

Rural Resettlement Scheme Evaluation: A Case Study of the Mfengu in Tsitsikamma

Thesis

Submitted in partial fulfilment of the requirements
for the Degree of

Master of Arts

(Rural Development)

Rhodes University

Department of Sociology and Industrial Sociology
Grahamstown

By

Churchill M. Fakudze

December 2000

Abstract

In 1997 South Africa came out with a policy aimed at addressing the legacy of apartheid in respect of an unequal division of land in the country. About 3.5 million people were moved from rural and urban areas between 1960 and 1980 and deposited in the reserves or areas designed for the exclusive occupation of black people. The new land policy attempts to deal with the resultant problems. The policy advocates a three-pronged approach to land reform encompassing (i) land restitution, (ii) land redistribution and (iii) land tenure reform.

A number of projects have been carried out under these three aspects. This study aims to investigate and evaluate the results of a completed land restitution case. The Mfengu of Tsitsikamma was chosen as a case study because the people have moved back and are now living on their land. The Mfengu were dispossessed of their land in 1977 by the apartheid government and their land was returned in 1994. Although this case was processed outside of the land restitution legislation (Restitution of Land Rights Act, 22 of 1994), all restitution cases where people return to their original land have to deal with the problems of resettlement.

From its involvement in various involuntary resettlement projects, the World Bank concluded that the new communities of resettlers should be designed as a viable settlement system equipped with infrastructure and services and integrated in the regional socio-economic context. The host communities receiving the resettlers should be assisted to overcome possible adverse social and environmental effects from the increased population density. These concerns are valid for the South African situation, and the question is, whether this resettlement encapsulates the above.

The goals of the research are twofold. To evaluate the efficiency and effectiveness of the resettlement project and its sustainability. In particular focussing on the constraints to the implementation of the land policy. Research questions include the following: How was the project carried out? Is the resettlement integrated into the socio-economic and development planning of the area? How viable and sustainable is the new settlement? What are the major problems and challenges facing this area and how can they be overcome?

DEDICATION

Dedicated to my former Physical Planning Team and Associates:

Bosco/Dumsile Khoza, Lungile/Njabulo Dlamini, Samuel/Lungile Seyama, Simo/Ncamsile Dlamini[?], Mathokoza/Bridget Shongwe, Busa Ginindza, Thulasizwe Dlamini, Virginia Dube, Bafana Mchobokazi and Musa Masuku.

It was an honour working with you guys!

ACKNOWLEDGEMENT

I would like to thank my supervisor Monty Roodt for his guidance and advise during the course of this project. Rosalie Kingswill for her guidance and advise with the research proposal. The people of Tsitsikamma who participated in the survey, the officials and individuals who gave time for my interviews and the Tsitsikamma Development Trust (Mfengu) for their support, especially Sindile Skhosana, Nombeko Gamede and Z. Xayimbi from the Trust office, W. Khoza Trust Chairman and C. Mzili Trust member. Special thanks to John Hops, independent Trust member for availing the Trust records, reviewing the report and his willingness to assist. And the Rhodes Library staff for their help.

Very Special thanks to Babalwa Sishuta for being a friend and her unwavering support and assistance both academic and otherwise. My family in Swaziland especially mom and my younger brother Terrence, my best friend Kenneth Makhanye, Lomvula Hlophe and Nkhululeko Gwebu, thank you for your efforts to making my life comfortable at Rhodes. And last but not least, very special thanks to Rute Rangeiro for the ‘cocoon thing’ and the ‘unfinished story’....I guess its true ‘Life is a journey not a destination’!

Above all I want to thank my Heavenly Father for making everything possible and being my shepherd and protector while in Grahamstown.

TABLE OF CONTENT

Abstract	i
Dedication	ii
Acknowledgement	iii
Acronyms	v
List of Figures	vi
List of Tables	vi
 Introduction	 1
 Chapter 1 Land History and The Forced Removal of the Mfengu	 4
Chapter 2 Post Apartheid Land Policy	15
Chapter 3 Rural Development and Physical Planning	22
Chapter 4 Resettlement and Rural Development	29
Chapter 5 The Study Area	49
Chapter 6 Evaluation and Methodology	57
Chapter 7 The Mfengu Return to Tsitsikamma	67
Chapter 8 Conclusion	99
Appendix	106
List of Interviewed Persons	110
Bibliography	111

ACRONYMS

AMC	Area Management Committee
CCPT	Clarkson Communal Property Trust
CPA	Communal Property Association
DFA	Development Facilitation Act, 1995
IDP	Integrated Development Plan
IDT	Independent Development Trust
LDO	Land Development Objectives
LGTA	Local Government Transition Act, 1993
PPA	Physical Planning Act, 1991
SANT	South African Native Trust
TEA	Tsitsikamma Exile Association
TDT(M)	Tsitsikamma Development Trust (Mfengu)
USAID	United States Agency for International Development
WB	World Bank
WDC	Western District Council

List of Figures

Figure 1.1	Location of Tsitsikamma and Keiskammahoek	11
Figure 1.2	Historical Mfengu Land (1977)	12
Figure 4.1	The Restitution Process Flow Chart	41
Figure 5.1	Mfengu Farms – Tsitsikamma (Study Area)	52
Figure 6.1	Policy Making Cycle	59
Figure 7.1	Mfengu Farms Occupation Status	80
Figure 7.2	Proposed Area Management Committee Boundaries	80

List of Tables

Table 5.1	Mfengu Farms and Occupation Status	54
Table 6.1	Socioeconomic Factors	60
	Mfengu Sources of Income	83
	Livestock Ownership	84
Table 7.1	Community Profile	85
Table 7.2	Socioeconomic Factors Implications	96

Introduction

In 1997 South Africa came out with a policy aimed at addressing the legacy of apartheid in respect of an unequal division of land in the country. As a result of the application of various pieces of racist legislation, black South Africans were deprived of their land rights, forcefully removed from their land and dumped in homelands and reserves characterised by environmental degradation and overcrowding (owing to increased population in limited and inadequate land). About 3.5 million people were moved from rural and urban areas between 1960 and 1980 and deposited in the reserves or areas designed for the exclusive occupation of black people. The new land policy attempts to deal with these abiding problems.

The government, after the democratic elections of 1994, inherited a situation where the black majority of the country's population occupied only 13% of the land surface. The government has to ensure that blacks get access to land and that they enjoy greater security of tenure on that land. The policy advocates a three-pronged approach to land reform encompassing (i) land restitution, (ii) land redistribution and (iii) land tenure reform.

A number of projects have been carried out under these three aspects. This study aims to investigate and evaluate the results of a completed land restitution case. The Mfengu of Tsitsikamma was chosen as a case study because the people have moved back and are now living on their land. The Mfengu were dispossessed of their land in 1977 by the apartheid government and their land was returned in 1994. Although this case was processed outside of the land restitution legislation (Restitution of Land Rights Act, 22 of 1994), all restitution cases where people return to their original land have to deal with the problems of resettlement.

The goals of the research are twofold. To evaluate the efficiency and effectiveness of the resettlement project and its sustainability. In particular focussing on the constraints to the implementation of the land policy. Research questions include the following: How was the project carried out? Is the resettlement integrated into the socio-economic and development planning of the area? How viable and sustainable is the new settlement? What are the major problems and challenges facing this area and how can they be overcome?

From its involvement in various involuntary resettlement projects, the World Bank concluded that “The new communities of resettlers should be designed as a viable settlement system equipped with infrastructure and services and integrated in the regional socio-economic context. The host communities receiving the resettlers should be assisted to overcome possible adverse social and environmental effects from the increased population density” (World Bank, 1994:10-20). These concerns are valid for the South African situation, and the question is, whether this resettlement encapsulates the above.

The purpose of an evaluation study on a project still being implemented is to assess the extent to which social and /or economic objectives are being met. If these objectives are not being achieved then the task of the evaluation is to determine the causes and to suggest ways in which the objectives can be reached, or in which they should be modified. For an ex-post evaluation, the task is to determine the extent to which the original objectives of the program were met and if not, what were the likely causes. The suggestion of adjustments to future programmes is part of this process (Bowden, 1988: 57/8).

The evaluation of the Tsitsikamma resettlement scheme and the approach followed in this project is detailed in eight chapters, briefly outlined below.

Chapter 1 Land History and The Forced Removal of the Mfengu – Gives a brief history of land struggles and dispossession in South Africa. The case of the Mfengu forced removal is also discussed.

Chapter 2 Post Apartheid Land Policy – Briefly discusses the post 1994 democratic government land policy and their approach to dealing with the apartheid legacy of land problems and how the resettlement aspect is dealt with.

Chapter 3 Rural Development and Physical Planning - This chapter’s aim is to define the rural areas environment the resettlement intervention has to work in and the availability of legislation to facilitate its implementation within a co-ordinated physical planning framework in rural development in South Africa.

Chapter 4 Resettlement and Rural Development – Outlines results of resettlement projects carried out in some African countries, project related resettlements, World Bank

view of resettlements and the new wave of resettlements and issues for resettlement in South Africa.

Chapter 5 The Study Area - Defines the geographical area over which this project will concentrate, the basis for limiting the study to this geographical area and its physical features.

Chapter 6 Evaluation and Methodology – In this chapter the concept of evaluation and the methodology followed in this project is defined.

Chapter 7 The Mfengu Return to Tsitsikamma - This chapter forms the data analysis part of this project outlining the findings and answering the research questions.

And

Chapter 8 Conclusion – Gives the overall conclusions based on the findings and data analysis.

The research is based mostly on the information obtained from the interviews and questionnaires held between the month of August and September 2000, as outlined in chapter 6.

Chapter 1

Land History and The Forced Removal of the Mfengu

Arrangement of Sections:

- 1.0 Introduction
- 1.1 The African Peasantry and Dispossession
- 1.2 Betterment
- 1.3 Resettlement
- 1.3.1 The Forced Removal of the Mfengu

1.0 Introduction

To understand the necessity of resettlement in Tsitsikamma and present day South Africa, it is essential that a brief history of dispossession and struggles for land in the country are reviewed. The country's history is characterised by colonisation, Africans land dispossession and segregation under apartheid rule. During this period Africans were deprived of their land rights, forcefully removed from their land and dumped in homelands and reserves. Their areas of surplus agriculture were taken by the white government and in most cases replaced with barren land of no agricultural potential. Legislation like the Glen Grey Act, 1894, The Natives Land Act, 1913, the Native Trust and Land Act, 1936, the Black Administration Act, 1927, the Group Areas Act, 1950, the Black Resettlement Act, 1954, The Slums Act, 1934 and the Prevention of Illegal Squatting Act, 1951 were used as instruments to effect these land injustices on the African population. The first three acts formed the core of the land policy during this period.

1.1 The African Peasantry and Dispossession

Before the discovery of diamonds and gold in the 1860's the African peasantry was to a great extent successful and prosperous, especially in the Eastern Cape. The peasants had a vibrant and sustainable existence from their agricultural activities as argued by Hindson: "When supplies of African labour were generally scarce and the mines were often forced to pay high wages in order to attract sufficient labour, conditions in African agriculture were favourable and in certain areas African farmers were able to compete successfully against their white counterparts on the agricultural commodity market. For a time farming provided a lucrative alternative to wage labour in the growing capitalist sector" (in Hendricks, 1990:24-25). The development of the mining industry was accompanied by an increased demand for other supporting services and infrastructure, e.g. agriculture, transport system, etc, which required a large labour force (Hendricks, 1990:25).

In response to this increased demand of labour from the mines and industry the government enacted the Glen Grey Act in 1894. The Act, seen as a watershed in land policy in South Africa, had the sole aim of mobilising labour, protecting interest of industrial capitalists, white commercial farmers and liberal merchants. The authority of the chiefs was undermined and replaced by a system of local councils. The Act's provisions encouraged a particular brand of land holding, prevented large-scale land accumulation by Africans and siphoned-off surplus population onto mines and farms. The land holdings for the Africans were slowly and systematically reduced with the predictable consequence of their increased landlessness and dispossession. This had serious implications for communal land tenure and led to territorial and political separation of Africans and whites (Hendricks, 1990:19-39).

The natives were forced to reduce their large land holdings and were permitted to own on average only 5 morgens, not allowed to alienate land, the principle of one man one lot applied, no subdivision or subletting of land allowed and land was subject to forfeiture in case of rebellion, conviction or theft, non-beneficial occupation and non-payment of outstanding instalments. The natives were deprived of participating freely in the land market as they required the permission of the Governor-General in land dealings and the value of their land was not according to land valuation principles. The participation of the Africans in the electoral system was reduced (Rogers, 1949:136-137).

The consequential effects of this Act are well documented by authors such as Bundy, Hendricks, Simkins and Davenport, with the prominent results being the demise of the black peasantry and the proletarianization of the Africans. This legislation totally restructured the African society and redefined access to means of production and arable land. The land availed to the natives was inadequate for subsistence agriculture. This undermined the foundation of African peasant production and the reserves were transformed from self-supporting tribal and surplus producing areas to labour reservoirs.

For the mining to expand it was imperative the African peasantry and pre-colonial

existence be destroyed, hence the promulgation of the Native Land Act of 1913 to consolidate the achievements of the Glen Grey Act. This Act was aimed at eliminating alternative agricultural survival means - reserves sharecropping, squatting and independent farming - of African peasants. The Act introduced the separation of blacks and white areas, with blacks not permitted to buy or own land in white areas. The purchase of land in the black areas still had to be approved by the Governor-General. The Act described the designated (schedule) areas for natives throughout the country and had provisions for anti-squatting, eviction of sharecroppers and leases, and restricted the independent farmers converting them to labour tenants. Many black farmers became labour tenants and the evictions increased the demand for land in the Glen Grey areas. The stricter provisions of this act increased the natives impoverishment, landlessness and the need for wage labour. The black areas moved from areas of surplus agricultural production to importers of food.

The Native Trust and Land Act of No.18 of 1936, aimed to fortify the provisions of the 1913 act and reduce the ownership of land by individual natives by registering the land under the South African Native Trust. The Trust was to administer the native land and acquire more land for use by the natives. It aimed to facilitate the increase of the area under native occupation from 7% to 13%, by the Trust buying some of the released land. The Act also recognised the problems brought about by the 1913 act, and had provisions to deal with servants, labourers and squatters. Blacks were removed from the voter's role and the already adulterated land tenure system in the reserves was distorted.

The cumulative effects of this legislation was the deterioration and degradation of the reserve areas, while in other areas blacks were still settled in white areas – 'black spots'. The white government aim in the 20th century was dealing with these aspects and also to consolidate their political gains and control of the blacks. Two interventions were implemented, *betterment* to deal with the deteriorating conditions in the reserves and *resettlement* to remove the blacks from the 'black spots' to the Bantustans.

1.2 Betterment

The reserves began to show signs of environmental degradation and overcrowding, owing to increased population in limited and inadequate land. The government was concerned at the declining conditions in the reserves, the overgrazing, soil erosion and denudation of land that was undermining their economic base. A 1932 Native Economic Commission was set up, and it recommended betterment and rehabilitation. The betterment was an attempt by the government to combat soil erosion, conserve the environment, develop agriculture in the homelands and cut urbanisation. Betterment areas were to be rehabilitated, made economically viable and divided into residential areas, arable lands and grazing commonages (De Wet, 1989:326). The procedures and processes of carrying out betterment were outlined in the provisions of Proclamation 31 of 1939. The betterment schemes carried out in South Africa can be characterised into two periods, the late 1930's to late 1940's and the 1950's. The first period was solely directed at betterment while the 1950's was aimed at entrenching the segregation policies of the government to control the black population.

The government attributed the environmental degradation problems in the reserves to bad farming, irrational desire to accumulate cattle and unwillingness to accept crop rotation by the blacks. The project was implemented without sufficient consideration of existing social conditions and the causes of those conditions, as such it served to antagonise the local population. Proclamation 116 Of 1949 was enacted, making it more stringent to reduce the hindrances of betterment implementation. The chiefs were used by the state to enforce the implementation of the project and where they refused, they were replaced by state appointed chiefs.

Betterment resulted in the development of rural slums and worsened the environmental degradation it aimed to halt. There was no agricultural support for farming and arable plots were far from settlements – a problem for local population, and as such the little remaining subsistence agriculture experienced declining yields, except for the lucky few

accommodated in the irrigation schemes. This meant the population now depended more on wage employment than agriculture.

The Tomlinson Commission which was set up to investigate and plan the future of the reserves recommended the establishment of rural villages with all the necessary infrastructure, leaving only people with economic units in the rural areas to earn a living from agriculture which also had to be modernised. The rest of the population was to be supported by wages from employment in the industries – both small-scale handicrafts, as well as larger factories and industrial establishments – (Yawitch, 1981:25) to be established to support the reserves. The report had all the financial implications of the exercise. The government did not implement the recommendations of the Commission, instead with the influx control laws, more blacks were forced from urban areas to the reserves.

1.3 Resettlement

The Glen Grey Act, 1894, Natives Land Act, 1913 and The Native Trust and Land Act, 1936 constricting blacks to the reserves made it imperative for the development of new resettlement patterns to accommodate the influx and increasing population. The settlements were still based on the scattered rural villages albeit increased homestead densities. The betterment programme brought about new settlement patterns (closer settlements) and the development of rural slums. The homesteads in the reserves areas were grouped together under the guise of dealing with their deterioration, environmental degradation and the improvement of agriculture instead of political control. In the border corridor relocation and resettlement was initiated, aimed at removing the blacks from the ‘black spots’ and incorporating them into the Bantustans, as part of the Bantustan policy to create independent countries.

The *black spots* represented an embarrassment to the government that was intent on removing all black areas from white South Africa to the Bantustans. People were forced

to move from the corridor areas to the Bantustans like Ciskei, but in most cases they resisted and used courts to prevent the government's actions (Kenyon and du Toit, 1989:448-453). Overall the number of people relocated were below the government's target.

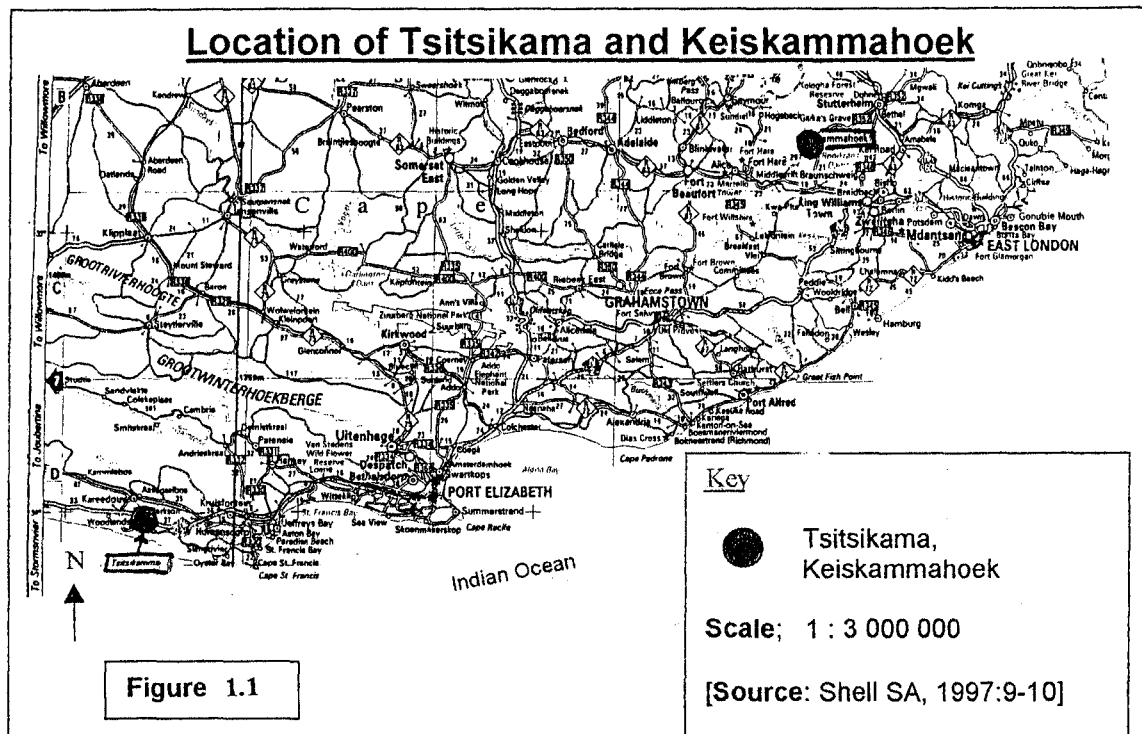
In 1988 the government aimed to accelerate the removal of the blacks by amending the Prevention of Illegal Squatting Act to give more powers to the local authorities and administrators to effect forced removals. The Act aimed to make the machinery necessary for the forced removals legal, swift and far-reaching in both urban and rural areas, while curtailing the intervention of the courts (Newton, 1989:403).

This period saw the massive forced removals of blacks and increased eviction of squatters. The removals were brutal often accompanied by assaults, arrests, detention and demolition of houses. The areas the people were moved to were inadequate for them to continue their lifestyles as before. They were forced into townships where there were no prospects for employment. Lebowa and the Mfengu of Tsistikama cases, are the typical examples of the results of these forced removals. A few were lucky to get plots in the irrigation schemes and maintain their living standards. De Wet identified four types of resettlements that resulted because of this programme namely: group areas townships - relocation townships established within homelands, closer settlements, betterment and Trust settlements.

1.3.1 The Forced Removal of the Mfengu

After the Frontier war of 1834-35, some 2000 members of the Mfengu grouping were settled west of the Fish river, in the Tsitsikamma region near Humansdorp, some 140 km from Port Elizabeth towards Cape Town, directly south of Kareedouw and about 5-8 km from the coast (See Figure 1.1). The Mfengu were resettled from Fort Peddie, by the Commissioner of the District of Uitenhage because of their inability to effectively integrate with the Xhosa who were located on their eastern side. The land ceded to the

Mfengu had been annexed by the British from the Xhosa people. In the Tsitsikamma the Mfengu were settled on land under the care of the Moravian Church. The Mission Station of Clarkson was founded on the farm Koksbosch by the Moravian missionary movement in 1839 (De Wet, 1994:365; Le Grange in SETPLAN, 1999:4).



In 1841 the representative of the Cape Government surveyed the Mission station of Clarkson – Farm 654. A title was issued whereby the land was registered by virtue of a “Grant in Freehold” by means of which it was given to the Superintendent of the Moravian Mission and his successors for all time. The title deed was granted on behalf of and in trust of the Mfengu, resident at the institution. This development tied the relationship between the Mfengu and the Moravian Church Clarkson Mission. The overall site of Clarkson is made up of farm 654 and farm Charlottenburg No. 375, together covering an area of 1361.8 hectares.

Historical Mfengu Land (1977)

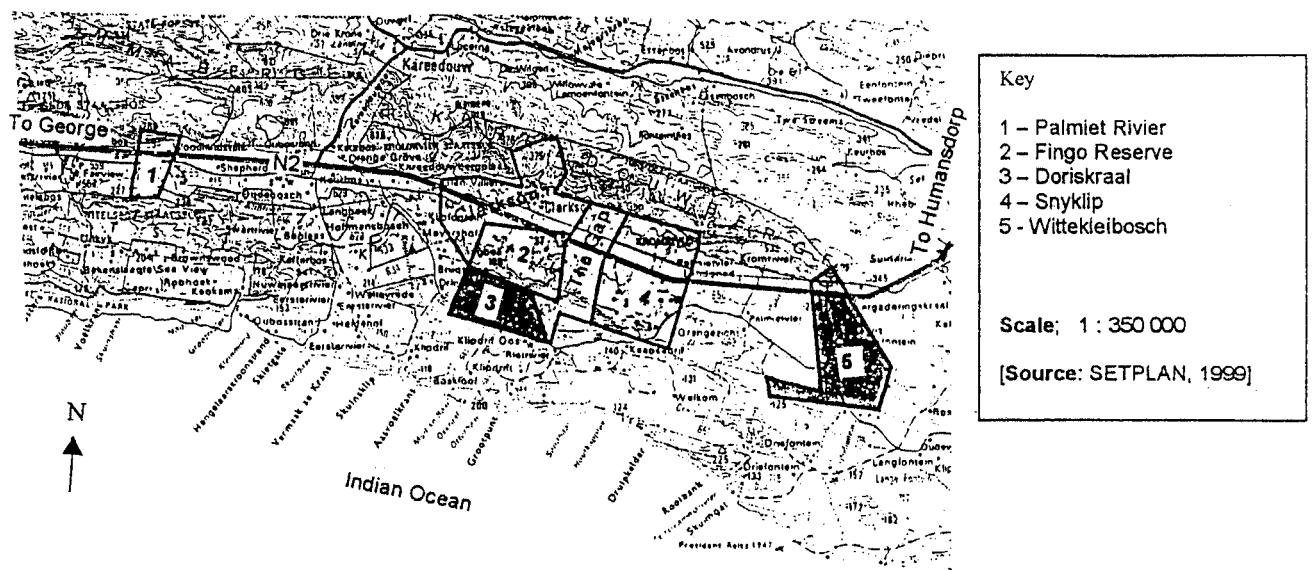


Figure 1.2

In 1858, the four farms around Clarkson on which the Mfengu chose to settle, namely: Snyklip, Doriskraal, Wittekleibosch, and Palmietrivier, (See Figure 1.2) were formally granted to the Mfengu for their participation in the 6th Frontier War (1850 – 1853). Certificates, referred to as “Deeds of Reservation” were issued to be held by the Civil Commissioner of Uitenhage. The four title deeds certified that the land was to be reserved principally for the four Mfengu groups and their descendants. The Four groups were identified in the deeds in association with their headmen; Umblatze (sic) of Snyklip, Uzweebe (sic) of Doriskraal, Uthola (sic) of Palmietrtivier and Makupula Matomela (sic) of Wittekleibosch (SETPLAN, 1999:5).

In 1952, a limited form of betterment planning was implemented, leaving people with fields of about 4 morgen (3.4 hectares) each and their livestock reduced, although each household had nearly 30 morgen (25.7 hectares) of grazing available. A number of the able bodied members of the community were able to find employment in the surrounding farms and towns to supplement their income from agriculture (De Wet, 1990: 365). The Mfengu brought with them about 8000 head of cattle from Peddie and

grew crops like kaffir corn, pumpkins, oats, maize and sweet potatoes. Socially life was fairly free of conflicts and showed close association between settled people and their environment (Deliwe, 1997:270-271). By 1975 the community had grown to about 4 000 people and were farming about 8 000 hectares of land with many employed in the local industry.

The removal of the Mfengu was orchestrated in terms of the Bantu Administration Act Number 38 of 1927 as amended, following the recommendation by a parliament select committee on Bantu Affairs, on 21st April, 1975. On the 14th May 1975 Parliament adopted this recommendation as a resolution, approving the “withdrawal” of the Mfengu from their land in conformity with the Bantu Homeland Consolidation Policy, also known as a the “black spot removal policy”. The Mfengu were promised better housing and agricultural land in Keiskammahoek in an area referred to as Elukhanyweni. About 50 families believed these promises and moved voluntarily, whilst the remainder resisted. This development divided the Mfengu community. For two years the resistance continued, inter alia, with an urgent appeal to the South African Supreme Court on 22 November 1977. The court rejected the appeal on the same day and found the order to be valid. Shortly after the court decision, government officials and armed soldiers arrived in Tsitsikamma to force the Mfengu off their land to Keiskammahoek, Ciskei, about 400km away (SETPLAN, 1999:5).

Compensation was paid only for dwellings based on valuations by the government with an average payment of R429.33, ranging from R30 to R2 945. No compensation was paid for land as it was held by SANT, lost grazing, crops and livestock. As compared to the fertile area of Tsitsikamma, Keiskammahoek had lower rainfall, barren land, shortage of grazing and crop land. The people were allocated 36metres x 18metres plots as compared to their dispossessed 4 morgen. The land they lost in Tsitsikamma amounted to 7 804.1665 hectares, (see table below).

Farm Name	Farm Number	Area (hectares)
Palmietrivier	584	565.314
Doriskraal	652,	
Fingo Reserve	653,	
Snyklip	656,	
The Gap	655,788	5 296.3318
Witte Els	673, 787,	
Wittekleibosch	674	1 942.5207
Total		7 804.1665

(Melunsky, 1990:3)

The common factor with the resettlements were inadequate facilities, severe economic loss, disruption of people's socio-economic relationships and it changed the nature of access to resources such as land, livestock and jobs for the worst, with people vulnerable to impoverishment. Cernea, 1990, identified seven risk areas for the displaced: landlessness, joblessness, homelessness, economic marginalisation, food insecurity, morbidity, and social disarticulation (Cernea in De Wet, 1994:363-367).

With the preceding historical background the democratic dispensation in South Africa after 1994, found an apartheid legacy where the majority black population occupied only 13% of the country's land surface. A new regime of resettlements will therefore be a major aspect of the post apartheid policy to correct the status quo.

Chapter 2

Post Apartheid Land Policy

Arrangement of Sections:

2.0	Introduction
2.1	The Land Policy
2.1.1	Land Restitution
2.1.2	Land Tenure Reform
2.1.3	Land Redistribution
2.2	Other Supporting Legislation
2.3	Conclusion

2.0 Introduction

Land reform in South Africa is essential given its past experiences on land with the colonisers, which was one of the worst in Africa. South Africa is the only country where segregation policies were enforced by legislation, as outlined in the preceding chapter. Some 3.5 million people were removed from rural and urban areas between 1960 and 1980 (DLA, 1998:11), with aggravated landlessness and poverty. The aim of this chapter is to briefly outline the post apartheid land policy and how it deals with the resettlement aspect.

Land reform is part of the South African strategy to improve access to land by all citizens of the country regardless of ethnicity, religion and gender. It is directed towards achieving equity, stability, poverty alleviation and economic growth. The detailed approach of the land reform process is outlined in the White Paper on South African Land Policy published in 1998.

2.1 The Land Policy

The land policy white paper published in 1998 is a comprehensive document outlining the direction of government in dealing with land. The land policy aims to contribute to reconstruction and development by: redressing the injustice of apartheid, building national reconciliation and stability, supporting economic growth and improving household welfare and reducing poverty. These will be achieved through: compensating people for land lost due to racial laws, promotion of greater equity in the distribution of land ownership among South African people, providing security of tenure for all people living on the land, ensuring that land is used sustainably, providing land to meet the needs for affordable housing and services, recording and registering all rights in property, and administering public land efficiently and effectively. The policy emphasises the importance of local participation, gender equity, economic viability and environmental sustainability (DLA, 1998:7-10)

The requirements of the policy are guided by the provisions in the constitution and the Bill of Rights. Land has to be bought on a 'willing seller willing buyer' basis and can only be expropriated for public purposes and interests. The government's target is to get 30% of the land under whites for exclusive use by the majority black population. The land reform strategy advocated by the policy has three components; land restitution, land tenure reform and land redistribution. These components are supposed to be complimentary to achieve the land reform objectives.

2.1.1 Land Restitution main objective is undoing some of the injustices of the past, by compensating people or restoring their land lost because of racially discriminatory laws promulgated after June 1913. The goal of the restitution policy is to restore land and provide other restitutionary remedies to people dispossessed by racially discriminatory legislation, in such a way as to provide support to the vital process of reconciliation, reconstruction and development. The process is closely linked to the need for the redistribution of land and tenure reform (DLA, 1998: 52). The process of land restitution is guided by the Restitution of Land Rights Act 22 of 1994.

People who lost land before June 1913 are allowed to approach the Department of Land Affairs for assistance and the redress where justifiable will follow a different route than that provided in the Restitution Act. The restitution process provides for different forms of restitution with preference given to restoration of land.

The process has been very slow because of its complexity and the lack of financial and human resources. The lack of effective co-operation between the agencies responsible for the process and the national and provincial government was another bottleneck. Efforts have been made to deal with the above problems and to try and speed up the process.

Of 63 455 claims received only 785 have been settled by February 2000 and by the 21st July the processed figures increased to 6520, benefiting 18 021 households, with about

110 634 beneficiaries and the award costs of about R272 398 306.64 (Minister, 2000:13; DLA Pretoria Office, 2000). The financial implications and over reliance on consultants of this process makes it unsustainable in the long term. The process puts more emphasis on compensation than development which has long term benefits. Most of the above 16 000 claims made in 1997 were from urban areas with rural areas accounting for approximately 3 000 of this figure (Brown et al. 1998:7). Figures indicate 80% of restitution claims are urban, yet they represent under 10% of the actual number of people claiming (Du Toit in Moloi, 1999:3).

2.1.2 Land Tenure Reform main objective is to give people security of tenure and also provide them with a variety of land tenure options suitable for each locality regardless of gender, economic class and ethnicity. This is aimed at addressing the existing massive land tenure problems, in particular for farm workers, labour tenants and people in informal settlements. The land tenure reform is guided by the requirements of the constitution on security of tenure. Section 25(6) requires that

A person or community whose tenure of land is legally insecure as a result of past discriminatory laws and practises is entitled to the extent provided by an Act of Parliament, either to tenure which is legally secure or comparable redress.

While section 25 (9) empowers parliament to enact legislation accordingly, to facilitate achievement of the above requirement.

The major thrust of the government over the last six years, has been consolidation of legislation to facilitate this process and the implementation of pilot schemes with the final aim of promulgating a land rights bill to repeal all the apartheid laws on land tenure. A number of policy documents and legislation have since been approved by the state and a draft land bill is still to be finalised. Of these legislation, the Communal Property Associations Act, 28 of 1996 will be relevant to resettlement.

The Communal Property Associations Act, 28 of 1996 – facilitates group and joint land ownership encompassing accountability and a written constitution to collectively acquire and manage property. This applies to restitution cases, communities receiving property from the state, a donation or group of individuals wanting to acquire land as a co-operative or association. There are no restrictions on numbers and the procedures for creating the CPA are outlined in the Act (Ntsebeza, 1999:43).

The tenure reform in the black rural areas requires an inexpensive land system which can cope with modern property rights without disrupting the investment in social obligations, which people use for security. Perhaps most urgently, it needs to stabilise individual rights in the evolving land system so as to protect weaker families, to regulate tenancy arrangements, and to facilitate the leasing of land so that interested people can get land and the poor can obtain an income stream. Therefore, any new land system will have to be able to cater for emerging change; it will need to use available administrative capacity; and will have to recognise the transaction costs of change for the different groupings and interests involved. In addition, the need to allow for change suggest that tenure systems be given room to adapt informally, without being too closely regulated by law (Cross, 1990: 553-557).

2.1.3 Land Redistribution main objective is to provide the poor with access to land for residential and productive uses in order to improve their livelihoods and quality of life. This is essential as not all people can access land in the open market, so the government wants to assist the needy while at the same time ensuring the integrity of the land market.

The programme is intended for the urban and rural landless poor, farmworkers, labour tenants, women and emergent farmers. Individuals and groups of people who qualify can apply for land under land redistribution programme. Individuals are encouraged to form group, negotiate land deals and hold land under a title deed, using the different

financial grants offered by the DLA (DLA, 1998:28-29).

The District Council is required to play a major role in planning and identifying land redistribution opportunities and needs in collaboration with local authorities and other relevant departments.

The land redistribution programme has proved harder to implement and by 1999 it has only achieved 0.6% of the target, with 200 000 hectares of land transferred to about 20 000 households, the grants have proved inadequate for the poor to access land that can provide for their sustenance, it has been easy for people to organise into groups but on acquiring the land different interest on land have surfaced causing conflict in the groups. Overall the programme has tended to be mostly directed towards poverty alleviation at the expense of productive development. The capitalised and mechanised agriculture is not conducive to the small holders black farmers envisaged by the ministry, because of economies of scale. The centralised implementation of the programme not giving local authorities control has affected the progress of this programme. Plus the DLA lacks the capacity to implement the programme (Deininger et al. 1999).

2.2 Other Supporting Legislation

The Provision of Certain Land for Settlement Act of 1993 and the Development Facilitation Act of 1995 in the land policy will also be integral to the implementation of resettlement programmes.

The Provision of Certain Land for Settlement Act, 125 of 1993, provides for government financial assistance to people acquiring land for settlement. Grants relevant to resettlement include:

- i. Settlement/Land Acquisition grant* – for people to buy land or get secure tenure to land they already occupy, emerging farmers and business people to get

farm land or buy shares in farming operations. Grant can also be used for improvement of housing, water supply, sanitation, etc and can be made to individuals, households and groups with income less than R1500 per month; and.

ii. Settlement Planning Grant – Beneficiaries of the land reform programme can use this grant to hire planners and other professionals to prepare project proposals and settlement plans.

The Development Facilitation Act, 67 of 1995, to facilitate land development, it introduces measures to speed up land development, especially the provision of serviced land for low-income housing and sets principles for land development to enable integrated development. This Act facilitates the implementation of the RDP with streamlined and reduced approval procedures. New procedures, processes and authorities are established by the Act to enable its effective implementation.

2.3 Conclusion

Overall the land reform programme has had some success with 53 272 families having gained access to 136 4098 hectares of land (LandInfo, 1999:8). The policy direction is constantly being changed by the Minister in an effort to improve its implementation, while maintaining the general principles. The legislation is also being rationalised and consolidated. But the post land reform support, especially dealing with resettlement remains inadequate to sustain the achievements of the process and is heavily dependent on government finance. The land policy does not recognise the importance and complexity of implementing resettlement programs. This aspect will be dealt with in later chapters of this project.

Chapter 3

Rural Development and Physical Planning

. Arrangement of Sections:

- 3.0 Introduction
- 3.1 The Rural Areas in South Africa
- 3.2 Physical Planning and Rural Areas Development
- 3.3 Conclusion

3.0 Introduction

This chapter's aim is to describe the rural areas environment the resettlement intervention has to work in and the availability of legislation to facilitate rural development in South Africa. The emphasis is on the Eastern Cape where the project is located. The Government approach to rural development and current physical planning legislation available will be briefly reviewed in relation to the land policy.

3.1 The Rural Areas in South Africa

An approach to deal with the rural areas in South Africa is outlined in the Rural Development Framework published by the DLA in 1997. This document was prepared by the Rural Development Task team, previously located in the RDP office before being transferred to the Land Reform Policy Branch of DLA with the closure of the RDP office. The document defines 'rural' as "sparsely populated areas in which people farm or depend on natural resources, including the villages and small towns that are dispersed throughout these areas. Also including, 'rural clusters' in the former homelands i.e. large settlements without an economic base except for transfer of payments" (DLA, 1997:18). The definition is recognised as being inadequate and the Central Statistics Office is working on the proper categorisation of settlements in the country.

The statistics used by the document, based on data before the 1996 census, reveal that on average more than 50% of the population live in rural areas, with variations per region. The Eastern Cape has about 68% of its population in rural areas, second only to the Northern Province that has about 91%. Qwaqwa, Transkei and Lebowa showed very high poverty rates above 83%, with an average of 74.6% of the poor living in rural areas [*ibid*]. The unemployment rate in 1994 was 27.8% for urban areas while for non-urban areas it was around 40.1% (Ligthelm et al. 1995: 51). The 1996 census indicated the Eastern Cape, non-urban areas as having about 45% of children under the age 15 years, with a sharp drop from age 20 to 54 years, and then a slight increase, suggestive

of people leaving rural areas in search for employment and retiring back to rural areas from about the age of 55 (Statistics SA, 1996: 35). On Wednesday, 6/9/2000, the Minister of Finance launched Statistics South Africa report on poverty which revealed that the Eastern Cape was the poorest province in terms of monthly expenditure and was in most need of infrastructural development, job creation and human upliftment (EPHerald, 8/9/2000). The MEC for Finance in the Eastern Cape, blamed the status quo on apartheid underdevelopment, and highlighted the need to focus on improvement of productivity of subsistence agricultural land (Daily Dispatch, 8/9/2000).

The rural development framework aims to involve the rural people in decisions affecting their lives through participation in rural local government, increasing employment and economic growth, providing affordable infrastructure and improvement of services, ensuring social stability and increasing rural local government capacity to plan and implement development programmes. The document also has strategies for dealing with poverty alleviation, building local democracy and development and building local economic development and rural livelihoods (DLA, 1997:9-10). The role of integration and co-operation with other service delivery departments and agencies is emphasised, and the document build on other sectors policies like the provisions of the Local Government Act, the Development Facilitation Act, Land policy, access to housing subsidies, etc. The relationship with the land reform process is not explicitly stated. Overall the framework has a vision, but it lacks the implementation strategies and project phasing and prioritisation necessary to achieve its objectives. The implementation capacity and co-ordination structure from central government, provincial government and local government remain inadequate. The document though forms a good base for directing rural development.

3.2 Physical Planning and Rural Areas Development

The municipalities, the third tier of government include; Metropolitan Councils with Metropolitan Local Councils, District Councils (DC), Transitional Local Councils and

Rural Councils. The Rural Councils (RC) have three forms of government in rural areas; Transitional Representative Councils, Transitional Rural Councils and District Councils with Remaining Areas. [These transitional authorities will soon be replaced by the on-going demarcation process].

The Local Government Transition Act (LGTA) number 209 of 1993, as updated, provide for the responsibilities of local government. The local government is tasked with the formulation of integrated local development plans and the Act also requires that for the performance of the delegated duties local governments should be provided with the required resources - financial, technical, administrative and support services - for proper functionality. The aim of the government is to develop a democratic, effective and affordable system of local government, in order to provide services in a sustainable manner, encourage economic development and encourage community and organisations participation in local government (LGTA, 1993).

The development of rural areas fall under District Councils and rural councils. Transitional Representative Councils only have a representative function and no executive powers as they lack capacity. Few duties are delegated to these councils and they still rely on District Councils for most services. Transitional Rural Councils have similar powers to urban counterparts, but rely on grants through District Councils. Where there are no rural structures the areas are administered by the District Councils as Remaining Areas. Overall the District Councils have been tasked with assisting in the development of new structures in rural areas.

After the demise of the RDP office in 1996, the government sought an alternative technique to ensure that development resources are managed efficiently, wasteful duplication of effort is minimised, and the three spheres of government work in concert. The White Paper on Local Government launched in 1998 aimed to strengthen the co-ordination of municipalities placing them at the centre of development activities of the government. The Integrated Development Planning (IDP) advocated by this policy document, was the tool used to achieve this objective, and the preparation of the IDP has

to take into account the principles of the Development Facilitation Act. The IDP's will facilitate and co-ordinate service delivery, poverty alleviation strategies and local development initiatives within a local authority. This approach enables the local authorities to operate through partnerships with the public sector, private sector, community-based and non-governmental organisations operating within the municipality (Pycroft, 1998:151).

The spatial framework for the IDP is provided by the Development Facilitation Act (DFA), 1995. This Act seek to guide land-use planning and local and provincial government in dealing with all aspects of land development; Facilitates the development of formal and informal settlements, both existing and new, in rural and urban areas, and to discourage illegal land occupation; Accelerate land development within fiscal, institutional and administrative means of South Africa to promote viable communities, protect the environment, meet basic needs of all citizens in an affordable way and to ensure safe utilisation of land. The Act requires efficient integrated land development, including the integration of social, economic, institutional and physical aspects of land development; integration of rural and urban areas; optimal use of existing infrastructure; promotion of diverse use of land; subdivision of erven for effective economic growth; correction of apartheid settlement patterns; and encouragement of environmentally sustainable land uses (in Pycroft, 1998:156-157). The above is to be achieved by the preparation of Land Development Objectives (LDO), which are basically land-use plans and include the impact and cost of the land use and determine the pace at which development will take place. They are both statements of the municipality's aims during a planning period and mechanism for evaluating each municipality's record of delivery [*ibid*].

These two pieces of legislation are integral to rural development with the LDO remaining the single most important component of the IDP process, given the repeal of the 1970 Subdivision of Land Act and its amendments, by the Subdivision of Agricultural Land Act Repeal Act 64 of 1998. This act aimed to control the subdivision of agricultural land and prevent uneconomic land subdivisions or uses conflicting with

agriculture. These provisions are now, to a certain extent catered for in the LDO's. The Physical Planning Act (PPA) of 1991 is also applicable, although the link between the IDP's, LDO's and this Act are not explicitly defined. The Physical Planning Act is intended to promote orderly physical development within the country, division of country into regions, preparation of national development plans, regional development plans, regional structure plans and urban structure plans (PPA, 1991). The IDP and structure plans seem to have the same objective and are almost at the same scale (macro – policy and general) of operation while the LDO's are at micro level with more details and specificity. The LDO are to basically deal with 'development control' – the actual use and zoning of land at plot level. The Restitution of Land Rights Act, 1994, section 42B exclude the laws governing the subdivision of agricultural land and laws governing the establishment of townships from operating in restitution land. This has implications for rural development that have to be reconciled with the provisions of the IDPs and LDOs.

3.3 Conclusion

The majority of the population in the Eastern Cape live in rural areas that are characterised by unemployment, poverty, and a very weak agricultural and economic base. The link between this framework and the land policy and other planning legislation is not explicitly stated, a potential conflict point. The transitional rural authority structures are to be changed with the demarcation process something likely to affect the implementation of rural development projects especially resettlement. The physical planning legislation to guide rural development have been promulgated and the rural authorities will need capacity building in order to implement them, properly accommodating the requirements of resettlement projects.

There is a need for an interdisciplinary approach to agricultural development, rural development and resettlement, having an organisational structure that will facilitate synthesising, integrative and team outlook rather than the compartmentalisation (Bembridge, 1985:292).

With this scenario, the country has to come up with a sound rural development policy to deal with this legacy in the black rural areas. The policies have to encompass increased investment in rural infrastructure servicing and employment creation. Resettlement will have to be used towards this end in accordance with the spatial framework provided by the legislation.

Chapter 4

Resettlement and Development

Arrangement of Sections:

- 4.0 Introduction
- 4.1 African Resettlement Examples
 - 4.1.1 Mozambique
 - 4.1.2 Land Redistribution and Resettlement in Zimbabwe
 - 4.1.3 Swaziland
- 4.2 Project Related Resettlements
- 4.3 An Example of a Successful Involuntary Resettlement Project
- 4.4 New Wave of Resettlement in South Africa
- 4.5 Issues for Resettlement in South Africa
- 4.6 Conclusion

4.0 Introduction

Resettlement has been justified in terms of improving conditions for economic growth or social cohesion. The rationale for new villages has been espoused as to allow for the provision of services, inputs, and agricultural instruction; the formation of agricultural co-operatives or even communes; the creation of economies of scale for mechanisation and off-farm employment; optimising land uses (for example, putting residential areas on the poor land and crops and livestock on better quality land); and the promotion of conservation practices (Dewer et al. *in* Silberfein, 1998:51). The goal of greater control of the peasantry is not emphasised.

African rural areas are generally characterised by dispersed settlements, and after independence most African countries implemented resettlement schemes centred around villagisation, as their strategy to achieve rural development. Most of these schemes failed because they did not recognise the dynamics and intricacies of the existing rural settlement systems. These programmes restructured rural settlement and lives while people were more concerned about leaving their established homes, fields, burial sites, hunting grounds and the disruption of social networks, unfamiliarity with village life and loss of control over one's own productive activities (Silberfein, 1998:55). Overall the process did not prepare the people for change and instead created a drastic and new living environment unfamiliar to their way of life and as such it was difficult for them to accept. The governments did not have adequate finance to provide the necessary services for these new villages.

With the failure of this approach studies are still being carried out to find out the best way of resettling people. The World Bank, based on its experiences on development projects requiring displacement of people, has vast literature on this field, while in South Africa, this offers a new direction, given its own experience of resettlement as outlined in chapter 1. The aim of this chapter is to look at the approaches to rural resettlement and what are the basics of guiding the process in order to achieve meaningful rural development.

4.1 African Resettlement Examples

The resettlement approaches and experiences of three countries; Mozambique, Zimbabwe and Swaziland neighbouring South Africa are reviewed below.

4.1.1 *Mozambique*

After independence Mozambique pursued a policy of rural villagisation aimed at rural modernisation - with the villages seen as the ‘backbone’ of rural development - and to integrate peasants and their local resources to the national economic system. The dispersed rural population was to be clustered in order to stimulate communal farming. The President of Mozambique in 1975 saw the villagisation as a means of population control:

The communal village is the political instrument which unites us and enables us to really exercise the power we have achieved – we must be very clear about this: we cannot exercise power in an unorganised or dispersed way (Young in Silberfein, 1998: 59).

While the Ruling party’s view as outlined by Isaacman (in Silberfein, 1998:59) was:

The villages permit rapid growth in the revolutionary class consciousness in freeing the workers immense creative capacity – the village should achieve self sufficiency in food rapidly and also satisfy health and education and cultural needs and alleviate the pressure to migrate to cities.

Many of the settlements were established by force and the country did not have sufficient resources to carry out the massive relocations. The communal village consisted of collective or co-operative production forming the basis of the economy, it had planned physical setting with distinct residential and productive areas, and it had

institutions of local administration which ran village development and life in general (Coelho, 1998:65).

Coupled with the war after independence, the programme did not succeed. The familiar litany of excessive distance to fields, poor soils and water scarcity undermined the new production systems. The fertilisers, seeds, tractors, etc did not arrive timeously and the marketing systems remained inadequate. In the 1990s and after the end of the war, the government emphasised the family homestead and people were allowed to return to their former dispersed homesteads. As a result most of the villages lost about a third of their population (Roesch *in* Silberfein, 1998:61). The lack of co-ordination among government departments was also blamed for this failure. This resettlement programme followed patterns similar to the Ujamaa villagisation of Tanzania, which was also not successful.

4.1.2 Land Redistribution and Resettlement in Zimbabwe

After independence the government policy was to resettle landless Zimbabweans on commercial farmland acquired from 'willing seller willing buyer' white commercial farmers. The land redistribution aimed at resettling people displaced by war, the landless, the poor, the unemployed and the destitute. The land required for resettlement was redistributed to settlers under usufruct permits while state retained ownership of land. The objectives of the policy was to relieve population pressure in communal lands, improving and extending base for productive agriculture in the peasant farming sector, improving standard of living of the poorest sector of population and promoting well being and economic production through expansion and improvement of infrastructure and services (Moyo, 1995). Four models of resettlements were designed and used in the process:

Model A

Provides for a nucleus village settlement bounded by individual arable holdings and

communal grazing land. Each settler is provided with 2500 m² residential plot, each family allowed 5 hectares arable land in zone I and II¹ (twice the size in drier areas) - three of the five hectares are expected to ploughed once the rest are fallowed-, access to grazing rights for 5 to 15 livestock units on 20 hectares in zone I and II (200 hectares in drier zones).

Land tenure based on three permits, one for residential, one for cultivation and one for pasturing stock. Female heads of household can have land tenure permits in their own name and priority given to widows. The major thrust of this scheme is crop production and it is also provided with schools, clinics, feeder roads, boreholes and marketing depots. Extension and resettlement officers advise settlers on cropping and farm practices. An average scheme consist of 500 families on 20 000 hectares depending on agro ecological zone.

Model B

Involves 50 to 200 members living in a village and using the farmland and infrastructure collectively. This scheme is used in large-scale farms to optimise economies of scale. Settlers register as a co-operative and are required to share profits. They can own individual livestock and operate gardens of 0.5 hectares. Priority was given to ex-combatants and ex-farmworkers. All adults including women and offspring's are members.

Land tenure is based on permits issued to the co-operative society for an unspecified period. The permit can be revoked if land is not used beneficially, group is de-registered, membership declines below 50 or co-operative is not financially viable. Restrictions are imposed on buildings, commerce or industrial activity operations and the cutting of indigenous trees without the Minister's consent is prohibited.

Recommended use is intensive high value enterprises such as irrigated crops and

¹ Before independence the country was subdivided into five agricultural suitability zones referred to as Grade I, II, III, IV and V. Grade I represented the best productive land, while V the least. Whites own 78% of Grade I and II land while the indigenous blacks own 75% of Grade IV and V land, deemed only fit for grazing (Europa Publications, 1999:1190).

horticulture. This model receives less attention on provision of social infrastructure and extension services and co-operative tend to solicit them from non-governmental organisations.

Model C

Based on individual settler plots averaging 10 hectares surrounding a core estate owned by the state farm authority, Agricultural Development Authority (ADA). ADA provides research, training, credit, inputs, supply and marketing services to settlers who produce common crops with the estate. Entails co-operative ownership and production of the core estate. Only a handful schemes tested with out-grower numbers ranging from 50 – 200 settlers.

Model D

Intended for zone IV and V, provides for ranching land for use by communal area communities, with access to the lands for each community rotated every 3 or 4 years, while the communal areas grazing are allowed to regenerate. Community contribute to the running costs of ranches. Less than three such schemes have been tested successfully. 3 414 settlers had been resettled by this model in 1993 on 260 000 hectares ranch land, pending resettlement of 4000 more families. The model is under review as various communities are opting for a variety of versions of access to ranch lands (Moyo, 1995:86-88).

Zimbabwe has a diversified well developed agricultural sector, which also is the third largest contributor to the GDP after services and manufacturing. Small-scale farmers - 800 000 peasant farmers mostly in the rural communal lands - contribution has increased from 9% in 1983 to 25% in 1988 and 50% of total agricultural production in 1989/90. The small-scale communal farming sector is faced by problems of overpopulation, overstocking, deforestation, soil erosion and deterioration of wildlife and water resources (Europa Publications, 1999). A majority (more than 80%) of the population was resettled under *Model A*. Most of the settlements under *Model B* have proved to have poor group cohesion and in a year more than 20% of the country's

collectives disbanded, and groups willing to take over the facilities have been hard to find. The one collective judged to be successful has in fact parcelled out its land and operates as a *quasi-Model A* scheme (Mumbengegwi in Kinsey and Binswanger, 1993:1479).

4.1.3 Swaziland

After independence the country aimed to consolidate the Swazis land ownership and improve self sufficiency in food production. The land resettlement scheme in the Swazi Nation Land (communal land under chiefs) was the major project carried out by the Ministry of Agriculture and Cooperatives (MOAC), with funding from the government and donors. The resettlement programme separated residential, grazing and arable land. In the designated residential areas people chose their own settlement pattern without being forced into villages. The project was implemented voluntarily throughout the country and in most chiefdoms. Chiefdoms resisting the programme were resettled later after seeing the benefits of resettled communities. The resettlement project was accompanied with the establishment of Rural Development Areas (RDA) to advise farmers and also supply them with farm machinery, equipment and fertilisers. The Swaziland Development and Savings Bank (Swazi Bank) provided loans for agricultural development. The schemes succeeded in improving food production but it could not achieve self sufficiency as most of the production remained subsistence. The growing of cash crops like cotton and tobacco also increased. In the late 1980's the scheme began to falter after erratic rainfalls and farmers losing most of their livestock by failing to repay their Swazi Bank loans (Swaziland Government, 1998).

As land use plans were approved for each community under the Rural Development Programme 1975 - 1985, a great deal of householders' money was invested, for the first time, in rural houses, many of which are now built of permanent material. Many families have also invested their labour in rural water supplies, (which tend to be local, community-driven, small scale and voluntary). As a result of these developments rural

housing is now more concentrated than it previously was, though there is still no village development policy in Swaziland *[ibid]*.

Over the years the planning in rural areas closer to major towns has deteriorated with the peri-urban areas agricultural land increasingly being developed into residential areas. The peri-urban areas are now dominated by informal settlements accommodating people working in the urban areas who cannot afford the housing and rents in the towns.

4.2 Project Related Resettlements

The above examples were all implemented at national level and the focus will now shift to project level. Most of the development projects in Africa involving displacement of people at project level have been financed by the World Bank (WB). Between 1980 – 1991, the Bank financed 137 development projects affecting about 2 258 346 people. 22% of these projects were in Africa (Cook and Falloux, 1994:18). In Africa, planned land settlement has been tried in countries as diverse as Kenya, Tanzania, Sudan, Ghana, etc. While several of these schemes succeed in improving the well being of the affected population, in general the efforts were below expectations. The projects proved too expensive, rely on prolonged government intervention and place constraints on private initiatives of resettlers *[ibid:14]*. Given these experiences and similar from Asia, the WB defined their basic goal in development projects as “avoiding impoverishment” and a resettlement policy was developed in the 1980’s and further refined in the 1990’s. The Banks financing criteria defines its fundamental objective as:

Restoring the income and livelihood of affected people and, if feasible improving them. The policy requires minimising displacement wherever possible and establishes safeguards and entitlements for people who are displaced *[ibid:19]*.

The Bank found that in Africa resettlements were carried by governments in a policy

vacuum, except for the expropriation laws. The Bank now requires resettlement plans accompanied by implementing agencies, schedules of activities, timetables and financing sources for plan stages before approving a loan.

Based on their experiences on development projects, the bank differentiated resettlement into involuntary and voluntary. Involuntary resettlement consist of two distinct, yet closely related social processes: *displacement* (concerns how land and other assets are expropriated for the overall social good to proceed) of people and *reconstruction* of their livelihood; this reconstruction is often called rehabilitation (concerns the fate of the displaced people). Each has its own demands, risks, costs, logistics and socio-cultural and economic effects (World Bank, 1994:1/2). Whether or not involuntary resettlement results in re-establishing people's incomes and livelihood depends largely on how displacement is planned and carried out. It also depends on whether resettlers are assisted to rebuild their livelihood [*ibid*].

Voluntary resettlement represents people's willing pursuit of new opportunities and people have a choice to remain in place. Voluntary mobility including rural-urban migration stimulates economic growth [*ibid*].

The basic elements of the Bank's policy are:

- Involuntary displacement should be avoided or minimised wherever feasible, because of its disruptive and impoverishing effects.
- Wherever displacement is unavoidable, the objective of the Bank's policy is to assist displaced persons in their efforts to improve, or at least restore former living standards and earning capacity. The means to achieve this objective consist of the preparation and execution by the Borrower of resettlement plans and development programs. These resettlement plans are integral parts of project designs.
- Displaced persons should be: (i) compensated for their losses at replacement costs, (ii) given opportunities to share in project benefits, and (iii) assisted in the transfer and in the transition period at the relocation site.
- Moving people in groups can cushion disruptions. Minimising the distance between

departure and relocation sites can facilitate the resettlers adaptation to the new socio-cultural and natural environments. The tradeoffs between distance and economic opportunities must be balanced carefully.

- Resettlers and hosts participation in planning resettlement should be promoted. The existing social and cultural institutions of resettlers and their hosts should be relied upon in conducting the transfer and reestablishment process.
- New communities of resettlers should be designed as viable settlement systems equipped with infrastructure and services, able to integrate in the regional socio-economic context.
- Hosts communities that receive resettlers should be assisted to overcome adverse social and environmental effects from increased population density.
- Indigenous people, ethnic minorities, pastoralists, and other groups that may have informal customary rights to the land or other resources taken for the project, must be provided with adequate land, infrastructure, and other compensation. The absence of legal title to land should not be grounds for denying such groups compensation and rehabilitation (World Bank, 1996:5).

The Banks approach as outlined above requires that the resettlement costs and compensation are factored into the project costs and resettlers should not be “worse off” after project implementation.

Based on the works of Cernea 1999; Cernea and Guggenheim 1993; de Wet 1988/1999; Mathur 1995 and McDowell 1995, de Wet (2000:2-3) identified the following as the reasons for failure of resettlement projects:

- i) Inadequate planning in terms of pre-location surveys, consultation with and participation of affected people, and provision of sources of livelihood,
- ii) Inadequate and insufficiently flexible compensation for loss of arable land, common property resources and housing,
- iii) Failure to provide adequate services,
- iv) Failure to prepare adequate local participatory structures for affected people to represent and organise themselves after resettlement,

- v) Inadequate financing, resulting in various aspects of the project having to be curtailed or cut, and
- vi) Lack of co-ordination, and at times outright division between the various agencies and authorities involved.

4.3 An Example of a Successful Involuntary Resettlement Project

The Costa Rican Arenal Hydroelectric Project

The Arenal Hydroelectric Project with installed generating capacity of 157 MW consisted of construction of a dam 70M high, a reservoir 1,750 m³, 6700m conduction tunnels, two surge tanks, a machine house with three generating units, and two communities for those people flooded out by reservoir. The US \$179M project started in 1975 and the last transformer was commissioned in 1980.

The resettlement component entailed relocating about 2500 people (500 families) that were principally involved in cattle breeding, fattening and export of live steers. The town had a bank, primary school, two churches, health dispensary, dentist, telephone service, cinema house, restaurants, civil guard house and numerous bars and billiard rooms. The resettlement process began in 1973 and the population was resettled in 1977, two years after the start of the project [preliminary planning of the project started 1973 and actual construction started in 1975]. The project was based on sound social science data in project planning and the critical role of the resettled people in project preparation – participation. The project was well co-ordinated by government departments and other agencies involved in development and was carried out in 11 well planned and co-ordinated phases (for details, refer to Partridge, 1993: 351-374) namely:

Phase I	Ethnographic Sample Survey of Communities
Phase II	Information campaign and Meetings with Families
Phase II	Census of People and Property Affected
Phase IV	Making Public the Planning Data

Phase V	New Settlement Site Selection
Phase VI	Action Plan for Resettlement Prepared
Phase VII	Land Acquisition
Phase VIII	Participation of Affected Population
Phase IX	Financial Mechanism for Restitution of Property
Phase X	Construction of New Settlement
Phase XI	Community and Agricultural Development.

The Ex-post evaluation carried out by Inter-American Development Bank (IDB) in 1983, a decade after program started produced evidence that Arenal resettlement succeeded in improving the standards of living and returning to the settlers control over their own lives in a period of five years after the transfer (Partridge, 1993: 351-374).

4.4 New Wave of Resettlements in South Africa

Given the land history of the country a new wave of resettlement schemes are taking place throughout the country brought about by the land restitution process. The land restitution process discussed in chapter 2 is complex and time consuming focussing on adjudication, planning and implementation. The stages of the process are shown in Figure 4.1, and some bottlenecks to the process were outlined earlier. Throughout the seven stages of restitution, the settlement part only comes at the end, stage 7, and the logistics and modalities of carrying it out are not spelt out.

The settlement planning is outside the restitution process and requires the involvement of other government departments, agencies and local authorities. The lack of a specific policy to deal with resettlement has implications for the after restitution development direction of these lands. The tool that remains to guide the process is the LDO, given that the subdivision of agricultural land and township development legislation do not apply in restitution areas.

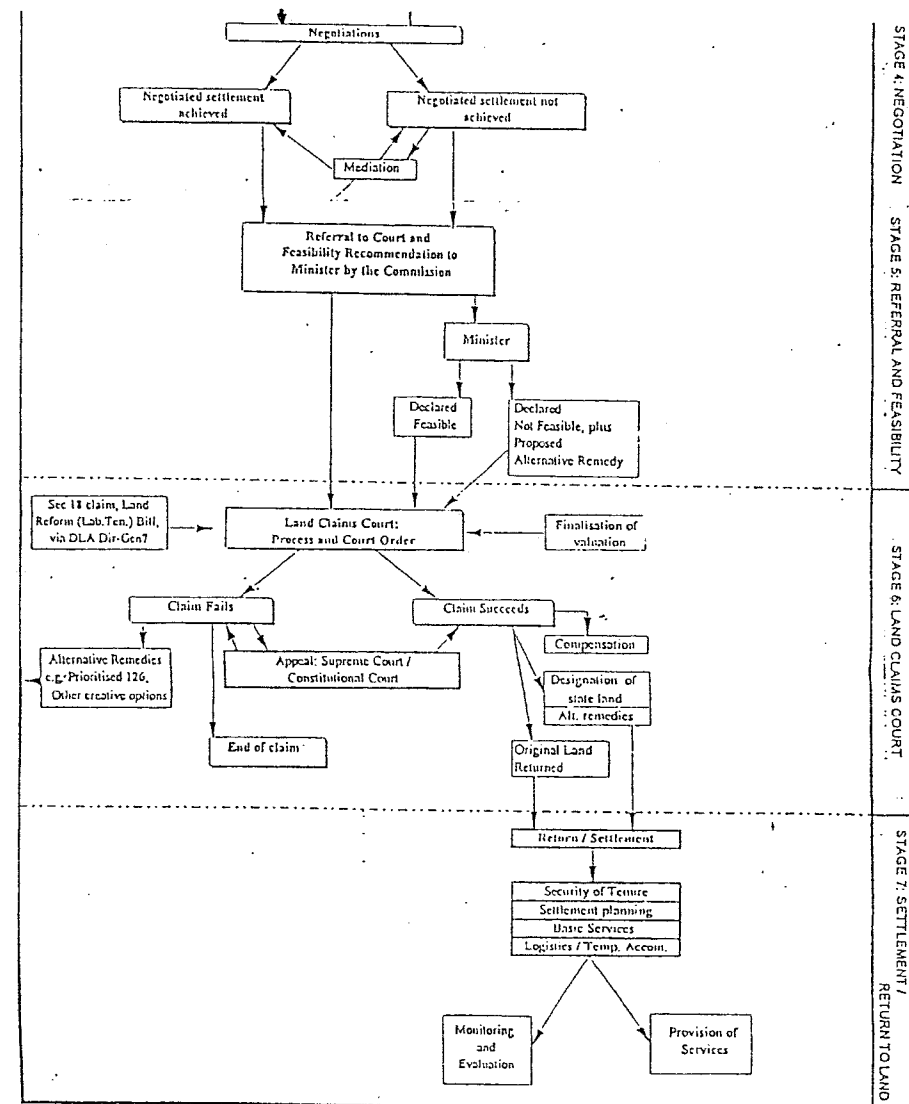
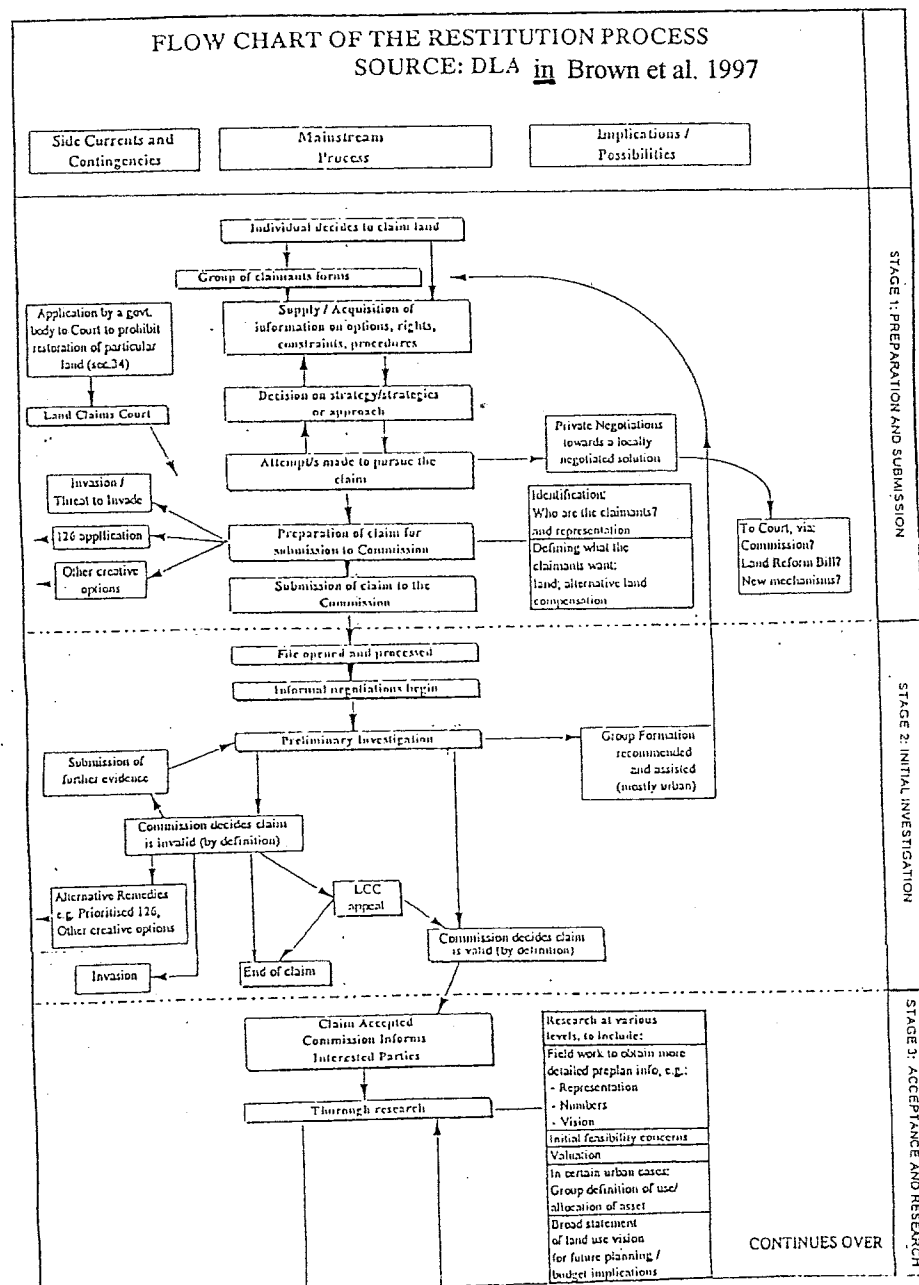


Figure 4.1

Brown et al. 1998, outline the processes followed in the Putfontein – North West and Macleantown – Eastern Cape restitution cases. These two examples followed different claims processes given their different dispossession and ownership backgrounds and histories. Both cases proved to be complex and the Macleantown case which was negotiated and settled with the community and local authority structures faced more problems from the Land Claims Court which wanted more details and specificity of beneficiaries and allocated plots. The Macleantown case also incorporated the development aspect after the claim while the Putfontein did not go that far. On restitution and development the authors concluded that “The Macleantown case has shown how difficult it is in reality to separate the process of land restitution – returning the land to its rightful owners or occupiers – and issues of development which are inevitably thrown up....In practice, the issues of how the land will be resettled and by whom tend to dominate the restitution negotiation process” (Brown et al. 1998:109). In the resettlement of the Mthiyane of Mandlazani (near Richards Bay, KwaZulu Natal) case the parties agreed on the establishment of a self-contained, sustainable agri-village consistent with the carrying capacity of the land. Consultants were hired to prepare the plans and beneficiaries were resettled in phases according to the layout plan and given 4000 m² plots (Hebinck and Langeveld, 1999).

Besides the land restitution the following processes will also result in the need for resettlement:

The *Land Redistribution* aspect of the land policy will also give rise to resettlement. People pooling together their Resettlement Acquisition Grants of R16000 and acquiring farms as trusts for resettlement purposes;

Reversing Betterment Resettlement, where people left ‘worse off’ by this programme return to their original areas or interventions are made by the state to improve their livelihoods and infrastructural services. Chatta in the Eastern Cape is one area which has recently (September 2000) received R11 million from the government to benefit 350 families who suffered under betterment;

Land Invasion where people move and occupy land without permission e.g. in the Whittlesea/Queenstown area in the Eastern Cape where a group of people in 1990 moved into unoccupied farm (Merino Walk) owned by the state (de Wet, 2000:6). The legislation dealing with informal settlements makes it difficult to move the squatters and a form of resettlement scheme will be required; and

Resettlement will also be necessary where land is required for *public purposes* e.g. building of roads, schools, conservation, etc. These resettlements will likely be a minority as compared to the others outlined above.

4.5 Issues for Resettlement in South Africa

Where a formerly dispossessed group moves back to its original land, the land restoration process is potentially fraught with problems (de Wet, 1994:368). The new communities have to deal with issues like; Who should own the land? How to use it? What forms of agriculture should be re-established? What happens to the land of those who choose not to move back or do not move back at once? If the original holder has subsequently died, how are competing family claims to be sorted out? What is to be done to accommodate people who (before their expropriation) had been tenants? How to reconcile the pre-move resettlement patterns of the community stratification with new development? and How to deal with potential tension on continuity of leadership, social structures and greater equity of access to land between the generations? (Land Update, 1991; AFRA, 1993 *in* de Wet, 1994:368). Dealing effectively with these issues will depend on the effectiveness and cohesion of the leadership in the newly reoccupied area, the challenge is thus to achieve group cohesion and organisation, both in the period leading up to the move back and afterwards. People must be allowed to choose their own residential pattern, rather than putting everybody in a central nucleated area for the convenience of planning and provision of services. Conflicts are likely to arise over leadership, land and other resources, and the new settlers will encounter economic and social problems which will require a judicious balance of financial, infrastructural and

legal support on one hand and maximum autonomy to sort out their internal affairs and settlement patterns on the other [*ibid*].

Based on the above observations, de Wet points out that:

Merely putting people back on their old land will not be adequate to ensure their economic viability....People are now returning to a situation where it may take them several seasons to get production levels going again, and where they may be without the jobs they held as migrants, either before or after expropriation. A conscious effort will have to be made to enable people to manage during the first few years of re-establishing themselves, by way of possible subsidies, despite the costs involved and the problems of dependency they may give rise to (1994:368-369).

Resettlement tends to lead to people's social networks turning inward and to heavier reliance on kin and long-standing colleagues. It is critically important to provide for the necessary continuity in the payment of old-age pensions and disability grants, one of the predictable sources of income in the transitional years of re-establishment (Scudder and Colson in de Wet, 1994:370).

The new wave of resettlement in this country is recent and documentation is still scarce and not readily available. Based on recent resettlement in South Africa, the following issues have been observed by different researchers:

Competition for Resources and Power

In the land restitution resettlement case of Elandskloof – Western Cape Province, Barry and Mayson found that conflict was inherent between groups within the settlement and between the broader community and the land administration authorities. The groups and sub-groups continually form, reform and dissolve. Moreover the internal rules the community created relating to land tenure tended to be manipulated by sub-groups as

they competed for the land, resources and power. The relationship between these groups was a major factor in delaying the return of the Elandsklowers to the farm. The limited arable land and competition for land resulted in protracted debates on who qualified to be given land in the area, the legitimacy of the committee and the decision making processes and the status of certain individuals at general meetings (Barry and Mayson, 2000:1-9).

Difficulties in Establishment of Resettlements

In the finalised land restitution or land redistribution programmes, the transfer and establishment of the resettlements have taken several years. The reasons for such delays include; (i) the problem of achieving co-ordination between various government departments and tiers of government involved in the resettlement process, ii) the lack of a joint procedural framework to enable different sectors to work together, and iii) the process of identification of claimants in the case of group claims (de Wet, 2000:8).

Planning Problems

The resettlements have to contend with the requirements of the Local Government Transition Act of 1996 which calls for an Integrated Development Plan, the Development Facilitation Act of 1995 which requires the formulation of Local Development Objectives and the Trust Deeds which require a development plan [*ibid*:9]. Hornby (1997) ponders the expectations, “Planning, as the post-transfer phase of land reform, holds the key to many land reform objectives. It is here that the nitty-gritty of government policies, regulations and procedures are superimposed on beneficiary communities’ socio-economic needs, hopes and expectations. The outcome of spatial structuring is supposed to be sustainability, improvement in livelihoods, the leverage of the different sectors for infrastructural development, reconciliation, tenure security, gender equity, etc. But can planning deliver on such a complex mix of technical, social and economic objectives?” (*in* Lund, 1998:11). The planning of these communities is also hindered by the lack of baseline surveys, which makes it difficult to know the exact number and profile of returning families that have to be accommodated.

New Administration Structures

In the recently resettled areas the people administer their affairs through the structures of Trusts or Communal Property Associations (CPA). These bodies have to manage diverse and complicated tasks required to run the resettlements without proper skills, capacity, knowledge and training. Lund 1998, points out that it is almost impossible to co-ordinate planning, participation, provision and impatient people by inexperienced Trusts and government officials trying to build new communities (*in de Wet, 2000:9*). As a result the introduction of new unfamiliar institutions such as trusts and CPA and the adaptation of new set of rules and procedures, often give rise to new conflicts or exacerbates existing tensions. With some of the members of these bodies scattered and having not moved back to the resettled area, co-ordinated planning and decision-making is difficult as convening trust meetings is expensive and time consuming [*ibid:11*]. These bodies also have to deal with complex issues of planning and the others mentioned above while not competent in them.

To improve the chances of successful resettlement in South Africa, de Wet (2000: 15-16) emphasises the following three issues as of central importance:

a) Co-ordination

- i) between various government departments and tiers of government involved in resettlement, and between these departments and the affected people,
- ii) between the provision of basic housing and infrastructure on the one hand and the actual resettlement of the people on the other, and
- iii) to "manage the contradiction" involved in the delivery of products such as land, housing and water taking place simultaneously with participants learning to make informed choices about and taking ownership and control of the products.

b) *Initial Assistance and Facilitation* – Communities being resettled need assistance for the first few years while they find their feet. This may include rations until first (preferably second) crop has been secured or until garden irrigation is established, the supply of equipment such as tractors and a guaranteed market for their first crop.

They will require training in matters of crop production, maintenance of equipment, financial planning and the keeping of financial records, etc.

c) *Institution Building* – It is essential to have a facilitator and co-ordinator appointed to work with the community members and training them to take over responsibilities. The local institutions at local level should allow the people the freedom to make mistakes and give them independence to grow, without rigid control for planning expediency. This requires time and financial commitment from the government.

In his conclusion de Wet acknowledges that resettlement schemes are expensive and complex undertakings requiring active steps to incorporate the new settlers in the local economic structures. It is important flexibility on tenure, cropping patterns, management, etc are built into the resettlement projects and decisions and choices are made on the basis of continual negotiations with the people on the land to avoid irreversible mistakes. Also the land reform should take into account the needs of those people who may suffer from it, such as farm workers and labour tenants, and homeland villagers. The former are in danger of being dispossessed of what access to land they have, while the latter are in danger of the state allocating resources to the rest of the country, where land reform must be seen to work, and of remaining land-hungry (1994:372).

The issues raised by de Wet are in line with the requirements of the World Bank resettlement policy and to a great extent based on the findings of the research on resettlement in Riemvasmaak published by the University of Western Cape in conjunction with Farm Africa in 1998. This highlights the complexity of the resettlement process and the need for proper conceptualisation, propitious planning and careful implementation of such schemes. Barry and Mayson also concluded that the process of resettling people is long and complex and the final outcome may not be what outside actors originally envisaged (2000:7).

4.6 Conclusion

Resettlement is an expensive and complex undertaking requiring government support for the resettlers to sustain viability and take control of their own lives. The existence of a resettlement policy encompassing an integrated implementation framework is essential. The present frameworks for dealing with resettlement in South Africa remain inadequate and need to be improved in order to achieve the objectives of the land policy. The coherent framework has to include the issues and lessons outlined in this chapter and the previous chapters.

Chapter 5

The Study Area

Arrangement of sections:

- 5.0 Introduction
- 5.1 The Mfengu Land Sale 1977-1990
- 5.2 The Mfengu Regroup to Reclaim Their Land 1990-1994
- 5.3 Topography and Vegetation
- 5.4 Clarkson

5.0 Introduction

This chapter is aimed at defining the geographical area over which the project will concentrate. The basis for limiting the study to this geographical area is provided including the physical features of the area over which the resettlement took place. The Mfengu area was chosen for the study as it represents one of the cases where the people have physically moved back to their land and are re-establishing their community.

The Mfengu process of returning to their land can be divided into three periods, their land sale and occupation by white farmers 1977 – 1990, the Mfengu regrouping 1990 – 1994 and the Mfengu return to their land after 1994. The first two periods will be discussed in this section while the third period will be dealt with in the data analysis part of the report.

5.1 The Mfengu Land Sale 1977 –1990

The Mfengu's continued to fight for their ancestral land after their removal. Even with the help of the Black Sash they failed to get the sympathy of the government nor the courts to change the decision. In the 1980s the Mfengu land was subdivided and sold to white farmers. This development somewhat closed any possibility of the Mfengu getting their land back and their struggle dissipated. They were confined to Keiskammahoek

As the Mfengu land was under an area scheduled for black Africans use, a Select Committee on Cooperation and Development was formed in 1982 to facilitate the excision of the land from the schedule. A provision, section 3(1) (b) was added to the 1936 Development Trust and Land Act 18 of 1936, empowering the President to delete land from the schedule and such land to become State property. This came after the Department of Agriculture and Fisheries had already placed an advertisement in the EP Herald, 12 February 1982 offering the land for sale. The advertisement indicated the land had been subdivided into 19 economic units (Melunsky, 1990:9).

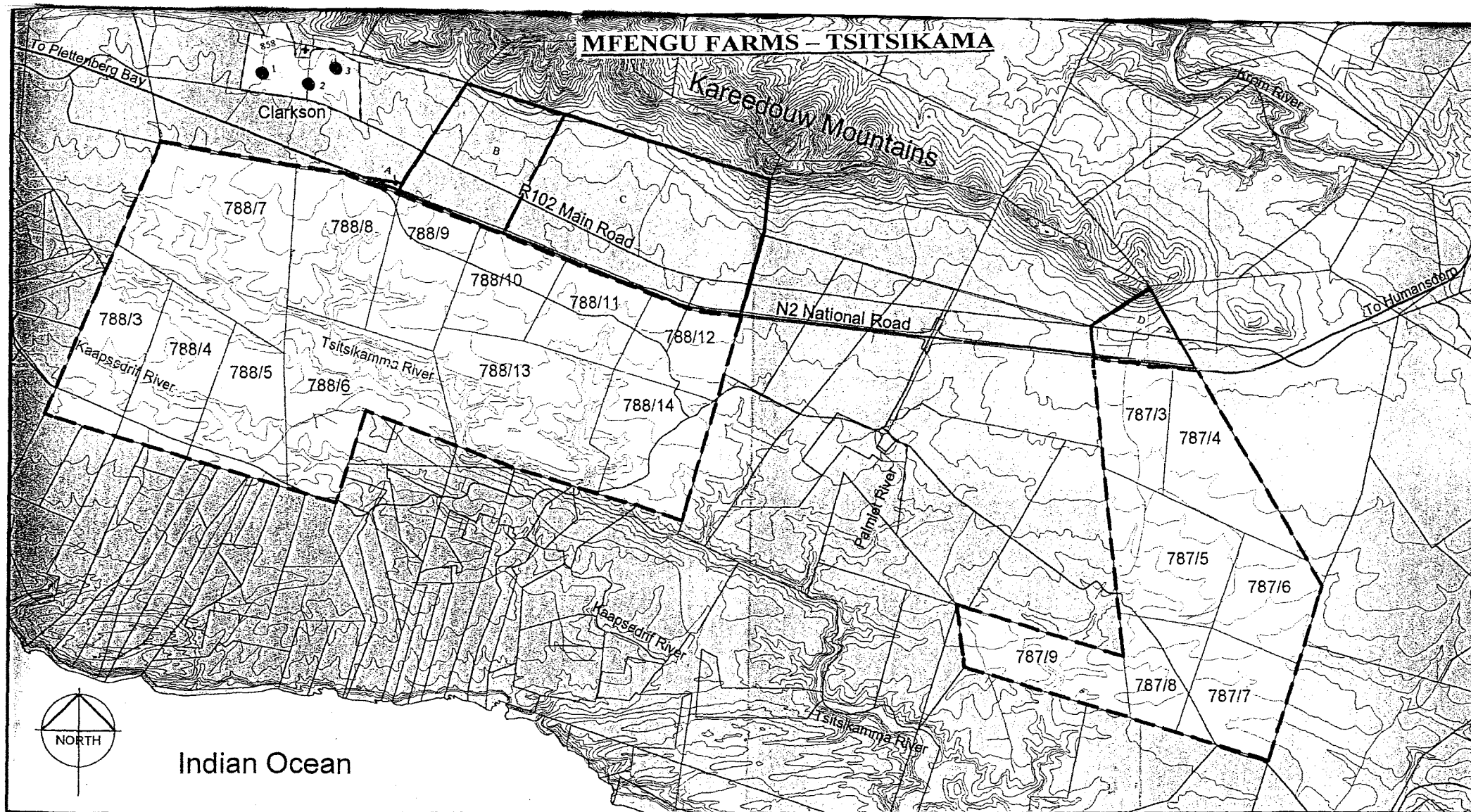
The land was handed over to the Department of Agriculture and Fisheries by the Minister of Cooperation and Development in April, 1982. The Committee recommended the excision of Palmiet Rivier, Fingo Reserve 563, Doriskraal Fingo Reserve 652, Snyklip Fingo Reserve 656 and Wittekleibosch Fingo Reserve 674, in extent of 4 872 7212 hectares. [Palmiet Rivier, The Gap and Witte Els Bosch were not included in the final gazette]. The four farms Snyklip, Doriskraal, Fingo Reserve and The Gap were consolidated into farm 788 size 5296 3318 hectares and subdivided into 14 portions, Figure 5.1. Portion 1 and 2 north of the N2 road were left for use by the government, while the other twelve portions were sold [*ibid*:11].

Palmiet Rivier farm 584, vests in the RSA, Witte Klei Bosch farm 674 and Witte Els Bosch farm 673, were consolidated into farm 787 and subdivided into 9 portions, Figure 5.1 (compare with Figure 2.2 – original farms). Except for portion 1 and 2 (north of N2), the seven portions were subsequently sold off. Each of the portions that were sold had mortgage bonds registered against the property, in almost all the cases exceeding the purchase price up to 7 times and more. The Title Deeds of the sold portions contained a provision that the allocated land may not be alienated, mortgaged, leased, occupied and worked by someone else other than the owner, within a period of 10 years as from 1 January 1983, without the written consent of the Minister of Agriculture [*ibid*]. All the sold portions were bought for commercial farming by white farmers.

5.2 The Mfengu Regroup to Reclaim Their Land 1990 - 1994

With the winds of change blowing in the country in the early 1990s, the Mfengu established a Tsitsikamma Exiled Association (TEA) in order to represent their collective interests, to facilitate and secure by representation, negotiation and litigation if necessary, the return of the land from which they were forcibly evicted (TDT, 1998:4). The TEA requested the assistance of the Legal Resources Centre in Port Elizabeth and also secured international donor funding to spur this serious endeavour.

MFENGU FARMS – TSITSIKAMA



Scale: 1: 72 000

Source: SETPLAN, 1999

LEGEND



Study Area



Part of farms not returned to Mfengu

A. Fingo Reserve

B. The Gap

C. Synklip

D. Wittekleibosch

Settlements

1. Bazia Street

2. Kerk Street

3. Smartie Town/Silvertown

788/7, 787/3 Farm Numbers

+ Moravian Mission

Prepared by: Churchill Fakudze

MA Rural Development project
Department of Sociology and
Industrial Sociology
Rhodes University 2000

FIGURE NO.

5.1

On 7 May 1991 Supreme Court Summons were issued against nineteen white farmers, the South African Development Trust, the Minister of Public Works and Land Affairs and the State President for the return of the land. In September 1992, the Government made its first offer to return the Mfengu land. This offer only included the land under the State ownership north of the N2 road, where the land is under forestry. This offer was rejected as it represented a very small portion of the land at stake. Protracted negotiations with the Government and all the stakeholders continued, and on the 28 January 1994, the state put a second offer, comprising of the return of all parts of farms south of the N2 road –Wittekleibosch, Snyklip, all of Doriskraal and Fingo Reserve. The other farms were not included as the Government was of the view the present owners has made extensive investments on them and it would be very expensive, complex and a lengthy process to get them back, as such not all the Mfengu former land could be returned (SETPLAN, 1999:7).

In anticipation of the impending final settlement, at the conventions of the Mfengu held in Keiskammahoek, on the 18 September 1993, and 12 February 1994, the Executive Committee of the TEA was mandated to establish a Trust and to negotiate and conclude a Deed of Settlement on behalf of the TEA. The Tsitsikamma Development Trust (Mfengu) - TDT(M), was established to enter into, or adopt an appropriate Deed of Settlement and to receive, hold and administer on behalf of the TEA, the land, moneys and other assets constituting the subject matter of the settlement and to facilitate return of the Mfengu to their land (TDT, 1998:4). Following a national convention of the Mfengu in Keiskammahoek on the 12 March 1994 where they accepted the Government proposal, an Agreement of settlement was signed on the 24 March 1994 at Snyklip by representatives of all parties. The Trust and the TEA wanted the land returned.

The Government acknowledged the claim was settled under ‘apartheid laws’, thereby entitling the Mfengu to make further claims under the new constitution. In the convention, it was also agreed that the Mfengu were not yet ready to take up the farming immediately and therefore the nineteen farmers entered into lease agreements with the Trust, which formed part of the Agreement of Sale. An agricultural expert was

appointed to ensure the land and improvements were not misused by the tenant farmers [ibid].

The returned farms and Clarkson (the site for residential resettlements north of the highway), Figure 5.1 constitute the study area for this project. The returned farms and their current use status are listed in Table 5.1. The Government paid the Trust R35 720 000 to purchase the farms and R1 960 000 to facilitate the return of the Mfengu to their land. This settlement covered compensation for the assets seized and deprivation suffered by members of the Mfengu community. The infrastructure in the purchased farms include: farm houses, labourers houses, milking parlours, dairies, milking

Table 5.1 *Mfengu farms and occupation status*

Farm Number	Area (hectares)	Farmer Leased to	Lease Expiry
787/3	212.34	Not leased	Vacant
787/4	299.88	Not leased	Vacant
787/5	370.93	Anderson	Indefinite
787/6	226.04	Du Plessis	Indefinite
787/7	254.76	Du Plessis	31/10/2002
787/8	191.52	Du Plessis	Indefinite
787/9	252.42	Du Plessis	Indefinite
788/3	306.86	Not leased	Vacant
788/4	287.78	Emslie	01/02/2001
788/5	272.43	Not leased	Vacant
788/6	498.77	Not leased	Vacant
788/7	595.91	Not leased	Vacant
788/8	333.97	Not leased	Vacant
788/9	272.42	Meyer	31/12/2004
788/10	218.83	Van Schoor	Indefinite
788/11	208.68	Landman	31/12/2004
788/12	212.38	Landman	31/12/2004
788/13	513.92	Van Schoor	Indefinite
788/14	328.06	Landman	31/12/2004

See Figure 7.1

*Indefinite – lease can be terminated after giving farmers a 6 months notice, effective 2000.

Data as in August 2000

(Source: TDM(M) office, SETPLAN, 1999)

machines and associated equipment, bulk milk tanks, pumps, standby generators, sheds, workshops, storerooms, boreholes, earth dams, servitude dams – for irrigation, water

reservoirs, irrigation infrastructure and equipment - like centre pivot, sprinklers and draglines,- spray dips, kraal handling facilities, grasses – both irrigated and dryland, veld, roads and fences – some electric, pump houses, calf pens, electric motors and cattle troughs. Most of the infrastructure was in good and working condition when the deed was signed.

5.3 Topography and Vegetation

The farms are located in the valleys of the Kareedouw mountains sloping gently towards the Indian Ocean in the south. Several streams including the Tsitsikamma river bisect the farms and several have been dammed by the farmers over the years. The Tsitsikamma river and some of the streams cut deep gorges into the landscape making farming near their banks impossible. These banks represent some of the areas still covered by natural vegetation. Most of the farms natural vegetation was replaced by pasture grass – Kikuyu, Lucerne and Rye,etc - to support the commercial dairy industry dominating the area. Some of the pastures are irrigated while some have veld and dryland grass. The combination of the Tsitsikamma soils and climate gives the area a tremendous potential for agriculture, a fact supported by the current use of the farms (SETPLAN, 1999:9-11). A number of the farms have their own dairies to process milk.

5.4 Clarkson

The Mfengu convention on the 12 February 1994 also resolved that a single residential settlement be established as part of Clarkson, where the necessary infrastructure already exist. The Trust was mandated with the task to negotiate with the Moravian Church for land, as the Mfengu are of the view this is part of their land. The aim of this development was also to accommodate the returning Mfengu while decisions and plans on the effective use of the farms were being made. Clarkson in this case will be used to describe farm 858, a subdivision of farm Charlottenberg No. 375 and farm Clarkson

No.654, which was given by Moravian Church for the development of a residential settlement to accommodate the returning Mfengu and other people of Clarkson. The subdivided farm included the existing Clarkson settlements in Bazia and Kerk Streets. The returning Mfengu were settled in Smartie Town, Figure 5.1. The detailed process of establishment of this settlement will be outlined in the data analysis chapter of this project. The farm covers 188 8931 hectares, with a gently slope and bisected by two small streams. The vegetation include scattered clusters of pine trees and short grass.

Chapter 6

Evaluation and Methodology

Arrangement of Sections:

- 6.0 Introduction
- 6.1 Methodological Approach
- 6.2 The Research Questions
- 6.3 Methodological Issues
- 6.4 Research Techniques

6.0 Introduction

This chapter aims to briefly define the concept of evaluation and outline the methodology followed in this research.

The purpose of an evaluation study on a project still being implemented is to assess the extent to which social and /or economic objectives are being met. If these objectives are not being achieved then the task of the evaluation is to determine the causes and to suggest ways in which the objectives can be reached, or in which they should be modified. For an ex-post evaluation, the task is to determine the extent to which the original objectives of the program were met and if not, what were the likely causes. The suggestion of adjustments to future programmes is part of this process. An ex-post evaluation may also include a determination of the final ratio of the benefits achieved to cost incurred, in comparison to those anticipated at the outset of the project, or in comparison to other investments that were, or still are, possible (Bowden, 1988:57-58).

6.1 Methodological Approach

There is no generally accepted methodological approach or theoretical basis for the analysis of resettlement schemes. Hulme characterises three broad categories of analysis: (i) conventional evaluations, the majority of which are based on empirical approaches to scheme or policy performance, (ii) the sociological consequences approach, as practiced mainly by sociologists and anthropologists and (iii) radical and political approaches which are derived from theories of the role of the state in development (in Kinsey and Binswanger, 1993:1478).

- i) Conventional evaluations are premised on examination of policy outcomes while they are still in operation (ex-ante evaluation) or after they have ended (ex-post evaluation). This enables decisions taken as a result of an appraisal to be reviewed in the light of what actually happened while taking into account

changes in the external environment. Evaluation help policy managers achieve their objectives and can be seen as part of the policy making cycle, which begins with appraisal, lead on through to identification of options, to decisions, and is then followed by implementation, monitoring and evaluation, back to reappraisal, Figure 6.1 (HMSO, 1988:1). This evaluation employs a number of economic and social indicators to assess project achievements in the light of scheme objectives or contribution to regional or national development (Hulme, 1988:43).

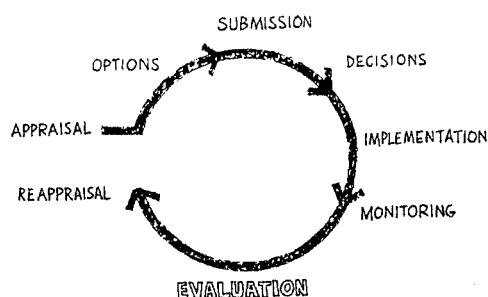


Figure 6.1 Policy Making Cycle

In this evaluation a base case to measure against is required and as such performance targets have to be defined which the policy will measure against. Evaluation is a comparison as well as a test of achievement. It is an attempt to judge what has happened as a result of a policy as compared with what would have happened otherwise (HMSO, 1988:1). After assessing performance, major obstacles that hampered scheme development are detailed and conclusions and recommendations are made as to how obstacles could be avoided, how performance could be improved or how projects could be better planned in the future (Hulme, 1988:43).

- ii) The Social Consequences Approach is concerned with the impact of schemes on individuals, families and communities. This evaluation tends to produce, either explicitly or implicitly, a set of moral values by which schemes are judged

[*ibid*:48]. Weitz (*in* Hulme, 1988:48) argues that better results could be achieved if the feelings of the people and how they envision the world are taken into account. This entails the assessment of the participation of the affected people in the project and understanding how they perceive the development. Becker definition is “the consequences for human populations of any public or private action (resettlement) that alters the way in which people live, work, play, relate to one another, organise to meet their needs, and generally cope as members of society” (1997:2).

In this approach socioeconomic factors are identified and the potential effect due to the resettlement. The factor changes can be positive or negative with different implications for the society. The evaluation ascertains if society is adequately equipped to deal with the implications and changes in demands for various services. The Commonly used factors and their potential impacts are identified and summarised in Table 6.1 below:

Table 6.1 *Socioeconomic Factors and Their Potential Changes Resulting from a Resettlement Project Implementation*

Factor	Potential Change
Population characteristics including population distribution by age, sex, educational level, family size	Increase or decrease
Settlement patterns	Disruption existing patterns
Community cohesion – including organised community groups	Disruption of cohesion, organisation
Religious patterns and characteristics	Diversity and tolerance
Land use patterns and control	Change in land use, compliance with landuse plans
Housing characteristics – types of housing, occupancy levels, age and condition of housing	Changing types and occupancy levels

Social services and facilities :	
Law enforcement	Changes in demand
Fire protection	Changes in demand
Water supply and services	Changes in demand
Solid waste disposal and collection	Changes in demand
Utilities: Electricity	Changes in demand
Telephones	Changes in demand
Cemeteries	Changes in demand
Recreation	Changes in demand
Health	Changes in demand
Education	Changes in demand
Transport system	Changes in demand
Employment and unemployment patterns including occupational distribution and location and availability of work force	Increase or decrease
Income levels and sources	Increase or decrease, diversity
Assets : Livestock, tools and implements	Increase or decrease, adequacy
Commonages	Changes in demand
Access to Land	Changes in demand and rules of access, production systems

(based on Canter, 1977:165)

[NB: different methods are used to measure the different factors, but the general principles to measure the impacts have remained the same over the years]

This evaluation uses some of the measures in conventional evaluation without the overemphasis on the comparison with a baseline case. The outcome of this process is the understanding of the social impacts of the project, making conclusions and identifying ways to improve project implementation and its effects.

- iii) Radical and Political Approaches seek to make evaluations by identifying the position of the schemes in the world economy and examining the general processes operating on settlers and scheme. They attempt not merely to comment on scheme performance but to provide a framework for total understanding [ibid:51]. This project will not deal with these issues.

6.2 The Research Questions

The goals of the research are twofold; to evaluate the efficiency and effectiveness of this resettlement process and the sustainability of the new settlement. *Efficiency* will be used to refer to the amount of resources involved in carrying out the project and implies the absence of wastage for a given input (Scriven, 1991:129). It is the ratio of the output of an activity to the resources used to produce that output. The ratio of output (resettlement) to the resources (costs –human and financial) used to achieve the resettlement programme; while,

Effectiveness to refer to the extent to which the objectives of the policy or programme are achieved and is defined without reference to costs (HMSO, 1988:28). The main objective in this case being to resettle the Mfengu in Tsitsikamma; and,

Sustainability to refer to ensuring that the people's (Mfengu) basic needs are being met, the resource base is conserved, the environment and cross-sectoral concerns are integrated into decision-making processes and the empowering of the communities (FitzGerald, 1997:4). This is essential to improve the quality of life as well as to satisfy the human needs without destroying the environment. In this case sustainability will entail:

- A self reliant and cost effective development,
- Facilitating access to basic needs e.g. health, water, food and sanitation,
- People driven development and their effective participation in decision-making,
- Integrated development – physical, political, economic and social,
- An economic system able to generate surplus and sustain programme, and
- A production system that preserve the ecological base (Becker, 1997:44).

In particular focus will be on the constraints and issues hindering successful implementation of a resettlement project. The research questions are: How was the project carried out? Is the resettlement integrated into the socio-economic and

development planning of the area? How viable and sustainable is the new settlement? What are the major problems and challenges facing this area and how can they be overcome?

6.3 Methodological Issues

The methodological issues of evaluation in resettlement projects generally distinguish between two broad groups, implementation characteristics and outcomes. Implementation characteristics taken into account for this project include factors such as: Scale - overall size, average holding size and number of settler families; Sources of funding for land and infrastructure acquisition; Settler selection rules and practice; Land allocation rules and practice; Land rights and restrictions; Provision of infrastructure and speed of construction; Access to and modality of supply of production and social services – extension, market, health care, education, water, etc; Quality of resource base; Costs per beneficiary family; Grant elements and speed of formation, organisation, autonomy and participation of settler groups (Kinsey and Binswanger, 1993:1478).

Outcomes characteristics will include: yields and production levels, family income levels, asset accumulation; consumption levels, poverty alleviation; diversification of production patterns; land trading and re-aggregation and/or subdivision of holdings; environmental impacts; stability of settlements; and sustainability of farming systems [*ibid*].

The combination of the above groups characteristics will be used to assess the factors in Table 6.1 and the issues raised in the Rural Development and Physical Planning, and Resettlement theoretical background chapters. A questionnaire (see appendix) was used for a 5% sample of the resettler community to obtain the required information. Interviews were used for the other stakeholders to get information on the following aspects:

- Tsistsikamma Development Trust (Mfengu) (TDT(M)) chair person and member –

operation, organisation and functionality of Trust, development direction, costs and services delivery, major constraints and relationship with government and other service providers;

- (TDT(M)) Secretary and Community Liaison Officer – duties and responsibilities, working relationship with Mfengu members, process of resettlement and constraints;
- (TDT(M)) Independent Trustee (John Hops) – involvement with Trust, properties returned, Trust establishment process, vision, planning and inventory;
- TDT(M) Agricultural Extension Officer – responsibilities, agriculture development direction for the Mfengu, major problems with community members and Trust;
- Moravian Church Reverend (L.M. Mcubuse) – Role of the church in the community and resettlement of the Mfengu, relations and cohesion of the existing and resettler communities, religious freedom and problems;
- Secretary Clarkson Communal Property Trust – duties and responsibilities, operation of Trust, services to community members and major constraints;
- Headmasters in schools in Clarkson and Kareedouw – impact of Mfengu return to respective facilities;
- Administrator B.J. Vorster Hospital Kareedouw and Sister at Clarkson clinic – impact of the Mfengu return to facilities, common health problems, working relationships between clinic and hospital and concerns;
- Police Captain Kareeadow - impact of the Mfengu return to facilities and resources, assistance from government and crime levels;
- Mfengu Lawyer – the land return process, the services offered, formation of Trusts, lease agreement and participation agreement;
- Clarkson post mistress – impact of the returned Mfengu, services provided and problems;
- SETPLAN consultants – the Mfengu development plan, its relations to the IDP/LDO, development direction of area and its status in the district planning framework; and
- Planner – Western District Council – integration of the Mfengu area in the district planning, support services and relationship with Trust.

The questions raised in these interviews will help ascertain the issues such as the

political and administrative support given by the government to the Mfengu to restore living standards; adequacy of financial, human and physical resources; their organisational and operational structure including their duties, responsibilities and functionality; the profile of the returned Mfengu in comparison with the outlined Eastern Cape rural areas; public participation; services provision; employment creation; poverty alleviation; agricultural production and livelihoods; land sizes; integration with host communities and cushioning effects of increased population density; community tension and how dealt with; settlement types; incorporation to the local economy and with IDP/LDO. From the foregoing, the research questions will be answered.

The emphasis will be on looking at what is happening to the newly resettled land and how are people making a living and assimilating to the new environment. Answering these questions will give an insight into the complexity of carrying out such a process and what social and economic issues should be taken into account in order to have sustainable resettled communities. The results of this research will assist in the fine tuning and improving designs and spin-off effects of future resettlement schemes.

6.4 Research Techniques

Since the resettlement of the Mfengu was settled outside the Restitution of Land Rights Act, 1994, and given that the land policy does not specifically provide resettlement objectives, the conventional evaluation outlined in the project proposal cannot be applied in this case, instead the social consequence approach will be used.

The methodology included:

- The analysis of reports and documents on the project and Mfengu: this included published research papers, books, maps and other documents from the library, working documents and reports from the Tsitsikamma Development Trust (Mfengu) offices and Western District Council;
- Interviews with government (DLA) and local government officials (WDC), agencies

that were involved with the Mfengu project, Mfengu community leaders and members, and other stakeholders affected by the implementation of the resettlement scheme: as they are outlined in the methodological issues above. The WDC, K. Pienaar (lawyer from Legal Resources who represented the Mfengu), SETPLAN and Eastern Cape Department of Education interviews were by telephone, emails and faxes, while the rest were face to face;

- Questionnaires were used in a sample of about 30 (5% of the households) to ascertain their demographic profile, economic status and working life histories. The sample was random based on the different settler communities. Five households were selected in Doriskraal, Snyklip, Clarkson (Smartie Town) and Wittekleibosch, while ten were selected in Ekuphumleni as it represented the biggest settlement on the farms; and
- A site analysis was carried out on the farms to ascertain their current use status, infrastructure and physical development conditions. This was restricted to the farms currently occupied by the Mfengu. Observations from the site visits were reconciled with the farm's inventory from the TDT (M) office.

Chapter 7

The Mfengu Return to Tsitsikamma

Arrangement of Sections:

- 7.0 Introduction
- 7.1 The Early 1990s Return
- 7.2 The After 'Deed of Settlement' Return
 - 7.2.1 The Trust – TDT (M)
 - 7.2.2 The Trust and Management of Farms
 - 7.2.3 The Clarkson Communal Property Trust (CCPT)
 - 7.2.4 The Lease
 - 7.2.5 Establishment of Clarkson Settlement
 - 7.2.6 The Establishment of Settlements on the Farms
 - 7.2.6.1 Community Committees
 - 7.2.6.2 Profile of Returned Mfengu
 - 7.2.6.3 Infrastructure
 - 7.2.6.4 Agriculture
- 7.3** District Planning
- 7.4 Summary of Methodological Issues
- 7.5 Conclusion

7.0 Introduction

This chapter forms the data analysis part of this project and aims to answer the research questions. An attempt has been made to arrange the sections as a consecutive sequence of the events and processes that took place in the re-establishment of this community. The methodological issues outlined in Table 6.1 appear in different sections of this chapter (not as chronologically outlined in the table) where their implications are also discussed. A summary table is given at the end of the chapter indicating the location where each factor is discussed. This was necessitated by the differences in the detail of available data.

The third process of the Mfengu return to Tsitsikamma as outlined in chapter 6 can be divided into two stages, the early 1990s return and the after 'Deed of Settlement' return.

7.1 The Early 1990s Return

With the negotiations for the return of the Mfengu going on, in the 1990's the Tsitsikamma Exile Association (TEA) decided that about 50 households should return to Clarkson in 1993, to show the government the seriousness of their intention to return to their land and the need to expedite the process. Land was secured from the Moravian Church, by the TEA, east of the primary school, where about 50 housing units were to be constructed. Funding from various agencies like Oxfam U.K., the U.S. Embassy, USAID, IDT, Christian Aid, Shell and Botshabelo Trust and contribution from individuals were secured to carry out this venture. The Mfengu were responsible for clearing the land and building some of the houses, although the latter responsibility was later tendered out to private contractors to complete the 50 housing units. By April 1993 about 17 corrugated iron houses had been constructed and some families had moved in (Deliwe, 1997:291-292).

The move to Clarkson by the Mfengu was also motivated by the belief that this property (Farm 654) occupied by the Moravian Mission is theirs as per the old established

relationship (chapter 1), where the land is held in trust for the Mfengu by the Church. This explains the willingness of the Church to assist the Mfengu in their efforts to get their farms back.

The TEA compiled a register of all members who wanted to return and a Committee in Clarkson comprised of TEA members was responsible for accommodating the returning Mfengu in these structures. About three standpipes were provided for water and most of the families depended on handouts, pensions and remittances from family members for survival. The settlement came to be known as Silvertown, because of the corrugated iron structures. The settlement was divided into small plots allowing the occupants to have some gardens. The settlement was serviced by gravel roads [*ibid*]. For other community facilities - church, shops, schools - they had to use what existed in Clarkson. The resident coloured community accepted the Mfengu as part of them.

7.2 The After ‘Deed of Settlement’ Return

This refers to the return of the Mfengu after the signing of the Deed of Agreement returning their land in 1994. This period encompasses the establishment of the Tsitsikamma Development Trust (Mfengu) – TDT(M) and its initial operations, the establishment of Clarkson residential settlement and the establishment of settlements on some of the farms.

7.2.1 The Trust -TDT(M)

The management of the Trust is undertaken by a board of trustees, responsible for the implementation of the terms of the Trust Deed according to its intent and purposes, subject to direction (resolution passed at a general meeting) of the Specified Beneficiaries. The Specified Beneficiaries, referred to persons eligible to benefit from assets, resources and projects of the Trust. It is comprised of:

Primary Beneficiaries - All persons, including the existing members of the Tsitsikamma Exile Association, who were part of the community that suffered the deprivation and the loss of its land and assets in consequence of the forced removal as recognised by the board of trustees in its discretion.

Secondary Beneficiaries - Such other similarly dispossessed persons, as the board of trustees in its sole discretion may from time to time resolve to include; and

Tertiary Beneficiaries – Such other disadvantaged persons as the trustees in their sole discretion may from time to time resolve to include on the grounds of either:

- A relationship, by blood or marriage, with one of the primary or secondary beneficiaries;
- or
- the ability and willingness of the person(s) concerned to make some valuable contribution to the activities of the Trust and the welfare of the persons constituting the Specified Beneficiaries (TDT, 1998:12-14).

The Trust is obligated to keep a register of all the specified beneficiaries and is not obliged to deal with these categories in the same manner. The register being updated in the course of this project had 663 specified beneficiaries - 210 in Doriskraal, 125 in Nuweplaas, 203 in Wittekleibosch and 125 in Snyklip. The powers, functions, duties, procedures and responsibilities of the Trust are outlined in the Trust Deed.

The previous Trust comprised of about 22 members from the different Trust areas and about 7 independent Trustees – to satisfy the requirement of the Income Tax Act of 1962. According to this Act one of the requirement for the Trust to be excluded from paying tax is that 25% of the trustees must be people not directly benefiting from activities of the Trust. In the new Trust (February 2000), as recommended by a number of people and further by SETPLAN consultants, the number of trustees have been reduced to 8, two from each area all democratically elected by the specified

beneficiaries and 3 independent trustees. The three independent trustees include John Hops who assisted in the early establishment of the Trust, Humansdorp Town Clerk (J. Vumazonke) and an official (M. Sulelo) from the Directorate of Housing - DLA in Port Elizabeth. This development reduces the amount of money spent on trustees including transport allowances, claims and food. The Trust Deed also requires 75% of the Trustees to reside in the Trust area. Of the existing Trust, 5 trustees work and live in Port Elizabeth and have homes in the farms while the other 3 live in the vicinity of the Trust areas.

The description of the beneficiaries restrict this community to only the dispossessed and no mechanisms are available to accommodate outsiders. As such the community cannot attract people with a diversity of skills, finance, etc that can be beneficial to them in terms of investment and improvement of their livelihoods.

7.2.2 The Trust and Management of the Farms

As the Mfengu were not yet ready to take over and use the farms, it was agreed by the community that the farms be leased. The Trust entered into lease agreements of varying periods with the farmers, some expiring early 1995, 2000, 2001 and 2004. At the signing of the leases in 1994 the farmers were paying a rental of about R144 208.22 every two months for 9 months (SETPLAN, 1999:7). This figure is now reduced as some of the farms are now reserved for the Mfengu use. The Trust expenditure include Trustees claims, financial services, maintenance of farm equipment and roads, wages and salaries, telephone accounts and electricity bills.

In this period the Trust was being consolidated and being assisted in taking over the responsibilities over the farms. The IDT provided a business manager (Mr J. Hops) for two years to assist in the Trust set up and an agricultural expert (Mr Taylor) was hired by the Trust to assist on the agricultural aspects and ensure the land, improvements and facilities were not misused by the tenant farmers. The legal services were provided by

Kobus Pienaar from Legal Resource Centre, Port Elizabeth.

The major task of the Trust was to facilitate the return of the Mfengu and as per the agreement on the establishment of a residential township, negotiations were instituted with the Moravian Church. The Church and the TDM(M), after due consultation and with approval of their respective members agreed to embark on a joint project at Clarkson with a view to establishing an integrated residential community which included both the existing residents of Clarkson, members of the returning Mfengu community and other homeless families at Clarkson (CCPT, 1996:3).

The Church offered to make available for this purpose Farm 858 at Clarkson, Figure 5.1, through a mutually agreed process involving the establishment of a Trust as contemplated by Section 2(3) of the Communal Property Associations Act No.28 of 1996. The farm, subdivided in June 1996, included the existing residential areas, the school and most of the land south of the cemetery and above the R102 main road (see survey diagram in the appendix). The Moravian Mission remains outside this subdivision.

The community convention held in Clarkson on 23 June 1996 following a series of community meetings, approved the Trust Deed. The Clarkson Communal Property Trust (CCPT) was duly established on 16 August 1996.

While all the negotiations were going on the Mfengu in Keiskammahoek were getting impatient with their delayed return, knowing that the land was now back under their ownership. Most of the Mfengu wanted to return to the farms and not to Clarkson.

7.2.3 The Clarkson Communal Property Trust (CCPT)

The main objectives of the Trust is to hold, acquire, develop, improve and administer property; various rights, assets and awards constituting the Trust fund and subject to the

Head Lease; admit membership of the Trust; grant rights of occupation and enter into Participation Agreements with eligible individuals members; facilitate development of land and housing; establishment of appropriate community facilities and amenities with regards to members social, economic, cultural, educational, health and recreational needs for the benefit of its members and persons eligible to become such members (CCPT, 1996:4-5).

The duties, power, functions, responsibilities and procedures for the CCPT are outlined in the CCPT establishment Notarial Deed of Trust, 1996. Membership of the Trust is divided into two categories, institutional and individual membership. Institutional membership refers to the Church and the TDT(M), each having to appoint two representatives. The individual membership is constituted by democratically elected representatives from the members of the Clarkson residents, Specified Beneficiaries (TDT (M) Deed Trust) and any member admitted by the Trustees ordinarily resident in Clarkson. The Deed provides for the election of five members from the coloured community and five members from the Mfengu community. This was essential given the reality on the ground, where the coloureds are dominant in Clarkson and the returning Mfengu live as separate groups. When the Mfengu were moved in 1977, the coloured population living along Bazia and Kerk streets in Clarkson remained. As the coloureds have lived on their own for the past 23 years the return of the Mfengu is seen by some as an invasion of their space. The development of the residential settlement for the Mfengu in Clarkson was also a distance from the existing settlements, in a way exacerbating the divide. The people interviewed did not have a problem living together, but the divisions created by apartheid along race lines make the two groups distrust each other. The divisions are also apparent inside the church where the priest has to try and maintain neutrality. In one occasion the Moravian Church headquarters requested the church in Clarkson to submit a name of an active youth member to join others from the rest of the country for a trip abroad. To avoid problems the priest requested the Mfengu and the Coloured congregates to each choose one person and the two names were sent to headquarters where they picked the better candidate.

The Deed allowed this individual nomination procedure to go on for four Annual General Meetings (one every two years) and on the fifth AGM the Deed requires the community to democratically appoint the 10 members without differentiation on colour lines [*ibid:15*]. This provision assumes by this time the community cohesion will have improved. This is in line with de Wet assertion that the first few years of resettlement represent the most stressful period to the settlers and they tend to behave in a conservative, risk-avoiding ways, clinging to familiar practices and groupings (1993:321).

The CCPT is also required to keep a register of its members and also issue them with membership certificates. Application was also made to the government for tax exempt status as provided for in the Income Tax Act No. 58 of 1962 as amended.

7.2.4 The Lease

The 99-year lease between the Moravian church and CCPT was signed on the 6th February, 1997. The lease allowed the Trust to grant use and occupational rights to its members. There was also a provision in the lease for the Church to transfer full ownership of leased property and upgrade land rights to freehold, a matter the Church was to take up with their highest decision making body the Synod, in 1998. The Synod never took the decision on the matter and the lease remains. The resident minister of the Moravian Church in Clarkson is of the view the Synod did not take a decision because they do not want to set a precedent given the number of properties the Church has throughout the country and also the fact that the beneficiaries were not willing to pay for the land. The CCPT has to pay a nominal fee of R100 for the duration of the lease.

The CCPT will be responsible for the rates, taxes and levies on the land and also have to ensure that their members do not cause nuisance to the Moravian Mission or other people in the neighbourhood. As such, the CCPT is required to prepare and enforce village rules which the members have to sign together with the Participation Agreement (CCPT, 1997a:7). The people living in Clarkson before the creation of the CCPT, lived

on Church property under the regulations and rules prepared by the Church. These regulations and rules were referred to as Village rules and all members of the community had to abide by them for peace, order and security. The CCPT is required to prepare the Village rules for the same reasons.

They Village rules have not been finalised and according to one of the trustees, “the trust is sceptic of implementing this requirement because we feel the rules will interfere with people’s freedoms and the community is likely conceive them as part of the old apartheid system.” The indecision of the Trust contravenes the Deed Trust requirements and may cause problems for them in future in terms of order, peace and security as already experienced with the increasing uncontrolled stokvels with associated increased alcohol related problems.

7.2.5 Establishment of Clarkson Settlement

While the lease and Trust negotiations were proceeding, parallel negotiations were also held with the Eastern Cape Provincial Housing Board to obtain housing grants for the returning Mfengu and other people in Clarkson, to develop the housing settlement. A R1 million bridging loan from the IDT was to be secured to spearhead this project and was to be repaid after the approval of the grants from the Housing Board. Instead other cash flow arrangements were negotiated with the Housing Board, eliminating the need of this bridging loan. The Trust managed to get a R12 million Institutional Subsidy in 1997 from the Housing Board covering the development of 575 serviced sites in the leased land. The beneficiaries of the housing subsidy were entitled to a top structure (house) of about 6.2 x 5m on a plot (average 500 m²) serviced with individual water connection, STED sewer system, scraped roads and an overland stormwater drainage. Based on a housing subsidy of R15 000, the top structure costs about R9 929 and the remainder catered for the plot and its servicing (Participation Agreement 21/3/97). Bulk services in the form of main water storage dam, sewerage treatment works and the resurfacing of Kerk and Bazia streets was carried out by the Western District Council.

When all the Mfengu (about 350) returning to Clarkson and the Clarkson homeless – about 175, had been accommodated, the CCPT allowed the employees and former employees of farmers in the Mfengu farms and other surrounding farms to take up the remaining structures. The project was designed and planned by AFRICON consultants in the Eastern Cape on behalf of the Trust.

The membership of this community is open as compared to that of the TDT(M) farms because the Church were at the forefront and they own the land. This explain the lack of opposition from the Mfengu on the admission of outsiders in Clarkson. Also the main interest of the Mfengu was returning to the farms and regarded Clarkson as a temporary stopover.

Every participating member in this project had to sign a Participation Agreement, outlining the conditions, rights, procedures, etc of living in this village. The Participation Agreement granted a member the right to occupy the site for residential purposes only including establishment of a garden and grazing of livestock. Section 6.2 of the agreement specify the right:

The right to occupy the Site is a right granted by the Trustees to the Member in his or her capacity as an individual Member of the Trust and, as such, is a personal and not a real right (in the legal sense of the words “personal” and “real”). The Member may transfer, bequeath, sublet or otherwise dispose of or exercise the right of occupation only in accordance with and as provided for in the Trust Deed, this Agreement and the Village Rules.

The Project incorporated Silvertown. The newly established settlement is referred to as Smartietown or Newtown. The project was completed in 1997 and the beneficiaries are required to pay a service charge of R30 a month. The participating members and all persons living at the site are also required to abide by the Village Rules. As these have not been finalised the church has problems dealing with residents in the old settlements as they now do things not allowed by the church but it takes place in the new township

(Smartietown). As such a number of stokvels, the selling of alcohol, spazas and ancestor rituals are now wide spread.

From the interest obtained from the subsidy the CCPT was able to establish an office responsible for the settlement. They employ a secretary, and a staff of about 6 for the refuse collection and disposal and maintenance of the infrastructure. A private truck belonging to a local is contracted for the waste collection. As such the CCPT plays the role of a local authority. As most of the people in the settlement are not working, only a few pay the service charges and the collected revenue is inadequate to maintain the services so the Trust has to use some of their savings which are slowly being depleted.

To overcome the above problem the CCPT in 1999 applied for the USAID project to assist small areas to be developed into functional municipalities. The CCPT application was successful and a R1 million project to help Clarkson become a municipality is underway. The project will include building the capacity of the CCPT, training, public education on living in municipalities and need to pay services charges, revenue collection and management, etc. The project will run for about a year under consultants financed by USAID. The success of this process also hinges on the provision of freehold tenure.

The CCPT has also secured funding from the Western District Council (WDC) for the provision of street lighting, a clinic has recently been completed by the WDC on land leased from the Trust and a crèche and a community hall is being built. The issue of the payment of services charges is likely to remain a problem as the township is located in an economically depressed area with no employment opportunities. The maintenance of services will therefore remain a burden to the Trust. By not restricting the housing to the Mfengu only, the community integration is enhanced and cohesion maybe achieved within a short time.

Mfengu families who want to move from Clarkson to the farm settlements have the option to keep their grant house or find someone to takeover the grant house. In cases

where they keep the house, they are not entitled to another housing grant on the farms, while if they find people to take over their houses, their names are deleted in the national housing grant computer (replaced by new owners) and are eligible for a housing grant on the farms. Of the people interviewed in Clarkson most were waiting for their chance to move to the farms as they wanted to farm. Only one person was not interested in moving back as the farms did not have the same infrastructure as Clarkson.

7.2.6 The Establishment of Settlements on the Farms

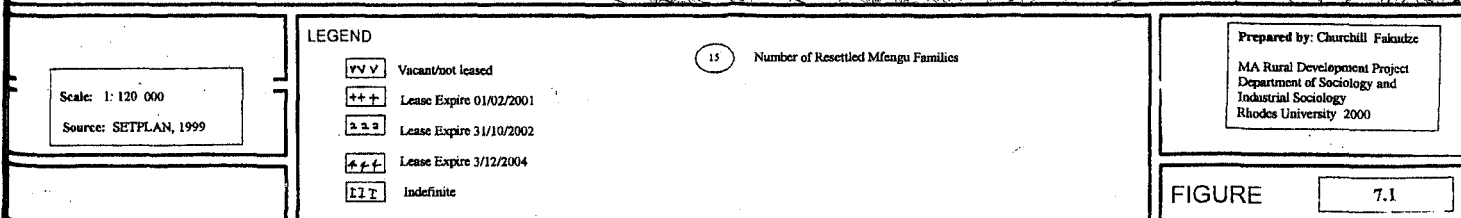
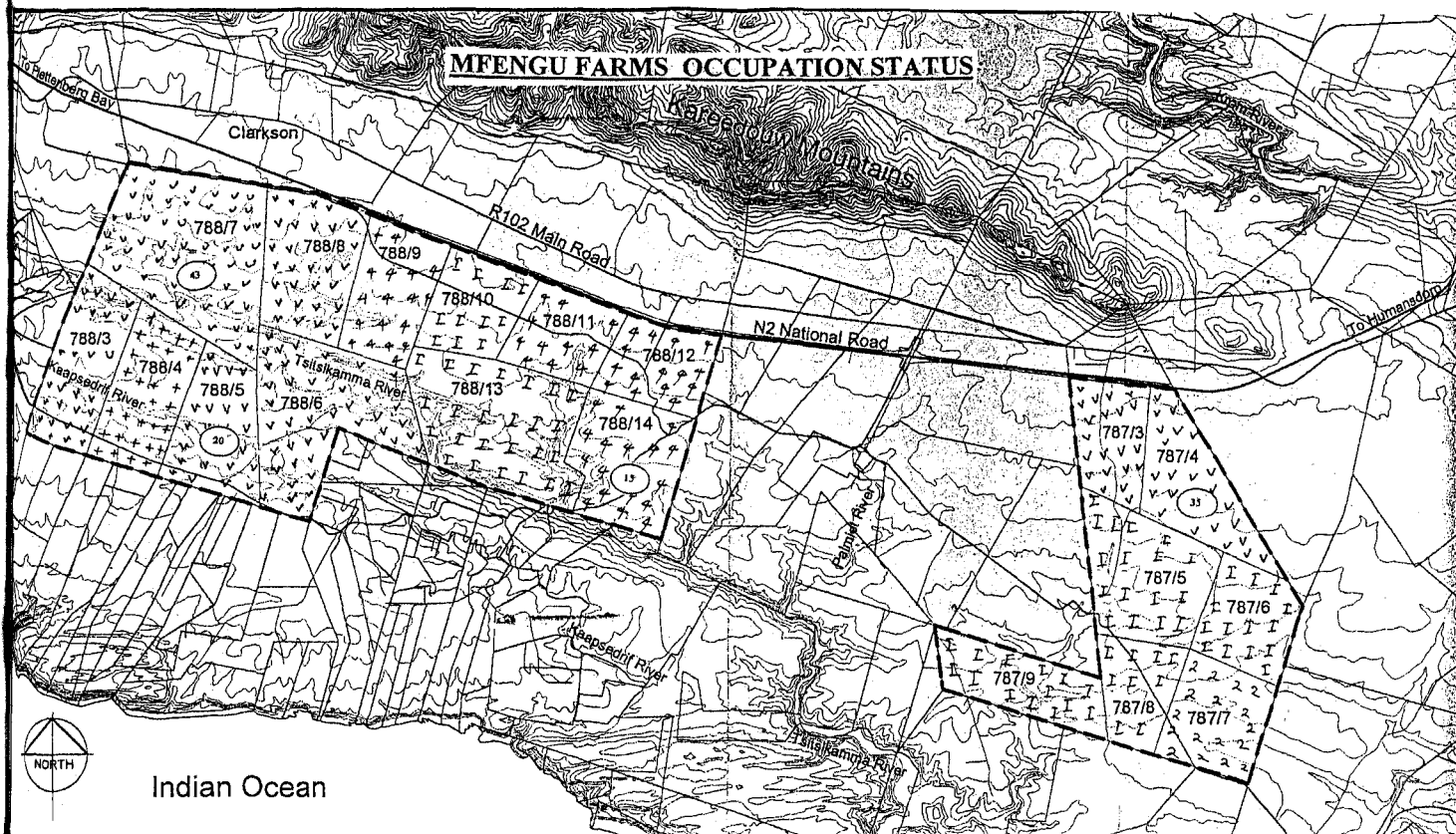
While the TDT(M) was busy with the establishment of Newtown, the pressure from the Mfengu to return to the farms also increased. The Mfengu who refused to return to the township wanted to move from Keiskammahoek to the farms, preferably their old locations. The Trust was slow in coming up with a development plan for the farms, so they had to devise interim measures to deal with the pressure. This included the non-extension of some of the leases that expired in 1995 to avail the land for the Mfengu use. The Fingo Reserve – now farm 788/7 and 788/8 was the first of such farms. The Trust also had to work towards having other farms released in Snyklip, Doriskraal and Wittekleibosch, as the different Mfengu groups wanted to return to their former areas.

In 1996 about 10 families returned to the farms and were given land in Fingo Reserve, with their housing made from corrugated iron sheets while the Trust was finalising the course of action. As an interim measure the Trust agreed to allocate land only to returning households that had homesteads in the area prior to the move in 1977, each household was given a 50 x 100m allotment. The allotments layout was arranged like a township with provisions for road reserves. These allotments were measured by the community members and were not surveyed. The allotment size also aimed to provide land for cultivation for each family. Only one farm in each area could be used for the settlement with rest of farms to be reserved for agricultural development.

With time the Trust was able to secure land for settlement in the four areas, farms 788/7

(Fingo Reserve), 788/5 (Doriskraal), 788/14 (Synklip) and 787/4 (Wittelkleibosch). Using the farm leases rental and interest accumulated since 1994, the Trust embarked on a development venture, where they financed the building of houses to the tune of R15 000 each to accommodate the returning families in the allotments. About 43 houses were built in 788/7, the largest settlement. Due to the late availability of vacant farms in the other areas, most of the returning families were given allotments in Fingo Reserve, a settlement referred to as Guava Juice or Ekuphumleni (place of rest). As most of the people from Doriskraal had already been given land in Fingo Reserve when the land became available, only 4 houses were built pending the community decision on the matter. In Synklip about 15 houses were built and in Wittekleibosch about 35, Figure 7.1. The number of families in these areas exceeded the number of houses built. As the farms also had farmhouses and former employees housing, these were allocated to some of the Mfengu families. These families were also given allotments in adjacent farms closer to their houses. All the released farms had this type of housing. The farm houses are temporarily occupied by certain families, pending a decision by the different communities on their use (SETPLAN 1999; TDT(M), 2000).

The Trust only allowed a Mfengu family to return from Keiskammahoek when a house for occupation had been completed. The Trust paid for the transport costs, while after the decision to return to Tsitsikamma each of the families had been given R2500 towards construction costs. About 500 families were given this amount costing the Trust more than R1 million, and not all the people used the money for the set purpose, also given that the Trust built the houses. The Trust used the members of their community with building skills to mark the allotments and build the houses, but due to delayed delivery and housing quality, the job was tendered out to a private constructor which used some of the manpower from the returnees. The 9 x 6 m housing unit was built from bricks and mortar and had provision space for the kitchen, bedrooms and a toilet. The Mfengu did not want the houses built close together as in a township and so they were positioned far from each other with no particular pattern.



PROPOSED AREA MANAGEMENT COMMITTEES BOUNDARIES

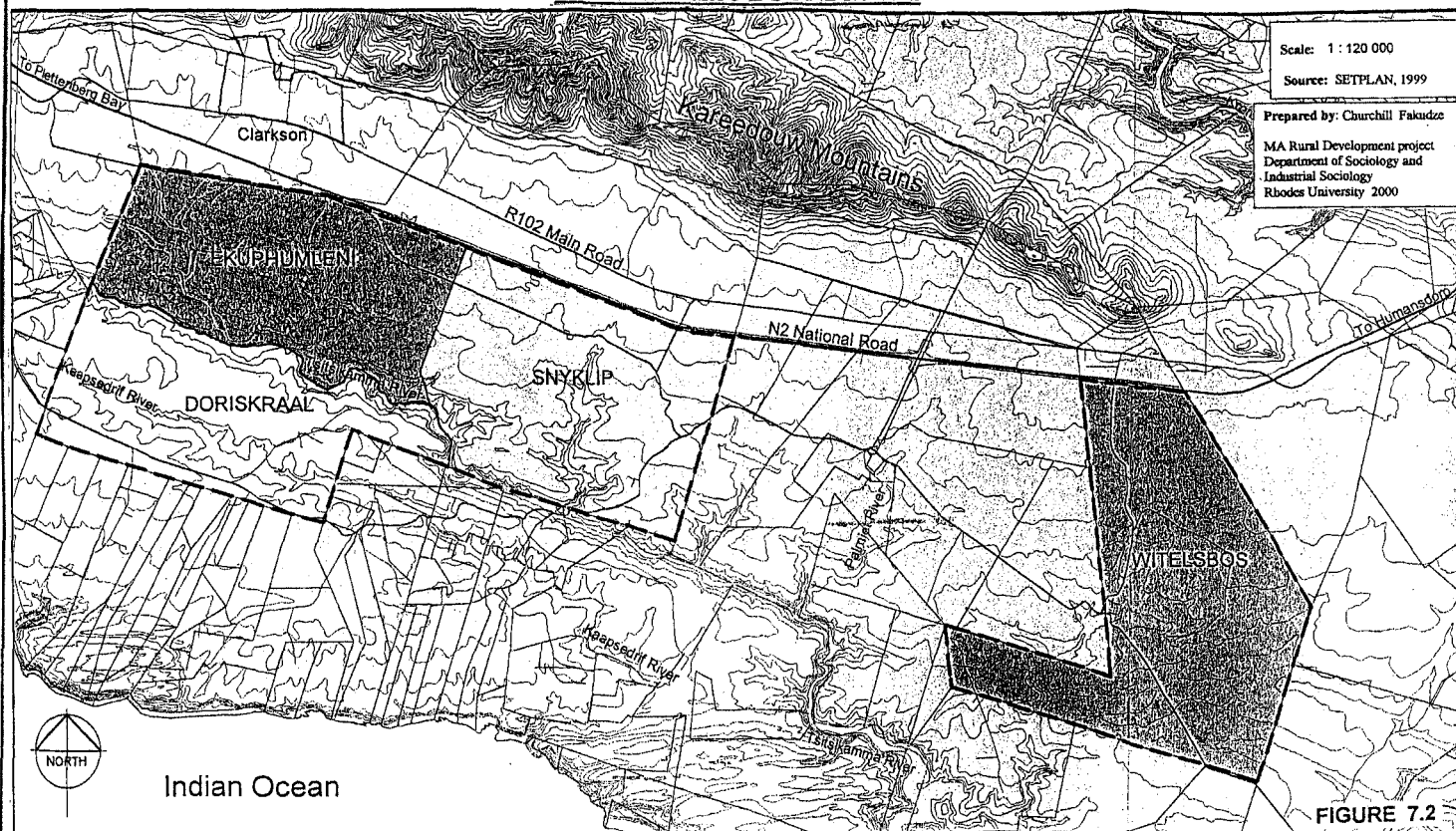


FIGURE 7.2

The layout pattern of the allotments in Guava Juice left some land vacant along the stream banks – stream buffer zone - but the people use this land adjacent to their individual allotments for ploughing. Also few individuals were allocated bigger portion for farming in the area seen as not flat or marshy for siting the housing and allotments. The farmhouse in 788/7 was earmarked for use as the Trust office and the Port Elizabeth rented offices were vacated. The office is manned by two secretaries, a community liaison officer and other support staff like the groundsman, tractor driver and the personnel who deliver water to the communities. The chairman who works in Port Elizabeth keeps in touch by phone with developments in the office. The community liaison officer is responsible for co-ordinating the activities of the community committees and has also been mandated to get the baseline data of the families on the farms. Four committees were established to settle the people in the different areas and their activities were coordinated by the Trust. The people only have use rights of the land while the tenure issues are still to be resolved by the Trust.

7.2.6.1 Community Committees

The TDT(M) works with community committees in each of the four areas. The committees are responsible for the land allocations and other issues related to the community needs. They take issues from the community for tabling in the Trust and are supposed to report back on outcomes and discussions held by the Trust. These communities are democratically elected and the two trustees representing each area in the Trust are also members of the community committees. The Trust has been working well with the committees although they do encounter problems in dealing with others.

Following the recommendation of the development plan, the Trust in August, 2000 agreed to replace the community committees with Area Management Committees (AMC). The AMC will be given complete control and ownership of their land to freely utilise the land, enter into agreements with service providers, commercial farmers, government and parastatal organisations whilst still under the umbrella of the Trust. The

AMC will be developed into CPA's and the areas will be divided as in Figure 7.2. Doriskraal (788/3 – 788/6), Snyklip (788/9 – 788/14), Wittekleibosch (787/3 – 787/9) and Nuweplaas or Palmietrivier (once returned) will be under the AMC while Ekuphumleni (788/7 and 788/8) will remain under direct control of the Trust. This is essential given that Ekuphumleni houses a number of Mfengu from the different areas. A constitution of the AMC is being developed and will cover the working relationship with the Trust, responsibilities, procedures, duties and functions. While this is being developed the Trust has agreed to give each community committee 20% of the rental income from each area's leased farms and to give R5000 to a community committee (Nuweplaas) which does not have leased farms. The 80% will be used by the Trust to maintain the infrastructure, office, insurance and other equipment. Some of the people surveyed were of the view the Trust should give the communities 80% and remain with the 20%, but such a scenario can create serious disparities between the areas and may lead to conflicts. Most of the people surveyed felt the Trust was not attending to their needs and responding to their issues. The ineffectual communication channels between the Trust, community committees and the community was apparent, with the community committees blamed for not reporting back to the people on workings of the Trust and response to issues raised by community members. As such annual general meetings tend to be chaotic.

This approach by the Trust increases the number of levels of authority for the area for a population of less than a 1000 people and indicate the hidden struggles for power and resources outlined in chapter 4. While the community members were all in agreement to get their land and it makes economic sense for them to be settled in one area, their internal dynamics is changing as observed in the Elandskloof and Reimvasmaak cases (Barry and Mayson, 2000; Lund, 1998). Some of the interviewed persons were emphatic on ineffectiveness of the Trust and wishing it be replaced by the government. The trust needs capacity building to be able to deal with their responsibilities effectively and the creation of more structures exacerbates this status.

7.2.6.2 Profile of the Returned Mfengu

The survey of 30 households in the farms and Clarkson revealed 40% of the households were female headed, 90% owner occupancy with about 63% primary beneficiaries and 37% tertiary beneficiaries (property held on behalf of primary beneficiary who is deceased or did not return to farms). Most of the returned Mfengu are those adults who were moved in 1977 now in their pension age. This confirms Deliwe's (1994:288-290) research findings that indicated the young are not willing to move back because of lack of job opportunities in Tsitsikamma. The majority of the household heads have low (below standard 8) education levels. The sources of income are shown on the table below:

Sources of Income

Sources of Income	Number of Households	Percentage %
Pensions/Disability	18	60
Remittances	4	13.33
Entrepreneurs	3	10
Vegetable Vendors	4	13.33
Casual Work	1	3.33
Total	30	100

The average household size was found to be about 4.3, the modal household size being 2 with a range of 1 to 14 household members. About 13 of the families did not have children below 18 years, with the average number of children per family being 3.2 and the unemployment of adults of working age at 55%. Most of the working are engaged in farmwork or employed in the forestry industry with less than 10% in permanent or professional employment like teaching and nursing. The people were doing similar work in Ciskei before the move back to Tsitsikamma. The allotments are used for subsistence farming. Three of the returnees who took retirement packages from their workplaces are heavily involved in agriculture and are using their allotment to generate income.

Fifteen of the families have livestock [10 with cattle only, 3 with cattle and sheep and 2

with cattle and goats] as shown in table below. Some families have the livestock, pigs and chicken in varying numbers. The livestock graze in the farms and kraals, sty's and chicken sheds are built in the allotments. The livestock, pigs and chickens are mainly kept to sustain the families and are sold in times of need.

Livestock Ownership

Livestock	Number of Families	Average
Cattle	15	8
Sheep	3	7
Goats	2	6

The majority of the households are headed by pensioners and given the modal family size of 2, the ability of the resettlers to fully utilise their allotments is suspect and the justification for releasing all the land for exclusive use by the population is unjustified. Kinsey and Binswanger in their study found that the farm area a family can operate efficiently depends on the amount of family labour, the farmers managerial skills, the machinery and capital stock that he/she owns and his access to credit markets. Settlers should be allowed to sell or rent land to other beneficiaries (1993: 147-1481). The allotments of big families are fully utilised. The agricultural sector has to be developed to absorb the high unemployment rate. Whereas the pigs, poultry and ducks can be kept within individual allotments, the livestock need commonages. Presently no land has been set aside for use as commonage and the livestock graze all over the farms. For the beneficial use of the land proper commonages have to be demarcated and rules and guidelines for keeping livestock provided. This is essential to outline the roles and responsibilities of livestock owners. Overall the families are making efforts to improve their food sources and livelihood.

7.2.6.3 Infrastructure

The infrastructure services like water, electricity and telephones remain inadequate on the farms. The profile of each farm settlement is outlined in Table 7.1.

Table 7.1 *Communities Profile*

	Ekuphumleni	Synklip	Doriskraal	Wittekleibosch
Infrastructure ▼				
Roads	-Gravel road servicing farm recently regravelled -access to allotments of poor quality and problematic rainy season	Gravel road servicing farm -access to allotments of poor quality and problematic rainy season	Gravel road servicing farm -access to allotments of poor quality and problematic rainy season	Gravel road servicing farm -access to allotments of poor quality and problematic rainy season
Water	-Have water piped from dams but not good for household use -Trust deliver water for domestic use	Water from land lessee, pumped from a river 8km away -Trust deliver water for domestic use	Water from nearby dams and pumped and piped to some of the housing	Water from 72m borehole, dammed and gravitated to central points in settlement.
Electricity	None, except Trust offices and farmhouse	None, except farmhouse	None, except farmhouse	None, except farmhouse and former employees housing
Clinic	At Clarkson	At Clarkson about 10km away	At Clarkson about 13km away	At Clarkson about 15km away
Phones	Number of houses serviced and few public phones	None	None	None
Farming equipment	Lack of farming implements and fertilisers, etc	Lack of farming implements and fertilisers,	Lack of farming implements, seeds, fencing and pesticides	Lack of farming implements, seeds, fencing and pesticides
Schools	Primary at Clarkson	Primary at Clarkson (10km)	Some farm schools nearby but transport problems	Primary at Clarkson (15km)
Residents Concerns	Infrastructure services, development, access to leased land for their own use, funds from lease don't filter down to them, don't understand role and use of Trust, no jobs, too dark at night.	Infrastructure services, school and clinic too far, transport problems, no job opportunities, need more land	Infrastructure services, school and clinic too far, transport problems, no job opportunities.	Infrastructure services, school (transport R80 per month per child and uncertainty of subsidy)and clinic too far, transport problems, no job opportunities

a) Water

Although the farms have abundant water sources (streams and dams), no domestic water

services have been developed. All the areas have piped water, though not for household use as it is not treated. The Trust pays for the electricity to pump water to Doriskraal and Wittekleibosch. For domestic water use, the Trust tractor or truck supply water to the different villages, with the costs of this service borne by the Trust. A grant of about R250 000 has been obtained by the Trust from the Western District Council to service Guava Juice. The people also need water for irrigation and the infrastructure for this service is yet to be developed. The grant will reduce the amount of money the Trust spends supplying domestic water and these funds can be directed to other beneficial uses for the community. The water supply by the Trust also reduces the incidence of health risks, like cholera associated with untreated water. The water in the farms is also used for vegetables gardening, enabling the community to grow their own food.

b) Electricity

Except for the farmhouses and some of the former employees housing in Wittekleibosch, the settlements do not have electricity. Some people do have electricity from their own generators. The electricity supplying the farmhouses is inadequate to support the new settlements and need to be upgraded. The scattered settlements and the number of houses make the provision of this service expensive. The people need electricity as they have electric appliances from Keiskammahoek and feel the lack of this service greatly inconveniences them. They are willing to pay for the service using the card system. One person blamed the lack of electricity for crime in the farms, where her pigs were stolen.

c) Telephones

Guava Juice settlement is provided with telephones and a number of the families have been connected after paying a connection charge of R150 to Telkom. Guava Juice is the biggest of the settlements and closer to Clarkson and as such a viable investment by the telephone company. The other settlements are far from the telephone infrastructure, the number of homesteads small and provision of services costly. Given the income status of the settlers, they cannot afford the cost of bringing this service to their homes. The non-connection of these areas makes access to emergency services difficult and this

represents a risk for the old people with health problems. Also the people cannot keep in touch with their children and relatives.

d) Transport

Public transport to the Trust areas is not available and in Ekuphumleni children have to cross the N2 on their way to school or Clarkson. The Children in Doriskraal, Wittekleibosch and Snyklip need transport to travel to school and this is availed through the transport subsidies from the Department of Education. Also transport to the Trust offices and other services in Clarkson is scarce for people living in these farms. The transport subsidies do not cover the whole costs of transport for the children and the parents have to pay the balance. As the parents are not working, the people offering transport services for the children are owed by the parents and others have stopped providing the service. This status is detrimental to the children education and the farms population is small to support a viable transport system.

e) Housing

The Trust does not have adequate finance to build all the housing for the returning Mfengu and as such this service was stopped in early 1999. The Trust is now trying to access Rural Housing Grants from the Eastern Cape government. A number of temporary material constructed structures are cropping up in the farms and some of the returning families are temporarily housed in the storerooms and warehouses. The families without proper housing feel they are missing out from the benefits of returning to their land and are delayed in their efforts to reestablish themselves. Due to the lack of employment opportunities in the area and poverty, slums may develop as the people do not have money to buy the building materials for proper structures. Environmental degradation may also increase with people overexploiting the farm resources e.g. forests to get building material.

f) Schools

None of the farm settlements have schools. Only Clarkson Primary School is the closest. The school though is far from Doriskraal, Snyklip and Wittekleibosch. Parents from

these areas have to pay about R80 per month per child for transport to school.

On the return of the Mfengu to Tsitsikamma, Clarkson Primary School was the only school in the area and the Trust requested assistance from the Eastern Cape Department of Education. This period coincided with the Emergency Classroom 2000 Programme, where the Eastern Cape had a project to build 2000 classrooms within 1996. While pending a decision on the matter from the department, the Trust benefited under this programme and 8 classrooms made of wooden structures were built below the Clarkson Primary School on a temporary basis. Instead of attaching these buildings to the existing school, 5 teachers including a headmaster were provided for the new school and it was to be run as a separate school referred to as Mfengu Primary School. The Mfengu parents preferred this arrangement as they complained that the Clarkson school medium of education was Afrikaans while their children needed a Xhosa/English medium school. It was opened in 1997 with about 87 pupils.

The MEC has since (June 2000) taken an unpopular decision (to the Mfengu) that the schools should amalgamate. According to the headmaster of Clarkson Primary School, it can take between 400 – 500 pupils and the present enrolment is about 350. The school can absorb the Mfengu School and to overcome the medium of instruction problem, the Education department has to provide Xhosa teachers. Roux (*in* Deliwe 1997:270), found out in 1985 that the Mfengu were more comfortable with Afrikaans than with Xhosa and as such the need of a Mfengu school is political, unless the majority has lost the fluency in this language. The logistics of the schools merger are still to be finalised by the Education Department. The department has deployed 2 of the 13 teachers in Clarkson Primary and 2 of the 5 teachers in Mfengu Primary. The headmaster of the Mfengu school put the enrolment for year 2000 at 160 pupils - a suspect figure as the deployment seem to have been based on the 87 pupils in 1997. Other community members doubted this figure and highlighted the fact that the problem of this school has been filling the classrooms. The school also shares facilities e.g. playground and Clarkson Primary School also provided toilets for use by the Mfengu school. There are no major conflict problems between the schools and the pupils. The Moravian church

has remained outside this debate because most of the Mfengu parents are of the view the church is against their school.

The area does not have a high school and the children attend high school in Kareedouw or Humansdorp. The transport subsidy is paid to transport pupils from Clarkson to Kareedouw. Kareedouw has one High School, the Paul Sauer High School. This school is expensive for most parents and as such there are few pupils from Clarkson. The return of the Mfengu did not have any impact on the school as it still has a number of vacancies. The school can take up to 350 pupils and presently has about 270. It also has hostel facilities and a teaching staff compliment of 10. The CCPT is in discussion with MICRO Project to fund the building of a high school in Clarkson. The Mfengu highlighted the lack of a high school as an inconvenience as the high school attending pupils have to stay with relatives in places like Humansdorp, while some parents because they cannot afford the transport costs keep their children at home. This problem if not addressed will exacerbate the low level of education characteristic of this area and also increase the unskilled labour force. With the lack of employment opportunities for such labour, the poverty will be worsened and development of the area curtailed, thereby creating more social problems.

g) Health

Before the construction of the clinic in 1997, Clarkson used one of the rooms in the Moravian Church community hall as a clinic. This clinic provided by the Cape Provincial Administration operated once a week. The building did not have the required facilities for a clinic like waiting room, reception, toilets, etc. The new clinic is opened twice a week and serviced by a nurse while a district surgeon is available once a week on Thursday's afternoon, a psychiatric nurse once a month and an orthopedic nurse once in three weeks. The farm areas are serviced by a mobile clinic that comes once every six weeks and the nurse running this service is responsible for referrals. The clinic in Clarkson is also accessible to the people from the farms. The common ailments include chest infections, high blood pressure, diabetes, asthma and Tuberculosis. With the assistance of the receptionist hired on a temporary basis the nurse can cope with the

workload. The operating of the clinic twice a week puts the residents of the area at a disadvantage, especially the TB patients. A community health motivator visits and assist these patients on the non clinic days.

Patients have to be referred to Kareedouw hospital or Humansdorp by the clinic. This arrangement prevents the increase in the number of patients flocking to hospitals with ailments which can be effectively dealt with in the clinics. Since the return of the Mfengu, the B.J. Vorster Hospital in Kareedouw has not felt any significant impact. From the Tsitsikamma area the hospital has attended to a number of stabbing incidents, alcohol related problems and assaults. The hospital is Provincial aided – state subsidised, and functioning well. It has 45 beds and is serviced by two part-time doctors, a matron, 9 sisters, 4 staff nurses and about 25 other support staff. It also has a Dentistry that operates twice a week. The hospital is also located near the WDC ambulance depot in the town. The major concern of the hospital is the lack of transport for the people of Tsitsikamma once they have been treated. The health services although not to the satisfaction of the people are provided and functional. There is a need to improve the Clarkson clinic capacity and operational times for the people to have access regularly, given the high number of old people now living in the area.

h) Security and Safety

The Tsitsikamma/Clarkson area used to be under the Stormsriver police jurisdiction, but due to their (police) slow response times to problems in the area, it was then put under the Jurisdiction of Kareedouw Police. The Kareedouw Police responsibility area covers about 1100 km². According to the police captain before the return of the Mfengu only about 2% of the reported crime came from the Tsitsikamma/Clarkson area, mainly consisting of stock theft and housebreaking. The low crime from this area was due to the fact that cases were dealt with according to the Church Village Rules and only a few got reported to the Police. On the Return of the Mfengu and the creation of the CCPT the application of the village rules by the church has diminished and more people are reporting their cases direct to the police. As a result the number of cases from the area have increased and police have been called in for assaults, shebeen brawls,

housebreaking and theft, domestic violence and recently a murder of a shop-owner. This is no surprise given the fact that Mfengu returned with almost double the population that was in Clarkson. Given the previous crime reporting system in the area there is no way of ascertaining if crime has increased with the return of the Mfengu.

As Tsitsikamma is about 20km from Kareedouw and given no increase in police manpower and resources, the police response time to crime in the area is slow. The police are also frustrated by the lack of street names, house numbers (in farms) and street lights which make their work difficult and dangerous, especially at night. The Police have requested more resources from central government to deal with this area and are of the view the establishment of a satellite police station in Clarkson will be adequate. The CCPT in Clarkson is willing to avail a building for use as a police post. The police also need to increase the number of cars to at least 2 vans for visible policing and the number of Xhosa speaking policemen as presently they have only one. The establishment of the satellite police station in Clarkson will improve the security and safety of the people in Tsitsikamma. The absence of the village rules, unemployment and the increased consumption of liquor have an effect on the increased crime in the area. The police in Kareedouw need an increased capacity and financial resources in order to maintain law and order in this area. The CCPT also has to make and implement the village rules to maintain the order and peace.

i) The Commercial Services

The Clarkson commercial area is located next to the Moravian Mission comprising of a shop with a petrol pump, community centre and a post office. A number of Spazas, shebeen and creches have been established in the residential areas, especially in Clarkson and Newtown. The post office besides delivering mail also pay pension to the returned Mfengu. The CCPT and WDC are also involved in a community sewing project to assist the residents improve their livelihood. For major commercial services like banks and furniture, Kareedouw and Humansdorp are used by the residents. The spazas, shebeens and creches are sources of livelihood for some of the families in these areas given the lack of employment opportunities. But they have to be controlled and the

village rules are more relevant here.

j) Other Services

Other services like churches, recreation, cemeteries, etc are not yet catered for in the farm areas and the people have to use the existing facilities in Clarkson. A number of the Mfengu belong to the Moravian Church and regularly attend services, while the non-Moravian church members have their church services in some of their member's homes. The traditionalist also have their own cultural occasions and practices which they carry within the confines of their homes. Although the Moravian Church is against these practices, as the people are now under CCPT, they cannot enforce their church rules. The plan of the farms has to accommodate the needed services like recreation, churches, cemeteries and playgrounds. The facilities in Clarkson can be used by any of the residents including those from the farms.

While the Clarkson area is well serviced with infrastructure, the farm areas require a huge investment in infrastructural services. The small population and scattered settlements makes the provision of these services costly. The people expect the trust to provide these services as it is making money from the farm rentals. Besides the infrastructure problems outlined in Table 7.1, the Mfengu would like to use the rest of the land and not lease it. There seem to be different expectations from the younger generations and the older generation on the use of the land. Most of the older people want to live as they did before the move – communal land and accessibility to all land, while the younger generation prefer projects and the maintenance of the commercial value of the farms. The people would like to see the rental income from the leases filter down to personal level and as such do not expect to pay for services because the Trust is perceived as having money.

Some of the Mfengu members feel uncomfortable about a faction of their community who want them to move to the settlements they occupied before the dispossession – especially in Ekuphumleni. Some of the interviewed people raised the issue of the need of title deeds because of this problem. One woman's comment was “ With my husband

who was the beneficiary now dead, I am not sure what will happen if these people force us out from their area. We definitely need the title deeds for security.” The Trust does not foresee this as a serious problem and has kept control of Ekuphumleni to ensure the people’s security of tenure.

7.2.6.4 Agriculture

Besides the leased commercial farms agriculture in the allotments is basically for subsistence and although a number of plots are being worked, many plots are lying idle. The Mfengu benefited from the Presidential Project that awarded 8 tractors to the Eastern Cape. One of the tractors was given to the Mfengu. At first the Trust was responsible for ploughing, providing the seeds and fertilisers for the returned Mfengu, but due to decrease in funds, the people are now required to buy their own seeds and fertilisers and hire the tractor for ploughing. The tractor hire is about R60 per hectare. Most of the people use this service during the ploughing season and a few cannot afford the seeds and fertilisers as they are not employed and receive no pensions. The majority of the people do not have the implements necessary for farming. Their major complaint is the inadequacy of one tractor during the farming season. They feel a tractor for each area could be adequate. The Ministry of Agriculture has provided the services of an extension officer to the Mfengu to advise them on farming. The leasing farmers are also willing to assist the Mfengu in their agricultural ventures. The new AMC would be able to take over use and running of the farms once the Trust is satisfied they have developed the necessary capacity and skills. The ownership will remain with TDT(M). Joint ventures prospects are also being discussed between the Trust, Nestle and Clover. Some of the dairies in Ekuphumleni and Wittekleibosch have been vandalised and some of the equipment stolen and sold by members of the community. To resuscitate this infrastructure will be very expensive. A number of the Mfengu have acquired livestock and they graze in the farms without any control. Some of the irrigation infrastructure is also decaying, and the fences are stolen to enclose allotments.

An agricultural forum referred to as Ubuntu Agricultural Forum constituted by members of the Humansdorp Transitional Rural Council, TDT(M), members of the four Mfengu communities and the Commercial Farmers Association was initiated with the aim to develop the emerging Mfengu farmers. Priorities were outlined on the development options of the farms, recommending the continued lease of the farms until such times that the Mfengu are ready to take over and the proper zoning of land separating settlements and agricultural land in order not to affect the continuing commercial activities.

The extension officer is of the view the Mfengu should concentrate on beef production and improve their cattle quality using good stud bulls and castrating all the other bulls. There is also a need to fence the grazing land and create grazing camps. A dipping tank is being rebuilt in Ekuphumleni, while that of Wittekleibosch is functional and used. The dairy industry is delicate and complex and will need cooperation among the Mfengu people to run such a venture, something that has proven difficult to attain. The Mfengu prefer working their individual allotments rather than in groups. A piggery and poultry project in Wittekleibosch is in abeyance because of the group divisions on roles, responsibilities and benefits. The Mfengu generally do not take the advice of the extension officer and continue doing things their own way. This poses a problem for the effective development of the agriculture and the improvement of production and productivity. This trend also confirms the observations in the Zimbabwe Model B cooperative schemes in chapter 4, and Kinsey and Binswanger research which concluded that “Settlements based on collective cooperatives do not work. Such programmes have broken down everywhere they have been tried” (1993:1490).

The people would also like to have training on doing viable farming in their allotments or cooperative farming and be assisted with market facilities for their produce like vegetables, pigs and livestock. They also need access to finance to develop their agriculture. A group of old men wish for their area was “To see development and be assisted in their endeavor to improve their livelihoods.” Yet their primary complaint is the lack of jobs in the area, which has kept the younger generation out of Tsitsikamma

and left some of the older people on their own and lonely. Despite all the problems the Mfengu are happy to be back in their land and a few insist on returning to their original land.

7.3 District Planning

The WDC recently approved the Tsitsikamma District Development Plan (TDDP) also prepared by SETPLAN consultants, as part of the council's integrated development planning. The aim of the document is to coordinate the physical planning and the delivery of services in the area. It covers social, economic and environmental issues. The Tsitsikamma area was placed under the Western Coastal Zone strategic development zone. This zone is characterized by diverse and fast growing economy based on agriculture, building, tourism, fishing, commerce and government. The area also has indigenous forests – with tourism and conservation potential; holiday destinations – coastal towns, national parks and resorts with beaches, water sport and fishing; good water supply – provide water to Port Elizabeth and Uitenhage metropole; and generally has a relatively good road infrastructure, although access to the coast in certain areas is problematic. For this area the spatial framework encourages the development and investment in tourism, promotion of conservation, discourage linear development along the coast, encourage existing nodes to develop and expand, improvement of public access to the coast and the implementation of existing planning guidelines (WDC, 2000:13-15).

Clarkson was identified as one of the nodes in which financial contribution to infrastructure – engineering and social – will be concentrated. The Mfengu farms fell in land zoned for agricultural development and the WDC discourages the development of residential areas on this land. Development of settlements is accommodated in the nodal areas, closer to available infrastructure services. The Mfengu development is contrary to this requirement and the consultants do not provide options for dealing with this case. The Mfengu on the farms refused to live in Clarkson and the WDC proposals have to

accommodate such areas especially as the Restitution of Land Rights Act, 1994 and the Less Formal Township Establishment Act, 1991 permit such development. The Trust is negotiating with the WDC on this matter and the development plan being prepared will pave the way on how to effectively deal with this area. At first the WDC stance was of not dealing with people on private land, but have since changed and are now of assistance to the TDT(M). As the regional plan forms the bases for integration of all the areas in the economy of the region, it is imperative the zoning of the Mfengu area and relationship with Clarkson is clarified. The preparation of the LDO is urgent in order to preserve the integrity of the farm areas and the establishment of proper residential, recreational, commercial, etc areas with the necessary infrastructure. The WDC policies need to be fine tuned to accommodate the different local development conditions like in Tsitsikamma.

7.4 Summary of Methodological Issues

Table 7.2 Socioeconomic Factors Implications

Factor	Change	Implications	Section
Population characteristics including population distribution by age, sex, educational level, family size	Increase	Increased demand for social services and infrastructure	8.2.6.2
Settlement patterns	Disruption existing patterns and increased density	Land use conflict and community cohesion	8.1, 8.2.5, 8.2.6
Community cohesion – including organised community groups	Disruption of cohesion, organisation	Potential conflict along racial lines	8.2.3, 8.2.6
Religious patterns and characteristics	Diversity and tolerance	Religious freedom and harmonious community	8.2.6.2
Land use patterns and control	Change in land use and non compliance with landuse plans on farms	Conflicting land uses on the farms – increased residences on agricultural land, implications for type of agriculture to be practised.	8.3
Housing characteristics – types of housing, occupancy levels, age and condition of housing	Changing types and occupancy levels	Increased demand to accommodate returning Mfengu families. Limited housing provided	8.2.6, 8.2.6.3e
Social services and facilities :			8.2.6.3

Law enforcement	Increased demand	Safety and security	h
Fire protection	Increased demand	Safety	-
Water supply and services	Increased demand	Health and sanitation	a
Solid waste disposal and collection	Increased demand	Health and environment	8.2.5
Utilities: Electricity	Increased demand	Energy demands	b
Telephones	Increased demand	Communications and access to emergency services	c
Cemeteries	Increased demand	Need for more land	j
Recreation	Increased demand	Variety needs and adequacy of provision	j
Health	Increased demand	Adequacy of facilities and services	g
Education	Increased demand	Adequacy of facilities and services	f
Transport system	Increased demand	Adequacy of provision	d
Employment and unemployment patterns including occupational distribution and location and availability of work force	Increased demand	Unemployment, job creation, farming	8.2.6.2
Income levels and sources	No increase or diversity	Dependency on pension/disability grants	8.2.6.2
Assets : Livestock,	Increase	Grazing, dips, camps, rules	8.2.6.2, 8.2.6.4
tools and implements	Inadequate	Working allotments	8.2.6.2/4
Commonages	Increased demand	Provision and accessibility	8.2.6.2, 8.2.6.4
Access to Land	Increased demand and rules of access, production systems	Finalisation of rules, procedures, tenure and type of agriculture	8.2.2, 8.2.5, 8.2.6, 8.5

7.5 Conclusion

The resettlement of the Mfengu is far from being complete and many issues are still to be resolved. The task is complex requiring a mix of social, economic and technological interventions. The trusts cannot deliver on all these aspects as they do not have the capacity and they also have to combine these responsibilities together with their respective place of employment duties. The support from government has been limited to the financing of the residential development in Clarkson, bulk services and preparation of the development plan. The re-establishment of the community rests on the trust.

The Clarkson areas main problem is the lack of employment, while on the farms it is the

lack of infrastructure services and economic support to farm effectively. The logistics and modalities of access to land and means of production are still being worked out, a job made difficult by the delayed preparation of the development plan required by the Deed of establishment. The people on the ground are also getting impatient and putting too many demands to the trust for development. The structure of the trust is democratic and allows for public participation. Although the democratic structures are good, they tend to affect the decision making of the trust. One of the interviewed officials was of the view the trust delayed taking decision because they have to consult the people, while having the mandate to take such decisions.

The production levels remain subsistence as logistics for farms use and type of agricultural production systems are being worked out. As such the farms cannot as yet generate the economic surplus necessary to sustain themselves in the area. The current commercial farming is sustainable and a new systems encompassing the development of human settlements on farms is being developed to integrate development of the area as part of the Western district.

Chapter 8

Conclusion

The research questions were concerned with; how the project was carried out? The integration of the resettlement into the socio-economic and development planning of the area, the viability and sustainability of the new settlement and the major problems and challenges facing this area and how they can be overcome. In Chapter 7 these questions were answered and the conclusion from the analysis is outlined below.

The resettlement project of the Mfengu was carried out through a series of ad hoc processes as outlined in the preceding chapters without following any policy guidelines. The emphasis was on getting the Mfengu back to their land and the Trust had to play a major role in establishing the resettlements and assisting the Mfengu make a living and re-adapt to the new environment. Even after the spending of close to R50 million the resettlement in Tsitsikamma is far from complete and major issues of development and direction remain unresolved. The plan for the development and management of the area is still incomplete six years after the return of the land. The development of Clarkson settlement did not stop the Mfengu from returning to the farms in their original areas. This shows the difficulty the Trust has to face in dealing with people and having to overcome logic and reality. While the Mfengu agreed in principle to the development of Clarkson for residential purposes, in reality they wanted to go back to their respective lands.

After obtaining money from the Government to develop Clarkson township, it will be difficult for the Trust to convince government to fund settlements development on the farms. The government - although it has not been spelt out explicitly - is reluctant to pump more money to the Mfengu. This group has benefited almost R100 000 per family and more money is still required for the provision of services to this community. The money generated by the Trust is enough to maintain the existing farm infrastructure and not for the provision of services. Initial government support – establishment of Clarkson and opening of farms for resettlements – is no longer there and the Trust now has to compete for resources like all other localities under the WDC.

The Trust is required to perform technical, social and economic responsibilities without the capacity. The trustees are part-timers in the work of the Trust and most are employed

in Port Elizabeth. This is likely to create problems as the Trust will appear far removed from the day to day problems of the Mfengu in the farms. The work of the Trusts also put demands on the working members and if the benefits of this extra work are not apparent, people may in future refuse to serve in Trust. The Trust although democratically elected comprises of young people who want to develop the area commercially (projects), while the majority of the older people want the whole land returned and used as before the dispossession. This is a potential point of conflict that the Trust has to effectively deal with and convince the older people. Public relation exercises to convince the old people have so far failed, and there's a need for an advocacy approach encompassing the level of understanding of the populace and to allow the process to go on over a long time. The communication channels between the people and the Trust are not working effectively and most people are antagonistic towards the Trust. There will be a need to change this status quo and reduce the tensions.

As in the restitution case in Elandskloof, the Mfengu of Tsitsikamma acted in unison to gain their land back and once that objective had been achieved, tensions between different groups and sub-groups surfaced. While logically it would have made sense to put the Mfengu in one farm for ease of development and infrastructure servicing, they preferred their former dispossession set up and each group want to control its own affairs.

The constitution of the Trust identifies three categories of beneficiaries and the Trust is not obliged to deal with them in the same manner. Questions arises as to the potential for conflict between indigenous beneficiaries and tertiary beneficiaries which include men married to a Mfengu beneficiary – will they be accepted by the community as one of them? Will the policies of the Trust remain fair in dealing with them? Isn't the proliferation of CPA's encouraging the spread of tribalism? What are the potential problems of these exclusionist CPA areas?

The Trust as the responsible authority in the area function's like a local authority and

questions arises as to: What is the relationship between the local authority and the Trusts/CPA's? Will the CPA's be able to deal with the pressure of service delivery from their members? Can these CPA's be sustained in the long run? These questions have to be answered by the government, not only in the case of Tsitsikamma, but in most resettlement areas where CPAs/Trust are created.

The practice of the Trust of not allowing people to return to the farms before housing was available was good and prevented the development of shanty informal housing on the farms. But this could only be sustained by the continued building of the houses, and as such with the Trust having stopped this exercise because of inadequate finance, the informal structures are proliferating. The returned Mfengu are dominated by old people in their pension age and this has implications on the sustained agricultural production. Although the old people work their allotments as compared to the young generation which seek jobs outside the farms, they can only do so much in farming and this is short term. This implies a need of flexibility on the use of the land allowing people to rent out or lease. Given that the modal family size of two and that most of the families do not have adequate farming tools and implements, assistance will be necessary for them to effectively utilise their allotments.

The absence of the plan means that most of the actions of the trusts will be reactive as opposed to proactive, and this is likely to cause conflict, e.g. on the ownership and grazing of cattle – how many cattle can a family own? Can relatives who do not reside in area keep their cattle with families in Tsitsikamma? Who should pay for dipping chemicals? Construct grazing camps? Presently the Mfengu can have the number of cattle they want and when the Trust come up with rules later on this subject it might not be well received by the people. The issue of poverty also need to be addressed given the high number of pensioners, unemployed and lack of job opportunities. Efforts should be made to effectively utilise the farmland to absorb some of the workforce. This will require farmers support in terms of credit, training, fertilizers and equipment, the provision on markets for produce and improvement of transport systems.

The Mfengu resettlement is established within an economically depressed area with little opportunities for employment. The nearest towns Kareedouw and Humansdorp have high unemployment rate and cannot absorb these new arrivals. The planning of the farms is in conflict with the guidelines of the WDC and as such this resettlement is not integrated within the socio-economic and development planning of the district. The existing infrastructure is inadequate to serve the resettlers and the hosts communities have not been assisted to cope with the increased load. Plans are being made to comply with the requirement of the IDP/LDO, but are hindered by the lack of baseline surveys outlining the number and socio-economic profile of people to plan for and form of settlement.

The resettlement of the Mfengu was in line with the World Bank criteria as outlined in chapter 4 except for the integration to the local economy. The development of Clarkson aimed to develop a viable community, but the return of the Mfengu to the farms changed this status, confirming Barry and Mayson assertion in chapter 4 that the process of resettling people is long and complex and the final outcome may not be what outside actors originally envisaged. As a result some of the factors identified by de Wet as leading to failure of resettlement schemes became apparent. These include inadequate planning, failure to provide services (farms), inadequate financing and lack of coordination.

Overall the resettlement of the Mfengu was effective although not efficient, as with all the costs associated with the process it is as yet to improve the people livelihoods and give them control over their own lives. The Mfengu resettlement has a high degree of potential sustainability given the number of people and the amount and quality of land at stake. All it needs is a proper direction – business and physical planning - and financial support to enable the people to utilise the land and resources effectively, facilitate provision of basic infrastructure and improvement of production systems to generate economic activity that will sustain the Mfengu and improve their standards of living and livelihoods.

The preceding observations reiterates the fact that resettlement is a complex process. The government has to develop an integrated resettlement framework to guide these projects if they are to attain the desired objectives of the land policy. The framework (e.g. as in Arenal project) will identify all the phases a resettlement project has to go through, financial and logistical support and co-ordination in order to achieve integration of the resettler community to the socio-economy of the area and to restore people's livelihoods. Kinsey and Binswanger conclusion is also relevant to this study, that, the emergence of strong, self-reliant groups among settler communities is a vital ingredient in ensuring the sustainability of resettlement programmes and very little research has been done on the sequence of activities, however, or on the minimum level of public sector investment needed to generate sufficient private and community investment response (1993: 1477-1491).

This evaluation coming six years after this project implementation indicate a very slow progress on resettlement as the Mfengu still require a lot of support to gain their independence and most of the pertinent issues of access to land, means of production, etc are still unresolved. The need of baseline data to monitor and evaluate the progress of the settlement by the conventional method approach cannot be overemphasised.

According to the chairman of the Trust their major challenge is to create jobs in the area. The establishment of the AMC and their development of business plans are a priority. The Trust would like to see the Mfengu actively involved in the dairy industry and their livestock quality improved to the one required for such a venture. A lot of work is still to be done in this direction. The Trust is also concerned at the leasing farmers sometimes taking advantage of the community and entering into deals with them without dealing with the Trust. The approval of the Development Plan will give the Trust the bases for their development vision and help them prioritise projects and activities. Assistance from the government and other agencies will be pursued for rural housing grants, agricultural development, job creation, infrastructure development, community facilities, etc. Ways of assisting the people improve their livelihood and economic situation will be investigated and workshops organised where feasible to train and educate the population. The land allocation criteria and permit regulations are also being

developed which will outline the rights and responsibilities of people on the land. For the time being the people will be given only use rights. All these details and regulations will be part of the development plan which will have to be approved by the people. The plan will also forward ways and means for the Trust to improve its financial situation and its operational efficiency in order for this development to be sustainable. The Trust also still awaits the resolution of their claim to the Land Claims Commission on the remaining Mfengu farms and parts of farms that were not brought back. These include Palmiet Rivier, and parts of Wittekleibosch, Snyklip and the Gap

APPENDIX

- 1. Questionnaire**
- 2. Leased Area Survey Diagram**

Tsitsikamma Household Income and Assets Survey

1. **Name:**..... **Head of Household :** *Y/N* **Sex:** *M/F*
 Does owner live in allotment: Y/N If no, where live/why :
2. **Number of Allotments:**..... **Use:** Residential ☐ Agriculture ☐ Business/Other.....☐
Size(s)..... **Use Status :** Seasonal cropping ☐
 Fallow ☐
 Grazing ☐
 Vegetable gardening ☐
 Other;... ☐
3. If in production for : Consumption ☐ Market ☐
4. If fallow- reasons : Financial (inputs) ☐
 No implements ☐
 No Human resources ☐
 Other... ☐
5. **Beneficiary Status:** ☐ Primary ☐ Secondary ☐ Tertiary
6. **Education Level:** Illiterate ☐ Below Std 8 ☐ Std 8/above ☐ Diploma(state) ☐ Degree(state) ☐

House/Dwelling

7. **Number of Houses** ☐
8. **Built from**
- | | | | |
|--------------|--------------------------|----------------|--------------------------|
| Mud | <input type="checkbox"/> | Mixed material | <input type="checkbox"/> |
| Zinc | <input type="checkbox"/> | Wood | <input type="checkbox"/> |
| Cement/Brick | <input type="checkbox"/> | Prefabricated | <input type="checkbox"/> |
9. **Uses :** Residential ☐ Business ☐ Storeroom ☐ Other ... ☐

Number of Occupants

10. How many people live in the same household (include absentee dependants)

Children below 18 years	<input type="checkbox"/>
Adults	<input type="checkbox"/>
Pensioners	<input type="checkbox"/>
Total	<input type="checkbox"/>

Sources of income

11. How many people are employed and bring income to household? ☐
 (list)
- | Number | type of work | average income |
|--------|--------------|----------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
12. **Other sources of income:** Pension ☐
 Entrepreneur/self employ(as what) ☐

13. **Remittances** in cash or kind from part-time household members : Y/N

Amount/ benefits : R

Relation to remitter :

Source/place :

14. Number of unemployed:

15. Number of sickly/disabled:

Assets

16. *Livestock ownership/income*

cattle sheep goats pigs poultry

17. Purpose kept for : Consumption Source of income

18. Where kept: Within allotment Outside allotment

19. Accessibility to grazing: y/n

Farming Assets

19. What Implements does the household have:

Tractor	<input type="text"/>	sledge	<input type="text"/>	pick	<input type="text"/>
Pump	<input type="text"/>	spade	<input type="text"/>	axe	<input type="text"/>
Cart	<input type="text"/>	hoe	<input type="text"/>	saw	<input type="text"/>
Plough	<input type="text"/>	fork	<input type="text"/>	other	<input type="text"/>

Community Arrangements

20. Prefer separation into different units: Y/N , Explain....

21. Willingness to locate outside farms Y/N, Explain.....

22. Are you willing to pay for services (electricity, water, roads, etc) : Y/N Explain.....

23. What are your major concerns about your reestablished community:

24. What activities (income generation) did you carry in Ciskei?

25. What positives are there in Tsitsikamma as compared to Ciskei?

26. What is your greatest desire in this area?

Thank you for your time and patience! Enkosi!

Interviewed People

Sister Bootsman	B.J. Vorster Hospital, Kareedouw
H. Brand	Headmaster Paul Sauer High School Kareedouw
C. Duplesis	Headmaster Clarkson Primary School
Sister N. Fereira	Clarkson Clinic
N. Gamede	DT(M) Secretary and member of CCPT
Z.Gola	Headmaster Mfengu Primary School
J.Hops	Hired by IDT to set up Tsitsikama Development Trust (Mfengu) – TDT(M), independent member of Trust and Clarkson Communal Property Trust (CCPT), working for Vusisizwe Trust – Port Elizabeth.
W. Khoza	Chairman, TDT(M)
Rev. L.M. Mcubuse	Moravian Mission, Clarkson
R. Meiring	Planner, Western District Council
P.Meyer	Police Captain Kareedouw
C.S. Mkiva	Agricultural Extension Officer from Ministry of Agriculture advising the Mfengu
Virginia Mrwebi	Secretary CCPT
E.N. Msizi	Mfengu Primary School
K.Munro*	SETPLAN, consultants preparing Western District Council IDP and Tsitsikama Development Plan
C. Mzili	Member TDT(M)
K.Pienaar	Mfengu lawyer from Legal Resources Centre, Cape Town
K. Sidek	Clarkson Post Office
S. Skosana	Community Liaison Officer, TDT(M)
E. Van Ne Kerk	B.J. Vorster Hospital Aministrator, Kareedouw
Z. Xayimbi	TDT(M) Secretary

*No response received

BIBLIOGRAPHY

- Barry, M. and
Mayson, D. 2000 : “**Characteristics of Behaviour Observed in Informal Settlements in Rural Land Restitution Case: Elandskloof, South Africa**” in Sociological Research Online,
.
- Becker, H. 1997 : **Social Impact Assessment**, UCL Press, London.
- Bembridge, T.J. 1985 : “*Agricultural and Rural Development in Less Developed Countries with Special Reference to Southern Africa*” in **Development Southern Africa**, Volume 2 Number 2, May.
- Bernstein, H. (ed) 1996 : “*South Africa’s Agrarian Question: Extreme and Exceptional*” in **Journal of Peasant Studies**, Volume 23, Number 2/3, Special Double Issue.
- Bowden, P. 1988 : **National Monitoring and Evaluation**, Avebury, Sydney.
- Brown, M., Erasmus, J.,
Kingwill, R., Murray, C.
and Roodt, M. 1997 : **Land Restitution in South Africa: An Independent Evaluation**, Institute for Development Policy and Management, University of Manchester.
- Brown, M., Erasmus, J.,
Kingwill, R., Murray, C.
and Roodt, M. 1998 : **Land Restitution in South Africa: A long Way Home**, IDASA, Cape Town.
- Bundy, C 1979 : **The Rise and Fall of the South African Peasantry**, Heinmann, London.
- Canter, L.W. 1977 : **Environmental Impact Assessment**, McGraw-Hill Book Company, Singapore.
- Clarkson Communal
Property Trust
(CCPT) 1997a : **Notarial Deed of Lease**, between the Moravian Church in Southern Africa and The Trustees of the Clarkson Communal Property Trust, Legal Resource Centre, Cape Town, (06/02/1997).

- Clarkson Communal Property Trust (CCPT) 1996 : **Notarial Deed of Trust Establishing The Clarkson Communal Property Trust**, Legal Resource Centre, Cape Town, (19/08/1996).
- Clarkson Communal Property Trust (CCPT) 1997b : **Clarkson Communal Property Trust Participation Agreement**, CCPT, Clarkson (21/03/97).
- Casley, D.J. and Kumer, K. 1987 : **Project Monitoring and Evaluation in Agriculture**, The John Hopkins University Press, London.
- Coelho, J.P.B. 1998 : “*State Resettlement Policies in Post-Colonial Rural Mozambique: The Impact of the Communal Village Programme on Tete Province, 1977-1982*” in **Journal of Southern African Studies**, Volume 24, Number 1, March.
- Coetzee, J.K. 1987 : **Development is for People**, Southern Book Publishers, Cape Town.
- Cousins, B. and Cousins, D. 2000 : **Lessons From Riemvasmaak for Land Reform Policies and Programmes in South Africa**, Volume 1, Workshop Proceedings, Research Report No.2, University of Western Cape/Farm Africa, Bellville.
- Cross, C. 1991 : “*Informal Tenures Against the State: Landholding Systems in African Rural Areas*” in **A Harvest of Discontent, The Land Question in South Africa**, De Klerk, M. (ed), IDASA, Cape Town.
- Cross, C.R. 1987 : “*The Land Question in KwaZulu: Is Land Reform Necessary*” in **Development Southern Africa**, Volume 4, Number 3, August.
- Cross, C.R. 1990 : “*Mythology and Mystery Tours in Land Reform: Getting Some Focus on the South African Debate*” in **Development Southern Africa**, Volume 7, Special Edition, October.
- Daily Dispatch 2000 : “*EC Poverty Due to Apartheid- Godongwana*”, Friday 8/9/2000.

- Davenport, T.R.H. and
Hunt, K.S. 1974 : **The Right To The Land**, David Philip, Cape Province.
- Deininger, K., Naidoo,
I., May, J.,
Roberts, B. and
Van Zyl, J. 2000 : *“Implementing ‘Market-Friendly’ Land Redistribution in South Africa: Lessons from the First Five Years”*, DLA, Pretoria.
- Deliwe D. 1997 : *“Forced Removal and Land Restitution in South Africa: A Case Study of the Mfengu of Tsitsikamma”* in **From Reserve to Region**, Occasional Paper Number 35, De Wet and Whisson, M (eds), ISER, Rhodes University, Grahamstown.
- Department of Land
Affairs 1998 : **A Guide to the Department of Land Affairs Land Reform Programme**, Department of Land Affairs, Pretoria.
- Department of Land
Affairs 1999 : **Landinfo**, Volume 8 Number 5, October.
- Department of Land
Affairs 1997 : **Rural Development Framework**, Department of Land Affairs, Pretoria.
- Department of Land
Affairs 1998 : **White Paper on South African Land Policy**, Department of Land Affairs, Pretoria.
- De Wet, C. 1993 : *“A Spatial Analysis of Involuntary Community Relocation: A South African Case Study”* in **Anthropological Approaches to Resettlement, Policy, Practice and Theory**, Cernea, M.M and Guggenheim, S.E. (Eds), Westview Press Inc., Colorado.
- De Wet, C. 1989 : *“Betterment Planning in a Rural Village in Keiskammahoek, Ciskei”* in **Journal of Southern African Studies**, Volume 15, No.2,(January).
- De Wet, C. 1987 : *“Land Tenure and Rural Development: Some Issues relating to the Ciskei/Transkei Region”* in **Development Southern Africa**, Volume 4, Number 3, August..

- De Wet, C.J.,
McAllister, P.A. and
Hart, T. 1987 : “*The Land Tenure and Rural Development Workshop: An Analytical Overview*” in **Development Southern Africa**, Volume 4, Number 3, August.
- De Wet, C. 2000 : “*Moving Away From Apartheid? Recent Rural Resettlement in South Africa*” in **Development in Transition – Theory, Policy and Practice**, Coetzee, J., Graaff, J., Hendricks, F., and Wood, G. (Eds), Oxford University Press, Capetown. *In Press*.
- De Wet, C. 1994 : “*Resettlement and Land Reform in South Africa*” in **Review of African Political Economy**, Number 61, ROAPE Publications Ltd.
- Eastern Province
Herald 2000 : “*Community Leaders Laud Poverty Report*”, Friday 8/9/2000.
- Erskine, J.M. 1985 : “*Rural Development, Putting Theory into Practice*” in **Development Southern Africa**, Volume 2 Number 2, May.
- Europa Publications 1999 : **Africa South of The Sahara 2000**, *Regional Surveys of the World*, 29th ed, Taylor and Francis Group, Surrey.
- Falloux, F. 1994 : “Introduction” in **Involuntary Resettlement in Africa**, Cook, C.(Ed), The World Bank, Washington, D.C.
- FitzGerald, P,
McLennan, A, and
Munslow, B. 1997 : **Managing Sustainable Development in South Africa**, Oxford University Press, Cape Town.
- Friend, J. and
Hickling, A. 1987 : **Planning Under Pressure: The Strategic Choice Approach**, Pergamon. Oxford.
- Hebinck, P. and
Langeveld, P. 1999 : “*Land Resettlement in Contemporary South Africa: A Struggle for the City?*” ISER Seminar Paper, unpublished.
- Hendricks, F.T. 1990 : **The Pillars of Apartheid, Land Tenure, Rural Planning and the Chieftaincy**, UPPSALA, Stockholm.

- Hendricks, F.T. 2000 : *“Submission on the Consolidation and Rationalisation of Land Laws in South Africa”* , Unpublished, Grahamstown.
- Heyer, J., Roberts, P.
and
Williams, G. 1981 : *“Rural Development”* in **Rural Development in Tropical Africa**, Griffin, K.(ed), Macmillan, London.
- H.M. Treasury 1988 : **Policy Evaluation : A Guide for Managers**, HMSO, London.
- Horn, A. 1998 : *“Restitution of an Identity in Land: Considering security of Informal Tenure in a retroactive Framework”* in **Proceedings of the International Conference on Land Tenure in the Developing World, with focus on Southern Africa**, University of Cape Town, 27-29 January 1998.
- Hulme, D.
Review 1988 : *“Land Settlement Schemes and Rural Development: Article”* in **Sociologia Ruralis**, Volume 24, Number 1.
- Jutas Statutes
Editors 1999 : *“Local Government Transition Act 209 of 1993 “* in **Jutas Statutes of South Africa 1998**, Volume 6, Jutas Statutes Editors, Cape Town.
- 1999 : *“Physical Planning Act 125 of 1991 “* in **Jutas Statutes of South Africa 1998**, Volume 6, Jutas Statutes Editors, Cape Town.
- 1999 : *“Restitution of Land Rights Act 22 of 1994 “* in **Jutas Statutes of South Africa 1998**, Volume 6, Jutas Statutes Editors, Cape Town.
- 1999 : *“Subdivision of Agricultural Land Act 70 of 1970 “* in **Jutas Statutes of South Africa 1998**, Volume 6, Jutas Statutes Editors, Cape Town.
- Kenyon, M. and
Du Toit, B. 1989 : *“From Forced Removal to Upgrade: State Strategy and Popular Resistance in the Border Corridor”* in **South African Review**, No. 5.
- Khush, K. 1999 : *“Masterminding a New Rice Revolution”* in **UNESCO Courier**, June 1999, Number 6.*EBSCOhost*.

- Kinsey, B.H. and
Binswanger, H.P. 1993 : *“Characteristics and Performance of Resettlement Programs: A Review”* in **World Development**, Volume 21, Number 9.
- Liedholm, C.,
McPherson, M. and
Chuta, E. 1994 : *“Small Enterprise Employment Growth in Rural Africa”* in **American Journal of Agricultural Economics**, Volume 76, December.
- Ligthelm, A.A.,
Martins, J.H. and
Van Wyk, H. de J. 1995 : **South Africa’s Nine Provinces: A Socio-Economic Profile**, Research Report number 221, University of South Africa, Pretoria.
- Lund, F. 1998 : **Lessons From Riemvasmaak for Land Reform Policies and Programmes in South Africa**, Volume 2, Background Study, Research Report No.2, University of Western Cape/Farm Africa, Bellville.
- Marcus, T., Eales, K.
and Wildschut, A. 1996 : **Down to Earth, Land Demand in the New South Africa**, Indicator Press, Land and Agriculture Policy Centre, University of Natal Durban.
- Mail and Guardian 2000 : *“Black Farmer’s Green Revolution”*, June 9 – 14 , 2000.
- Margeot, M.Y.G. 1987 : *“Freehold Land Tenure: Problems and Prospects”* in **Development Southern Africa**, Volume 4, Number 3, August.
- Melunsky, P. 1990 : Tsitsikamma Collection, Cory Library, Unpublished, Grahamstown.
- MERG 1993 : **Making Democracy Work: A Framework for Macroeconomic Policy in South Africa**, Belville, UWC
- Minister for Agriculture
And Land Affairs 2000 : *“Policy Statement by the Minister for Agriculture and Affairs for Strategic Directions on Land Issues”*, DLA, Pretoria.
- Moloi, D. 1999 : *“Restitution in Danger of not Achieving Rural Development”* in **Land and Rural Digest**, September/October.

- Moyo Sam 1995 : **The Land Question in Zimbabwe**, SAPES Trust, Harare.
- Newton, D. 1989 : “*Forced Removals in South Africa*” in **South African Review**, No. 5.
- Ntsebeza, L. 1999 : **Land Tenure reform, Traditional Authorities and Rural Local Government**, Research Report No.3, Programme for Lands and Agrarian Studies, Bellville.
- Partridge, W.L. 1993 : “*Successful Involuntary Resettlement: Lessons from the Costa Rican Arenal Hydroelectric Project*” in **Anthropological Approaches to Resettlement, Policy, Practice and Theory**, Cernea, M.M and Guggenheim, S.E. (Eds), Westview Press Inc., Colorado.
- Pycroft, C. 1998 : “*Integrated Development Planning or Strategic Paralysis? Municipal Development During the Local Government Transition and Beyond*” in **Development Southern Africa**, Volume 15 Number 2, Winter 1998.
- Rogers, H. 1949 : **Native Administration in the Union of South Africa**. Government Printer, Pretoria.
- Rondinelli, D.A.,
Nellis, J.R., and
Cheema, G.S. 1984 : **Decentralisation in Developing Countries, A Review of Recent Experience**, World Bank, Washington D.C.
- Roodt, M. 2000 : **Land Restitution**, Unpublished, Rhodes University, Grahamstown.
- Scriven, M. 1991 : **Evaluation Thesaurus**, 4th Edition, Sage Publications, London.
- SETPLAN 1999 : **Draft Mfengu Development Plan**, unpublished, Tsitsikamma.
- Silberfein, M. 1998 : “*Cyclical Change in African Settlement and Modern Resettlement Programs*” in **Rural Settlement Structure and African Development**, Silberfin, M. (Ed), Westview Press, Oxford.
- South African
Government 1913 : “*The Native Land Act 1913*” in **Statutes of South Africa**, 1913, South African Government, Cape Town.

- South African Government 1936 : *“The Native Trust and Land Act, 1936” Statutes of South Africa*, 1936, South African Government, Cape Town.
- Statistics South Africa 1996 : **The People of South Africa Population Census, 1996**, Statistics South Africa, Pretoria.
- Swaziland Government 1998 : **Swaziland National Physical Development Plan 1996 – 2006**, Ministry of Housing and Urban Development, Mbabane.
- Taylor, J.S. and Bogdan, R. 1997 : **Introduction to Qualitative Research Methods, A Guidebook and Resource**, 3rd edition, John Wiley and Sons, Inc., Singapore.
- The Tsitsikamma Development Trust (Mfengu) TDT(M) 1998 : **The Tsitsikamma Development Trust (Mfengu)** Establishment, PAGDENS, Port Elizabeth (21/10/1998).
- The Tsitsikamma Development Trust (Mfengu) TDT(M) 1998 : Agreement of Settlement, case No. 1306/91, 25 March 1994.
- Torodo, M.P. 1994 : **Economic Development**, 5th Edition, Longman, New York and London.
- Van Der Post, D.J. 1985 : *“Land Law and Registration in Some of the Black Rural Areas of Southern Africa “ in Acta Juridica 1985*, Faculty of Law, University of Cape Town.
- Van Rooyen, C.J., Vink, N. and Stacey, G.D. 1989 : *“Ten Myth of Development: The Case of South Africa? In Development, The Human Challenge*, Development Society of Southern Africa, Kloofsig.
- Western District Council 2000 : **WDC Spatial Development Framework** (Discussion Document), SETPLAN, Port Elizabeth.
- World Bank 1994 : **Involuntary Resettlement in Africa**, C. Cook (ed), World Bank, Washington, D.C.

- World Bank 1994 : **Resettlement and Development**, *The Bankwide Review of Projects Involving Involuntary Resettlement 1986-1993*, The World Bank Environment Department, Washington, D.C.
- World Bank 1996 : **Resettlement and Development**, *The Bankwide review of Projects Involving Involuntary Resettlement 1986-1993*, The World Bank Environment Department, Washington, D.C.
- Yawitch, J. 1981 : **Betterment**: *The Myth of Homeland Agriculture*, The South African Institute of Race Relations, Johannesburg.