the Hillerman claim, has dragged on for many years with neither the landowners nor the occupiers willing to compromise. Mediation towards an 'out of court' settlement failed and the court hearings may well continue for some time to come. The impact upon Muden is negative and each time a new conflict arises the rest of the community is inevitably drawn into the tensions. (See Annexures 5 & 6, articles from *The Natal Witness*, 4 January 1997, "Farm tenants call for action at Muden" and 21 February 1997, "Farm dispute could yield bitter harvest".)

The Government has subsequently introduced a further bill, to secure the tenure of occupiers of land. The bill was enacted retrospectively to secure tenure for all occupiers from 4 February 1997. The Extension of Security of Tenure Act, Act 62 of 1997, (ESTA) safeguards the rights of landless and prevents arbitrary evictions of occupiers. This is the newest and most controversial of the land reform legislation. It provides a legal framework for owners and occupiers to conduct their relationships according to the law on an equal basis. ESTA allows for evictions under certain circumstances provided that the evictions are done in a fair and reasonable way under just and equitable conditions.

In 1994, at the inception of the land reform mobilisation in Muden, there were few options available as the policies described above had not yet been drafted. The Land Committee of

Muden was motivated by a 'demand driven' constituency and redistribution seemed to provide some of the answers. Jill Gowans, environmental reporter for *The Sunday Tribune* comments "*Resettling people is only the first step towards equity and reconciliation. Security of tenure has to work for them in a sustainable way which does not turn them from landless poor to landed poor.*" (Gowans, 1998: 20)

To allay suspicions that conflict over land and the present crisis in Muden is purely a racial phenomena I will have to go a little further back in history. The earliest known inhabitants of the Muden valley were the stone age men, artefacts have been discovered on one of the land reform projects, 'Lonsdale'. Next came the Bushmen who left their paintings in a number of caves. During the 14<sup>th</sup> century warlike Bantu tribes from the north displaced the Bushmen. Historians, Bulpin (1997: 123) and Maggs (1984: 45) among others, claim that both the Mthembu and the Mcunu tribes occupied the Muden Valley from the beginning of the 19<sup>th</sup> century. However the rise of the Zulu nation under the great chief Shaka lead to huge changes in a period of history referred to as the 'Mfecane'. It seems that most of the inhabitants of Muden all fled north of the Thukela River during this time.

The Boers moved into Natal in the 1830s and in 1843 the land south of the Thukela was annexed by the British and declared a colony. All land, except the African Reserves, now belonged to the British Queen and was known as Crown Lands. Land was seen as available regardless of the fact that it was not actually empty. When Mr Zachariah van Jaarsveld arrived in the Muden area in 1851 he found it uninhabited. In May 1859 the Lutheran Church was granted permission by Queen Victoria to start a mission. The two missionaries, Revs. Filter and Prigge, gave Muden it's name: "The place between two waters".

In 1870 after the fall of the Zulu nation with the death of Dingane relative peace was restored to the valley. Many of the Zulu people who had fled north of the Thukela returned. They found that the best land was now occupied by the white settlers under freehold conditions and so they moved to the available land on the periphery of the Valley. An important intervention by Sir Theophilus Shepstone, the British Secretary of Native Land Affairs, sought to protect the Africans from the invasions of land hungry settlers. Lambert (1995) describes the legislation introduced at the turn

of the century as a betrayal of trust between the British and the Zulus over land rights. However colonial greed won the day and Shepstone's obligation fell away. The real fight over land commenced.

The conflict over land is not limited to white and black dynamics. It also takes form around a phenomena known as 'faction fighting'. This is both an historical and present reality. Tensions between the land hungry Mthembu and Mcunu tribes led to clashes in the 1922, 1926, 1928 and 1932. (Bulpin, 1997: 123) Traditional Zulu tribal structure prescribes that land under the jurisdiction of a chief is further subdivided into *isigodi* (wards), each ward is headed by an *induna*. The *inkhosi* or chief, in the case of Muden the *inkhosi* is Chief Mcunu, in consultation with his *izindunas*, is responsible for the administration of traditional justice over the whole area. With the movement of people in and out of the area some of the boundaries of these *isigodi* have become confused and there are still disputes as to which farms fall under the Mcunu or Mthembu jurisdiction. This '*phantom geography*' is present in the minds and perceptions of people and is pertinent to the complex issues around land reform. Land reform within Muden has been guided by these parameters.

One of the land reform properties in Muden, 'Rocky Drift' spans nine different *isigodis*. The resultant management problems seriously jeopardise the sustainability of the project. As explained each *isigodi* is headed by an *induna*. In the case of 'Rocky Drift' the planners did not take note of this and only 3 of the *indunas* were involved in the planning process. Settlement areas were demarcated without due consultation with the affected *indunas*, many people were allocated household plots outside their traditional *isigodi*. Although the sway of tribal law is greatly diminished today it is still respected and in terms of land the *isigodi* system has a significant influence.

So, it may be safely said that the long history of conflict over land and it's associated resources, water and grazing, between white and black people within the area has a major influence on discussions around land reform and development.

Yet another aspect of conflict arises as a result of an important, though often ignored economic

activity practised amongst the black community. Traditional gun running and dagga growing that have been and still are important anchors within the local economy. It is a shortfall that this aspect is not formally recognised by the planners.

## **5. Conclusion**

From the above it is abundantly clear that the local dynamics are extremely complex and an understanding of them is crucial to the success of both the planning and the implementation of any land reform/development programme.

Beneath the apparent rural harmony of the Muden valley emotions run deep. One should not be fooled by the simple pastoral exterior: Muden has a history, but more importantly, it has a future. In the following chapters I propose to take a closer look at the various aspects of the current situation in order to identify the challenges facing land reform/development projects in Muden.

## **Chapter 2**

### **Social assessment of Mudén, KwaZulu Natal.**

#### **1. Introduction**

This second chapter will sketch the social fabric of Mudén together with the environmental impact of these social conditions. After describing the factual situation I will explain the various development challenges which emerge: The limitations of the macro policy of land reform and how these translate into the creation of a vacuum at grass roots level; the need to bring development and environmental considerations within an integrated strategy; the need to understand power relations, governance and decision making procedures within land reform/rural development. The purpose of this chapter is to ‘unpack’ relevant issues around land reform within Mudén through the lens of the social perspective.

An estimated 27 000 people inhabit the Mudén sub district, KwaZulu Natal, the majority of whom are rural, illiterate and find survival difficult. Clearly there is a need for development.

#### **2. Description of the social fabric of Mudén**

##### **2.1. The black population**

The population growth of Mudén is consistent with the generalised pattern in KwaZulu Natal of high birth rates and low death rates. The growth rate of the population is positive, estimated to be around 2.3%, giving us a scenario that the population will double every 30 years. If I look specifically at the land reform projects the present number of beneficiaries within Mudén is 616 families. Calculations based on the index of seven members per family put the population at around 4 300, doubling to 8 600 in 30 years time. In terms of land reform this will put additional pressure on the available resources. (Integrated Planning Services, 1996)

In addition, more than 50% of the households within Muden are headed by women. This increases the household stresses. The study area of Muden consists of predominately illiterate rural people, this factor contributes directly to the poverty cycle as it decreases the income earning opportunities for adults. HIV-Aids is also a factor for consideration. Many of the women are HIV positive having been infected by their migrant husbands on their bi-annual visits home. A recent survey of students at the local high schools indicated an alarming statistic of 1:4 HIV positive tests.

## **2.2. Population dependency**

Almost half of the black population is under 17 years of age. Each economically active person is required to support 1 to 1.35 young or old dependents. The unemployment level is very high with only 42% of the economically active people employed. In a survey conducted by Cross et al in 1995 the mean monthly income per household was R126.00. (Cross et al, 1995: 16) The high dependency levels and rising unemployment is a cause for concern over future development projects. Another alarming factor is the number of households, 1 in every 5, who rely solely on a member of the family receiving their monthly Government aged or disability pension. This makes household food security precarious and the social fabric insecure.

## **2.3 Population density**

It is argued that a denser population is necessarily and always bad for the natural environment. A decline in the natural environment will occur due to deliberative decisions to increase the number of livestock as well as food and cash crop production.

Rural households require fuel for cooking. Although various government and private sector funded workshops have explained the necessity of limiting the chopping of trees it is estimated that the household consumption is in excess of 1 tonne per annum. This factor will have a substantial cumulative detrimental effect on the vegetation.

## **2.4 Tragedy of the commons**

Clearly what is good for people in terms of securing their tenure is not good for the natural environments where these people settle. Within the present 10 land reform farms which have been transferred to beneficiary communities in Muden through the Pilot Land Reform Redistribution Programme population growth has led to rapid soil erosion. This is what Hardin refers to as the ‘*Tragedy of the commons*’. (Hardin, 1995: 330)

Hardin (1995) claims that ‘freedom’ in the commons leads to disaster and I will explain this argument drawing on the present grazing experiences within the land reform projects of Muden. Within neoclassical economic thinking humans are free and rational and have the inherent capacity to be utility maximisers. The argument goes that if we all act in our own interests then society will be stable and progress will ensue. Hardin, however, claims that this will inevitably lead to disaster. Within the present land reform programme land is purchased by beneficiaries who form a Trust to hold the land through the Communal Properties Act. To people who have traditionally understood ‘ownership’ in communal terms this option seems feasible. In terms of the land reform projects ‘ownership’ is shifted from ‘*impakathi*’ or owned by everyone to being owned by the group of beneficiaries. Yet the ideal falls short as the beneficiaries are inadequately equipped to handle this responsibility and the management of the land on a day to day basis. Here we see how the impact of an inappropriate macro policy impacts upon the reality of land reform and is, unfairly to my mind, interpreted as a failure of the people.

The issue of overgrazing illustrates the ‘Tragedy of the commons’ argument well. Ideally the herdsmen would all keep as many cattle as possible within the carrying capacity of the farm. Within KwaZulu Natal cattle are equated with wealth. If a herdsman adds another few to his herd then all the efforts accrue to him. If this principle is expanded to include all the beneficiaries then the result is serious overgrazing. It appears that even though the individuals acknowledge this they still deny the real constraints imposed by the natural environment to pursue their own interest to the cost of the whole community.

“Our farms are over grazed” was one of the problems identified by the community through a strategic planning workshop funded by Kagiso Trust in October 1997. (Annexure 7, Our Farms are Successful) The objective to counter this problem was investigated and various alternatives

put on the table. To date none of the farm committees have had the capacity to implement these actions.

So how do we divert the impending '*tragedy*', indeed should we? The anthropocentric model advocates that the people are the most important entity. Yet if we are to secure the environment for future generations then we must curb the 'frontier' like use of the present resources. Hardin argues for 'lifeboat ethics': Institute controls and those who do not comply do not qualify for assistance. (Hardin, 1995: 345) While this is a somewhat callous approach it would ensure that beneficiary communities within Muden would be pressured to empower themselves or alternatively were assisted to build the required capacity to take responsibility for the land that they now own. Hardin (1995: 345) proposes that the solution of the tragedy includes the eradication of the commons, this would entail introducing ownership in terms of the Western paradigm. Within the context of Muden this would be inappropriate for the following reasons: the traditional system, although weak, is still universally understood by the rural people as the mechanism for 'holding' land. Until alternative approaches to land reform/development build sufficient capacity within beneficiary communities to take 'ownership' of their resources land will remain 'impakathi' or belonging to everyone.

The increased pressure of people and their stock will lead to a decline in natural vegetation and will affect the bio-diversity within the Muden area. Clearly the impact of poverty and a high population growth are having a negative impact upon the natural environment. The challenge which emerges is how to resolve the present crisis of relieving the pressure for land without extending the environmental degradation over a greater area.

## **2.5 The white population**

In contrast to the black community the white sector of the Muden community is relatively small, around 75 households in total. Most of the families live in the Valley, their livelihoods based on intensive agriculture of the rich, irrigable lands adjacent to the Mooiriver. This type of land use is labour intensive with these farmers generating a substantial amount of employment for the black community during harvesting periods. However the downside is that vegetable cropping in an area

with high unemployment leads to petty theft. Crime is one of the contributing factors which has led to the present erosion of relations between the white and the black community. Many of the vegetable farmers have recently, in the last 5 years, moved to the cultivation of sugar cane which has had an impact on the number of people employed and the duration of their employment. Cane is cut on an annual basis while vegetable farming operates on a triple cropping system over a 12 month period.

Land reform is blamed for many of the problems experienced by the white sector of the population. As the Redistribution programme was based on a 'willing buyer/willing seller' policy some landowners sold their properties or portions of their farms to land reform beneficiaries. This has created a division within the white community as some are still willing sellers but have not had their land purchased while others are of the opinion that no land should have been sold to the beneficiaries. Land reform has altered the status quo of the social fabric within Muden. Many see the degradation of the land as inevitable and blame the Government for their short sightedness on settling large numbers of people on marginal land. The high unemployment levels and increase in petty and more serious crime is laid squarely at the Department of Land Affairs' door. The white sector of the Muden community are adamant that their quality of life has not been enhanced by land reform. Their perception is that the natural environment is being irretrievably harmed through irresponsible settling of large numbers of people on already degraded land under the guise of land reform and rural development. (Macintosh, G, 'On barren ground', *The Sunday Times*, 12 October 1995)

## **2.6 Summary of the social fabric of Muden**

In the paragraphs above I have described the different sectors within the population of Muden. The black population is divided between the land reform beneficiaries and the others. The balance are further divided into households who enjoy secure tenure, in terms of settlement and employment security, and those who do not. Tenure security is a factor which affects black families, almost exclusively. The black population cannot be considered as an homogenous group. The white population, although significantly smaller, is also divided though along different lines.

All of the sectors have felt the impact of land reform and not many value this positively. The beneficiaries complain that they have only received half of what was promised. ie. They now have ownership of the land and secure settlement tenure but the infrastructural budget is not forthcoming. The people who have not received Government assistance perceive themselves as 'losers' within the land reform process. The white population feel threatened by the additional numbers of 'black strangers' who have moved into the valley since the inception of land reform. The thread which bonds the Muden community across the racial divide is the need for physical security. One of the emerging development challenges is how to harness this collective, locally based energy towards securing a safe and hygienic environment for Muden. Although the need for the local community to become involved within the process has been recognised, '*Land reform/rural development cannot work without the active participation and constant criticism of the members of the community involved*'. (Del Grande, 1996: 16) The enabling environment in which such practical democracy can be sustained has not yet been realised.

### **3. Land reform macro policy: It's shortcomings**

The macro policy of land reform within South Africa exists within the constitutional parameters of an emerging democracy. Since 1994 policy makers at national level have a four-fold mandate to fulfill in respect of land reform: redressing the segregated land policies of apartheid, building reconciliation and stability within rural communities, supporting economic growth and alleviating poverty. The vacuum which has emerged in Muden is the 'gap' between this grandiose macro policy and the real perceptions, experiences and capacities of the people on the ground.

Within current policy the mechanism employed to redress the skewed ownership of land which has emerged through the discriminatory legislation of apartheid is to simply transfer ownership from white people to black people through a process of State subsidised redistribution on a willing buyer/willing seller basis. Moral considerations about how this would impact on the land were limited to recognition that there would be a 'risk' incurred.

*"The land reform programme which aims to reduce poverty, diversify sources of income and allow people more control over their lives and their environment is expected to reduce the risk*

*of land degradation.*” (White Paper on Land Policy: 12) The paper does make the admission that this involves an environmental risk and the inclusion of the word, *'expected'* does not sound very convincing. It is as if the policy makers realised the dilemma they were facing but did not have either the foresight or the time to address their concerns in this regard. The challenge of land reform is to relieve the pressure for land without extending environmental degradation over a wider area.

### 3.1 Concept of *'ownership'*

One of the policy concepts which comes under fire, within this context, is that of *'ownership'*. Since the first transfers of land to black rural communities policy makers have been forced to recognise that there was an assumption inherent within the policy that *'ownership'* as understood in Western terms, *'what is mine is mine and what is yours is yours'*, would be similarly defined by the black beneficiaries. Black people have a very different understanding of *'ownership'*, something which they refer to as *'impakathi'* or belonging to the people, where land was given by the ancestral spirits and belongs to everyone.

Within KwaZulu Natal all rural land falls under the jurisdiction of a tribal authority. In terms of the traditional system the entire tribe owns the land and the people are answerable to the Inkosi. The current land reform policy is in conflict with the traditional system as it protects individual rights and only individual households may apply for assistance as beneficiaries of the land reform programme. Communication around land reform occurs between the Department of Land Affairs and the beneficiaries, as the principals. The Amakhosi claim that they are unaware of what was happening in the project process and that their authority is being undermined. Land reform is seen by some as an attempt by the African National Congress headed Government to disempower the Amakhosi and to weaken/threaten traditional structures within the Independent Freedom Party lead KwaZulu Natal. (Ndandwe, 1998: 21) One view is that land reform is a rights based programme and that the Department of Land Affairs is legitimately trying to impose democracy through legislation. Others see it challenging the legitimate traditional system operational within the rural areas. (Ndandwe, 1998: 22) The Department of Land Affairs stands accused of lacking *“coherence in terms of policy and practice, where district offices and Provincial Offices have*

*their own rules and where there are many personal interests influencing the activities of Pietermaritzburg DLA.”* (McIntosh et al, 1998: 23)

The land reform process is described to move through several steps, from the identification of the beneficiaries and the establishment of a Trust, determining development priorities, land use visioning and the identification of the land. This forms the pre-planning phase of the project. Once the application has been approved and the project designated more detailed conceptual planning resulting in the formulation of a Business Plan may commence, this is referred to as the Planning Phase. Designation of the project is only supposed to occur once there is proven institutional capacity, that the beneficiaries are informed and prepared to take on the responsibility of the land and to manage the development of the project. The beneficiaries are assisted to form a Trust as the legal entity which holds the land in terms of the Communal Properties Act.

*“Since the inception of the land reform programme one of the major problems identified has been the weakness of institutions, on the ground, to take the process forward.”* ( McIntosh et al, 1998: 21) This occurs at two levels: Firstly Government has insufficient capacity, from the national to local level to sustain the projects in terms of implementation and post transfer support. The aspect of governance and decision making in terms of land reform/rural development will be addressed in Chapter 4 of this assignment. At the second level there is insufficient capacity within the beneficiary groups through their respective Trusts, who are generally ill equipped with regard to resources and skills to deal with the daily management of the projects.

### **3.2 The impact of power on the process of land reform**

Flyvbjerg (1999) makes a number of relevant points when he analyses the urban planning of Aalborg in terms of rationality and power. If we apply his objective evaluation of the planning and implementation of a town planning project in Aalborg, Denmark, one of the oldest democracies within the world, to the experiences of land reform within Muden, South Africa, we may draw some very pertinent deductions about the role of power within the respective processes.

Flyvbjerg (1999) points out that macro policy is derived through constitutional writing and

institutional reform. I would support that this holds good whether the subject matter is town planning or land reform. He cautions that “*whereas constitutional writing and institutional reform may often be essential to democratic development, the idea that such reform alters practice is an hypothesis, not an axiom.*” (Flyvbjerg, 1999: 234) He sums up the situation by saying that while power produces rationality and rationality produces power, the resultant relationship tends to be asymmetrical, with the power component dominating the relationship.

“Power has a rationality that rationality does not know”. (Flyvbjerg, 1999: 234) If we apply this to the Muden land reform case study we see how the power, and so the rationality behind land reform rests with the Department of Land Affairs. The local stakeholders have a significant role to play and the challenge lies in establishing an enabling environment to motivate the local community to fight for a development strategy which will make Muden a safe and hygienic place to live.

Development does not just happen. It requires driving and often the direction is ambiguous with various groups, sectors and even individuals pushing for their specific advantage. In the preamble to this chapter I stated that there is a need for development within Muden, but exactly do I mean by that statement? My interpretation of the development needs of Muden are towards a strategy that should be drawn up by the local community itself. Yet it is at this crucial juncture that we see how Flyvbjerg’s conception of ‘power’ comes into play and how we cannot rely upon simple rationality within democracy to guide our decision making. The present democratic relations within our society are based upon unequal power relations and it would be erroneous to presume otherwise. The power over decisions about land reform and development, as with the planning of Aalborg, rest with those who control the budget. (Flyvbjerg, 1999) The Department of Land Affairs is responsible for land reform, they hold the power to rationalise the policies around the programme and subsequently the reality of land reform. The disbursement of the Land and Settlement Grants by central Government involves substantial amounts of public money. The Department of Land Affairs must take responsibility for the allocation of these funds in line with the macro land reform policies. The question which is raised is who formulated these policies and are they appropriate for the economic, cultural and social parameters of the communities they seek to address?

In terms of power and the rationality around land reform we must recognise that land reform is essentially a state initiative to modify, redirect and even change rights, relations and usage on the land - especially in rural areas. (Marcus et al, 1996: 45) Given these parameters our understanding of the development challenges for Muden are further enhanced. This serves as a useful point of departure in identifying the challenges facing land reform/rural development in Muden. The power relations form the frame conditions for any development strategy. Our understanding, or even our acknowledgement of these will contribute to a sustainable approach to land reform/rural development.

#### **4. Towards an integrated development strategy**

Within the Muden land reform experience the combination of high population figures and poverty have resulted in a negative impact upon the environment. Development seems to provide the 'way out' and yet how do we set about achieving this? In order for us to secure development within Muden we must first ascertain what prerequisites need to be in place.

Often the idea of protecting the environment while promoting development are often seen as opposing concepts. (Bamber, 1997: 34) Theoretically the focus of any development strategy needs to be balanced between environmental and development policies thus avoiding addressing a single aspect of development exclusively. This seems to be a logical starting point for any integrated development strategy.

Land reform projects are further expected to be economically and environmentally sustainable. These different goals are perceived as contradictory and the procedures for planning, implementation and the limitations of the R15 000.00 grant have the effect of producing large and unviable settlements. (McIntosh et al, 1998: 9) If the land reform programme succeeds on bringing the poor onto the land, "*What is going to keep them on the land in conditions where most will realistically only have access to small holdings on relatively marginal land?*" (Marcus et al, 1996: 23)

Case studies from the Sudan have indicated that unchecked economic development strategies lead

to inevitable environmental destruction and ultimately economic collapse. (Bamber, 1997: 34) Environmental management needs to be developmental in its focus just as development must be compatible with environmental management. This makes sense in theory as both share the same concerns.

The problem which confronts us as applied ethicists is how to implement this theory. I understand this application at two different levels: The first is the big picture which considers all the role players, the Government and the private sector. Here we have already identified certain dynamics regarding the distribution of power and rationality within land reform. The second looks only within Muden where there is also an unequal distribution of power and resources. Poor people are trapped within a cycle of environmental exploitation and underdevelopment, while others enjoy more flexible options associated with wealth. How do we overcome these sets of power relations? The first step is to be aware of them and to try and understand the impact that power relationships play within reality.

Democracy embraces three elements within society: Civil society; the market and public power. (Hirst, 1998: 3) Hirst claims that co-operation and interaction between these elements is vital and that development should be driven by civil society. In South Africa we subscribe to development strategies which are driven by the State. Since 1994 the State has undertaken responsibility for redressing certain injustices of the past. This means that the Government has the power, both institutionally and budgetary, to implement and to rationalise these development decisions.

Development experiences elsewhere in the world indicate that it is small scale practical models that work. Bamber, in his paper "Development or Environment, A choice to make?" (1998) sites the case study of the Brazilian city, Curitiba, which he describes as a clean, efficient metropolis. It owes its success to the integration of environmental and development objectives in schemes introduced by its leader, Jaime Lerner. Litter and poverty problems were addressed by offering bus tickets and food in return for rubbish. Four out of five citizens in the city now separate their garbage for recycling. Mobile training centres have been established for the teaching of technical and commercial skills. The public transport system is highly efficient and 75% of the population opt to use this form of transport in preference to their private vehicles, this has resulted in reduced

fuel consumption and pollution. Bamber, (1998: 36) quotes Lerner as saying: “*As soon as they realise the changes will improve their lives and those of their children, they want more.*”

Yet if we opt for micro projects these require to be supported by micro policies. The experiences of land reform in Muden indicate that many local initiatives have been obstructed due to the nature of the policies, macro policies implemented by national or provincial government. Sarah Timpson, UNDP, claims that “*The best people placed to attack poverty are the poor themselves, they are the real experts.*” (Timpson, 1998: 1) Within the context of land reform and rural development this is a principle that has not been included within official policies. Although the poor have demonstrated repeatedly that, after the initial mobilisation, they are capable of coming up with innovative solutions to address their specific problems there is little room to accommodate these initiatives or energy within the present framework of land reform and rural development.

## **5. Conclusion**

On the ground high levels of population growth and extreme poverty are quickly turning most of the great land reform dreams to dust, quite literally. The impact of these two factors is having a huge negative effect on the natural environment and urgent steps need to be taken to arrest this. The local people have different perceptions and expectations about land reform. Given these parameters there is still the common platform of wanting to establish a stable and safe environment and to secure the physical safety for all the people of Muden. The challenge here is how to harness this collective local energy towards driving a development strategy and adding ‘value’ to Muden.

To me, an important aspect towards this end is for Government to acknowledge that the people of Muden understand their immediate situation better than anybody else. This understanding would go a substantial distance towards establishing an enabling environment for the participation of the local community. Social needs need to be integrated with technical planning skills. Given this idealistic approach I must caution that the impact of power and how the reality of land reform is perceived cannot be ignored. There are huge power imbalances and we must attempt to understand and address these ahead of implementing any development strategy.

The development challenge facing the local people of Muden is how to wrench back to power to control it's own development or how to broker a partnership with Government that will work towards delivering real development to the district. The evolution of strong community structures cannot simply be seen as the responsibility of the community and left to chance. The process requires active input to lead to the emergence of local partnerships, both within the structures on the farms and within a broader district forum which would co-ordinate the development strategy. The White Paper on South African Land Reform Policy states that capacity building at local level is an essential measure to ensure sustainable land reform. Currently there are no specific actions attached to this policy. The challenge of a successful land reform/rural development programme lies with the people of Muden to provide the driving force to formalise this principle into a 'hands on' community development project. Further this chapter has established the need for an integrated development strategy which will balance the needs of development with those of the environment. Given the explanation of the limitations of macro policies I would conclude by proposing that a series of district specific micro policies would be more appropriate towards fostering a sustainable development strategy for Muden.

## Chapter 3

### Biophysical /natural environment assessment of Muden

#### 1. Introduction

It was feared, as early as the Status Quo Report on the Planning for the Land Reform Programme (Integrated Planning Services, 1996: 16) that acquisition of land within Muden would provide little opportunity for people to earn a viable living from the land. A key factor to achieving success was to *“ensure that the land was used sustainably so that it will be a productive resource for our children.”* (Department of Land Affairs, Guide to Land Reform, 1996) The long term viability and sustainable use of the land within the land reform programme is integrally linked to the knowledge of and effective management of the natural resources. The consultants, Integrated Planning Services, who were contracted to compile the Status Quo Report on the Pilot Land Reform area, warned that *“In the context of the Muden Pilot Project Area where 5000 people have been resettled on approximately 7 000 hectares of marginal land, sound management of the biophysical resources becomes critical.”* (Integrated Planning Services, 1996: 16)

The purpose of this chapter is to adopt an environmental lens in consideration of the Muden land reform case study. I will follow a similar structure to that which I adopted within Chapter 2 by first providing the reader with a factual sketch of the environmental fragility of the Muden area and explaining the situation of the rapidly deteriorating natural resource base. From this platform I will identify the major developmental challenges which emerge. In order to meet the various developmental challenges the question of which approach to environmental decision making is most appropriate to address land reform/rural development in Muden needs to be answered. From the factual situation in Muden two possible approaches suggest themselves: a deep ecological ‘identification with nature’ approach and a strong anthropocentric, utilitarian approach. I will discuss how both of these approaches are problematic and propose that the environmental pragmatic approach is far more viable. Environmental pragmatism will be ‘packed out’ in a certain amount of depth to link up and add an additional dimension to the findings of Chapter 2, namely

those of local participation, capacity building, co-operation and joint determination as the key factors towards sound environmental decision making.

Initially let me be quite clear about the biophysical environment and what I define this to include. The underlying geology and consequent soil structure, the topography, water availability, climate, location, flora and fauna all interact to determine the potential ecological opportunities and constraints of an area. These attributes determine the potential of the land to become economically viable and to be used sustainably. The biophysical aspects must be understood in order to undertake environmentally sound and informed land management decisions, to promote development which is both feasible and realistic within the context of environmental sustainability.

'Sustainability' is another concept which needs to be unpacked. In terms of the Muden case study the land and the natural resources on the land are the most valuable resource which the land reform beneficiaries own. These natural resources must then form the basis of the economic and social viability of these projects. It is essential that these resources are used sustainably, in line with the macro policy of land reform. The World Council on Environment and Development, (WCED) defines sustainability as "*meeting the needs of the present population without compromising the opportunities for future generations to meet their own needs.*" (WCED, 1987: 45) Sustainability implies sound management of resources: making the maximum use of available water and ensuring high quality water for domestic use, attention to stocking rates so that the land does not degenerate due to overstocking, and where cropping occurs efforts should be made to ensure that overcropping does not result in reduced fertility of the soil. This information has been previously provided to commercial farmers in Muden through the Department of Agriculture's Extension Services.

From an application point of view here is where I perceive that the wheels start to wobble a little. Agricultural Extension Services have previously been focussed on commercial farming activities and are now poorly equipped to address the new emerging subsistence farming activities. Prior to 1994 black people did not have the right to own land, they also did not have the right, nor the need, to receive Government subsidised advice or services associated with land use. Environmental issues were understandably of low significance to people living on land which they

did not own and struggling to meet their basic needs. (Khan, 1993: 56) Institutionally the present system is inadequately geared to provide the much needed support and information to land reform beneficiaries in order for them to make ‘considered’ choices regarding land use and land management.

In 1997 Erskine presented a paper: *Sustainable land use and development in a changing South Africa*, where he stated that if environmental issues were placed ahead of human needs there would be a resultant resistance to development planning and participation in decision making. He argues that “*In order to achieve sustainable development all stakeholders need to have a common understanding of what the term means and a shared vision about how to achieve sustainability.*” (Erskine, 1997: 14) It is within this proposal that I see the emergence of the need for empowerment and education within the context of development.

## **2. Biophysical information about Muden**

The soils around Muden, KwaZulu Natal, are relatively good, although shallow in depth. Soil erosion is prevalent, and I qualify soil erosion to include ‘*human induced soil erosion*’ or that which has been accelerated through man’s misuse of the land. Overgrazing is the most dominant factor within this context. Poor agricultural practises, such as the cultivation of steep slopes, a lack of contours and ploughing right up against river banks are also contributing factors.

As there is no electricity network to provide power to the homesteads the people are reliant on wood gathered from the ‘veldt’ for both warmth and cooking. The people also use these resources for house building. The plant cover is already thinned out through exploitation by people over a lengthy period of time and this together with the climatic factors and periods of drought place further stress on the ecosystem. The vegetation is classified as Valley Bushveld. The legacy of ‘*labour farm*’ activity is that this semi-deciduous vegetation has already been altered by years of overgrazing and intensive cultivation. This has resulted in bush encroachment and a reduction in species diversity. Land reform and the vast influx of people since the programme’s inception is largely responsible for accelerating this trend.

The type of vegetation in any ecosystem determines the type of fauna found in the area. Theoretically undisturbed Valley Bushveld boasts a wide diversity of grazing and browsing animal species. Muden has been subjected to severe human pressure over an extended period and can no longer claim to be '*rich*' in wildlife. However opportunities exist for wildlife to be re-introduced to the area. The development of an eco-tourism infrastructure has possibilities not only in terms of increasing the biodiversity of the area but to provide employment.

Although Muden is generally dry in character the underlying sandstone geology lends itself to the groundwater having a relatively large water holding capacity. However to access this water requires boreholes, both establishment and operation of which need management, expertise and resources. The major river which runs through the Muden valley is the Mooiriver. This is fed by the non perennial uMbumbeni and iTshekane rivers which flood after summer storms carrying much of the precious top soils away. Water is scarce in the area and requires management. Access to water is an important limiting factor to development and this must to be planned for in terms of what infrastructure would be economically sustainable in the long term.

Another aspect of the physical environment is that of roads. The main arterial route through Muden, the R74, links Northern KwaZulu Natal with the coast. This road is an alternative route to the N3 and carries substantial heavy traffic. The R74 between Greytown and Muden is referred to as the '*labour route*'. Many local contractors collect casual labour from alongside this road on a daily or weekly basis. This labour is cheap and available and on a 'no strings attached' basis, ie. minimum wages, Unemployment Fund and Workmens Compensation are largely ignored. This has lead to the inevitable ribbon development of settlement alongside the road. With the people comes the stock so that the Greytown/Muden road, some 27km, claims frequent and often fatal accidents as motorists collide with straying cattle and goats.

Muden is still classified as 'deep rural' with many people still having to walk to get to their homes. Within the land reform projects there are plans to bring access roads to the boundaries of settlement areas but this phase of the projects is still to be implemented. In the meantime people are using their private resources to build ecologically unsound roads to the places, mostly outside the designated settlement areas, where they have built their homesteads. (Personal

communication, Myaka, 1999)

One of the root problems identified by the people of Muden in a planning workshop was that '*Our children are always sick.*' (Appendix 8, Excerpt from Kagiso Trust Planning Workshop, Health is improved.) Through a process of identifying the causes of these constant and niggling health problems the people realised that in the absence of basic sanitation faecal pollution ends up in their drinking water. Peter Robinson and Associates, the consultants appointed to facilitate the planning process of the 'Rocky Drift' reform project, recommended the use of Ventilated Improved Pit latrines. They claimed that the traditional 'long drops' were only appropriate in very low density settlements. They also warned that regular monitoring of the water quality was required so that an alternative and improved sanitation system could be implemented when the population outgrew this system. (Robinson et al, 1997: 87)

When considering the land use potentials of Muden all of the factors listed above come into play. Possibilities include market gardening and some limited irrigated farming on the alluvial plains. This option has high income potential as vegetable crops, especially crops grown for seed, could generate substantial income. This type of farming is also labour intensive which would be a welcome employment opportunity for the communities. A study conducted by the University of Natal, (1998) considered dryland cropping as a possible option but warned that the area was too dry for this to be carried out extensively.

Livestock farming is also recommended but the potential was limited by the present condition of the grazing land and a lack of watering facilities and limited fenced camps. Intensive livestock production could include pig and poultry operations with most of the production aimed at domestic use with limited external sales. Extensive livestock production is very important to the black community as the Zulus traditionally measure a man's wealth according to the number of cows he owns. Bride prices or *lobolas* are customarily paid in cattle.

The possibility of running cattle and game together is also an option. The cattle would provide the required bulk grazers while other species like kudu, nyala and giraffe would browse. However in order to create a viable size property to develop an eco-tourism infrastructure would require

the beneficiaries of the land reform projects to pool their land resources. The further capital expenditure required to game fence and stock the property may well put this option outside the reach of these communities. However existing game ranches within the Muden area offer opportunities for investigation of share equity schemes. Possible options could include mechanisms whereby the community could invest in a share of the game and derive income on a pro rata basis from hunting or live capture. Certainly the benefits through employment from these establishments already exist and need to be built upon.

The Zulus traditionally have made extensive use of their plant products to provide a wide range of fruit, housing materials, fuel, material for craft work and traditional medicines. Recently large international pharmaceutical companies have started to pay an interest in the different species and their uses within this field. The indigenous plant trade plays an important role in the society's welfare. This is presently threatened through exploitation. These plants species grow in the wild and are gathered by members of the community for sale either to the local traditional healers or to outside traders who markets in centres like Durban and Johannesburg. This has "*lead to gatherers denuding sources to the point where some form of organised cultivation is needed.*" (Beverley, 1998: 12)

The Muden community needs to investigate the establishment of indigenous plant nurseries. Mander et al, (1996) wrote extensively about this opportunity in their paper: *Promoting the cultivation of indigenous plants for markets: Experiences from KwaZulu Natal, South Africa*. Their recommendations are that the creation of indigenous plant nurseries would create employment, generate more income for the community and assist to maintain the species richness of the plant populations.

It is evident from the preceding biophysical assessment of Muden that this is an environmentally fragile area. The land reform projects of the area are situated on land which is already badly degraded. This presents a number of real constraints and many challenges; it is only through appropriate land use and effective land management practises that these factors may be mitigated. I will now turn to the deep ecological and strong anthropocentric theoretical approaches and illustrate their respective shortcomings in addressing an appropriate environmental development

strategy for Muden. I will conclude this section with a discussion about environmental pragmatism and it's application within the Muden context.

### **3. Environmental ethical theory**

It is important to note that, traditionally, studies of the social and natural environments have been considered separately. The resultant decisions pertaining to the natural and social environments have emerged through this methodology. I propose that the people living in an area need to be seen as an integral part of this equation. Bryan Norton claims that we will only understand our moral responsibility if we consider the impact of our actions as they unfold on a multiplicity of scales. We must work within larger spatio-temporal scales if we are to achieve the justice essential for both human and ecological communities. (Norton, 1996: 133)

In Muden there are two sectors, although we recognise that these are not homogeneous groupings, within the population. For the purposes of this discussion we can generalise that the Zulu sector have their traditional way of thinking and the smaller white population subscribe to a western mind set. The Zulu tradition takes cognisance of the inter-relatedness of the ecology to everything else, although this has been somewhat corrupted over time. Traditionally Zulus did not regard themselves as being above the animals, fish, trees and birds. These were considered as *"part of ourselves, and Nature was contained both within and without us."* (Mutwa, 1996: 11) Credo Mutwa is a sangoma, or traditional healer. He proposes that society ought to take a spiritual leap backwards, we must turn our world around from it's present path of sickness and self-destruction. Mutwa advocates that we must adopt the view of heaven and earth, the physical and the spiritual as one beautiful thing and that God must be viewed as not only being with us on Earth but also within us.

Within the context of land reform there is the possibility for us to apply these principles. If beneficiary communities develop a fundamental unity with the earth and undertake a type of *'ecosophy'* to secure ecological harmony and equilibrium then the success of these projects will be guaranteed. Ideally, according to the ecocentric philosopher, Naess, each community should work out their own version for practical implementation. Naess proposes that we should *'tread*

*lighter on the earth*', move beyond our egotistical selves and realise a higher '*self*' through our identification with all things. (Naess in Pierce and Van De Veer, 1995: 195)

Within this Utopia of egalitarianism, all will be equally valuable. This philosophy transcends class, gender, and species discrimination, everything shall live in Harmony, both with Nature and with other human beings. Naess's motto is: *Simple in means; rich in ends*. (Naess in Pierce and van de Veer, 1995: 193) That as one moves to self realisation through identification with all things we will find deeper answers and will grow and mature. This is possible within deep rural communities who are isolated from the mainstream of society. Certainly there is merit to being at One with Nature and according to Mutwa this is not far from the traditional ways of the African people.

In my opinion such deep ecological philosophies are well intentioned but short sighted and isolationist. The land reform projects of Muden are not stand alone entities and the people are no longer purely traditional in their way of life. Land reform needs to be integrated into the broader system.

On the other side of the theoretical scale the strong anthropocentric view recognises that while we are obliged to secure the resources of the environment for our children every person should be free to do what ever he wishes in contexts where his actions do not interfere with the interests of other human beings. One of the proponents of this argument is Baxter who recognises that his criteria are orientated towards people with the reason for preserving the environment being the express or implied benefit to man. (Baxter, in Pierce and van de Veer, 1995: 381) In terms of land reform the fact that people had been disadvantaged and not accorded the right to hold land must be addressed. These people are the '*end*' and they have a right to improve their '*lot*'. One of the main arguments within this line of thinking is that everyone should receive a minimum share of the aggregate wealth to avoid or to address levels of privation. Anthropocentric arguments also highlight the '*no waste*' criterion by which everyone should receive, by continuous redistribution if necessary, some minimum share of aggregate wealth. This has implications, most of them devastating to the natural environment where the land reform projects are located. Land reform has secured tenure for beneficiaries on marginal land with scarce natural resources. If we adopt

a strong anthropocentric viewpoint it is likely that the resources on these farms would be quickly exhausted and the poverty cycle entrenched for the beneficiaries. The strong anthropocentric approach has self imposed limitations for if we pursue this 'frontier approach' to the utilisation of the natural resources we will inevitably deprive future generations of these resources. This argument also embraces a 'no harm' principle to curb unrestrained exploitation and expansionism. In my opinion what is needed within environmental decision making is something more substantial than the suggestion that the 'brakes' should be lightly touched.

Bryan Norton (1996) proposes that we do not have to go beyond the anthropocentric argument to discover the best approach towards environmental decision making. He has adopted a weak anthropocentric position which acknowledges that our experience of the non-human world is important. He makes the critical distinction between 'felt' preferences and 'considered' preferences. Norton claims that if we opt for the satisfaction of our 'considered' preferences then we will curb the exploitation of Nature. Bryan Norton's '*Environmental pragmatism*' offers a way forward to integrate the various different dynamics and levels which our decisions influence. (Norton, 1996: 127)

Pragmatism resolves many of the recurring dichotomies which occur in ethical literature: anthropocentrism/biocentrism, individualism/holism and extrinsic/intrinsic values. (Rosenthal et al in Light and Katz, 1996: 138) The pragmatic perspective moves debates beyond some of their current impasses. If we are to establish criteria on which to adjudicate the appropriateness of an approach to land reform/development then we must acknowledge that both the natural environment and the social systems are in constant change. Given the diversity of the population within Muden we need to establish what the common vision is. People's preferences differ greatly and explicit attention must be paid to the decision making process if we are to avoid a situation where the majority overrule the interests of the minority or vice versa.

Through pragmatism Norton advocates political consensus within the arena of action, he proposes a policy of '*integrated management*', whereby practise should inform theory and how management limits should be placed within their proper context. Norton claims that management of the natural environment, by necessity, needs to proceed from a human perspective. (Norton,

1996: 127) With the following application of environmental pragmatism towards the complex issue around stock carrying capacities I will illustrate how explicating the appropriate criteria to determine the proper context of management limits is central to integrated management and sound environmental decision making.

Previously stocking rates for extensive cattle ranching within Muden, KwaZulu Natal, have been worked out for commercial farmers or commercial management systems. Within this application the objective was to maximise productivity. Most commercial farmers maintain a breeding herd of cows and sell off their weaner offspring when these animals reach a mass of around 250kg. The African pastoralist has a fundamentally different objective: His wealth is measured in the total number of stock which he owns.

As animals and plant biomass are in a constant state of flux grazing systems can be said to be in a constant state of disequilibrium. There is no universally 'correct' stocking rate since the appropriate level depends on the management objectives as well as the state of the ecological system. Yet, irrespective of these arguments, the stocking rate or the number of large stock units per hectare of land (LSUs) is the benchmark against which sustainable use of the natural resources is constantly measured.

In the applications made by the various beneficiary groups to the Provincial Land Reform Steering Committee to motivate for assistance to acquire land for the land reform projects in Muden carrying capacity is the basis of decision making regarding project development. Peter Robinson and Associates express their concern about the 'Rocky Drift' project: "*There is a risk of excessive stocking rates in view of the number of livestock currently owned by the beneficiaries. Apart from the environmental implications, this also raises a question about the equity benefits and the use of communal resources on the farm.*" (Robinson et al, 1997: 18) This concern recurs in the application for 'Lunenberg': "*Some members of MANCO were concerned that the number of livestock already owned by the beneficiaries is higher than the carrying capacity of the farm worked out by the Department of Agriculture.*" (Provincial Steering Committee Minutes, 1996: 23)

So what is this mythical LSU? A sheep or a goat is calculated as 0.125 LSU while cattle are 0.75 LSU (to take into account young stock). There are large discrepancies in the stocking rates calculated by the Department of Agriculture and those calculated by the planning consultants, Integrated Planning Services. For 'Lonsdale', one of the land reform projects, the overall stocking rate was 2.8 hectares per LSU (IPS calculation) against 5.8 hectares per LSU recommended by the Department of Agriculture. It was also noted that the actual number of stock on the land far exceeded even the most lenient of stocking rates and therefore a substantial reduction in the numbers, together with a system of rotational grazing management was needed in order for the land to be used sustainably. (University of Natal, 1998: 38)

From an ethical point of view it certainly does not seem correct to base principle decisions upon a concept which is so ill defined. I propose that if we considered carrying capacity from a pluralistic viewpoint that we would arrive at a shared objective: namely preventing environmental degradation. Further in order to implement any action to reduce stock the process of negotiation and arriving at consensus would be more appropriate than dictating an instant solution. Environmental pragmatism would enable all the stakeholders to understand and 'own' the outcome. This approach would also recognise the changes inherent within both social and natural systems. For example if the incumbent community decided to erect fences to prevent 'pirate grazing', opted for a rotational grazing system and sold some of their cattle then the parameters of the system would be altered. Sound environmental decision making could evolve to accommodate these changes thereby ensuring the long term sustainability of the projects.

#### **4. Towards sound environmental decision making**

On a broader scale land reform/rural development within Muden needs to be conducted on a holistic and integrated basis. The macro policy of land reform embraces the principle of sustainability and therefore all land reform/rural development initiatives are aimed towards fulfilling this long term objective. I will make the assumption that in order to implement any project, in the case of Muden the focus is around land reform/rural development, the stakeholders need to first engage in a planning process. This leads one to question which starting point is appropriate. In terms of "what is good" we must consider the parameters of sustainable development in terms of

concrete questions about soils, overgrazing, biodiversity, water resources, roads, basic hygiene, agricultural potentials, indigenous plant propagation and the potential of eco-tourism. By establishing this base line information we can apply the environmental pragmatic approach to establish realistic management limits and enable decision makers to make 'considered' choices within their proper context.

If we are to engage appropriate criteria to assist us in sound environmental decision making then we must, by necessity, evaluate new ways of processing information, indeed clarify which information is relevant and should form the basis for 'consideration'. Norton's '*Environmental pragmatism*' offers a way forward as through adopting this approach we can integrate the various different dynamics and levels inherent within the complexity of the Muden land reform case study. (Norton, 1996: 127)

What is said above can be illustrated with the planning experience of the first land reform project, 'Rocky Drift'. The planners appointed to facilitate this phase with the community adopted the traditional stance that technical information is paramount. A comment from a member of the Muden community regarding the planning intervention on Rocky Drift was: "*We recognise that the knowledge of the planners is very important, but equally important is the knowledge that we have on the ground.*" (Myaka, 1997: Personal Communication) In most cases it is a matter of whose knowledge counts the most. Consultants need to execute their brief, community members call for them to immerse themselves in the community in order to understand local knowledge. It revolves around communication. Urban town planners have different time frames to rural people. Too often real engagements between communities and planners are jeopardised by these factors. "*The situation at Rocky Drift needs us all to negotiate new ways of valuing each other so that we may develop better ways of planning and implementing land reform/rural development.*" (Myaka, 1997: Personal Communication) This opinion is echoed by the planners: "*Mutual understanding of each other's roles and responsibilities, coupled with good communication, are needed to cope with the myriad of problems that will inevitably arise, as well as to retain the feeling of mutual trust throughout the process.*" (Robinson et al, 1997: 32)

Other considerations are that the context of Muden is not static. There are potential changes in the

social dynamics and natural environments in the present and immediate future. Presently, and in terms of the macro policy of land reform, a group of trustees have been elected by the beneficiaries each of the land reform projects to ‘hold’ the land through the Communal Properties Act. Institutionally this group have the responsibility for the ownership of the land. However they are handicapped by the fact that they have no experience in the ownership of land. The criteria for nomination as a trustee appears to be ‘respect of the community’. Most of the Trustees are elderly men who have earned this respect through the traditional Zulu structures.

In one of the planning workshops facilitated by Kagiso Trust, October 1997, it became clear that portfolios needed to be created within each land reform project to enable certain people to take responsibility for aspects of the management of the farms. For example a water portfolio would include the responsibility of securing water for both domestic and stock use. These activities could include starting borehole pumps, fencing off fresh water springs to prevent cattle accessing this important water source and explaining to people why they should not use washing detergents inside the water source. Similarly portfolios were proposed for fencing and stock management, roads, sanitation and health, cropping etc. (See Appendix 9, Excerpt from Project Planning Matrix: Our farm committees are effective) This supports Erskine’s argument for a common vision and understanding of sustainability and management decisions and the required education component to support this (Erskine, 1997: 14), and Norton’s proposal to build capacity and motivate for local community participation as crucial factors towards sound environmental decision making. (Norton, 1996: 127)

## **5. Conclusion**

Muden’s environmental challenge is towards balancing it’s equation of “*population - resource - development - environment.*” (Miles, 1987: 58) There must be a recognition that the system in Mudén is not static, not is it moving towards equilibrium. The environmental lens which I have used throughout this chapter underlines the need for local participation, capacity building, co-operation and joint determination as the key factors towards sound environmental decision making. This echoes the findings of Chapter 2 where I used a social perspective to understand the Mudén land reform case study and concluded that the emergence of local partnerships both within the

farms and within the broader district are required to motivate and co-ordinate an integrated development strategy. The two perspectives provide complimentary insights into the context of land reform/rural development, and their respective conclusions point us firmly in the direction of environmental pragmatism and political consensus as an appropriate approach to sound environmental decision making.

It is evident from the biophysical assessment of Muden that the land reform projects are located in an environmentally fragile area. The land reform beneficiaries own marginal land that is already badly degraded and the ecosystems altered. Extensive studies have been done by the School of Environment and Development Studies, University of Natal, (1998), on the biophysical aspects of the Muden valley. Their findings confirm that management of the natural resources is critical and place limitations upon both the planning and implementation of development projects within Muden. Strategies need to be adopted to rehabilitate and manage the natural resources sustainably. This can only be achieved through a pragmatic approach which can accommodate the differing viewpoints and values of the various stakeholders.

## **Chapter 4**

### **Assessment of the quality of life in Muden.**

#### **1. Introduction**

When asked: “Does land redistribution work, or can a return to land pose bigger problems for people?” the former Minister of Land Affairs, Derek Hanekom answered: “I think that it is wrong to ask the question whether it works or doesn't work. The question is whether it is working as well as it could or should. For persons or groups who have returned to the land and in so doing have land of their own for the first time, it has worked. The question is, is it working as well as it could?” (*The Natal Witness*, 1999: 20) The social environment has a major role to play within the land reform/rural development equation; these have been discussed in Chapter 2. The natural environment places certain frame conditions on the options for resource utilisation and these issues were dealt with in the previous chapter. Together these environments have to operate within the national and provincial policy frameworks. There are policy areas which are complimentary but then also areas where contradictions occur. However it is not possible within the context of this assignment to give a comprehensive account of the complementarities and contradictions within and between the policy areas at all the different levels. What is possible and what I intend to do is to assess the actual land reform and development strategies followed on the ground in Muden, and to this end another lens, quality of life, is used.

Following the structure established in the previous two chapters, where I utilised the perspectives of the social environment and the natural environment respectively, I will introduce this chapter about the quality of life within Muden with a definition of the quality of life and then briefly sketch the perceptions of the ‘quality of life’ and how it is experienced by the various stakeholders in Muden from a factual point of view. The explanation of the current situation will reveal that for many of the local Muden stakeholders, specifically the land reform beneficiaries, their notion of the ‘quality of life’ contradicts the traditional argument that rural/Third world people identify quality of life as the provision or the improved provision of basic services. The emerging challenges

indicate the need to address certain practical inconsistencies within the policy framework which constrain these environments. This chapter will propose, through a discussion around the right to sustainable development, that empowerment is an important component of sustainability and that any integrated development strategy for Muden needs to take this factor into account.

## **2. Definition of the 'quality of life'.**

By definition '*quality of life*' is an individual concept in which individual people, with different needs and aspirations can derive different satisfactions from life. Writers within the Western paradigm, such as Møller and Schlemmer (1989: Vol 2, 279-291) define quality of life as leaning towards satisfying aesthetic/subjective rather than material needs, things like self respect, achievement, challenge, involvement and security. This is countered by definitions that in Third World countries development needs are more basic/objective and that quality of life centres around the provision of services, health, transport, education or the improvement of the present services. (Dube, 1988: 36)

These theorists measure the quality of life by using subjective (satisfaction, security, happiness) and objective indicators (gratification of basic needs, income, savings capabilities, access to key goods and services, living conditions). Møller and Schlemmer (1989: Vol 2, 279-291) define quality of life as "*Simply the degree of well being experienced by individuals or aggregates of people under prevailing social and economic conditions.*" The experiences in Muden indicate that people have a very distinct notion of the quality of life. Recent research, both personal and in support of the survey conducted by the School of Rural and Environmental Studies, University of Natal, 1998, has gone some of the distance towards contradicting what is traditionally understood to satisfy the quality of life/development needs of rural/Third World people. I propose that these findings open up new scope for an alternative approach to land reform/rural development.

In order to establish the premises of this argument I will spend the next few paragraphs systematically running through quality of life indicators, both objective and subjective, as it is conventionally understood. From this I will conclude, according to the conventional understanding, whether land reform has improved the quality of life for the people of Muden, both the people who lived there prior to land reform and those who have subsequently moved back to resettle as land

reform beneficiaries. I will also show how these findings contradict this conventional understanding of 'quality of life'.

In order to assess the quality of life of the population living in the Muden valley it was necessary to ask them how satisfied they were and what they felt would improve their quality of life. A set of questions was formulated in which people were asked about their life styles. (Appendix 10, Questions asked by researchers to ascertain the quality of life of the people of the Muden Land Reform Project)

This information has limitations in that the research was conducted in English with translations from Zulu. Some important details may have been lost in the process of translation due to the cultural differences between the researcher and the local population. Another limitation was the relatively short time spent during the actual research. Rural people are conservative and some information may not have been forthcoming as there was insufficient time to really establish a rapport with the community. Yet, taking these limitations into account, I am confident that the findings give a reasonable reflection of the notion of quality of life as it is understood by the people of Muden.

Prior to 1994 the social environment within Muden was not a rosy picture. Many people lived below the poverty line on white owned farms or on Church property. (Evangelical Lutheran Church), "Undated". Their tenure was not secure. Multiple incomes (pensions, casual labour) contributed to securing a household's food but these sources were often unreliable. Most of the menfolk lived and worked elsewhere in the major urban centres. Sometimes a portion of their earnings were sent 'home' and sometimes not. Yet the population was stable with everyone knowing each other within the community, both black and white.

The White Paper on Land Reform, (Department of Land Affairs, 1996), stipulates that previously disadvantaged, landless people may apply individually or in groups for assistance through Land and Settlement grants. These once off grants may be used to acquire land. In practise grants are skewed in favour of large groups as beneficiaries may pool their grants and purchase land collectively. The value of the grant is R15 000.00 per household of which up to 60% may be spent on the acquisition of the land with the balance being directed towards infrastructural development, roads,

fences, basic sanitation etc.

Although this sounds like a lot of money it does not translate well into hectares on the ground. Most of the land which has been transferred in Muden has been purchased for between R400.00 - R500.00 per hectare. With a single grant a household is capable of securing their tenure on around 15 hectares of marginal grazing land. The carrying capacity of land in Muden is around 5 hectares per LSU, Large Stock Unit. Within Muden a single beneficiary household has the potential to own about 3 head of cattle on a sustainable basis. *“This results in land being overpopulated and not providing a conducive environment to improving quality of life.”* (*The Natal Witness*, February 1998)

Muden residents attempt to eat a balanced diet. The basic foodstuff is mielie meal which is supplemented by vegetables in season and meat where possible. Most of the people reside in typical Zulu style rondavels, wattle and daub walls with thatched roofs. In extremely wet weather these shelters are prone to disintegration and some of the roofs have been replaced with corrugated iron. A family will live in a collection of these type of structures using a central one as a communal cooking/dining area.

Water is a scarce resource in Muden. Women carry 25 litre containers for long distances to collect water for domestic use. Although there are a number of boreholes these require pumps and most of these need repairing. The community claims that this is the responsibility of Government and being included within the Implementation Phase of the land reform projects, this allocation is tied up in the Department of Land Affairs/Regional Council battle. (Refer to Chapter 1, p12 for a full explanation of the inter-departmental debate around the responsibility for land reform projects.) Although there are a number of dams the people do not draw water for domestic use from these as they seemed to cause ‘sickness’. The precise diagnosis of this ‘sickness’ seems vague but what is clear is that people prefer not to draw their household water from the same source as that which their stock use. In any event, many of these dams tend to dry up during the long winter months. Rainwater is the purest form of natural water and many households in Muden collect this as run-off from their roofs.

None of the black communities living in Muden have access to sanitation systems. All make use

of the surrounding bush for this purpose. At schools there are pit latrines but the number of pupils per latrine is cause for concern. The findings of the University of Natal students in their 1998 study was that Mount Ernestina must accommodate 70 pupils per latrine and in the case of Sheshimsumo 90 pupils per latrine. (University of Natal, 1998: 24)

Non-Government Organisations and land reform planners who have worked in the area recently indicates that sanitation is not a development priority for the incumbent population. (Robinson et al, 1998: 56) After consideration I conclude that it is either because the people were loathe to discuss this aspect of their lives with the white interviewer or that these communities are not yet aware of the importance of sound sanitation and hygiene practises. This needs to be taken into account as a specific development challenge. Sanitation is a demand driven concept and unless the individual households are themselves committed to health and sanitation very little will be achieved. The potential of women headed households needed to be explored as women will instinctively do what is best for their families and this aspect needs to be investigated as a mechanism towards promoting the required change in hygiene practises.

Unlike sanitation education is identified as a priority. There are 6 primary schools in the Muden district with approximately 2 200 pupils. In addition there is a junior secondary school and one high school. Parents feel that it is critical that their children can read and write to enable them to get a job. The following is an excerpt from the Zibambeleni Case Statement: *“Many of our members have suffered indescribable hardships and live below the poverty line. Yet every day the children, in their bright white shirts, go off to school. Mothers admit that they would rather go without food than deny their children access to education.”* (1998: 16) Generally the parents themselves have low levels of formal education. There are adult literacy classes available and these are well attended which indicates that literacy is valued within the community.

There is no public transport system so the children walk to school. The furthest distance travelled is 15km, a long way for a small child. The fees range from R15.00 to R50.00 per annum with no one turned away due to nonpayment. Many of the parents also contributed towards a building fund to maintain the schools. Uniforms are worn by some of the higher grade children but are not compulsory. The quality of the staff is sometimes questionable with matriculants filling in teaching posts where no permanent position was allocated by the Department of Education. The schools

are generally understaffed. There is a large variation in the ages of the children attending school. One teacher spoke of the difficulties encountered with having a 13 year old girl and a 21 year old man in the same class. (University of Natal, 1998: 30)

From an income point of view the findings are not very encouraging. The standard of living is very low with an unequal distribution of wealth. Many of the households, 50%, are headed by women. Households with either a migrant worker or a pensioner (R400.00 per month) within them were found to be better off than the others. Although the old age pension is an individual asset it is used as a household asset.

Unemployment is high and this tends to add to the prevalence of petty crime within the area. A Community Police Forum was initiated but with little evident success. The members of the black community perceive the police as biased towards the white sector of the community. As more people move into Muden so the crime situation is likely to deteriorate at the expense of the local residents.

Almost all the families in Muden depend on wood for cooking and heating. Without access to electricity these people depend on wood collected from the land, dried aloe leaves, paraffin and candles for their energy requirements. Most of the households stockpile their wood, about a 3 month supply. In theory there are agreements in place on the various land reform projects that only 'dead' wood will be gathered for fuel. In reality some community members are disregarding these guidelines and chopping fresh wood where it is accessible.

There are also major health problems in Muden with the high incidence of STDs, HIV and tuberculosis cause for concern. Many of these diseases are interrelated with an estimated 60% of the TB sufferers testing HIV positive. Other illnesses are the prevalence of gastrointestinal diseases usually caused by either contaminated foodstuffs or poor quality water. Many of the people visit the local traditional healers or sangomas to cure these diseases. There is no permanent clinic in Muden, just a fortnightly mobile service. On top of all the health problems is the high alcohol and tobacco consumption within the area. While it was difficult to get hard data regarding the use of 'dagga' in the area the use of this drug was confirmed by staff at the Greytown and Tugela Ferry hospitals.

If we consider the quality of life in terms of the conventional understanding then we may conclude that land reform has not necessarily pressurised the social environment of Muden from a positive one to a negative one, rather that from being 'bad', it has worsened. The additional numbers of people and their stock have overburdened the existing infrastructure and natural resource base. The frustrating impasse regarding the implementation of the Business Plans on the various land reform project means that this pressure is translated negatively towards the quality of life for the people of Muden. Yet the people seem remarkably resilient and quietly confident. This prompted further enquiry into how they perceive their quality of life to have been enhanced or eroded through land reform. The findings of this cameo case study are presented below.

### **3. Quality of life: Mfofeni people, a community within Muden.**

After the inception of the Pilot Land Reform Redistribution Project many families returned to settle in Muden. They claimed ancestral links with the land, ties which had been broken when their families were evicted from the land in the 1970s after the abolition of the labour tenancy legislation. (See Chapter 1 for further details regarding the circumstances of these evictions.) A portion of these beneficiary families lived in another area within the Umvoti area known as Mfofeni. Despite Mfofeni's viable agricultural potential and a better quality of life people uprooted themselves from Mfofeni and returned to Muden. They moved back to Muden with only the household goods which they could carry, one group completely dismantled the school which their children were attending and brought that with them. They gave up everything for security of tenure.

The quality of life at Mfofeni was measured by objective indicators such as gratification of basic needs, income, savings, access to key goods and services, living conditions. Recent studies by the University of Natal, (1998), show that 23% of the Mfofeni community had been employed prior to moving back to Muden, 57% had access to primary schools with 16% continuing to complete secondary school. The average income was around R108.00 per capita. (School of Environment and Development Studies, University of Natal, 1998: 6-34) The Mfofeni 'refugees' were initially housed in Red Cross tents under appalling conditions. (See Photos 3 & 4, Appendix 11) The important question is why did these people break down their homesteads, forfeiting what researchers have classified as a superior quality of life, to return to Muden in the hope of participating as beneficiaries in the land reform process?

Analysis of this situation lead us once again to the faction fighting phenomenon. The neighbouring tribe to the district known as Mfofeni falls under Zondi jurisdiction. iNkhosi Mcunu heads the tribal authority around Muden. The people who initially came from Muden and the Mcunu jurisdiction were threatened by the Zondis. All the objective quality of life indicators were cancelled when subjective feelings of insecurity and unhappiness overshadowed the scenario. (Møller and Schlemmer, 1989: 124)

This is an important point to flag as much of the emphasis on land reform/rural development has been towards the delivery of land, now there is much discontent and frustration regarding the non deliverance of services in the Implementation Phase of the land reform projects. I propose that people will inevitably strive for a better quality of life. The Mfofeni case contradicts the assumption that poorer people equate a quality of life or an improvement of their quality of life with the provision or the improved provision of basic services. Given this example I maintain that poor people will opt to pursue the subjective indicators (satisfaction, security, happiness) in preference to more basic needs (objective quality of life indicators). In which case, for this group of families, Muden is a more desirable place to live.

This finding upsets the conventional thinking about the quality of life. From an ethical point of view it was important to realise that conventional thinking has been derived through credible empirical research. But research by whom? In all likelihood these studies were conducted by academics and people with a sectoral interest within this field of development research: people who have always had the right to own land, people who have never been evicted. For the land reform beneficiaries returning to Muden the security of tenure was paramount, as one old man put it: "*I am happy, I have everything I need.*" He had no reticulated water and no electricity yet he had attained a feeling of security and self respect. These two critical factors had improved his quality of life and this sentiment is echoed by the other land reform beneficiaries.

This exercise indicates that successful applicants through the Land Reform Pilot Redistribution Programme have had their quality of life improved with respect to their previous domiciles. Ownership of the land has brought about an increased feeling of security and self respect. (University of Natal, 1998) For land reform beneficiaries the possession of their own land is the first step towards a new future. For the purposes of this evaluation land reform has accrued an

improved quality of life to land reform beneficiaries. Now further steps need to be taken to ensure that their improved quality of life does not translate into a nightmare. In terms of the concept 'quality of life', I conclude that what emerges is the need to review the concept of 'quality of life' as it is traditionally understood in terms of place, time and context.

For the rest of the community of Muden, black and white people, the post land reform era has eroded their quality of life. The influx of people has placed additional pressure on already scarce resources, environmentally, socially and economically. Clearly there are winners and losers within the land reform/rural development equation within Muden. Minister Hanekon's comment: "*The question is, is it (land reform redistribution) working as well as it could?*" (*The Natal Witness*, 3 December 1999: 20) needs to be evaluated in terms of the policy environment within which land reform occurs. There are glaring policy contradictions, this aspect needs to be investigated and addressed ahead of implementing an appropriate development strategy for Muden.

#### **4. Policy inconsistencies within land reform**

The Department of Land Affairs, a national function, derives its driving policy as a response to the impacts of the apartheid land policy on communities and individuals. "*Although, in principle, land reform policy takes cognisance of the need to use land productively, acquisition of land for the purposes of agricultural production is not a central concern. Land reform is primarily a means to redress past injustices, and to alleviate poverty.*" (Vaughan, 1996: 4) On the other hand the Provincial Department of Agriculture articulates the presumption that beneficiaries of land reform are full time, small scale emerging farmers. (National Rural Development Strategy, 1995: 24)

While the African National Congress's Reconstruction and Development Programme of 1994, proposed restructuring the agricultural sector by spreading the ownership base, encouraging small scale farming and increasing production and employment. (ANC, RDP, 1994:103) The populist argument used by the Department of Land Affairs is founded on the premise that there is the potential for the establishment and enhancement of rural livelihoods through strategies that will foster and support small holder production systems within the agricultural sector.

However the Land Reform White Paper dominates the debate with land reform aimed at assisting the poorest of the poor through welfarism. As Vaughan points out this is not an adequate nor appropriate premise for restructuring an effective rural development strategy. (Vaughan, 1996: 7) Reorientation of the present land reform policy must include broadening the scope of land reform to unlock economic opportunities. I propose that the contradictions and short comings in the existing policy must be used as a resource, “*as building blocks for the formulation of a rural development policy.*” (Vaughan, 1996: 18)

If we are to use the existing policy as the foundations of an appropriate approach to land reform/rural development then the first step is to identify both the contradictions and the areas where the various current policies overlap and compliment each other. The second step is to broadly identify potential areas for intervention and prioritise these in terms of the Muden context. In Muden these could include the rationalisation and co-ordination of service provision for the land reform projects in conjunction with the development of infrastructure within the small town, identifying possible partnerships between Government and the private sector in terms of resource support for emerging small scale farmers on the land reform project farms. The next step is to critically review the existing institutional framework for if we wish to implement an effective land reform/rural development policy then we must recognise that this hinges directly upon the capacity of the institutions to deliver upon these priorities. (Vaughan, 1996: 19)

In terms of formulating an appropriate approach to land reform/rural development in Muden we agree that the objective should be towards sustainable development. This is a common element within all the relevant policy. However before we proceed the concept of ‘sustainable development’ requires some explanation. After studying the rights which we enjoy as South African citizens in terms of our Constitution and the explanation provided by Dower in terms of the right to sustainable development I will propose a qualified argument to fit the context of Muden.

Paragraph 24 of the South African Constitution is headed: The Environment. It spells out:

“ *Everyone has the right -*

*(a) to an environment that is not harmful to their health or well-being; and*

*(b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that -*

*(i) prevent pollution and ecological degradation;*

*(ii) promote conservation; and*

*(iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.”* ( Paragraph 24, SA Constitution, 1994)

In Muden the natural environment is in jeopardy as a result of the pressure of people and stock which have been drawn to the area as a direct result of land reform. Development seems to present a way out and the Constitution states that we have this right. The challenge is to ensure that development protects this resource for future generations. The Brundtland Report says: “*Humanity has the ability to make development sustainable, to ensure that it meets it’s needs of the present without compromising the ability of future generations to meet their own needs.*”

(World Commission on Environment and Development, 1987:8)

I agree with Dower as he distances himself from the crude and blunt argument for the right to development, as in many instances, similar to Muden, the necessary conditions for development simply cannot be met. For example it would be difficult to insist to the right to develop when basic rights, such as economic rights, the rights to subsistence which require adequate economic resources and infrastructures are unavailable. Dower highlights a very interesting point: he says that the right to development makes explicit what has only been implicit in previous human rights assertions and this is that people have rights to *conditions necessary* for the realisation of these rights. (Dower, 1996: 92) He then proceeds to develop a nuanced and qualified conception of the right to sustainable development, “*This would then be the right to the kinds of social, political and*

*economic changes which would improve the well being of people now and preserve the conditions, environmental, institutional etc., so that the people of the future can achieve well being as well.”*  
(Dower, 1996: 95)

To arrive at this conclusion Dower presents a series of premises, some of which are problematic. In terms of Dower's explanation the definition of the concept of sustainability seems fairly clear. He says that “*an activity, state of affairs or processes are sustainable if it is capable of being sustained, that is capable of continuing in the future without change.* (Dower, 1996: 96) Within the ecological context this means that responsible land uses and management systems need to be in place, carrying capacities adhered to etc. The dilemma emerges when we consider what development is capable of continuing into the future without change. Given the context of land reform/rural development in Muden where the dynamics are changing constantly sustainability seems to be out of reach. To further criticise Dower's definition of sustainability I pose the question that if an activity is sustainable is it necessarily good? The example of stock farming comes to mind. For the present land reform beneficiaries the existing carrying capacities on the farms seriously constrain their stock farming activities by prescribing a fixed stocking rate in line with what is determined by the Department of Agriculture as ‘sustainable’ in terms of the natural resource base. This top down approach does not allow any scope for empowerment of the incumbent community and we need to question whether this is good. Another option may be for stocking rates to be lifted and for the community themselves to figure out what the resource base can accommodate and empower themselves through the process. Another assumption is that if a method of farming is good now it will be good in the future. The future is unknown to us and therefore we cannot make this assumption. This points to the evaluative component within this argument. In addition I propose that is not sufficient that an activity/state of affairs/process is capable of being sustained, there is also the requirement of a ‘*will/commitment*’ to sustain it.

In considering the right to sustainable development I suggest that we need to qualify this right to what ‘*ought to be sustained*’ rather than simply ‘*sustainable*’. Within land reform there is a need to face up to the ecological predicament in that if beneficiaries are not assisted in making the right choices regarding land use and land management the natural environment will be lost and our obligation to pass it on to future generations lost. I propose that its the communities themselves

engage with the process of identifying what *'ought to be sustained'*. This is their right and it is the obligation of Government to support this aspect of development.

In terms of development experience a rural development/land reform project can be defined as sustainable when it is implemented and managed on an ongoing basis by the beneficiary community without external intervention. It has been the experience that many rural development projects, such as those aimed at the provision of water facilities, have failed due to a lack of maintenance and repair. Ultimately this resulted from the fact that the principal users, the women, were not involved in the planning, implementation, monitoring and evaluation of these projects. Within the context of securing sustainable rural development projects, in this case specifically water projects, Wilson's proposes that *"with participation more will be accomplished, services will be provided more cheaply, encourage a sense of responsibility and free people from dependence."* (Wilson, 1994: 24)

## **5. Conclusion**

I propose that a crucial aspect of any rural development should direct adequate resources towards empowering communities institutionally. Previously most of the budgets are allocated to infrastructural expenses with the communities' decision making capacity largely left to chance.

This chapter has considered the notion of 'quality of life' and how the experiences of Muden's land reform programme cast doubt upon the traditional understanding that 'quality of life' in developed countries is equated with subjective indicators while poor people require the provision or the improved provision of basic services to improve their quality of life. In the evaluation of the impact which the Pilot Land Redistribution Programme has had on Muden we must conclude that the quality of life for the 660 beneficiary families has been improved by virtue of the fact that their tenure is now secure. On the other hand people who have always lived in Muden are worse off as a direct result of the land reform programme as their resource base is now under serious threat.

In terms of addressing why the land reform redistribution programme is not working as well as it

could we have to deal with the glaring inconsistencies within current land reform and agricultural policies. I propose that there is a need for re-orientation in order to align these policies to enable us to use them as building blocks towards an appropriate approach to development. Lastly this chapter dealt with sustainability and the right to sustainable development. Clearly ecological sustainability must be integrated with institutional sustainability, once again we are able to underline the need to integrate pluralistic principles across multiple levels/dynamics for an appropriate approach to land reform/rural development.

In Chapter 2 I concluded that the challenge of successful land reform/rural development lies with the local people of Muden and that capacity building is an essential measure to ensure sustainable land reform. This was reinforced by the findings when we considered the context of Muden through the environmental lens where local participation, co-operation and joint determination were identified as key factors towards sound environmental decision making. In this chapter which deals primarily with the quality of life and the right to sustainable development as another angle to explain the land reform case study of Muden our conclusions concur with the previous chapters that the process through which to draw the essential elements together towards sustainable development is through a pragmatic approach in which local conditions and the aspirations/experiences of those actually involved stand central.

## **Chapter 5**

### **A critique of the current land reform/rural development approach**

#### **1. Introduction**

Land reform is seen to be a bold and extremely positive step towards community empowerment and nation building. *“It is a vital and indispensable instrument in the platform of rural development in the new South Africa.”* (University of Natal, 1998: 8) Many stakeholders have contributed towards these projects and much has been achieved within the rural environment of Muden, KwaZulu Natal. Yet questions can be raised regarding the current land reform processes and in particular the success of the Muden Pilot Projects.

The previous chapters have given the reader a comprehensive background into the land reform/rural development challenges facing Muden from various different perspectives. In these I have posed more questions than I can answer but comfort myself that it is thorough analysis and the prompting of practical questions that underpin the value of applied ethics as an academic discipline.

In this chapter I will evaluate the current approach to land reform/rural development, at the different stages of the project life cycle: Project planning and Project Implementation. In terms of development thinking the best practise and best theory about development requires that development should be about people and the satisfaction of needs articulated by the people themselves. The critical question is that who are the people most critically affected by the programme? My answer is that this is the Muden community. I will qualify this by proposing that it is not just the beneficiary group but the greater Muden community. As I pointed out in Chapter 3 in the discussion regarding the most appropriate approach to sound environmental decision

making it is short sighted to consider the land reform projects in isolation. The land reform projects of Muden are not stand alone entities but need to be integrated into the broader system. This chapter will illustrate that neither real community participation nor integrated development may occur within the current policy parameters and that a change in emphasis is required.

The other issue impacting upon land reform is the task of translating policy in such a way as to ensure delivery to the people. Presently the required skills and expertise, especially in project management, are greatly lacking within the public sector. (Van der Waldt et al, 1999) This opinion is confirmed by the experiences of the Pilot Land Reform programme in Muden. Mindful of this the Department of Land Affairs out-sourced the various phases within the land reform project life cycle to consultants who, in most instances, had very little professional experience in facilitating a process with illiterate, indigent, rural people. The following paragraphs will illustrate these premises to conclude that one of the greatest challenges facing land reform/rural development is the building of adequate capacity at the levels of the public sector, the private sector who are contracted to do aspects of this work and within the community themselves.

## **2. Current Land Reform project planning**

### **2.1 Appointment of planners**

Many of the initial appointments to facilitate the process of land reform were town planners who, it was assumed, would use their professional expertise to facilitate the planning process within the land reform projects. In reality this synthesis did not deliver appropriate outputs, with the community at loggerheads with the planners. The resultant lack of effective community involvement now poses a threat to the success of these projects.

At the initial meeting, May 1996, with the planners short listed to facilitate the detailed planning of 'Rocky Drift' the community articulated their concerns to focus on how settlement requirements would be met; the use of the balance of the grant funding; who would own the plan; how long

would the process take; neighbour relations; management issues; co-ordination of local role players and dispute resolution. (Pitout, 1997: 18) The community and the government planners from the Department of Local Government and Housing both agreed on the planning agency to be appointed.

The question was raised of what happens if there is not consensus and in this case whose voice counts, that of government as the responsible agency or that of the community as the beneficiaries? This issue was not addressed until the appointment of planners in 1998 for 'Whitecliff', another land reform project within the Muden sub district. A local planning group, known and trusted by the community, were the community's preference. After a number of highly charged meetings the Department of Land Affairs overturned the community's decision and appointed planners from outside the area.

So in terms of '*who owns the plan?*' the will of the community is undermined by the Department of Land Affairs, who claim to hold the final responsibility. But responsibility for what? The success of the project lies with the community but the accountability for the public money disbursed rests with the Department of Land Affairs. Once again we echo the findings, which we discussed in Chapter 2, about where the relative power and so rationality behind land reform lies. The current policy leads to the beneficiary community being alienated from the planning process, begrudging with their engagement with the planners and with the outputs from the process less than satisfactory. Far from the Business Plan becoming the road map whereby the community has clear planning instructions to reach their milestones these plans have become merely a formality to access the balance of the grant funding. In which case I propose that an appropriate mechanism is required to ensure accountability to the Department of Land Affairs while enabling the people to whom the development is targeted the opportunity to participate.

## **2.2 Planning Brief for the appointment of land reform planners.**

In order to examine the shortcomings in the existing process let us start at the beginning of the project with the planning brief. This brief was issued by the Department of Local Government and

Housing, at the instruction of the Department of Land Affairs, to the planners. There was no process of consultation with the community at this stage. The specific purpose of project planning was to identify areas of the farm to be used for settlement and agriculture; to prepare a detailed settlement plan; to work out how infrastructural services could be provided to the settlement areas using the balance of the grant funding; to prepare sectoral plans for agriculture and other economic activities; to identify appropriate institutional and tenure options; and to use this information to prepare a Business Plan to secure the release of the funds for the implementation of the infrastructural improvements identified. (Department of Land Affairs, 1994) In addition the final report was to contain sufficient information and budgets for the Trust to undertake other projects which cannot be funded out of the settlement grants, but could be accessed through other sources in the future. *“It is envisaged that these steps will contribute towards the ultimate aim of creating a healthy living environment for 232 families while protecting and enhancing the income earning potential of Rocky Drift farm.”* (Ellington et al, 1997: 45)

I propose that if the land reform planning brief had been drafted to address the initial concerns raised by the community then the community would have been in a better position to ‘own’ the plan. The terms of the brief are not a great distance from the initial concerns articulated by the ‘Rocky Drift’ community at the May 1996 meeting. These included how settlement requirements would be met; the use of the balance of the grant funding; who would own the plan; how long would the process take; neighbour relations; management issues; co-ordination of local role players and dispute resolution. Yet through the Department of Land Affairs disregarding this initial input by the community and by imposing its rationality on land reform the process started to wobble. Further, if the brief had included the crucial aspects of facilitating capacity building of its institutional aspects within the community the planning appointees may have been better equipped to have delivered the required outputs towards a sustainable project.

There is a clear institutional bias within the community’s needs. Land reform demands that a management body to be established, empowered and supported. Owning land is a huge commitment and without adequate responsibility the projects are doomed to failure. I acknowledge that Trusts to ‘hold’ the land have been established within each of the land reform projects but query whether there is adequate capacity within these entities to ‘manage’ the day to day

responsibilities of these projects. One of the concerns raised by the planners was the strong sectoral interest of the stock farmers on the committee as well as the lack of any representation by the women at the planning workshops for the 'Rocky Drift' project. (Robinson, 1997: 64) This issue should have been addressed at these workshops. The lack of representation by women and the skewed bias of the stock farmers on 'Rocky Drift' have now been translated into the Business Plan. The results are that the women have distanced themselves from the contents of the plan and the general perception is that 'Rocky Drift' is run by the stock farmers exclusively. Many of the problems encountered by the planners would have been avoided if these needs had been taken on board and incorporated into the planning brief.

### **2.3 Is conventional planning methodology appropriate for the process of land reform?**

The current land reform planning policy embraces traditional rational planning practises. Through this process the following tasks are executed:

- Information is gathered;
- An assessment is made through analysis and synthesis of this information; development options and scenarios are prepared;
- A Business Plan is formulated.

This is a linear process, planning happens before any doing. Planning according to this model in which institutional frameworks, budgets, economic opportunities, agricultural feasibilities and a bundle of maps are compiled into a document which will inevitably lie on a shelf gathering dust. (Trench, 1997: 22) Alternatively traditional planning assumes that through planning groups will be assisted to avoid preventable grief. Traditional planning is based on information where people have experiences which they can evaluate and learn from.

Within land reform planning a different approach is needed as within this context the planner must engage with indigent, homeless people who have no experience of land ownership. Outsider's

solutions may not be appropriate as they may not take the community to where the community wants to be, possibly to a position of dependency on outsiders. Certainly 'dependency' is contrary to the objectives of the Department of Land Affairs.

The response to this investigation into whether conventional planning methodology is at all able to address land reform is to explore alternative theoretical frameworks. A group of planners, both from the private and Government sectors within KwaZulu Natal, formed a working group to discuss their concerns with the existing approaches. They came up with a concept and practise of *adaptive planning*, planning which forms part of an on going cycle of doing, learning, planning and doing again, but this time doing it better. Thelma Trench, (1997: 23) refers to adaptive planning as a 'helix'. When applied to land reform: "*In the pre-planning we work on a cycle of exploring resources, allocation of space, institutions, management, tenure. In building the legal entity all these things are covered, in more depth, with emphasis on management and tenure options. In the detailed planning the same issues are covered with the technical aspects receiving more attention.*" (Trench, 1997: 19) The point is that planning is not a finite process but rather one that will evolve through the life of the project.

Within land reform this alternative planning approach is welcomed by the planners and the communities as it can accommodate the various diverse 'starting points' and specific circumstances and needs of the different projects. Adaptive planning enables the institutional aspects to come forward with the growth in institutional capacity - something which the planners actively engage in facilitating rather than assessing within a report. The Department of Land Affairs is not so happy with this turn of events for it has serious implications for budgeting procedures. I would also suggest that this alternative approach would jeopardise the superior power which the Department of Land Affairs holds as it would impose a new rationality upon land reform.

Furthermore adaptive planning challenges the existing role of the planner as the 'expert' and confuses the allocation of contracts according to phases of the project. The contracts of the planners appointed to work within the Mudén Pilot programme were outputs based. In order to be paid the planners have to deliver according to the terms within their briefs. The community got

impatient with urban planners who parked their cars next to the roads, dashed in for hurried meetings with the community and then rushed back to their offices. The people complained that it was as if the ‘*people*’ did not matter. A local leader, Jotham Myaka, explained that while “*We realise that the knowledge of the planners is important so too is the knowledge which we have here on the ground.*” (Myaka, Personal communication, 1999)

The community claimed that the planners did not see and experience the every day hardships faced by the community and the committee. Clearly a greater awareness and knowledge of day to day issues would assist in avoiding this delineation of technical planning from social needs.

But to achieve this. Whose knowledge counts? Whose ideas matter? Land reform needs to focus on strengthening the capacity of the communities to be able to articulate their needs. “*The evolution of community organisational structures cannot simply be seen as the responsibility of the community and left to chance. The process requires active input into developing the role players.. Ultimately leading to the emergence of local partnerships.*” (Myaka, Personal communication, 1999)

To conclude that the planning phase of land reform has some serious shortcomings, I have attempted to identify these in the preceding paragraphs. An adaptive approach to planning provides an alternative way forward that would certainly address many of the inherent problems with the present land reform planning procedures. We must bear in mind that land reform projects are not stand alone entities. It is of primary importance that the direct beneficiary community participate in the planning of their land reform project but I would also recommend that the opportunity be afforded to a broader base of local stakeholders to contribute towards the process of generating an integrated development strategy. It is imperative that the planning component is facilitated in such a manner that all the relevant stakeholders ‘own’ the plan, for ‘ownership’ has an important bearing on the implementation phase.

### **3. Land Reform Project Implementation**

In order to evaluate how well land reform is being implemented we must ask: Is land reform

fulfilling its objectives as stated in the White Paper on South African Land Policy? (Department of Land Affairs, 1997: 54) For example:

- Are the beneficiaries and/or potential beneficiaries landless, poor, women, unemployed, labour tenants and/or farm workers?
- Are women participating?
- Is capacity building taking place?
- Is this capacity 'bottom up' and demand driven and is the process empowering?
- In terms of the product, is land reform a stepping stone to rural development?

Answers to these questions were derived through structured interviews with beneficiary households, District Office facilitators, and representatives from the Non-Government Organisation sector. This information was supplemented by informal discussions with the different role players within the district, including white commercial farmers and the government agencies attached to the programme. Both qualitative and quantitative research methods were used to collect data from the community at household level. Dialogue was used to verify the information and to gauge a deeper understanding of the dynamics of the implementation of land reform as it has been experienced within Muden.

I will once again turn to the 'Rocky Drift' project within Muden to answer these questions within a specific land reform context. 'Rocky Drift' is a large farm, almost 5 000 hectares. 232 households were granted assistance to acquire this property through the basic Needs and Settlement Grants provided by the Government. The application was the first to be considered by the Provincial Land Reform Steering Committee and raised uncertainty in terms of sustainability and other core issues which struck at the heart of the Land Reform Redistribution Programme. The application used up a substantial portion of the sub-district budget allocated for Muden, commanding a Settlement Grant for Land Acquisition and Basic Needs of R3 480 000.00 out of the total budget of R6 million. (Rankin, 1996: 90) The pre-planning exercise indicated that the farm would be used for extensive cattle ranching. There was insufficient water for the establishment of any market gardens.

Previous development experience indicated that women place a high priority on gardening to ensure household food security so a gender issue emerged. The following paragraphs will illustrate to what degree and what constraints are merging within the Implementation Phase of the 'Rocky Drift' land reform project.

'Rocky Drift's' land transfer came through at the end of July 1996. There are 232 beneficiary families which translates into roughly 2 000 people. The beneficiaries all qualified for assistance in terms of the Basic Needs and Settlement Grant as poor and landless people. Their first need is for secure settlement with other infrastructural priorities being roads, internal fences, a school and a clinic. The main land uses were identified as settlement and cattle grazing with the vision including mechanisms to control rotational grazing via a committee. It is at this juncture that the lack of female representation at the planning workshops became evident. To answer the question as to whether women are participating it is clear that, during the planning phase, they were not afforded this opportunity. (Department of Land Affairs, 1996: 90) This leaves us with the concern that the application was male dominated, disregarding the Reconstruction and Development Programme principle to target women as a special category of beneficiary.

A legal entity was formed in May 1996 and this body acquired ownership of the property of 'Rocky Drift' through the Redistribution Programme under Section 2(1)(c) of the Provision of Certain Land for Settlement Act of 1993. If we look at the implementation of land reform in terms of how successfully it is building capacity within the community then the following points need to be identified: most of the respondents who were interviewed were well informed about the land reform process. This is to the credit of the community based Muden Land Committee who have motivated the land reform applications within Muden. The 'Rocky Drift' Trust was only formed after a series of workshops aimed specifically at developing institutional capacity and discussing the various tenure options. At a superficial level this is a crucial step in empowering the beneficiary community. In reality the predominately male/stock farmer attendance at these workshops has built unsure foundations for the implementation of the project. The linkage between the formation of the legal entity and the planning process needs attention. Initially the Trust outlined certain 'by laws' to give them a structure through which the project could be managed. These were to be revisited through the planning process to be 'fleshed out'. This did not happen in the case of 'Rocky

Drift' leaving the management of the project on shaky ground.

Although a lot of lip service is paid to 'capacity building' it appears that this is just a catch phrase with no accompanying co-ordinated strategy or substance within the land reform process. (Mitchell, 1998: 1) In most cases communities do not have all the relevant information on which to make informed decisions. For instance there is limited information on options for land acquisition other than the Trust model; limited information about the various tenure options; limited information and assistance to access additional credit to supplement the Basic Grants. Within the rural environment land reform is perceived as a complicated process with the men playing a participatory role on behalf of the community. Information may serve to simplify the process and so encourage women to participate, thus achieving the specific objective of the Department of Land Affairs to target women as special beneficiaries. To many white landowners land reform is perceived as a threat, this myth also could be dispelled through information. Clearly the co-operation of this sector is essential, and it is only through inclusion and understanding the process that this may be achieved. From these findings I conclude that institutional capacity would be enhanced if there was a committed information strategy to disseminate information about procedures and options to all the stakeholders.

In the paragraph above I have discussed capacity building with respect to how land reform impacts upon the beneficiary community and other local stakeholders. Yet land reform has also been a huge learning experience for the various government agencies involved in the process and I will now discuss how their institutional capacity has been enhanced through experience.

The most senior decision making body at the inception of the Pilot Land Reform Programme was the Provincial Land Reform Steering Committee. This committee consisted of a number of different role players within the land reform process. The engagement was positive with a substantial amount of commitment to the land reform process. An area of concern was the pressure on delivery by the beneficiaries and the acceptance of a number of problematic applications by the Steering Committee. This Provincial Steering Committee has now been devolved to each Regional Council with more stringent parameters within which to operate. Within the context of Mudén this

devolution has not assisted the implementation of land reform due to the inter-departmental wrangling between the iNdllovu Regional Council and the Department of Land Affairs. (Refer to Chapter 1, p 12)

The long delay in resolving the issue of responsibility for the implementation of the Land Reform Business Plans has been extremely detrimental to the 'Rocky Drift' land reform project. Consultants have been appointed for some of the other land project farms in Muden but 'Rocky Drift', still remains, some 3 years later, in a state of limbo. (Land transfer on 'Rocky Drift' came through in July 1996) The balance of the budget, allocated for implementation of the Business Plan and the provision of basic services to the 'Rocky Drift' beneficiaries is still inaccessible. The impact on the community is negative. Within 'Rocky Drift' beneficiaries have not adhered to the Settlement Plans which would co-ordinate settlement in designated areas of the farms, homesteads have been built and continue to be built in an ad hoc manner according to the '*isigodi*' or tribal ward the beneficiary affiliates to. There is a substantial amount of power play between the *indunas*/tribal captains with allegations that some of these are now 're-selling' land to outsiders. Water is a scarce resource and without the budget to repair boreholes and install pipelines the 'Rocky Drift' community is reliant on surface water. In winter these dams tend to dry up and this leads to another set of problems. Neighbouring commercial farmers have water resources and these are accessed by the community without the permission of these landowners, fences are cut and in most cases stolen so that people and stock can access this basic need. This has led to a deterioration in relations between the beneficiaries of 'Rocky Drift' and their immediate neighbours. There are other implications: 'Rocky Drift' was the first Land Reform Redistribution Project to make an application and to receive transfer of the land. The other projects in Muden are smaller and more manageable but they look to the 'Rocky Drift' experience to set precedent. It is only through strong leadership and support within each of these that the situation will not erode to follow the 'Rocky Drift' trend. All of the factors above have been caused as a result of a lack of institutional capacity through unclear definition and separation of roles within the administration of land reform.

The day to day management of the Pilot Land Reform Redistribution Programme was handled by the District Office, based in Estcourt. The District Office responsibilities were contracted out to

a Non-Government Organisation called LIMA during 1995 for a 3 year term. There are both advantages and disadvantages within this arrangement. The disadvantages are that the opportunity for personnel within the Government to come to grips with the challenges of land reform was removed as well as possible lack of continuance when the contract terminated in March 1997. LIMA was perceived as an outsider to the Pilot area and had, by its own admittance, little experience in land struggles and related issues. The advantages of this arrangement were for the potential for fast track delivery of land reform as well as limited vested interests and subjectivity through being an 'outsider'. At the end of LIMA's initial contract District Offices were established by the Department of Land Affairs within each Regional Council area where land reform was occurring ie. in Ladysmith to serve the iThukela Region, in Vryheid to serve Zululand etc. There is no dedicated District Office within the iNdllovu Region to address the land reform issues in Muden so these are routed through the Provincial Department of Land Affairs.

Within the context of Muden the 'Rocky Drift' application, as the first application heard by the Provincial Land Reform Steering committee, tested the capacity of the implementing agencies. The application was submitted to the Land Reform Steering Committee in January 1996 with ministerial designation to approve transfer only occurring in July 1996. The Land Reform Green Paper spoke of 'bottom up', demand driven initiatives but in reality the top structures were not prepared for these. (Rankin, 1996: 24)

The Land Reform Steering Committee was not comfortable with the application and their approval was conditional. I propose that at the inception of the Pilot Land Reform Redistribution Programme the Provincial Land Reform Steering Committee lacked capacity to make informed decisions regarding applications. Without adequate criteria on which to base decisions they 'passed the buck' and made the responsibility a local decision. There is a certain irony attached to the fact that the Provincial Steering Committee's approval was conditional on the approval of the Muden Working Group. This was a small, non statutory group of concerned local people who had voluntarily convened to communicate about local development and land reform issues. (Refer to Chapter 1.) The Muden Working Group was unsupported by Government, but was called upon to influence and endorse a major policy decision. The real flaw is that after endorsing the application the Muden Working Group had no further control over the 'Rocky Drift' project. I

conclude that any alternative approach to land reform/rural development must address the institutional aspect of development at a local, district level. In my opinion there is huge potential within this precedent which needs to be investigated through an alternative approach to land reform/rural development.

Other implementation constraints include the fact that two different sets of planners assisted the community with the pre-planning required for the project application to the Land Reform Steering Committee and the planning phases of the project. As 'Rocky Drift' was the first application in the Pilot Land Reform Redistribution Programme tabled for consideration there were still some grey areas within the principles regulating the planning process on the side of the Department of Land Affairs. These lead to planning errors and a slowness of the co-ordination of institutions and activities within the Pilot. One of the examples of this was the demarcation of settlement sites. Aside from the misunderstanding between the community and the planners which necessitated road widths and site boundaries being amended, certain indunas/local chiefs, who had not attended the planning workshops, undertook to allocate household sites themselves on portions of the farm which had not been identified as settlement areas. This too had to be resolved through an additional series of meetings. Also the budget constraints set on the mapping component of the project prohibited the Provincial Department of Local Government and Housing from obtaining 1:10 000 orthophotos of the area and forcing planning to be done on 1:50 000 maps. These were enlarged which detracted from their accuracy. (Pitout, 1997: 14)

The final question pertains to whether the product of land reform as it presently exists is a stepping stone towards rural development? The beneficiaries of 'Rocky Drift' have secured their settlement tenure through acquiring this farm through the Land Reform Redistribution Programme. Yet the acquisition of the land is not sufficient to secure improved livelihoods for this community. One of the reasons given by the interviewees as to why land reform was not providing a jump start to rural development was that land reform in the Pilot area was occurring within an inadequate policy environment. In Chapter 4 I dealt with the conflicting and, in some cases, contradictory policies between the various Government agencies associated with the land reform process. Within the Department of Land Affairs many of the problems with the implementation of the Redistribution Land Reform projects were consequences of an inadequate and incomplete policy framework, for

example there was a lack of clarity on the options for accessing land.

Rankin (1996), in her capacity of monitoring and evaluating the Pilot Land Reform Redistribution project, claims that the parameters of the existing land policy are too narrow to allow for broader rural development strategies. I referred to this aspect in Chapter 3 when I discussed environmental pragmatism as the most appropriate approach towards sound environmental decision making for land reform in Muden. Land reform is not an isolationist programme but needs to be integrated into a broader rural development strategy. The parameters of the planning budgets are that these should only be spent on planning around land acquisition, yet surely broader rural development initiatives like a bulk water supply could be linked to the provision of basic needs? The inadequate land reform policy has resulted in the fragmentation of delivery of infrastructure and services.

Within Muden the demand for land was great, with many of the applicants being entirely reliant on the basic grant for resettlement and land acquisition. The land reform policy brief was to “redistribute land to the landless, farm workers, tenants and the historically disadvantaged for homes, subsistence and production to improve their livelihoods.” (Land Reform Green Paper, 1996: 13) There is some ambiguity as it is not clear whether ‘demand’ in this context refers to the ‘extent’ of the need or the capacity to acquire and use land sustainably. How does one prioritise desperately poor people who would find it difficult to use the land sustainably? In formulating “An integrated rural development strategy for KwaZulu Natal” Vaughan identifies the same dilemma: “*What should be done about areas with little or no economic potential?*” (Vaughan, 1996: 17) Many of these places are not areas of natural settlement but are inhabited as a result of apartheid removals and consolidations. She asks whether it makes sense to fund projects in these marginal areas which were created through the social engineering of the apartheid government? If we answer ‘no’ then what future does the Government accord these people?

Although the community within Muden was relatively organised, in comparison to the rest of the Pilot area, there are still some real concerns regarding the platform which land reform provides as a catalyst to rural development. In Muden the Muden Land Committee resolved that each beneficiary make a personal contribution in order to qualify as a beneficiary. There was

considerable debate around this issue. Some said that the 'own' contribution would add value in terms of dignity of 'ownership' as opposed to a 'handout' from Government. Yet others expressed the opinion that this contribution took the opportunity of becoming a beneficiary away from the 'poorest of the poor'. Many households sold cattle in order to raise this money. Cattle were their only potential income earning resource. Information about supplementary loan finance and other options to secure land reform as a stepping stone to rural development were not available. The land is held communally so individual households do not have collateral to raise additional finance to secure their livelihoods.

To conclude in terms of implementation of the land reform projects within Muden there are some areas of concern and clear challenges which need to be addressed by any alternative approach to land reform/rural development. If the Government is to succeed with the objectives identified by the Land Reform Green Paper then serious attention needs to be given to the establishment of a dedicated District Office/statutory body to manage the projects through the respective planning and implementation stages. Local stakeholders are currently not given the opportunity to really participate in the process, these would include commercial farmers and businesses whose commitment is essential to the success of the land reform projects. Ideally the land reform process would move towards the establishment of a local body to co-ordinate and create relevant policy for the development strategy of the district. Such a body could also act as an information resource for the community, demystifying land reform so that everyone would be able and confident to participate.

Community participation remains a vital issue for both governance and development. There is a need for more holistic community empowerment that develops skills and expertise while ensuring that communities remain in control of their own development by making informed decisions, as well as accessing, using and managing resources responsibly.

#### **4. Conclusion**

The current land reform policy specifically addresses the beneficiary community. This chapter has

dealt with the extent to which the present land reform redistribution programme is meeting the criteria outlined by the Department of Land Affairs in their White Paper on Land Policy within South Africa. We have established that the beneficiaries are poor landless people. It is a concern that women are not participating fully within the process. The 'Rocky Drift' experience has highlighted this aspect and future applications ensured that opportunities were extended to women as a specific target group of beneficiaries. Capacity building is occurring but needs substantial commitment and resource support directed towards the local community. In terms of the relevant government agencies involved within the land reform process the Pilot Redistribution experience has been empowering enabling these institutions to have a far better hold over land reform in the future. Finally there is a certain ambivalence in stating that land reform is a solid stepping stone towards rural development.

In this chapter I have identified how land reform capacity building is directed towards the immediate beneficiary community. I suggest that, in addition to the institutional capacity required by the land reform beneficiaries on each of the individual land reform projects, there needs to be a larger more inclusive district level forum. This would form the platform where broader district level development issues/needs would be addressed and open a way for land reform to be integrated into a broader rural development strategy.

The best practise and best theory of development requires or assumes a participative democratic approach. Within the Muden case study there is a clear need for partnerships to be formed. This would embrace a range of stakeholders, both statutory and non statutory, local stakeholders with outsiders. In the introductory chapter of this assignment I made reference to a small, voluntary Muden Working Group. This is a group of people who questioned how decisions were being made with regard to land reform and the environment within their district. The Muden Working Group played a valuable role in resolving immediate conflict situations and although unsupported by any resources, dug the foundations for the establishment of a district development forum in Muden.

## **Chapter 6**

### **A way forward for land reform and sustainable rural development in Muden, KwaZulu Natal.**

#### **1. Introduction**

In this, the final chapter of this assignment, I will formulate a persuasive argument for the establishment of District Development Forums as an alternative approach to the current land reform/rural development policy. I propose to spell out how a district development forum should be structured and organised in order to work. This initiative will move us beyond the quandaries of the conventional/current approach to land reform/rural development within Muden, KwaZulu Natal.

In the preceding chapters I have used various perspectives, historical; social; environmental; and quality of life to sketch the factual situation within Muden, KwaZulu Natal. I have then explained these facts within their context, identifying the various needs and challenges which emerge for land reform/rural development. Possible alternative approaches have been suggested and I intend to bring all of these together in this final chapter in support of the proposal to establish District Development Forums as an appropriate alternative approach to land reform/rural development.

In Chapter 1 I used a historical perspective to describe the situation of Muden. The origins of the conflict over land illustrate the complexity of the local dynamics and shed an important light on the current situation. A thorough understanding of these is crucial to the success of the both the planning and the implementation of any land reform/rural development strategy. To gain further insight into the Muden land reform case study I then adopted the social lens found in Chapter 2. An estimated 27 000 people call Muden 'home'. However the high levels of population growth and

extreme poverty are having a huge negative impact upon both the social fabric and the natural environment of the district. The local people have identified this and need to adopt urgent steps towards participating in securing their future, balancing the needs of the natural environment with those of development. In his illuminating description of the Aalborg Town Planning Project Flyvbjerg shows us how the impact of power and its inherent rationality influence a process. (Flyvbjerg, 1998: 77)

If we apply this to the Muden land reform case study we see how this pivotal power lies with the Department of Land Affairs. Through this I have identified an emerging challenge towards the establishment of an enabling environment which would be conducive to the local community to participate within their future development strategy. The evolution of empowered community structures cannot simply be seen as the responsibility of the community and left to chance. Although much lip service is paid to the capacity building aspect of land reform/rural development there remains an urgent need to attach specific actions to this policy. (Department of Land Affairs White Paper on Land Policy in South Africa, 1996) In Chapter 2 I identified the need for an integrated development approach, a conclusion which is reinforced in Chapter 3 where I exchange the social lens for an environmental perspective. Here the factual sketch provides the reader with a depiction of the environmental fragility of Muden. The district is under threat as the huge influx of people and their stock, who have recently arrived with expectations of benefiting from land reform, place additional pressure on the rapidly deteriorating natural resource base. Concerns were highlighted with both the application of a deep ecological 'identification with nature' approach and a strong anthropocentric, utilitarian approach to making sound environmental decisions. Environmental pragmatism emerged as the most viable approach. The findings of Chapter 3 once again underlines the need for local participation, capacity building, co-operation and joint determination as key factors contributing towards sound environmental decision making.

In Chapter 4 I exchanged the environmental lens of Chapter 3 for an evaluation of the Muden land reform case study from a 'quality of life' perspective and whether people have a right to development. The concept of the 'quality of life' in terms of its conventional understanding where people in developed countries equate this notion with subjective indicators (satisfaction, security, happiness) and people of less developed countries require the provision or improved provision of

basic needs or objective indicators (income, access to key goods and services, satisfaction of living conditions) is cast into doubt by the findings within Muden. Yet even though the quality of life has been significantly improved for the 660 beneficiary families who have been assisted by the Government to secure their settlement tenure there is still the concern that the present land reform programme is not working as well as it could. I have identified that the present inconsistencies and contradictions within the present policy framework are a contributing factor. There is a need to align these disparate policies to enable us to use policy parameters as a resource towards an appropriate approach to land reform/rural development within Muden.

After applying Dower's argument regarding the right to development and the notion of sustainable development to the Muden case study I suggest that there is a need to qualify the right to sustainable development to the what 'ought to be sustained'. (Dower, 1996: 96) The emerging proposal is that the local community themselves need to engage with the process of what 'ought to be sustained' and that it is the obligation of Government to support this aspect of their development. Clearly ecological sustainability needs to be integrated with institutional sustainability, once again highlighting the need to address these pluralistic principles across multiple levels/dynamics for an appropriate approach to land reform/rural development. Environmental pragmatism offers an approach that would enable us to draw these essential elements together towards sustainable development.

In Chapter 5, having furnished the reader with a comprehensive background and in depth understanding of the various challenges facing land reform/rural development, I felt confident to evaluate the current approach to land reform in terms of the planning and implementation phases of the project's life cycle. The chapter illustrates how neither real community participation nor integrated development may occur within the present policy parameters and that a change of emphasis is required. In terms of capacity building the current land reform policy addresses the immediate beneficiary community. This aspect needs to be enlarged to become inclusive at a broader district level if land reform is to be successfully integrated into the rural development strategy for the whole of Muden.

The different perspectives of the preceding chapters have all added depth and dimension to the understanding of land reform within the context of Muden, KwaZulu Natal. Their concurring and complimentary insights indicate the need to build capacity within the local community through practical participation. I propose that this need may be fulfilled through carefully structured and managed District Development Forums.

## **2. District Development Forums**

This alternative model to addressing land reform/ development is based on the experiences of the establishment of the Rural Road Transport Forums under the KwaZulu Natal Department of Transport. The Department under the leadership of Provincial Minister of Transport, S'bu Ndebele, conducted a wide range of consultation during 1994/1995 to find an appropriate way of involving the community in all its activities. There was an initial resistance from the bureaucracy but the consultation culminated in a proposed partnership between the Department and the community representatives via the Rural Road Transport Forums. A full time Non-Government Organisation was appointed to establish these forums. These are now constituted and are critical role players in ensuring the delivery of road infrastructure within the province. The forums are made up of 20 members from various sectors. Obviously representation is crucial for the forum's success so careful procedures have been followed to ensure that all the relevant sectors are adequately represented.

The aims and objectives of the Road Transport Forum are:

- To facilitate constructive community participation in both the formalisation and implementation of the policies of the Department.
  - To facilitate constructive community involvement in the establishment of a long term development programme.
  - To facilitate transparency in the allocation of resources at local level.
  - To facilitate the economic involvement of local communities within projects at local level.
- (Constitution for The Rural Road Transport Forum, RRTF, 1999: 7)

If we apply this model to land reform a real way forward emerges. The current land reform experiences indicate that lack of community participation impacts negatively on the planning and delivery process. The development forums provide an institutional framework which bring continuous community input into Government processes.

There are a number of positive spin offs. Firstly it is acknowledged that in order to achieve sustainability it is important that all the stakeholders have the same expectations regarding the goals of the project. What is the Government aiming to achieve and what does the beneficiary community expect from the land reform projects? Development forums provide a platform for communication. It is through this medium that questions such as: What is delivery? What is the processes and constraints which have bearing on this project? may be answered. Through Government being 'close' to the community they stand to gain direct feedback with regard to outputs and can more readily measure the performance on the ground. Empowerment is a big word which many government agencies ascribe to but fall short when it comes to translating into action. If Government brings communities on board then these communities become partners in the development rather than objects of it. This is meaningful empowerment.

In terms of land reform District Development Forums would be beneficial from the point of view of creating inter-departmental liaison. The Department of Land Affairs, a national department, has initiated land reform. The supporting services such as the provision of water, agricultural extension support, education facilities etc. rest with other departments, some national and some provincial. While officials working within their departments are committed there is no, or very little horizontal co-ordination. The establishment of District Development Forums would bring these role players together. Planning would be required by the Department of Land Affairs, Water Affairs, Traditional Affairs, Education etc. to establish mandates for their respective representatives at the District Development Forum.

The establishment of a district development forum with representation from local and outside stakeholders could create the platform for the holistic, integrated development planning for the Muden district. This assumes that the forum would be representative of it's constituency it. It

further implies that the Forum would be accountable to its constituency. Through this process decisions would be made collectively, people would understand the allocation of budgets and duplication of effort would be eliminated. The Rural Road Transport Forum is based upon the composition of 20 members who are elected from various sectors of the constituency. These include the Regional Authority; Business; Taxi Industry; Public Transport; Organised Agriculture; Organised Labour; Women; Youth, Community Based Organisations. Although the composition of a District Development Forum to address land reform/rural development may not duplicate these sectors this model serves as an example which works to fulfil the objectives outlined at the establishment of the Road Transport Forum. I would suggest that the District Development Forum establish a set of objectives and then discuss the sectors of the constituency appropriate to meetings these.

The criteria for election to the Road Transport Forum are any natural person over the age of twenty one ordinarily residing within the boundaries of the Rural Road Transport Forum area. (Constitution for The Rural Road Transport Forum, RRTF, 1999: 12) Elections are to be facilitated by an impartial party, duly appointed by the Department of Transport. The election meeting is open to the public and the criteria was that it should not commence unless it has at least one hundred people present who fairly represent all sectors of the community within the area. Voting should be by a show of hands or by ballot, whichever the facilitator deems appropriate. The candidate who obtains the highest number of votes in any sector shall be the successful candidate within that sector. In the case of a tie a repeat vote shall be conducted until a successful candidate is established. Where a vacancy occurs before the expiry of the three year term of office then a by-election may be held to fill such a vacancy. The principles also include mechanisms for removal from office and expulsion from the Rural Road Transport Forum.

The Rural Road Transport Forum sets out very clear guidelines for the powers of the various members and procedures through which meetings should be held. These include adequate notice of meetings and the fact that a quorum of a simple majority is required for a meeting to be convened. Meetings are divided into two categories: Plenary meetings which address the full compliment of the elected Rural Road Transport Forum members and Executive meetings which are sessions to be attended by only the Executive members of the body. A public report back

meeting is scheduled annually within the respective district. This would include: a breakdown of expenditure over the financial year; kilometres of road network developed over the financial year and a breakdown of the Small, Medium and Micro Enterprises which have been involved in the contract work over the financial year. I would endorse a similar activity within this application to land reform/rural development to report back to the relevant constituency about the development progress made over the last financial year period.

One of the provisions of the Rural Road Transport Forum is that it's members are provided with an allowance for attendance, sustenance and transport costs for their involvement in the organisation. There is much debate of whether this payment is ethical. I stand by the opinion that people who attend these meetings should be reimbursed for their costs, rather than paid for their time. To prevent abuse of the system a member may only claim an allowance when he was physically present at a meeting, within the first 30 minutes of the meetings commencement and until the last thirty minutes of the same meeting. The Rural Road transport Forum has also placed certain procedures for dealing with conflict resolution within it's constitution. These are "any matter which the Rural Road transport Forum fails to resolve at it's meetings and which has the effect or potential effect of defeating effective operation of the Rural Road Transport Forum." (Constitution for The Rural Road Transport Forum, RRTF, 1999: 27) All of these matters shall be referable to the appropriate Department officials for resolution. There is the provision for external mediation to be sought should departmental assistance not resolve the dispute. In terms of applying this to land reform/rural development there is the need for both continued resource support and expertise from the Department of Land Affairs. The success of the Muden land reform projects hinges on the ability of local people to influence current policy and the way it directly or indirectly affects their lives. This will go some of the way towards reversing the current top down approach to the creation and implementation of policy.

I propose that through affording the community the opportunity to make an input into development decisions they will gain a sense of 'ownership' of the development process. Decisions made by the people will create an incentive for further enhancing the sustainability of these projects. Delivery will be enhanced as the implementors will be accountable to their constituency.

After the process of establishing the District Development Forum the participants would enter into the planning phase. Through this process they would all understand the local circumstances, identify the root causes and resolve any fundamental conflicts. There are many approaches to developmental planning. The one which I have experience with is called ZOPP, '*Zielorientierte Projek Planung*'. This is a German approach which promotes communication, strives for compromise and co-operation and sets mutually acceptable objectives which relate directly to the problems identified by the participants.

ZOPP is a fairly lengthy process but the depth in which it analyses the problems within the community are well worth the additional budgetary considerations. The proposed methodology would identify all the significant role players within the land reform/rural development context of Muden, noting their fears, constraints, aspirations and potentials. Next the problems are identified, clustered into categories and developed in terms of cause and effect. In the next phase of the process these problems are converted into objectives. The participants enjoy this exercise and it is usually at this stage of the planning that the participants start to 'gel' with planning by perceiving that the achievement of the basic objectives will ensure the success of their projects. In terms of 'ownership of the plan' this is a breakthrough for any planner for it contributes significantly towards the success of the project. The next stage is an alternatives analysis where participants discuss the most viable manner of reaching all of the objectives which have been tabled. The participants then chart a Project Planning Matrix which lists the objectives, specific actions, responsible persons, target dates and notes of specific risks and assumptions. This matrix becomes an important evaluation tool as the community can see how far they are in terms of reaching their objectives. The summarised planning matrix can also be used for budgeting. The final exercise within ZOPP is to revise all the previous work and emphasise that there is a necessity for realism within the plan, objectives will not just happen overnight. The community has to accept total responsibility for the plan and to commit themselves to their goals. (Thomessen at al, 1999: 3) By engaging ZOPP or a similar participatory planning method the ethical question of '*whose knowledge is more important*' would be addressed. Development milestones set by the community could be achieved through it's own efforts.

I propose that the establishment of District Development Forums, based upon the model initiated

by the Department of Transport's Rural Road Transport Forum, is well suited to address the land reform/rural development strategy of Muden. This model is district based which will bring on board a far larger cross section of the community than is presently addressed through the current land reform policy and will integrate land reform within a more appropriate scale of development. For these District Development Forums to be integrated within local government structures my proposal would be that each region would be divided into districts. In turn each district would be eligible to elect representatives to Regional Council. Through the establishment of District Development Forums the role of local government would be transformed from that of the regulator of policy and programmes handed down through the Government hierarchy to that of facilitating development.

There are obvious pitfalls such as the physical and institutional infrastructure required to ensure that the District Development Forums would operate effectively. It may be argued that these resources would be better employed in the actual development projects. There needs to be a balance struck between the need for public participation and the costs incurred. If development is to affect a community in a positive and sustainable way then it is important that the people affected are provided with the opportunity to define their needs and subsequently have a role in the management and implementation of sustainable development projects within their respective districts.

If we are to realise the goal of sustainable development projects, including land reform, within rural areas then the fact that rural people are poorly educated and usually badly organised needs to be considered. In my opinion the Muden community is well organised from a mobilisation perspective but needs substantial support in terms of management of the individual land reform projects.

The land reform projects within Muden are legally the responsibility of the Trustees. These are elected members of the community, usually the male elders. As the legal owners of these properties the Trustees are accountable for day to day management of these projects. In most cases the Trustees are inadequately equipped to cope with this responsibility. Once again adaptive planning solutions have emerged through prompting the question "*You know where you want to go, but you*

*are not sure how to get there.*" (Trench, 1997: 21) The experiences of the new land reform beneficiaries is based on years of being homeless and poor, for them this is the only information base which they have. Often drastic life threatening options like cutting the number of cattle are countered by suggestions as to let us let us do some fencing to prevent pirate grazing or let us dip the cattle regularly and then evaluate what happens. For conventional planners who wanted stocking rates and carrying capacities adhered to this was unheard of. In fact the directive from the Director General, Department of Land Affairs, upon the application for early settlement for 'Rocky Drift' was a list of conditions and a stern "*I trust that the Provincial Department of Land Affairs will ensure that these conditions are adhered to.*" (Memo from the Director General, Department of Land Affairs to Department of Local Government and Housing, June 1996)

The communities' ability to make decisions and evaluate these in terms of new information will be critical to the success of any project. I propose that Government has an obligation to promote organisation skills amongst rural people and to ensure that steps are in place towards essential capacity building. This would include: appropriate basic education for both children and adults, training for organisations such as Land Reform Trust to ensure adequate involvement of the community in District Development Forum processes, training to manage, monitor and evaluate projects, adequate facilitation and mediation skills to build a stable community, technical and entrepreneurial training in agriculture and other income generating activities, knowledge about appropriate technologies, financial and business support services, information about rights under the Constitution and access to legal assistance, information about the conservation of the natural environment and an accessible and transparent bureaucracy.

### **3. Conclusion**

In the preceding arguments I have endeavoured to present a set of challenges to assist decision makers in their deliberations about what are appropriate versus inappropriate responses to issues around land reform/rural development. Sustainable development has been qualified to include that which ought to be sustainable and development which delivers continuing benefits after the intervention and time span of the project. The establishment of District Development Forums

would engage local participation in all the phases of land reform and rural development. Aid which focuses on technical inputs and neglects the social needs of the community could be avoided. The principle goal of development should be to improve people's livelihoods, strengthen their access to goods and services, increase their knowledge and enhance their political and social participation.

The long term success of land reform in Muden is dependent on more than just access to land and securing tenure for poor people. Land reform must be integrated into a broader development framework if the beneficiaries of these projects are to receive basic services, infrastructure and the other subjective indicators to improve their quality of life. Land reform does not only affect its immediate beneficiary households. The impact of land reform affects the whole district. If the rest of Muden is to receive added value and the perception that land reform is a stepping stone to rural development then they too must participate in securing their future. The alternative is a continuation of the current trend to degrade the natural environment and decrease the potential for economic activity through social instability reducing Muden to an unsafe and unhygienic place to live.

The failure or success of the Pilot Land Reform Redistribution Project in Muden, KwaZulu Natal, hinges on the successful establishment of participatory forums at district level or to coin the description: District Development Forums. This is the key to ensuring sustainable outcomes and the integration of land reform within a broader development framework. In answering the question which I posed at the start of this paper I would propose that we adopt the model of District Development Forums as a structural and procedural way forward for land reform and rural development and that we should we implement this specifically in the case of the land reform projects within Muden, KwaZulu Natal.

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## Annexures

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Annexure 3. Explanatory notes: Criteria for assessing applications, Department of Land Affairs, 1995.

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Annexure 16. *DLA Journal*. August 1996. Social Diary: Extraordinary celebration.

Annexure 17. *The Natal Witness*. 9 November 1994. "Reforming SA 'will work'."

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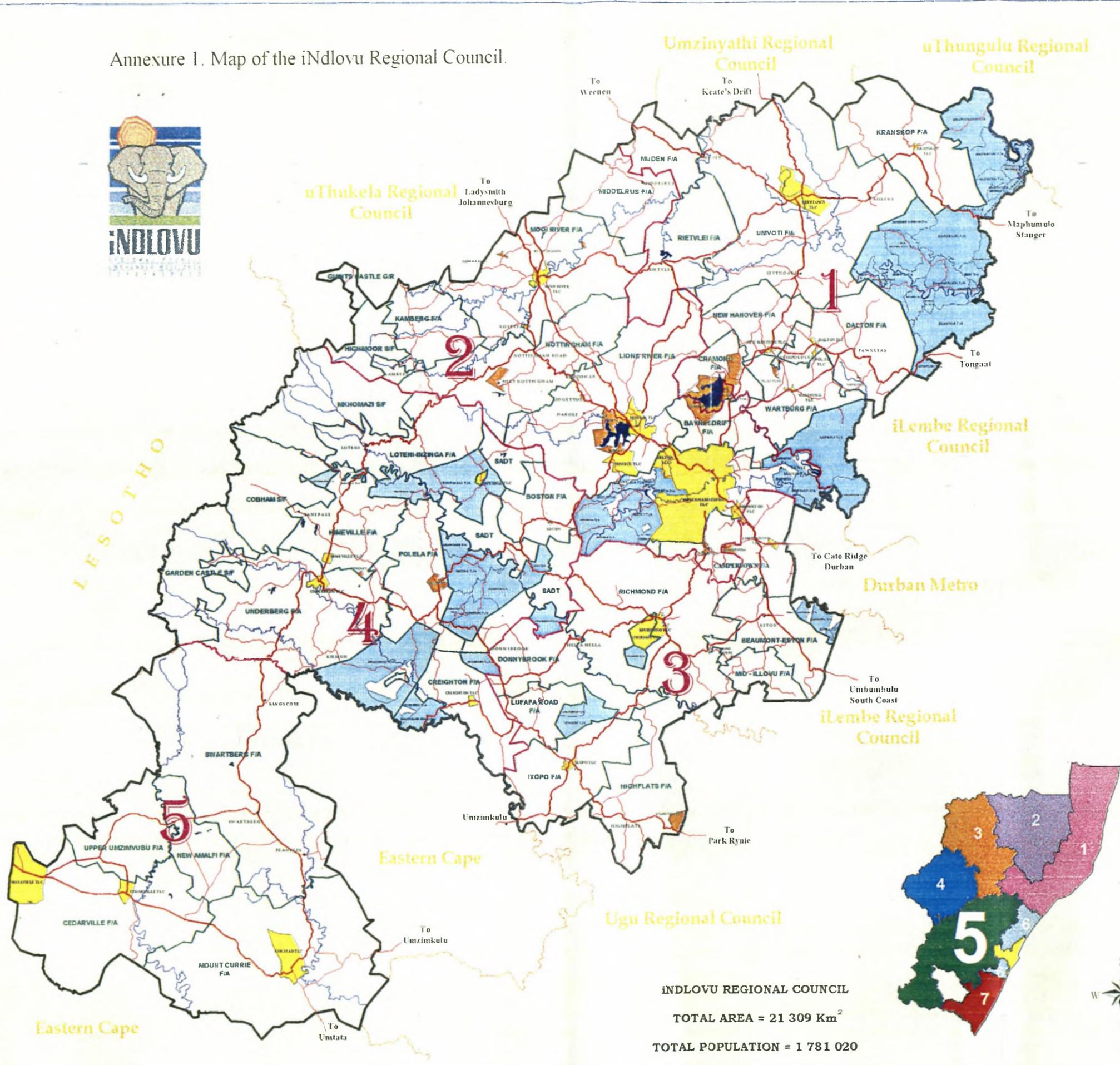
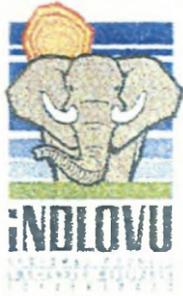
Annexure 19. *The Natal Mercury*. 28 September 1994. "Talks and cool heads avert 'land invasion'".

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Annexure 21. *The Natal Witness*. 31 July 1997. "Developing his community."

Annexure 22. *The Natal Witness*. 24 July 1997. "Muden community buy farm."

Annexure 1. Map of the iNdllovu Regional Council.



**iNdllovu REGIONAL COUNCIL**  
 TOTAL AREA = 21 309 Km<sup>2</sup>  
 TOTAL POPULATION = 1 781 020



### Sub Region 1

Area - 4 657 km<sup>2</sup> Tlc - 18 591  
 Population - 540 013 Rural - 521422

- |   |   |
|---|---|
| <b>Farmers' Associations</b>  | <b>Tribal Authorities</b>   |
| Kranskop F/A<br>Mudon F/A<br>Middelrus F/A<br>Kranstrop F/A<br>New Harover F/A<br>Mudon F/A<br>Cranmond F/A | <b>MAPHUMULO</b><br>Amagcoloi Tribal Authority<br>Mabomvini Tribal Authority<br>Abokom Cele Emphise Tribal Authority<br>Ningoni Tribal Authority<br>Zubane Tribal Authority<br>Mebunbu Sikele Tribal Authority<br>Somvu B. Tribal Authority<br>Iandi Tribal Authority<br>Machambane Tribal Authority<br>Mhansi Tribal Authority<br>Somvu C. Tribal Authority<br>Mkhakhezi Tribal Authority<br>Embo Tribal Authority<br>Masaala Tribal Authority<br>Methuleni Tribal Authority |
| <b>Transitional Local Councils</b>  | <b>Development And Services Board Areas</b>   |
| Kranskop TLC<br>Geystron TLC<br>New Harover TLC<br>Dalton TLC<br>Cool Air TLC<br>Wartburg TLC               | <b>MAPHUMALANGA</b><br>Gumisa Tribal Authority<br>Shongwe Tribal Authority  |

### Sub Region 2

Area - 4 307 km<sup>2</sup> Tlc - 320 319  
 Population - 632 818 Rural - 312 499

- |  |   |
|--|---|
| <b>Farmers' Associations</b>   | <b>Tribal Authorities</b>   |
| Masaala F/A<br>Mosi River F/A<br>Giant's Castle G/R<br>Highmoor S/F<br>Kamberg F/A<br>Kamberg M/E<br>Mottingham F/A<br>Lions River F/A<br>Cranmond F/A<br>Beyersdorp F/A<br>Camperdown F/A | <b>VULINDLELA</b><br>Mpuuzwa I & II Tribal Authority<br>Iandi I, II & III Tribal Authority<br>Nkomatla Tribal Authority<br>Mafaze Tribal Authority<br>Ximbe Tribal Authority<br><b>MPUMALANGA</b><br>Mqumulo Tribal Authority<br>Monyava Tribal Authority |
| <b>Transitional Local Councils</b>   | <b>Development And Services Board Areas</b>   |
| Mosi River TLC<br>Howick TLC<br>Hilton TLC<br>Pietmaritzburg TLC<br>Ashburton TLC  | Albert Falls<br>Siem's Ranch<br>Lidgettou West<br>Theraville<br>Mdamar<br>Mount Dragon  |

### Sub Region 3

Area - 3 172 km<sup>2</sup> Tlc - 5 800  
 Population - 223 083 Rural - 217 282

- |   |  |
|---|--|
| <b>Farmers' Associations</b>  | <b>Tribal Authorities</b>  |
| Camperdown F/A<br>Richmond F/A<br>Beaumont - Canton F/A<br>MEd - Illovo F/A<br>Donnybrook F/A<br>Lafeta Road F/A<br>Izopo F/A<br>Highgate F/A | <b>ILANGANANI</b><br>Pathezi Tribal Authority<br>Anakuzwe Tribal Authority<br>Vukani Tribal Authority<br><b>MPUMALANGA</b><br>Umasole - Gwala Tribal Authority<br>Makhanya Tribal Authority<br>Ilanga Tribal Authority |
| <b>Transitional Local Councils</b>  | <b>Development And Services Board Areas</b>  |
| Camperdown TLC<br>Richmond TLC<br>Izopo TLC   | Living Waters<br>Mauderston<br>Stuartsville  |

### Sub Region 4

Area - 5 013 km<sup>2</sup> Tlc - 1 866  
 Population - 325 154 Rural - 323 288

- |   |  |
|---|--|
| <b>Farmers' Associations</b>  | <b>Tribal Authorities</b>  |
| Mkomazi S/F<br>Colham S/F<br>Gardens Castle S/F<br>Loteni - Izizaga F/A<br>SADT<br>Himeville F/A<br>Udendorg F/A<br>Polela F/A<br>Boston F/A<br>Creighton F/A<br>Donnybrook F/A | <b>ILANGANANI</b><br>Nkomatla Tribal Authority<br>Isimimisa Tribal Authority<br>Bathokwe Tribal Authority<br>Mqumane Tribal Authority<br>Anna Ngwenane Tribal Authority<br>Ehida Tribal Authority<br>Umasole Tribal Authority<br>Sizanesi Tribal Authority<br>Zashoke Tribal Authority<br>Qadi Tribal Authority<br>Anna Kibwe Tribal Authority<br>Isobonke Tribal Authority<br>Makikane - Ekure Tribal Authority<br>Verakhele Tribal Authority |
| <b>Transitional Local Councils</b>  | <b>Development And Services Board Areas</b>  |
| Impedle TLC<br>Himeville TLC<br>Udendorg TLC<br>Creighton TLC   | Bulwer<br>Preveazy<br>Boston   |

### Sub Region 5

Area - 4 070 km<sup>2</sup> Tlc - 20 195  
 Population - 59 953 Rural - 39 758

- |   |  |
|---|--|
| <b>Transitional Local Councils</b>            | <b>Farmers' Associations</b>   |
| Kokstad TLC<br>Cedarville TLC<br>Matsiela TLC | Southberg F/A<br>Cedarville F/A<br>New Amalfi F/A<br>Mount Currie F/A<br>Upper Umzimvubu F/A |

Annexure 2. Application and Planning Grant and Settlement Subsidy, Lonsdale, Lunenberg and Hazerwoude, extracted from the Minutes of KwaZulu Natal Land Reform Steering Committee, 23<sup>rd</sup> May 1996.

*applications which will be presented at the next MANCO meeting and thereafter to the Steering Committee.*

b) Application for Planning Grant and Settlement Subsidy

i) Lonsdale, Lunenberg and Hazerwoude

- \* Mr Greene reported that the concerns raised at the last Steering Committee meeting regarding the high price have been addressed - the community is buying the whole farm at the valued price. Other concerns raised were the community's expectations regarding the provision of infrastructure, the issue of carrying capacity and consultation with the neighbours. It was reported that these were being addressed. Mr Greene requested that approval be given to the purchase.
- \* Mr van Rooyen raised concerns around whether the community would adhere to recommended cattle numbers.
- \* Mr Myaka said that there would be a thorough workshopping process to ensure people understood the need to reduce cattle.
- \* Ms Marcus noted that the Department of Agriculture had a responsibility to ensure that people do comply to cattle numbers.
- \* In summary, Mr Clacey confirmed that the Steering Committee was approving the purchase, noting that the concerns regarding cattle numbers would have to be addressed by the Department of Agriculture and the community.

*Actions: Community representatives, Department of Agriculture and the District Office must work closely together to ensure the issue of carrying capacity is addressed.*

ii) Gannahoek

- \* Mr Shone reported that MANCO had considered the application by the Gannahoek Trustees. Concerns were raised regarding the implications of the DLA repaying the outstanding IDT loan - whether it was possible or desirable. It was felt that the application could not be considered until the MANCO, Gannahoek Trustees and the IDT met to discuss the background and terms of the loan. A letter requesting a meeting was sent to the IDT.

*Actions: Mr Shone and Mr Liversage to convene a meeting between MANCO, the Gannahoek Trustees and the IDT.*

iii) Mngwenya

- \* Mr Greene reported that the mediation process was ongoing. Problems were being

## Annexure 3. Explanatory notes: Criteria for assessing applications, Department of Land Affairs, 1995.

The following explanatory notes are intended to accompany the Primary Business Plan Approval Checklist.

### 1. PROPERTY DATA

- (I) Farm Names and Description- the actual name of the farms as Registered with the Surveyor General e.g - Halley No. 12050 or Sub 1 of the Farm Halley No. 12050. The name by which the farm is known locally should also be given.  
Description - would be necessary if a subdivision of the farm was being purchased.
- (ii) Title Deeds - A written/or printed legal agreement giving ownership/rights to the seller at present. Obtainable from the Deeds Office in Pietermaritzburg.
- (iii) Project location (including map/s) - whereabouts is the farm: magisterial district, distance from nearest town/roads.
- (iv) Owners consent to sell - a copy of the purchase agreement or a power of attorney to make planning proposals on the land.
- (v) Price of the land - the agreed to amount for the purchase of the land.
- (vi) Recommended price by independent land valuator/s.
- (vi) Views of adjoining property owners - the purchase is to be advertised in term of the Provision of Certain Land for Settlement Act, Act 126 of 1993, which calls for comment on the proposed purchase. It is therefore suggested that adjoining property owners be approached for comment before advertising.

### 2. BACKGROUND AND BENEFICIARY LISTS

- (I) Background information - a history of the how/why the beneficiary group was formed, to what extent have they participated in processes to date, what preliminary planning work has been undertaken by the beneficiary group.
- (ii) Names of beneficiaries and id numbers - who are the beneficiaries, gender of household heads, identity document numbers for recording on the National data list of subsidy beneficiaries.
- (iii) Key variable information - data collected by the district office information survey including: household profiles, sources of income, livestock.
- (iv) Community profile - who is the community? (Old men and women, children, married couples, single headed households?) Where do they presently live? What are their sources of livelihood. A brief statement of need - why should this application be considered.
- (v) Contact person for beneficiary group - somebody who is accessible to the District office staff if additional information is required.

### 3 FINANCIAL ALLOCATIONS

- (I) Pre-planning grant - at 2% of the total settlement subsidy grant funding allocated to the grouping, what is the amount available for pre-planning? ( $R15\ 000 \times \text{no. of beneficiaries} = R00000$ , 4% of  $R00000?$ ). What has already been spent on pre-planning?
- (ii) Planning grant - at 4% of the total settlement grant funding allocated to the grouping, what is the amount available for planning? ( $R15\ 000 \times \text{no. of beneficiaries} = R00000$ , 4% of  $R00000 = ?$ ).
- (iii) Settlement Grant for Land Acquisition - what % of the total settlement grant is being used for land acquisitions - include conveyance fees, survey costs (registration of new subdivisions, consolidations, subdivisions, servitude etc), and any other costs which may be incurred through the purchase of the land
- (iv) Settlement Grant for Basic Needs - what % of the total settlement grant is be used for development?
- (v) Equity contributions - what equity contributions are being made and how will these be utilised, what process will be instituted to collect equity contributions from the beneficiary group members
- (vi) Loan contributions - have any loans been accessed, from whom and what are the terms of loans?

#### **4. BROAD VISIONS FOR DEVELOPMENT/SUSTAINABILITY**

- (I) Overall project description - from a community perspective what is the project all about, how do they see the farm developing and the community view on sustainability?
- (ii) Vision for settlement - How will settlement take place? Why has the proposed location for settlement been chosen? What is the settlement plan (dispersed/compact) and the motivation for this? Who will control the allocation of sites? What technical assessments have been done on proposals?
- (iii) Vision for agriculture -grazing, cropping etc - What land has been identified for agricultural purposes? Why has this land been allocated for agriculture? Are the carrying capacities of the farm known? How many livestock units do the group have at present? Assessment done by agriculturalist?
- (iv) Vision of other economic opportunities. What other economic activities do people intend being involved in? Including migrant or commuter work, small business in the community. Have sites or areas of other economic activity been identified? Has an independent assessment of economic opportunities been done?
- (v) Vision of infrastructure requirements - What are priority infrastructure requirements for the group given the very limited development funding? NB: Does the intended infrastructure provision meet the RDP requirements and will the settlement subsidy cover these requirements? If the subsidy does not cover all infrastructure provision, where will the finances come from? The RDP requirements are: internal water provision (not bulk delivery), sanitation, internal roads, boundary fences and top structure. Have technical assessments of proposals been done?
- (vi) Vision of facility and services requirements - What are the priority facilities and services? How will they be provided? For example, schools, clinics, community hall. Have technical assessments been done?
- (vii) Mapping exercise - Has the group drawn up a preliminary map indicating what exists on the farm at present? Does it provide some illustration of their future vision - settlement, agriculture, infrastructure, facilities and services?
- (viii) Beneficiary target group/s for projects - If a project is identified e.g cropping have groupings who will participate in these projects been broadly identified?
- (ix) Issues of sustainability/viability - Explanation of how the grouping views sustainability and viability of the project in the longer term.
- (x) Community Priorities/Timeframes - What are the group's priorities? What timeframes have been set?
- (xi) Estimation of bulk infrastructure delivery and costs - has any indication been given on who will provide bulk infrastructure and the costs thereof?
- (xii) Policy and legislation on conservation, recreation or other land uses - are there any specific policies or legislation governing conservation, recreation or other land uses that need to be taken into account and what are the implications?
- (xiii) Compatibility with District Plan - What are the implications of the District Plan for the application?

#### **5. INSTITUTIONAL/MANAGEMENT/TENURE**

- (I) Institution - what committees exist within the group? Who have they been working with to date, what are the proposed institution structures to be set up to deal with the land acquisition and development of the farm? Do these institutions meet the requirements as legal entities?
- (ii) Management principles - have any management issues been considered in relation to the proposed vision for settlement/agriculture and other development? What institutions will manage land use and settlement?
- (iii) Ownership of the land - how is the land to be owned, how was this decision reached, what are the reasons to exclusion of other land ownership options?
- (iv) Form of tenure - what is the form of tenure? How does this ensure security of tenure to individuals within the group?

Annexure 4. Ross, K. September 7<sup>th</sup>, 1998. *The Daily News*. "State has abandoned us - new farmers."

IE NO. : 3292952

Sep. 08 1998 10:08AM P2

FROM : ECOSERU

# News

*Muden land redistribution project fails to live up to communities' expectations*

## State has abandoned us - new farmers

*Muden's resettled farmers say promises of support from the Department of Land Affairs have failed to materialise, writes Chief Reporter KEITH ROSS.*

ANGER is rising in the Muden area where KwaZulu-Natal's first land reform project - launched with high expectations - has turned sour for thousands of rural people.

People who received land through the project say they are now desperately short of money and means, and are battling to eke out a living.

The land, which previously constituted white-owned farms, was handed out through the Pilot Land Reform Redistribution Programme.

The people believed that the necessary infrastructure and services would follow soon after they were settled.

But some of the people - such as those at Rocky Drift - have been on their land for nearly two years and yet still have no potable water, sanitation or roads.

The people are angry. They feel they have either been abandoned by the Government or are victims of bureaucratic bungling. They plan to draw attention to their plight by marching to the Muden police station on September 25.

"The people have grown tired of waiting," said Jeffrey Ngobese, a member of the Ndlovu Regional Council.

"There are now more than 600 families on the land reform projects, but they have no services. Some of the women have to walk about three hours - car-



**SOURCE OF LIFE:** Thulani Sosiba, a community leader, examines the muddy water of the Umhlambelwe River at Rocky Drift, near Muden. Behind him, Sikholiwe Mkhathwa doing some washing. The river is the source of water for hundreds of people and their livestock.

rying 25-litre drums on their heads - to get water."

Mr Ngobese said the community knew that money had been made available by the Government for some infrastructure. "But we hear nothing about when we will get the services."

His concerns were shared by a colleague on the council,

Jotham Myaka. "It is said the time had come for urgent action."

Mr Myaka could scarcely contain his anger when he spoke about the delays. He belittled bureaucratic "red tape" and incompetence were to blame.

"There are always excuses, but nothing gets done. The peo-

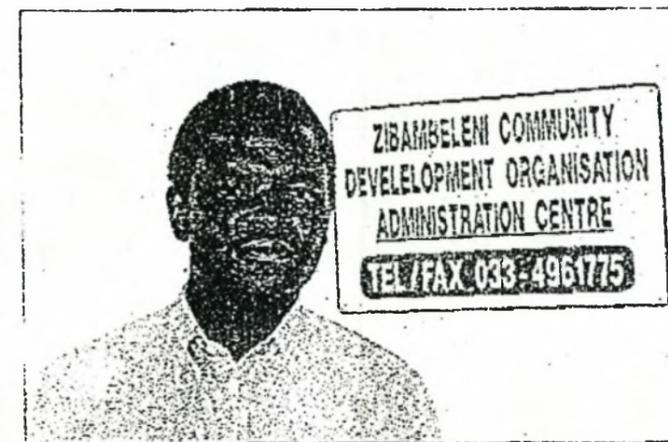
ple are getting very frustrated."

He said the time had already come to buy still more arable land in the area for the black community.

The land given to the people was not arable. It was suitable only for residential farms. The arable land belongs to white farmers.

"That must be put right. There must be more equity - and many of the white farmers agree. We have agreed to put this land problem to the Province."

Mr Myaka said relations between white and black people were "excellent" in the Muden area.



**PEACEMAKER:** Jotham Myaka, head of the Zibambeleni Community Development Organisation, has played a major role in promoting harmonious change in the Muden area.

But more equity was needed if this situation was to be maintained. "Without land there will be problems and people - white and black - will suffer when others try to get their resources like grass and water."

### Slums

"If more land is not given to the blacks, we will end up with rural slums in this area."

The need for prompt action was also stressed by Janet Channing, a local rural development consultant.

She believed the Government's allocation of the reform project land at Rocky Drift had been badly managed.

"It was unfair to give people the land without giving them any real support or any institutions that could help them manage the project properly."

Mrs Channing said there was now a definite feeling of distilla-

tion among the people of Rocky Drift. "There is a feeling among the people that they were given their pieces of ground and then abandoned by the Department of Land Affairs."

She said Rocky Drift had become a "mess" in the past few years.

"But I believe the situation could still be retrieved. The delivery of services, water and sanitation would act as a great catalyst for recovery."

But the land problem is far from solved and Jack Stolk, the chairman of the Muden Farmers' Association, agrees that it needs ongoing attention.

He said the local Land Reform Committee, a body representing the local community, had done much to promote understanding between black and white in the area.

At one stage, 16 white farmers

had agreed to sell their farms on a willing buyer, willing seller basis. But the money had not been forthcoming from the Government.

Mr Stolk felt there were some underlying tensions in the area, and he blamed certain politicians who had raised "ridiculous" expectations among the local black communities.

"This is where the problems started," he said. "Thousands of people in Muden were told they were going to get land. They want it now."

The Muden communities' complaints were put to the Department of Land Affairs. A departmental spokesman said delays had been caused by the need to readjust responsibilities in the light of the new constitution.

### Agreement

The spokesman said an agreement had now been reached for the transfer of responsibility for the provision of services to the regional councils.

After lengthy discussions, the Ndlovu council had formally accepted to manage the implementation of land reform projects from August 27.

The spokesman said the Muden projects and the provision of services had been discussed extensively with the local communities.

"The communities selected the properties that they wished to purchase with the understanding that the institutional arrangements for provision of implementation were not yet in place," he said.

"They opted for early settlement on some of the properties on the same understanding."

Annexure 4.

Ross, K. 7 September 1998. The Daily News. "State has abandoned us - new farmers."

*(This annexure has been retyped as the original will not reproduce well.)*

Muden's resettled farmers say promises of support from the Department of Land Affairs have failed to materialise, writes Keith Ross, Chief Reporter.

Anger is rising in the Muden area where KwaZulu Natal's first land reform project - launched with high expectations - has turned sour for thousands of rural people.

People who received land through the project say that they are now desperately short of money and means and are battling to eke out a living. The land, which previously constituted white owned farms, was handed out through the Pilot Land Reform Redistribution Programme.

The people believed that the necessary infrastructure and services would follow soon after they had settled. But some of the people - such as those from Rocky Drift- have been on their land for nearly two years and yet still have no potable water, sanitation or roads.

The people are angry. They feel that they have been abandoned by the Government or are the victims of bureaucratic bungling. They plan to draw attention to their plight by marching to the Muden Police Station on September 25.

"The people have grown tired of waiting." said Jeffery Ngobese, a member of the iNdllovu Regional Council. "There are now more than 600 families on the land reform projects, but they have no services. Some of the women have to walk three hours - carrying 25 litre drums of water on their heads." Mr Ngobese said the community knew the money had been made available by the Government for the infrastructure. "But we hear nothing about when we will get the services."

His concerns were shared by a colleague on the Council, Jotham Myaka, who said "The time has come to take action." My Myaka could scarcely contain his anger when he spoke about the delays. He believed bureaucratic red tape and incompetence were to blame.

“There are always excuses, but nothing gets done. The people are getting very frustrated.” He said that the time had already come to buy still more arable land for the black community. The land given to the people was not arable. It was suitable only for residential farms. The arable land belongs to white farmers. “That must be put right. There must be equity - and many of the white farmers agree. We have agreed to put this land problem to the province.” Mr Myaka said that relations between the black and white people were “excellent” in the Muden area.

But more equity was needed if this situation was to be maintained. “Without land there will be problems and people- white and black- will suffer when others try to get their resources like water and grass. “If more land is not given to the blacks, we will end up with rural slums in this area.”

The need for prompt action was also stressed by Janet Channing, a local rural development consultant. She believed the Government’s allocation of Rocky Drift had been badly managed. “It is unfair to give people the land without giving them any real support or institutions that can help them manage the project properly.” Mrs Channing said that there was a definite feeling of disillusionment amongst the people of Rocky Drift. “There is a feeling among the people that they were given their pieces of ground and then abandoned by the Department of Land Affairs.” She said that Rocky Drift had become a ‘mess’ in the past few years. “But I believe the situation could still be retrieved. The delivery of services, water and sanitation would act as a great catalyst for recovery.”

But the land problem is far from solved and Jack Stolk, Chairman of the Muden Farmer’s Association, agrees that there is a need for on going attention. He says that the local Land Reform Committee has done much to promote the understanding between black and white in the area. At one stage 18 white farmers had agreed to sell their farms on a willing buyer/willing seller basis. But the money had not been forthcoming from the Government. Mr Stolk felt that there were some underlying tensions in the area and he blamed certain politicians who had raised ridiculous expectations amongst the local black communities. “This is where the problems started.” he said. “Thousands of people were told they were going to get land. They want it now.”

The Muden communities’ complaints were put to the Department of Land Affairs. A departmental

spokesman said delays had been caused by the need to readjust responsibilities in the light of the new constitution.

The spokesman said an agreement had now been reached for the transfer of responsibility for the provision of services to the regional councils. After lengthy discussions the iNdllovu Regional Council had formally accepted to manage the implementation of the land reform projects from August 27.

The spokesman said the Muden projects and the provision of services had been discussed extensively with the local communities. “The communities selected properties that they wished to purchase with the understanding that the institutional arrangements for the provision of services were not yet in place.” he said. “ They opted for early settlement on the properties on the same understanding.”

#### **Photographs:**

Title: Source of life: Thulani Ssoiba, a community leader, examines the muddy water of the Umhlambe River at Rocky Drift, near Muden. Behind him, Sokholiwe Mmethwa doing some washing. The river is the source of water for hundreds of people and their livestock.

Title: Peacemaker: Jotham Myaka, head of Zibambeleni Community Development Organisation, has played a major role in promoting harmonious change in the Muden area.

Annexure 5. *The Natal Witness*, 4 January 1997, "Farm tenants call for action at Muden".



One of the farm tenants at the Muden road blockade yesterday. Picture by CLINT ZASMAN

EVICTED Muden farm tenants have called on the government to expropriate land belonging to farmers who allegedly continue to undermine the Land Reform Pilot Projects in the area.

The call was made after farm tenants blockaded the main road between Greytown and Muden for four hours yesterday morning. A tense stand-off between tenants and local farmers ensued, and farmers gave the crowd an ultimatum to clear the road or face

## Farm tenants call for action at Muden

by MBONGENI ZONDI

action.

The tenants left without incident and marched towards the local police station where they handed over a memorandum with a list of demands.

The Local Land Committee

chairman, Jotham Myaka, said the incident was sparked off by the alleged continued harassment of Hillerman Farm tenants by the farm manager Martin Platt. Myaka said Platt has demolished six houses on the farm on at least five occasions, despite a court ruling that the occupant, Mfanyazana Dlamini (80), has a

right to live on the farm.

Myaka said Platt and the owner of the farm have proved that they are enemies of peace and are unwilling to assist the government in its attempts to solve the land problem peacefully.

The march was described as a sign that the Muden Land Reform

Pilot Project — cited recently by Land Affairs Minister Derek Hanekom as "the best in the country" — is under threat.

Muden has been praised for its progress, with at least 232 former farm tenant families owning Rocky Drift farm which they bought with assistance from the government.

Attempts to get comment from the Hillerman Farm manager were unsuccessful as he was said to be on holiday.

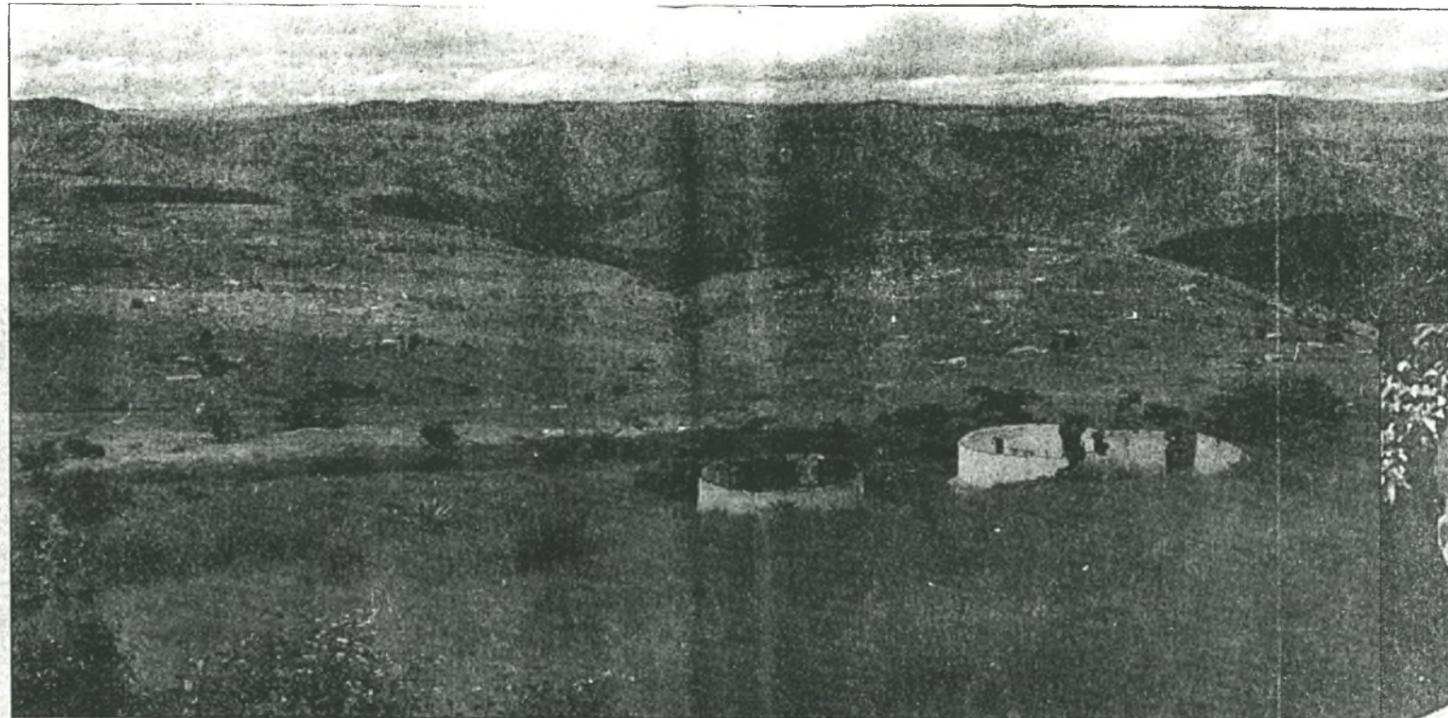
Annexure 6. *The Natal Witness*, 21 February 1997, "Farm dispute could yield bitter harvest".



A land dispute in Muden is threatening the already fragile stability of the area and throwing the land reform process into stark relief. **STEPHEN COAN reports.**



Martin Platt, manager of the farm at the centre of the dispute.



A view of Muden . . . an area with 'a history of land disputes and near-endemic violence going back for decades'. — Picture by ROGAN WARD

RIGHT: Jotham Myaka, chairman of the Muden Land Committee.



LEFT: Janet Channing, farmer and member of the Muden Working Group.



# Farm dispute could yield a bitter harvest

THE morning I visited farmer Martin Platt, he had just recovered 11 stolen cattle. Each had a mutilated ear. "Instead of removing the metal tags, they just hacked the ears off," he told me. The bonus was that he'd found the cattle. Last year, 25 cattle were stolen from his farm. Not all were recovered.

Platt is the general manager of Cloverfield and Mount Ernestina farms in the Muden area, west of Greytown. The latter property is probably better known as Hillerman Farm, the surname of its previous owner.

The Hillermans have expressed annoyance at the farm retaining its old name in the press since it has become the centre of a bitter land dispute — a dispute that could well decide the success or failure of the KZN Land Reform Pilot Programme.

It is a dispute that has sporadically broken out into marches, road blockades and violence. Speak to farmers and you will be told of intimidation, illegal squatters, fence cutting, cattle theft and the murder of farm workers. Speak to the community, and you will be told of eviction, impounded cattle and of homesteads being burnt down.

Muden has a history of land disputes and near-endemic violence going back for decades. The current dispute over Mount

Ernestina Farm dates back to 1993 when it was bought by Brian Corbishley, managing director of a company named Lot 9 Marina Beach. He is also a director of Pannar Seeds in Greytown. When I telephoned Pannar to speak to Corbishley, he was in a meeting. I was re-routed to Platt, who is employed by Corbishley.

Corbishley is on record as saying that when he bought the farm, he did not know it was included in the Land Reform Pilot Programme. "We bought it on the open market," Platt says. "We never knew it was part of the pilot project. We were never notified; nobody tells you about it."

Two years ago, an attempt by Corbishley to evict people living on the farm ended in the then Supreme Court. The judge's ruling instructed both parties to negotiate and come up with an amicable solution.

An added ingredient to an already heady brew was last year's Labour Tenants Act. The act serves two purposes: firstly, to look after the rights of labour tenants and prevent them from being evicted; secondly, to investigate upgrading those rights to include full ownership, thus giving tenants the right to buy land they have historically used and occupied. The land is not just handed over, but sold to existing communities on a "willing seller, willing buyer"

basis.

Approximately 60 families can claim labour tenancy rights to the land on Mount Ernestina Farm. Harry Liversage, Land Reform Pilot Programme co-ordinator, is currently assisting these families "to make labour tenant applications under the new act while, at the same time, trying to encourage both parties to negotiate".

Platt agrees there are "people that have been here for a long time. But the vast majority have not." Big employers in the area now use labour contractors to sidestep union problems. "Many people have moved onto this farm because it's the nearest on the labour route into Greytown."

"WE know we inherited a problem," Platt says. "We inherited problems arising from it previously being a big labour farm, and we want to use it as an extensive cattle farm. We've tried, with best intentions from the beginning, to solve the problem. Everything we did they blocked. No one else comes with a solution, except to tell us to get off."

Platt claims the community have rejected all attempts to resolve the dispute, including offers of resettlement on other farms, one of which is adjacent to

Mount Ernestina Farm.

But, Jotham Myaka, chairman of the Muden Land Committee, says farms elsewhere are full and the community rejected land offered to them near Sevenoaks because it is an unstable and violent area. "It was far from the environment they are used to and under another chief."

After the road blockades and a protest march on January 3, a meeting was held with all the stakeholders. At the meeting, Corbishley described various incidents, including the protest march, as "tantamount to intimidation".

He stated he was not aware of his property's inclusion in the Land Reform Pilot Programme. He also said he had "at no stage received a firm, realistic offer for the purchase of his property".

At the meeting, it was agreed the community would make an offer and Corbishley would consider it. The offer was made and Corbishley did not accept it. According to one source, the offered sum was calculated according to the current market value of the land. But, Platt says, "the offer was half what we originally paid for it. Since then, the rand has halved, so it's a quarter of what we paid for it."

THE dispute has wider implications: it

throws the whole land reform process into sharp focus and, more pertinently for Muden residents, could drive a wedge between the community and landowners who have worked hard to forge alliances over the last few years.

"We've come a long way to get both black and white to work together for all of us to survive," Myaka says. "Before we were just enemies, now we are talking."

Much of that talking is done under the banner of the Muden Working Group, set up in 1995. "There are five whites, and five blacks. It was created to sort out problems between black and white over land invasions and the Land Reform Pilot Programme."

Myaka says matters had become tense. "There had been shooting incidents. We felt there was a need to talk to one another. Now there is good co-operation. But this is threatened by the Hillerman fiasco."

There is a feeling among local landowners that Corbishley is out of step with what is happening in the valley and the progress achieved by the Muden Working Group. "Corbishley is going a legal route on a point of principle," farmer Janet Channing says. "He's using a judicial route to resolve the dispute, but this doesn't coincide with the reality of the situation."

"As community frustrations spill over, it is landowners on the spot who have to bear the brunt. It is our children who have to drive down that road to school."

According to Channing, both sides have made commitments and not kept them. This view is endorsed by the chairman of the Muden Working Group, Kalie de Nysschen: "There has been provocation from both sides. There has been the cutting of fences and illegal grazing. Understandably, Corbishley doesn't like it and impounds cattle. Also, the problem has been compounded by unrelated people moving into the area."

Myaka says the community is now considering asking the government to intervene. "My fear is that anything could explode at anytime. We don't know what to do now. We are considering asking the government to intervene for peace's sake. Let's find a solution now before it gets to that stage. Otherwise, it could become a racial issue, and this is not a racial issue."

Platt is clearly aggrieved at what he believes to be the deliberate frustration of possible solutions. "It's the same as Rhodesia: they just harass you until you b . . . off. I understand land is a sensitive issue, but it seems that the rights of a person who owns the land are not of any consequence anymore."

Annexure 7. Excerpt from the Kagiso Project Planning Workshop. October 1997.

Our Farms are successful.

|          | ACTIVITY   | RESPONSIBLE PERSON / GROUP | BY (DATE) | IMPORTANT INFORMATION  |
|----------|--|----------------------------|-----------|--|
| F.1.     | OBJECTIVE : # F1<br><u>Farm committees are effective</u>   |                            |           |  |
| F.1.1.   | Each farm has a properly elected management and special representatives for specific functions ( eg. fences, livestock, crops, roads, water, security, marketing, health, education. ) | Chairpersons for each farm | 15/12/97  | Zibambeleni to assist where necessary<br>See : B.3.1. S.2.16.1.<br>Z.4.2. S.4.1. |
| F.1.2.   | Committees are trained in committee procedure  | Jotham                     | 30/06/98  | Assumption : funding is available.   |
| F.1.2.1. | - identify trainer   | Thelma & Patricia          | 30/03/98  | Combine with Z.2.2.  |
| F.1.2.2. | - arrange and coordinate training  | Thelma & Patricia          | 30/05/98  | Combine with Z.2.4.  |
| F.1.3.   | Unpopular decisions and problems on farms are  |                            |           |  |
| F.1.3.1. | - committees are supported by Zibambeleni and management   | Zibambeleni & Jotham       | Ongoing   |  |
| F.1.3.2. | - Zibambeleni forum meetings are used to solve problems  | Zibambeleni & Jotham       | Ongoing   |  |
| F.1.3.3. | - Indunas call meetings  | Indunas                    | Ongoing   |  |

Annexure 8. Excerpt from Kagiso Trust Planning Workshop. October 1997. Health is improved.

|        | ACTIVITY   | RESPONSIBLE PERSON / GROUP  | BY ( DATE ) | IMPORTANT INFORMATION                          |
|--------|--|-----------------------------|-------------|--|
|        | OBJECTIVE # S 3  |                             |             |  |
| S.3.   | <u>Health is improved</u>  |                             |             |  |
| S.3.1. | Health representative is elected in each commu   | Chairman from each farm     | 15/12/97    | See F.1.1.                                     |
| S.3.2. | Health Dept is requested to conduct awareness on :<br>- clean water<br>- need for toilets  | Zibambeleni                 | 30/01/98    | Each health rep forward request to Zibambeleni |
| S.3.3. | Communities conduct own awareness campaig on toilets and clean water<br>- call public meetings<br>- speak at womens groups<br>- speak at church meetings<br>- speak at schools | Health representatives      | Ongoing     | Emphasise at farm planning worksho             |
| S.3.4. | Apply to Health Dept. to report back on clinic su already conducted  | Jotham                      | 15/12/97    |  |
| S.3.5. | Collect data on health and clinic needs in district  | Jotham to coordinate health | 30/05/98    | Use farm planning workshops                    |

committees are effective.

**SUB - PURPOSE : OUR FARMS ARE SUCCESSFUL**

| ACTIVITY | RESPONSIBLE PERSON / GROUP   | DATE                       | IMPORTANT INFORMATION                           |
|----------|--|----------------------------|---|
| F.1.     | <b>OBJECTIVE : # F1 Farm committees are effective.</b>   |                            |   |
| F.1.1.   | Each farm has a properly elected management committee and special representatives for specific functions ( eg. fences, livestock, crops, roads, water, security, marketing, health, education. ) | Chairpersons for each farm | 15/12/97 Zibambeleni to assist where necessary. |
| F.1.2.   | Committees are trained in committee procedures   | Jotham                     | 30/06/98 Assumption : funding is available.     |
| F.1.2.1. | - identify trainer   | Thelma & Office            | 30/03/98 Combine with Z.2.2.                    |
| F.1.2.2. | - arrange and coordinate training  | Thelma & Office            | 30/05/98 Combine with Z.2.4.                    |
| F.1.3.   | Unpopular decisions and problems on farms are resolved.  |                            |   |
| F.1.3.1. | - committees are supported by Zibambeleni staff and management   | Zibambeleni & Jotham       | Ongoing   |
| F.1.3.2. | - Zibambeleni forum meetings are used to solve problems  | Zibambeleni & Jotham       | Ongoing   |
| F.1.3.3. | - Indunas call meetings  | Indunas                    | Ongoing   |

| <b>SUB - PURPOSE : OUR FARMS ARE SUCCESSFUL</b> |  |                                   |                                  |  |
|---|--|-----------------------------------|----------------------------------|--|
| <b>ACTIVITY</b>                                 |  | <b>RESPONSIBLE PERSON / GROUP</b> | <b>DATE</b>                      | <b>IMPORTANT INFORMATION</b>   |
| <b>F.1.</b>                                     | <b>OBJECTIVE : # F1cont. Farm committees are effective.</b>                    |                                   |                                  |  |
| <b>F.1.5.</b>                                   | Communities on every farm participate in planning for their own farms          | Facilitator to be recruited       | 30/05/98                         | Combine use of specialists at workshops<br>- Agric / Economists<br>- Social<br><br>Produce summarised and simplified versions of Robinson's Business Plans for each farm involved. - use this information at planning workshops ( F.1.5.1 )<br><br>Plus livestock planning from workshops held before 30/03/98.<br>See S.3.3. / S.3.5. / S.3.7. / S.3.8. |
| <b>F.1.5.1.</b>                                 | Organise individual workshops for every farm to plan for :                     | Janet & Zibambeleni               | 30/05/98                         |  |
|   | - social   |                                   |                                  |  |
|   | - economic   |                                   |                                  |  |
|   | - environmental  |                                   |                                  |  |
|   | - agricultural issues  |                                   |                                  |  |
| <b>F.1.5.2.</b>                                 | Farm meetings for agreement of all to plans                                    | Farm committee Chairmen           | 3 weeks after planning workshops |  |
| <b>F.1.5.3.</b>                                 | Records are kept of all meetings and plans are regularly evaluated ( checked ) | Farm secretaries                  | Ongoing                          |  |

Annexure 10. A list of questions asked by researchers to ascertain the quality of life of the people of the Muden Land Reform Project.

Questions asked by the researchers, using the basic needs list, to ascertain the quality of life of the people of the Muden Land Reform Project.

**DEMOGRAPHIC DATA**

Age  
Gender  
Employment status in household  
Occupation  
Number in household  
Income per household per month  
Marital status

**QUALITY OF LIFE**

**General**

When did you move here?  
When do you think everyone will move here?  
Is your life better here? Why?  
What were your expectations?  
Have they been met?  
Why is this place important to you?

**Diet**

What do you eat?  
How often do you eat?  
Where do you get your food from?  
How does that compare with before?  
Is there enough food?

**Water**

Where do you get your drinking water from?  
Where do you do your washing?  
Do you have enough water?  
Is it protected? How?  
Does the water ever make you sick?  
If it does, when?

### **Shelter**

What materials do you use for building?  
Why do you use these?  
Where do you get the material from?  
How far is this ?  
How is it transported?  
Is your house a permanent structure?  
Do you have plans to upgrade it?  
Are you happy with your house?

### **Fuel**

What do you use as fuel?  
What did you use before?  
Is it easier to collect fuel here compared to where you did before?  
Do you have enough fuel?  
Is there electricity nearby?  
Would you like to have electricity?  
Would you pay for it?  
If yes, how much?  
If no, why?

### **Roads**

Is access easy?  
What is the drainage like?  
What are the conditions of the roads?  
Would you like them improved?  
If they are bad, what are the problems?

### **Income**

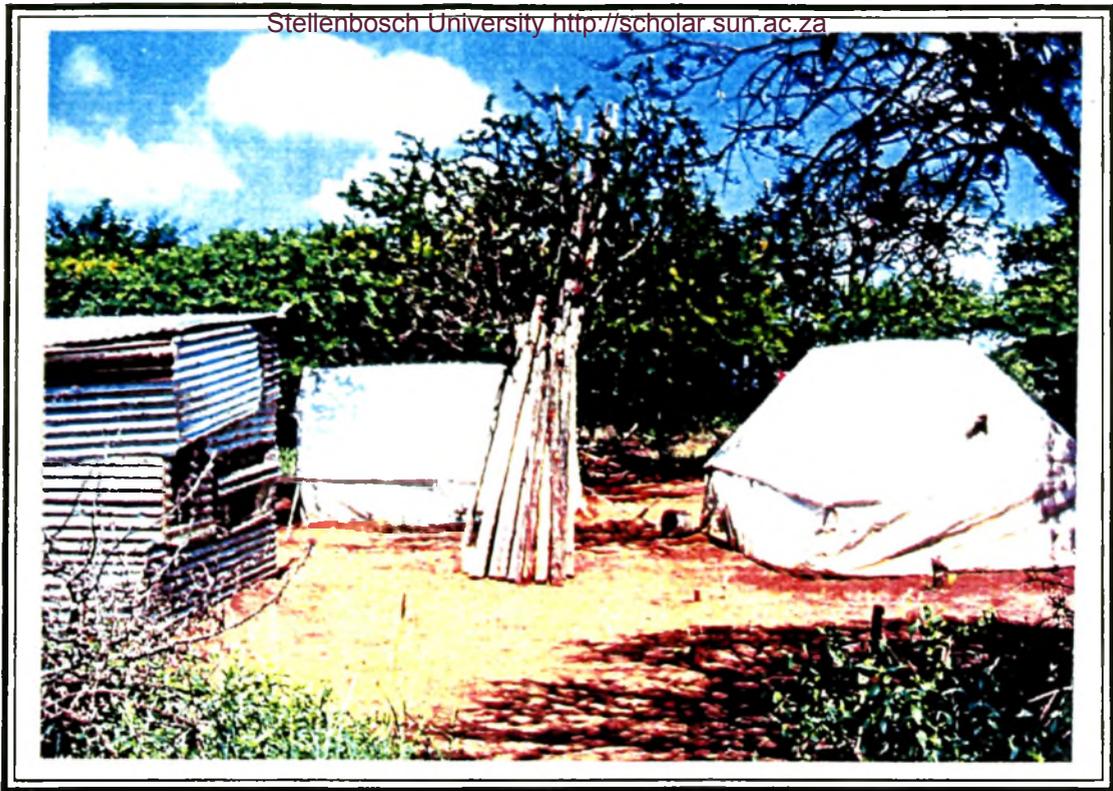
Do you earn a salary?  
Did you earn a salary where you were?  
If yes, how much?

### **Employment**

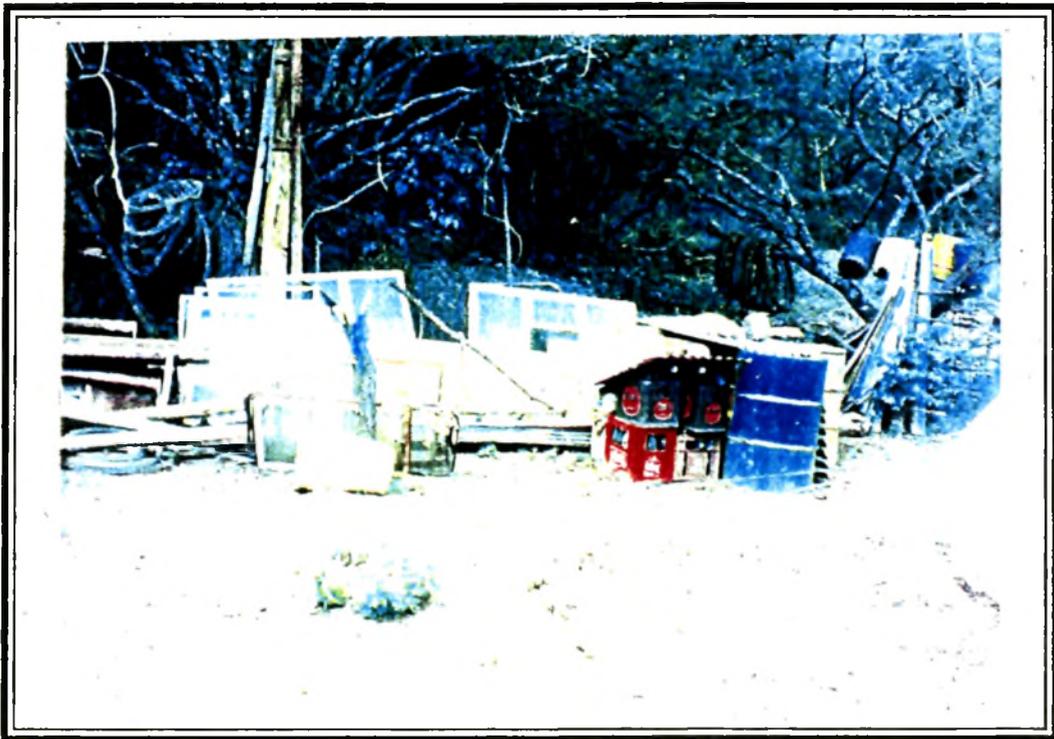
Where do you work?  
How far is your workplace?  
Do you receive a pension?  
How much is this?  
Do you practice income generating skills/activities?  
How many people in your household work?

### **Education**

Are there schools around the area?  
Are these primary or secondary schools?  
If yes, how far away are they?  
If no, would you like to have one?  
Why?



TENT TOWN



STOCKPILE OF BUILDING MATERIALS ON WHITECLIFF

Annexure 11. Photographs of the living conditions of the Mpofeni refugees.

Annexure 12. *The Natal Witness*. 3 December 1999. "A long road to hoe."

# A long road to hoe

*Political Correspondent SUSAN SEGAR spoke to former Land Affairs Minister Derek Hanekom on the land reform process in South Africa and life outside the cabinet.*

**W**HAT concerns you the most about the land reform process in South Africa at present?

There are areas of concern that are not new. For land reform to succeed is a very difficult task, requiring clear vision and commitment.

Our policies are correct and we are largely on track. But lots can go wrong. We are learning a lot of things. Individual projects collapse, or sometimes you give people access to land and it doesn't work out. At present, the land reform programme is the most complex and varied of any country. I would be concerned about it not enjoying the support it should have if people were aware of the consequences of it failing. I spent a lot of my time in office trying to persuade people that the absence of land reform would have direct consequences for our country and for farmers and landowners. I would be very disappointed if that drive to keep people aware of the importance of land reform were to diminish.

How are you spending your time as a backbencher without the responsibilities of being a minister?

I am very involved in the Land and Agriculture portfolio committee as well as the committee on Water Affairs and Forestry. The work is related and very challenging. I have more time than I had as a minister and ... can do more of the things that I didn't really have time to do before. But I miss being in the position of a minister where you can really influence events. It was a huge privilege to be in the cabinet. In that sense there is an element of loss but I can now spend more time doing constituency work and doing more quality work on selected projects. Some of these big projects are very fragile and I have been asked to help with preparing business plans or to facilitate.

You urged caution during a committee meeting recently when the chief land claims commissioner said all claims could be completed within five years. Why?

I said ... we should be cautious not to set ourselves unrealistic targets and then end up with egg on our faces. Earlier, during my term of office, we spoke about trying to achieve it in a 10-year period and there were many people who even had reservations about that, despite the fact that we changed a whole lot of things to expedite the process. I am urging them to be realistic. It is a huge programme involving huge amounts of work on every

single case ... especially in urban cases.

Would you say claims are now being dealt with faster and more efficiently?

Yes, administrative processes have been streamlined.

Can you comment on the restitution process in KZN?

Commissioner Cheryl Walker is one of the very good commissioners in the country and is doing an excellent job with a very good team around her. They also have top support from NGOs such as Afra and the Legal Resources Centre. It is a particularly difficult province because there is often a confusion between the long-term historical loss of land and the systematic dispossession of African people of their land rights. The former is something which is impossible to deal with through a land claims process, because on that basis you go back forever in history, and where you end up is really uncertain.

The broader legacy of dispossession can only be dealt with through a land reform programme concentrating on redistribution of land, where you focus on land needs rather than on land claims.

Does redistribution work, or can a return to the land pose bigger problems for people?

I think it is wrong to ask the question whether it works or doesn't work. The question is whether it is working as well as it could or should. For the person compensated for having that property taken away from them, through cash or compensation, it has worked. That person now has a sense of justice. For the persons or groups who have returned to the land and in so doing have land of their own for the first time, it has worked. The question is, is it working as well as it could?

When facilitating a large-scale resettlement on the land, it is obviously more beneficial to ensure that as much is in place as possible — that people have access to clinics, schools, etc.

Some land lobbyists feel the Land Rights Bill is going to fall away under the new Minister Thoko Didizo, despite the fact that experts have been working on it for four years. Do you share that fear?

It is not in my hands, so I don't know what the present minister's intentions are regarding the Land Rights Bill. She will have to deal with it in the way she considers to be the best way.

Is there a chance this bill will not see

the light of day?

I am not prepared to comment.

There are indications that the new minister might be pandering to tribal imperatives. Can you comment?

Thokoza Didizo would have to take various interests into account when she considers what policy measures to introduce and whether to proceed with legislation.

A number of people are concerned that Didizo is focusing on small-scale farming as opposed to rural livelihood.

Let them articulate their problems. I think small-scale farming and rural livelihoods are quite linked. I have no difficulty with anybody focusing on small-scale agriculture. We need to get a stronger, better developed smallholder agricultural sector in place. But the overriding vision or objectives should be to improve rural livelihood. There are many different ways in which people can achieve an improved livelihood, for instance, communal grazing systems should not be written off — and I am sure Thokoza Didizo does not write these things off.

Is it true that major development programmes are being stalled because of a lack of clarity about land rights issues?

It was clear, when I was serving on the cabinet committee dealing with the SDIs, that the uncertainty about land ownership was a major impediment to investment.

What is the most heart-warming experience you have had in dealing with South Africa's land reform programme?

One was going to Magopa in the North West province, near Lichtenberg. Magopa was the last big forced removal, in 1984. They returned to their land soon after 1994. As the new minister, I felt they should be able to return as quickly as possible, because when I was in prison ... I heard stories about Magopa and their attempts to get the land back. The moment that stands out was when they put me on top of their tractor the first time they ploughed their land. They let me plough the first furrow. There were a number of immense emotional moments — with people laughing and crying ... putting their hands in the dust and the dust on their faces. Nobody could possibly have been there and not been moved.

I also got a great kick out of being proactive in preventing the mining of the St Lucia dunes. We fought very hard to make sure that didn't happen.

# Taking land reform to a village

*Muden is situated in one of the most economically and politically marginalised regions of KwaZulu-Natal, which makes it a special challenge when it comes to land reform. The second of two articles on the village looks at Mudén today.*



by  
**STEPHEN  
COAN**

**“W**E tried to resist evictions but the laws were against us,” recalls Jotham Myaka.

“In 1969, 1974 and 1975 people were dumped in various places around the province. I was born on one of the farms in this area and I know what it’s like for a family to be chased from farm to farm.”

In Mudén, eventually all roads lead to Jotham Myaka, chairman of the Mudén Land Committee and the driving force behind the Mudén Community Centre.

When Mudén was selected as part of the Land Reform Pilot Project, it was ready and prepared thanks to the efforts of Myaka and his colleagues. Run from March 1995 to March 1997, the declared purpose of the Land Reform Pilot Project was “to develop efficient, equitable and sustainable mechanisms of land distribution in rural areas, as a kick-start to a wider ranging national land reform programme”.

A number of farms have been purchased in the Mudén district through the Provision of Certain Lands for Settlement Act of 1993 which provides financial assistance to people acquiring land for settlement on a willing seller, willing buyer basis.

The transfer of land under this scheme began with the farm of Rocky Drift in July 1996. On a day of celebration, Land Affairs Minis-

ter Derek Hanekom donned traditional garb and danced. Since then eight other farms have been bought — an area of over 7 000 hectares.

According to land affairs planner Peter Sasworth, the pilot project has had two main spin-offs. “It’s been successful in developing systems and procedures.” A case of learning as you go and feeling the way forward. “And secondly, the Mudén area has stabilised substantially. People are talking to each other. Now the farms are being settled; there hasn’t been too much conflict, and people have been able to get their fears into perspective.

“Now people are getting on with life. Mudén is looking ahead to the future, and they are able to do strategic planning.”

“Political expectations were so high, emotions were so high,” recalls farmer Janet Channing. “But it all ran so much more smoothly. If we look back and evaluate the project and look at where we were and where we’ve come from, then there’s been significant progress.”

But the potential for conflict still exists. A minority of farmers have not gone along with the process and court actions are pending. There are still evictions occurring in the area, according to an elder. “People get arrested when they go into town. Our cattle and goats get impounded. It costs R20 to get a goat back, R50 for a cow. Schoolchildren get arrested for walking across land.”

Such harassment aside, the elder saw lack of water and roads as the major problem in the area. Otherwise he was content. “There is no problem surviving, we have goats

Annexure 13. *The Natal Witness*.

19 May 1998. “Taking land reform to a village.”



Photo: Stephen Coan

The hub of social life in Mudén.

and cattle, our children are working in Johannesburg. We are planting maize and sweet potatoes.”

**“S**ome men came and said they would build us toilets. That was six months ago,” one Mudén resident said.

But whose job is it to put a toilet on site? The ball gets bounced between the departments of housing, agriculture, water affairs and land affairs: “We are not into implementation” seems to be the constant refrain. A meeting is to be held this month to try to resolve the issue.

“We’ve done the land transfer,” says Myaka. “But the post-transfer period is very critical. There is frustration over delays. People refuse to go to allocated sites; they say ‘I’m going to build near the river or I’ll never get water’.

“Disappointment comes when they don’t have basic services. But morale is up, at least we are not

landless,” he says. But isn’t there a danger of moving people from a state of landless poverty to one of landed poverty?

“We want to avoid creating rural slums,” says Myaka, who envisages the expansion of Mudén — currently a village built around a cul-de-sac — into a small town to cater for the inevitable rise in population.

**‘At present the main income in the area is from old-age pensions. One pension will be used to support whole families. Which is why, when pensions fall, as in the Eastern Cape, it is a social tragedy.’**

Such an idea raises another issue: rural people aren’t necessarily farmers. Even if they were, only 20% of the land is suitable for arable farming.

Most men of working age go to find work in the cities — in Durban and Johannesburg. Income is derived from the remittances they send home. But retrenchments up in Gauteng find many of them returning, adding extra pressure to the local labour market.

At present the main income in the area is from old-age pensions. One pension will be used to support whole families. Which is why, when pensions fail, as in the Eastern Cape, it is

a social tragedy.

Eco-tourism is seen as one solution to economic development. Certainly, game farming is an option, though it requires a massive education campaign. “How do you get across the idea that impala, for example, are more important than cattle?” queries Myaka.

Much is also made of “traditional culture” as a tourist attraction. Drive around and pretty soon you will see unmarried women naked from the waist up and young boys in traditional loin covers, while many of the married women wear eye-catching petticoat-boosted purple skirts, and inverted conical hats.

But how long does traditional culture last in the face of economic development? Aspirations and values change. Old people want land, young people want work and money. Already the old ways are demonstrably changing. While many of the older folk sport extended earlobes, they no longer contain colourful discs. “The young people laughed at me for wearing them,” an old man said. “They said it was old-fashioned. It was embarrassing. I threw them away.”

As the old order changes and cash-strapped local and regional authorities fumble their way forward, more and more responsibility for development is thrown on to the community. In Mudén an organisation has been set up to steer a way into the future, it’s called Zimbaleleni — “We do it ourselves”. They’re used to that.

MARCH 8, 1998

SUNDAY TRIBUNE

17



Resettling rural people is only the first step towards equity and reconciliation. Security of tenure has to work for them in a sustainable way which does not turn them from the landless poor to the landed poor. Environment Reporter **JILL GOWANS** reports.

**A** colourful hand-drawn wall chart in the Muden community centre shows a rural bus with tourists on board, a Chinese man with a long, black moustache and a Dutch girl with pig-tails.

It is being used to illustrate one of the ways forward for about 5000 people who have been settled on 7000ha of formerly white-owned farm lands which are generally dry, mountainous and not widely suited to agriculture.

They are, though, suited to ecotourism and other small business opportunities and this is what the community has come to hear.

Northwest of Greytown, the Mooi River flows through the beautiful valley in which the Muden sub-district is located. It is rich in history.

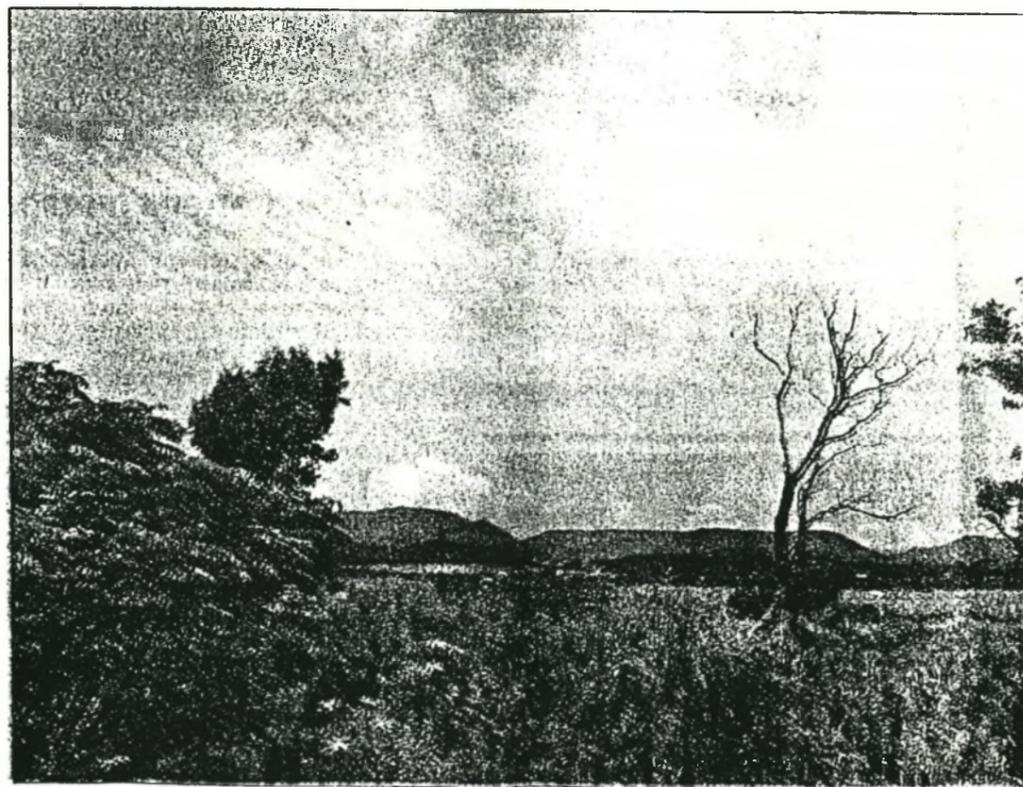
### Stone Age

The earliest inhabitants were Stone Age people, then the San. Warlike Bantu tribes came from the north in the 14th Century, and in the 19th Century Boer and Brit also took an interest and settled there.

During the latter half of this century, when apartheid's laws were viciously enforced, black people could live on white land only if they were farm workers or registered squatters, trapped in a cycle of poverty.

In 1994 the area was racked with violence, land invasions, cattle impoundment and shootings. Land Affairs Minister Derek Hanekom came down and listened to the community's problems.

These influenced the government's choice of Muden as a pilot area for the Land Reform Programme, which aims to ensure restitution, redistribution and security of land tenure. Fine-sounding pillars on



which to build reconciliation and stability, but the reality is that although the programme provides security of tenure it is not a development project.

In other words, placing people on farms does not make them farmers and there is the

danger that the landless poor will become the landed poor, trying to eke out an existence on eroded, degraded land upon which too many people and too much stock are living.

Especially somewhere like Muden, which has a number of

other stumbling blocks. These include shallow soils susceptible to erosion and past mismanagement, such as overstocking, reduction of plant diversity and an extreme climate.

Added to these are low levels of literacy, a high population

# A vision for Muden



**STUDENT INPUT:** Natal University masters students presenting their research to the Muden community. They are (from left) Babalwa Manyakanyaka from South Africa, Seboka Thamae (Lesotho), Michael Mukolwe (Kenya) and Melanie Wilkinson (KZN).



**VALLEY VIEW:** The valley of the Mooi River at Muden (left). Muden women are well known for their traditional clothing, which has great tourist potential.

Pictures: GRANT ERSKINE

growth, migration to urban centres by men - thus placing extra pressure on women, who traditionally lack authority - and conflict between many factions, including white farmers.

And lack of development. Which is where a group of 29

master's students from all over southern Africa come in. They are from Natal University's School of Environment and Development and have come up with a comprehensive report on the status quo at Muden and an overall plan for the area: a

vision for Muden.

This includes sustainable farming, small business and ecotourism. These are not academic and ivory tower suggestions, but contain practical, grassroots ways to implement them, including sourcing finance, improving health, education and building leadership on the ground.

With the aid of colourful charts the students presented these to the community last week.

"The issues around farming are very complex," said Rob Fincham, director of the school. "The amount of stock on farms, the offtake of timber, the use of indigenous vegetation for mulch are contentious issues. If we don't look at the impact on the environment, there will be no sustainability.

"I see us able to act as a catalyst and bring in ideas from a neutral perspective. It's the follow-through for land reform: looking at management and development.

"People have a chance for a new way of life and the challenge was to develop an approach to highlight what is

required. And in an area with severe environmental limitations."

Jotham Mnyaka is chairman of the Muden Land Committee formed in 1993. He said: "I hope this is laying a good foundation. To achieve political stability we have to deliver equity through land. But reconciliation can't be preached in a vacuum. We need partnerships and development in order for it to be real and practical."

### Righting wrongs

As the the students' report on quality of life in the Muden valley concludes: "Although the restoration of land to the beneficiaries of the Muden Land Reform Project has gone some way towards righting the wrongs of the apartheid era, there is still a long way to go before equality of life is achieved by the underprivileged people of South Africa in general, and the new land-owners of the Muden valley in particular.

"Further steps will need to be taken to ensure that their dream does not turn into a nightmare."

## FEATURES

Annexure 17. *The Natal Witness*. 9 November 1994. "Reforming SA 'will work'."

# Reforming SA 'will work'

Land Affairs Minister Derek Hanekom was given the enormous task of righting the wrongs of 80 years of discriminatory land practices. Political Editor WYNDHAM HARTLEY spoke to him yesterday morning before the fruits of his labours, The Restitution of Land Rights Bill, was debated in Parliament.

**I** DID sleep last night (Monday) but there was a little knot in the pit of my stomach," Hanekom said about the prospect of the legislation going before the National Assembly.

The Restitution of Land Rights Bill is the first major reform bill of the new government to go this far. With its promise of restoring land to victims of colonial land grabs and apartheid forced removals, it is one of the pillars of ANC policy and, indeed, undertakings made to the electorate on the run-in to April's election. "I certainly had a sense that this was a big day," he said, adding he has a little tension at the start of each day since becoming Minister of Land Affairs (which, with the Housing portfolio, is attracting the most attention and pressure).

The bill provides for three years in which claims for the restitution of rights in land once enjoyed can be made, and five years for all the claims to be resolved. Hanekom says the three year period is sufficient for the claims, which involves many hundreds of communities and thousands of people. He applauded the work done over many years by non-governmental organisations such as Afra, which through the apartheid years resisted the government and documented forced removals.

"The real work has already begun," he said, and added that the now defunct Commission on Land Allocation had received mountains of evi-

dence from communities which made claims. "The five years for resolving the claims is also realistic," he said.

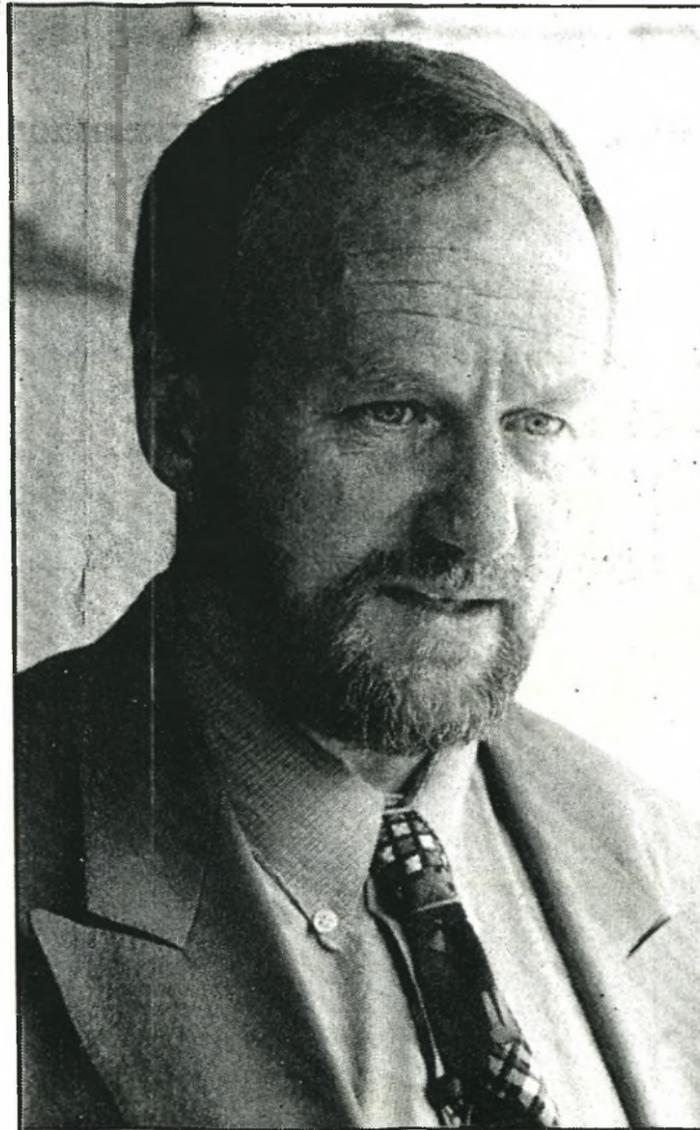
He stressed the importance of the new Land Claims Commission — the quality of the commissioners and of the judges who will sit on the land claims court is absolutely vital to the success of the land reform programme.

Asked about his own feelings he said: "I have the belief that it will work. Quite honestly I have gone through this programme with many people and I have yet to meet someone who will say there is a major discrepancy. No-one has said 'you are on the wrong route'."

"The nationalisation route is no longer part of the debate and then there are those who are ideologically opposed to any land reform at all, but of all the academics consulted none has expressed any doubt that land reform was vitally necessary."

The restitution bill has already come under fire from the white right and the organised agricultural sector. Hanekom said while he understands the need for the requirements of an essentially conservative constituency to be met, the restitution bill represents an opportunity for organised agriculture.

"This was a golden opportunity for them to say 'we are solidly behind the process of bringing justice to the people' and to say something positive about it. Why did they not rather say to the nation 'see how positive we are about



Land Affairs Minister Derek Hanekom

change in South Africa'?"

They were, he suggests, defending their constituency in the same old way when it could have been better done by saying: "We, as representatives of organised agriculture, are positive about change in South Africa". This, he says, is the message he is taking directly to the farmers in the countless meetings he addresses.

"Organised agriculture needs to understand land reform is not a government-led

He said there are people who were never all that supportive of the old apartheid policies. Some are quite enthusiastic about change and are ready to be part of it. There is a positive progression from people who were anti-ANC and sceptical about land reform, and who have over the past few months seen the sense of it and come to support it. "One thing I learnt coming into this job is that the generalisations made about the civil service are unfair. Many are extremely dedicated and hard-working. They are talented in their own right."

He explained that to meet the needs of land reform, new staff members are to be brought in with complimentary skills such as language and mediation skills — "In the context of working with rural people who don't speak English language proficiency is an important skill."

"The essence of the land reform programme, as an integral part of the Reconstruction and Development Programme is to force people and communities to apply their minds to their own problems and to get away from government packages being dumped on them."

"This will force them to recognise resource constraints because they are no longer expecting government to deliver. Government will support you, but not if you are sitting there planless. One of the most exciting realisations of the last few months is that there is a huge resource base and potential among those who have never really been encouraged to think and plan for themselves. I see it in my work every day."

"You want us to give you land. You must tell us what land and what for. This is the implication of a people-driven process, and if you don't get it together don't blame government, blame yourselves. If you do the proper planning and government fails to support you then it should be blamed."

"I came into the department

knowing that land reform has failed more often than it has succeeded. We are determined to make it succeed, and therefore approach it cautiously, but that does not mean not vigorously."

"It is not going to be easy to deliver. It sounds good. Neatly packaged. But within that, it is going to require massive effort and institutional change. In a sense I am not walking into this in a starry-eyed fashion. But it is going to bring results on an ongoing basis. The programme is not like some others in Africa where resettlement was practised."

"It is not a once off. It is changing the environment and opening up opportunities which will have a significant effect over a number of years," Hanekom said.

He admits freely that a minister in his position has to be prepared to float controversial ideas and to be bold. One of these is the idea of a land tax to be levied on rural and agricultural land as a means of financing rural development. "No, I am not 100% convinced that the land tax is right because I do believe that there are counter arguments."

"I am presenting what I consider good arguments in favour of a land tax, but I am not suggesting that there are no arguments against it. There has to be careful evaluation of the possible effects of the land tax. Let's get the restitution bill behind us and I will be entering into more serious discussions with the Minister of Finance about the land tax and about a committee to investigate it — I won't do it on my own."

"A land tax should never be a disincentive to the scale of operations of a farm," Hanekom said, adding that with current rates of unemployment in the country reducing jobs is unthinkable.

He concluded that in developing a land reform programme "we are trying to present good economic arguments and equity persuasions".



'Community members hold the key to land reform.'

## COMMUNITIES

### hold the key to land reform

The Land Reform Programme cannot work without the active participation and constant criticism of members of the community involved. This realisation dawned on the Pilot Office dealing with land reform in the Muden area of Kwazulu-Natal, writes Lisa Delgrande who takes a critical look at the process both before and after transfer has taken place.

In Kwazulu-Natal the first land transfer under the Land Reform Pilot Programme went through in July 1996. It took the Pilot Office about eight months of real piloting to do this, but the beneficiary community has been struggling for much longer.

The farm Rocky Drift, close to 5 000 hectares, was transferred to a trust on behalf of 232 households in the Muden area of the Pilot. At the celebration on 27 July (that Rajesh Jock wrote about in the August issue of *Journal*) not even the Minister of Land Affairs could contain his emotion as he joined in the traditional dancing.

Underlying each speech though, were indications of far more serious work to come. In reality we had reached base camp. The question the Department of Land Affairs now faces is whether this joint effort, by the department and the beneficiaries, was a solid enough foundation to leave the beneficiaries to find the way to the peak themselves.

It should be pointed out that not even the DLA is in a position to provide the beneficiaries with a map. They are pioneers in uncertain terrain, in terms of new governance, and with almighty pressure on them to succeed.

For those people benefitting from the Land Reform Programme in the Muden area, they have a special advantage in that they have incredible local organisation and skilled leadership, in the form of the Muden Land Committee.

This committee was set up long before the Pilot was developed by the Department of Land Affairs as an RDP concept. In some cases intense land struggles and evictions date back to the 1940's. The new dispensation led to a renewed strength in the organisation, perhaps because finally there appeared to be a light at the end of the tunnel. By the time the Pilot entered the Muden area, the committee, through consultation with the affected people and the local chiefs, had compiled lists of the proposed beneficiaries and lists, in order of priority, of the farms they wished to return to.

In good government style, the Pilot landed on top of all these initiatives. While this community was ready to run with the Land Reform Programme, we happily dished out criteria for the selection of beneficiaries, the concept of the willing buyer-willing seller, lengthy and very uncertain application procedures, and so on. We were not ready to listen because we were not ready to commit ourselves to a procedure that did not yet exist. We were learning fast how to become good government employees.

In December 1995, the Muden Land Committee, literally took the bull by the horns and started a

preliminary planning process with outside assistance and outside funding, for the beneficiaries of the earlier-mentioned farm Rocky Drift. By January 1996 they had compiled an application to the Land Reform Steering Committee. Again, as government, we fumbled and approval for the application was only granted in February 1996. By July 1996 the land had been transferred through Act 126 procedures. The Muden Land Committee had pioneered the way for the rest of the district.

The Pilot Office certainly played a role in pushing this transfer through, but only after the Muden Land Committee had presented a very tangible challenge in the form of the Rocky Drift project.

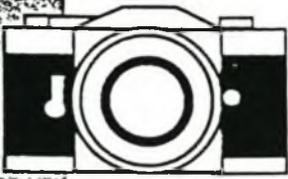
Transfers in the Pilot are now coming though fast and furiously. At the same time each project brings with it new lessons in establishing procedures and approaches to very difficult issues. While the transfer of Rocky Drift was regarded as a noteworthy feat to many and was even considered as being done remarkably fast, a vast amount of preliminary planning work went into the project. The most difficult was that of building a vision for the future around land use, settlement, agriculture and infrastructure. All these are issues that the new land-owners will need to revisit again and again. I repeat, the transfer of land was and is the easy part of the land reform process.

There is a proverb which says that "there is a tiger on every mountain". We have not met our tiger yet.

Once again, the Muden Land Committee and the new land-owners find themselves pioneering new terrain, this time with even less assistance from the Department of Land Affairs. The responsibility now seems to rest squarely on the local communities' shoulders. On Rocky Drift, prior to transfer and as part of their application to government, the group agreed that no person would settle until they had made an equity contribution of R1000 per household. The settlement and planning phase is now here and these agreements are being called in. As far as the Muden Land Committee is concerned a principle was set and will be adhered to. The new land owners must be made responsible for their asset and they will be allocated a site when they pay their equity contribution and not before.

As government though, we seem to be fumbling again. While the DLA, with land as its national competence, and the provincial Department of Local Government and Housing, with Planning as its provincial competency, debate their various responsibilities and try to draw the lines, the Rocky Drift project stays afloat by virtue of the work of the local organisation in the area. ♦

# SOC diary



# extraordinary celebration

The Mudén community lays the 'ghost of landlessness' to rest, as the first land transfer in the history of Kwazulu-Natal takes place



Local Induna welcome the minister in song and dance

The Minister for Agriculture and Land Affairs recently received a patch of land in Kwazulu-Natal where he can try his hand at farming once again - having had his once prosperous agricultural pursuits rudely interrupted by politics

The Mudén community in Kwazulu-Natal has made the Minister for Agriculture and Land Affairs, Mr Derek Hanekom, an honorar chief. He was also given a patch of land on the Rocky Drift farm in Mudén to develop agriculturally. These presentations were made to the minister on Saturday 27 July at a community meeting to which he was invited to celebrate the first land transfer in the province.

Having accepted his blanket, shield and spear from Chief Mchunu, the minister joined traditional warriors in a dance of celebration. He later promised the new land owners that he will visit them again - but this time to plough his land.

The 232 families settling on Rocky Drift had all been the victims of eviction from farms - some as long ago as the 1960s. They were in a festive mood after having waited many long years to return to land. Filled with a vision of a better future and the pride of having their dignity restored, local Nkosi, councillors and provincial government officials praised the minister and the Department of Land Affairs for the quick and responsible way they resolved the problem of landlessness that the community faced. The gathering of approximately 300 people was attended by the local community, white farmers from Weenen and Mudén, officials from the Kwazulu-Natal Department of Economic Affairs and Tourism and DLA provincial officers.

The celebration was preceded by the signing of the deed on Tuesday 23 July 1996, transferring ownership of the farm Rocky Drift to the Rocky Drift Trust. The



Members of the community listen to speeches

The local school choir performs songs of praise



Meet the honorary chief of the Muden community. Chief Hanekom! Councillor Jotham Nyaka helps the minister don his blanket and carry his shield



In his speech, Mr Derek Hanekom paid tribute to the community's patience on the eve of moving onto their own land. The community has experienced decades of landlessness

trust represents the people who are now effectively the co-owners of the farm Rocky Drift. The minister welcomed the new owners into the 'community of South African land owners', saying: " You have waited a long time to be given this status which so many people take for granted."

The minister urged the community to fulfil its promise to the state to prove that government's land reform programme is sustainable in the long run. He commended the community for their "remarkable patience and efficient organisation in trying to build what has been broken for years". On the eve of finally moving onto their own land, the minister appealed for "just a little more patience" to give the surveyors and planners an opportunity to finalise details.

In his address Councillor Jotham Myaka said that the new co-owners had already vowed to prove to sceptics that they will make a livelihood of farming, not only to provide food, but also as a means of raising their children. "The community vows to make the best use of this agricultural resource, to sustain ourselves and our families well into the future. But we still need you, Mister Minister - to train us in modern farm management, economics and care of the environment".



Minister Hanekom (left) and Mr Richard Clacey (right) talk to white farmers who also attend the celebration



Mrs Janette Channing welcomes her new neighbours on behalf of all the farmers in the area

Women make up a large number of the beneficiaries that will settle on Rocky Drift



Annexure 18. *The Natal Witness*. 28 September 1994. "Talks head off occupation".

# Talks head off occupation

by IMRAN AMLA

A MASS occupation of land in the Weenen area has been suspended following a visit yesterday by Land Affairs Minister Derek Hanekom.

Hanekom gave the displaced families as well as white farmers an undertaking he will explore all avenues for a meaningful solution.

His pledge defused a tense situation, and averted possible bloodshed if re-occupation went ahead.

His commitment resulted in the formation of a joint committee comprising farmers and representatives of the displaced community who will work towards a settlement. The committee is likely to meet in a week.

About 2 000 families had planned to re-occupy their ancestral land on October 1 if the meeting with the minister proved fruitless.

The families, who worked on Weenen farms, were evicted by the owners and some of them have been living in tents for about seven years.

Their decision to forcefully re-occupy the land was prompted by the continuing evictions, as well as the increasing spread of the Thukela Biosphere. The biosphere is a conserva-

tion plan to uplift both the rural community and the environment.

However, the community has slammed the biosphere as a "tool to evict people".

At yesterday's meeting with the minister, the displaced people told him about the suffering and exploitation they have endured since their eviction.

Albert Mkhize said that since his family's eviction eight years ago, they have been living in a tent.

"Evictions are still going on and are being speeded up. The little stock that people have is being impounded. Houses are being razed and the families are given no compensation," community representative Stanley Dladla told the minister.

Dladla said the numerous meetings with previous government authorities achieved nothing, and people are growing impatient.

Before Hanekom addressed the displaced families, they showed him how determined they were to go

ahead with the occupation: "On October 1 people are going back to the land of their ancestors, come rain or shine or the shedding of blood."

However, the minister's commitment to address the problem averted the action. "I am prepared to sit in one of your tents for two to three days to find a solution," he said.

Before leaving Weenen, Hanekom visited the "tent town" to see for himself the conditions under which people are living. Hanekom said the land issue is a sensitive one and the displaced community has a right to be frustrated and angry. He said a meaningful settlement will only come after all alternatives are considered.

In a separate meeting with farmers and members of the biosphere committee, Hanekom called on them to stop evictions, and thus create a climate conducive to negotiations.

Martin Winter, representing the landowners' committee, said allowing evicted workers to return to the farms will not solve the problem. He said there is an abundance of land between Colenso and Muden on which displaced families could settle.

se them be melted down.

## Talks and cool heads avert land 'invasion'

THE planned "invasion" of farms in the Colenso, Weenen and Muden areas scheduled to take place on Saturday will not go ahead.

Relations between farmers and farm tenants are strained and tenants, facing what they claim are continuous threats of eviction and cattle impounding, threatened to invade the farms if nothing was done to redress their problems.

Yesterday, National Land Minister Derek Hanekom met both communities and farmers from the affected areas, while a joint committee of farmer and community representatives will be established in an effort to find an amicable solution to the continuing problems of evictions and impounding of cattle.

Mr Hanekom appealed to farmers to stop evictions and impounding of cattle until the joint committee had met.

He said if the need arose, he would meet provincial and na-

By Heidi Gibson  
Pietermaritzburg Bureau

tional ministers of safety and security to seek a solution.

"The committee will explore all other avenues in an attempt to deal with the problem. If needs be, they will meet with the town board, farmers and the state to try and see how many people want to go back, what land is available and what can be done to settle the matter in the best possible way."

The land under threat of "invasion" forms part of the Thukela Biosphere reserve and which communities see as a "white man's trick which gives land to animals and not to people".

"If we do not do something concrete now ... the people will lose faith and will take the way forward into their own hands," Mr Hanekom told farmers.

Annexure 19. *The Natal Mercury*.

28 September 1994.

"Talks and cool heads avert  
'land invasion'".

Annexure 20. *The Natal Witness*. 28 October 1994. "If you love the ground you must treat it right."

# 'If you love the ground

Former labour tenants in Weenen want access to farm land they say they have a historical claim to.

**BRENDA DE LANGE** spoke to farmers about what they think.



ABOVE: Residents of Weenen at the first round of negotiations held between former labour tenants, farmers and Land Affairs Minister Derek Hanekom (BELOW) to defuse tension over a proposed mass occupation of farm land on October 1. A second meeting was also held in Weenen and a third was held in Colenso yesterday. — Pictures by NASH NARRANDES

**“I** WILL answer to God for my actions on Earth, for the way I farm the land, for the way I treat my workers,” says Gert van der Westhuizen, reminiscing on the days when he started farming in the valley of Weenen 40 years ago. “I have come to love the ground, and if you love the ground, then you must treat it right.”

In the early days, “I would buy a plot with a bank loan, pay it off; buy another plot, pay off another loan and so it went on ... I’ve built a lifetime here,” he says.

On another farm, Stoffel van Zuydam retrieves records from the First National Bank Museum showing transactions dated 1912, the year his grandfather arrived in Weenen to farm.

These two men have lived through difficult times, surviving through hail and drought. Like most Weenen farmers they also experience ongoing stock theft and poaching of grazing — symptoms of the conflict with local black stockowners who claim land they say belonged to their forebears.

“For 15 years these people have aggravated me: they cut my fences at night, allowing their cattle to roam my lands. What about conservation laws that I have to follow?” says Van der Westhuizen.

“The environment was extremely damaged when we got here. There was no grass for any animal on my ground against the mountain. For five years, I have camped it in, just so that I can get it back as the Lord gave it to us.”

Weenen farmers fear what might happen if labour tenants and black stockowners succeed in their land claims. “I would welcome it if I was a neighbour to a black farmer,” says Van Zuydam. “But if a whole bunch of blacks are put on the land, then who do I go to if I have a problem with them? I don’t know who is going to be the boss.”

The farmers point to Tugela Estates, prime agricultural land ceded to KwaZulu for agricultural development. “Food can be produced there that can feed many, many



people, but in 30 years nothing has yet been produced,” says Van der Westhuizen.

“If they want more ground and it ends up like that, the whole of Natal’s gonna be a bloody desert,” says another farmer who did not want to be named.

Weenen’s farmers are reluctant to open up about their situation, complaining their side of the land story is seldom, if ever, accurately captured by the press.

Van der Westhuizen, for his part, speaks freely, and positively. “The truth ... has to surface, because if we live as some people write in the papers, that’s not living; it’s not a life. I am not going to say that we are all innocent. Every farmer acts in his own manner or style, according to what goes wrong on his farm. Just as Lee

cept a man onto my farm with a verbal agreement to do me a service, so when he ceases to do me a service, that day he must leave the farm. That is how it has always been.

“In these 40 years, I have provided food, financial support and housing for many people. It goes well between me and my people. If we have good years, they will also reap the benefits. If I swindle them, I am going against the scriptures, against the Bible,” says Van der Westhuizen.

Weenen farmers are concerned about the threatened mass re-occupation of several farms by former labour tenants. Some are insecure. “There is uncertainty about everything,” says Piet Coetzee, “and we don’t know if we’ll survive. So we must defend what we’ve got. These do-gooders must stay out of our lives and then we’ll all be happy.”

Others just continue their daily round, the threats just another passing event in Weenen’s history. “The potatoes are fetching a good price!” says Van Zuydam happily.

And a few, like Gert van der Westhuizen, who places his faith in God, are optimistic. “There are people here who were very negative before the new government came in, yet nothing has changed. To solve the problem there should be more land made available for these people, but to simply move onto farmers’ land as if it were your property ... then there will be big problems.

“Before you fight, you must have reason to fight. If your reasons for fighting are grounded on the truth and there are no other alternatives, then it is unavoidable.”

*Brenda de Lange is a trainee journalist for the Knoll Writers’ Forum, which is being established to provide assistance to senior writers in the midlands.*

Annexure 21. *The Natal Witness*. 31 July 1997. 4

echo**NEWS**

## Developing his community

This week *Echo* profiles Jotham Mnyaka, the man behind the Muden land pilot project. He spoke to WONDER HLONGWA.

WHEN Jotham Mnyaka and other children were refused to go to school because the owner of the farm, that he and his family lived on, wanted them to work on the farm instead, nobody in the Muden community knew that one day he would be the champion of their cause.

Mnyaka was born and bred in Muden and had to struggle very hard to get an education.

He says sometimes he had to sleep in the bush because the owner of the farm used to come every morning to make sure that the children were not going to school but to work.

In spite of this, he managed to finish his primary education at Muden Primary School 12 kilometres from his home.

Because his family was poor he could not finish his matric but when he got himself a job he did his matric through correspondence.

After he passed his matric in 1979, he wanted to go to the University of Natal to do a degree or diploma in agriculture, but the university could not admit him because he was black and he was told to go to Fort Hare which he could not afford.

Instead he went to the University of Zululand which did not offer agriculture, so he ended up doing a teaching diploma, with the help of a South African Institute of Race Relations bursary.

As a student teacher he enjoyed good relationship with his pupils,

seniors and even parents and the university management was impressed with Mnyaka's performance.

In 1986 he was offered a position as a researcher in rural community development and from there he never looked back. In 1988 he got a scholarship from the British Council to study Rural Social Development at Reading University in England.

When he returned in 1989 he was so inspired about developing his community that he decided to resign from his post at University of Zululand to work with the Muden community.

He applied to various non-governmental organisations for funding until the Diaconia of Sweden, which is still the main source for their funding, came to

their rescue.

His priority was for his people to acquire land and then develop it for their benefit. "Land acquisition tops all development projects. Because you can't develop people when they are stranded."

He will not forget the day he met Land Affairs and Agriculture minister Derek Hanekom, when he conveyed the Muden people's message to the minister. "Minister Hanekom if the land issue is not resolved in Muden, war will erupt. For reconciliation's sake, can you give it your attention."

The community of Muden has now acquired eight farms in the area.



Jotham Mnyaka

Annexure 22. *The Natal Witness*. 24 July 1997.

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## Muden community buy farms

The Mudén community has acquired eight farms. WONDER HLONGWA spoke to the chairperson of the Mudén Land Committee, Jotham Mnyaka.

BORN 39 years ago at Mudén, Jotham Mnyaka had a dream to see his people reoccupying their land as owners, not labour tenants or farm labourers. Now he is happy that they have bought eight farms from white farmers and have land.

"You can't talk about development without land issues coming in. What can you develop when you have no land?" asked Mnyaka, who is the chairperson of the Mudén Land Committee.

Through Mnyaka's efforts, Mudén was accorded by the Department of Land Affairs and Agriculture a Land Pilot Project. It is intended as a national testing ground for good governance and practice and through the scheme, the community bought eight farms on a willing seller, willing buyer basis.

"I feel bitter when white farmers think we are interfering by buying farms, because we were born here in Africa like anybody else and we need to have land from which we can make

a living," says Mnyaka.

So it's not that the land belongs to them, but that they belong to the land. but what has been done about the recently acquired farms?

Mnyaka admits that not much has been done yet, although they have plans in the pipeline. He attributes this to the government's failure to provide training on farm management.

He is also concerned that this is going to result in people saying "look they were given these farms, but they are failing to manage them" ... "We must not assume that because people acquired land that they are automatically farmers," he said.

The community is looking at other micro-economic projects, because "some of the farms we acquired are not highly productive — we are really turning deserts into liveable places," says Mnyaka.



Jotham Mnyaka.