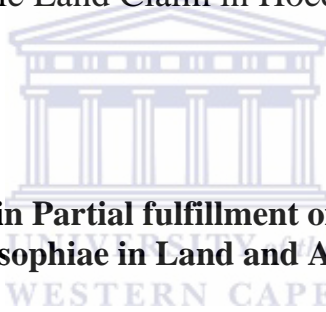


**University of the Western Cape**

**Faculty of Economic and Management Sciences**

**School of Government**

Land Dispossession and Options for Restitution and Development: A  
Case Study of the Moletele Land Claim in Hoedspruit, Limpopo Province



**A Mini-thesis Submitted in Partial fulfillment of the Requirements for the  
Magister Philosophiae in Land and Agrarian Studies**

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## Declaration

I declare that *Land Dispossession and Options for Restitution and Development: A Case Study of the Moletele Land Claim in Hoedspruit, Limpopo Province*, is my own work, that it has not been submitted for any degree or examination in any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

Full Name: Lubabalo Ntsholo

Date:

Signature:



## Acknowledgements

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My heartfelt gratitude to the Moletele community in the town of Arconhoek, Mpumalanga province, for allowing me into their households and sharing with me their personal journey through the vicissitudes of life, their fears and aspirations for the future. They took me, a stranger who could not even speak their language, and treated me as their own. I particularly thank Mr Thandios Mashile, the chairperson of the CPA for granting me permission to study the Moletele restitution claim, Mr Hezekiel Nkosi and Mr Gert Sakoane, for being my fieldwork interpreters.

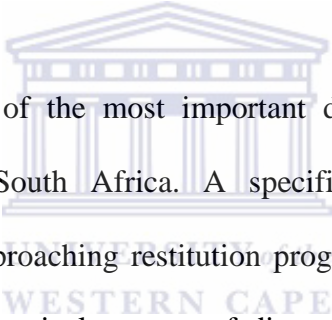
I can never thank my family enough for the unwavering support during the study period. My sister Phumeza and her husband, I can never pay you back for the struggles you went through to secure a brighter future for me, I take solace in the full knowledge that God is watching you guys. My mother, Magaba, your prayers were not in vain. My late father, Ngcongolo who departed just when I was starting this journey, you were the best father I could have ever asked for, and my only wish is to be at least half the man you were. I know that you and the rest of ooDabane, ooMega, ooHlambangobisi, ooNtlokwenyathi are looking down and smiling.

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Lastly, I am eternally grateful and I submit to the One who without my life would be an empty shell, my Lord Jesus Christ. May Your Holy Spirit continue to give me strength and guidance, and to You be all the glory.

## Abstract

Section 25(7) of the South African 1996 constitution provides an opportunity for people who were dispossessed of their land after the 19<sup>th</sup> of June 1913 to have their land rights restored or to be entitled to equitable redress. The restitution programme is in essence restorative justice and cannot be argued against in both political and economic terms. The administrative nature of lodging the claims requires historical evidence of dispossession, and in most rural cases, claims are lodged by communities instead of individuals. This sometimes proves to be difficult due to social differentiations that may have been caused by years of community disintegration.



Land dispossession was one of the most important determinants of the social and economic configurations in South Africa. A specific focus into the process of dispossession is crucial for approaching restitution programmes. The aim of this study was to pay attention to the historical process of dispossession and its socio-economic impacts on community dynamics after dispossession and from these experiences, deduce on how these will affect the future of land restitution beneficiaries. The general objective of this study is to assess the historical process of dispossession of the Moletele community and the beneficiary community's perception about the opportunities that the restitution of their land rights may provide.

The study adopted qualitative research methods because the issues to be researched are complex social matters. The approach was three-pronged. Firstly, a desktop assessment of the claim was done. Secondly, semi-structured interviews were conducted with

selected households in the community to understand their experiences after dispossession and their perception of the restitution claim. Thirdly, a combination of desktop analysis and household interviews was employed to understand the socio-economic dynamics and evaluate the feasibility of the community's perceptions.



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## Chapter 1: A land reform programme in trouble

### 1.1 Introduction and rationale of study

The land reform programme in South Africa is faced with a myriad of problems. The programme is political in its nature and is being implemented through technocratic means. This technocratic nature of implementing the programme may have unintended and less than ideal consequences because the political urgency for land reform may become placated. The over-reliance of the programme on market forces also creates another layer of challenges in that it allows the markets a pivotal role in redressing the historical injustices of land dispossession. This market-reliance phenomenon is paradoxical because the beneficiaries of land reform were once, directly or indirectly, the victims of the very market forces that will now be determining their future through the land reform programme.


The need for this study arose out of this irony. This mini-thesis is part of a bigger study on *Partnerships with the Private Sector: The Impacts of Joint Ventures Between Land Reform Beneficiaries and the Private Sector in Limpopo Province*<sup>1</sup>. It focuses on the past, the present and prospects for the future. Firstly, the research focused on understanding the process of land dispossession which the Moletete community was subjected to when they were removed from their ancestral land. Secondly, it examined the livelihood status and social differentiation in the community. Thirdly, the research investigated the

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<sup>1</sup> This is a SANPAD funded study that is led by the Institute for Poverty, Land and Agrarian Studies, focusing specifically on land restitution projects in the Limpopo province

community's perceptions of the land claim they lodged and their expectations from the settlement of their claim and the strategic partnership model. The overall purpose is to help raise awareness through empirical research of the challenges facing claimant communities among the leaders of the communities, government and the private sector about the thinking and aspirations of community members on the ground, and thereby informing a people-centered land reform programme.

## **1.2 Brief history of land dispossession**



The inequitable distribution of land in South Africa along racial lines today is a direct result of centuries of a brutal process of land annexation by the settler white community from indigenous African communities. The present government's desire to reverse this inequitable distribution of land is expressed through its land reform programme. However, the restitution programme restricts those who can claim their land back only to those who were dispossessed after the promulgation of the Natives Land Act of 1913, and this limits the degree to which the programme can adequately address the legacy of dispossession. The rationale behind limiting restitution claims to those that happened after the enactment of the 1913 Land Act is that the period prior to 1913 is considered complex to manage through a restitution programme (Walker, 2004:3). Walker (2004:3) argues that if restitution were not to be limited to dispossession that happened after 1913, the restitution programme would have to take into account the history of "conquest, collusion, alliance, dispossession and migration, as well as of tribal, ethnic, class and

national identity formation and of changes in tenure regimes”. This, Walker argues, will be too dense to be managed through the land reform programme and suggests that the victims of removals prior to 1913, who constitute the majority of Africans, should be compensated using means other than the land restitution methods. For the purposes of this study, given the fact that the case study is a restitution claim, the focus will be on dispossession as it happened as a result of the land laws starting with the Natives Land Act of 1913. It is however very important to first scrutinize the roots of dispossession and the rationale for these discriminatory land laws.

There is a huge amount of literature detailing the extent of land dispossession from the period just when the first white settlers arrived up to the formation of the Union of South Africa in 1910, and then the introduction of the Natives Land Act in 1913. Many scholars (e.g. Platzky and Walker, 1985; Mbeki, 1992; Daniels, 1989; Bundy, 1979; and Letsoalo 1987) paint a detailed picture of dispossession prior to 1913. Most of the literature, however, focuses on dispossession that was triggered by the 1913 Act and successive waves of discriminatory legislation. Platzky and Walker (1985) trace the origins of the Bantustan policy of the apartheid government back to the creation of African reserves in the 19<sup>th</sup> century. They note that before the discovery of gold and minerals, land was the primary economic resource available, so stringent control over access to land meant control over access to wealth. Mbeki (1992:28) speaks about ‘Wars of Dispossession’ that were waged by whites in their quest to annex as much land as possible, more especially in the aftermath of the discovery of precious minerals. The discovery of gold was followed by high demand for cheap labour for the mining sector and this was

followed by increased demand for food which catalyzed the development of the commercial agricultural sector, which also demanded a supply of cheap labour (Platzky and Walker, 1985:80). The authors argue that to this end, the government and white farmers in particular put measures in place to limit the growth of the independent African farmer, from demanding exorbitant rents to the passing of the Glen Grey Act in 1894 which sought to limit Africans to their designated reserves.

The various forms of dispossession led Africans to be squatters in their own land of birth, on white owned farms as Sol Platjie (1916) put it. Mbeki (1992) puts African squatters during this time under four categories:

- Those who paid cash as rent
- Those who owned livestock and were granted pasturage on condition that the farmer used such livestock together with his own for all farming activities
- Sharecroppers
- Labour tenants

These categories of landholding were biased against Africans. However, they still provided competition for the white agricultural sector and this worried white farmers and the government of the day (Platzky and Walker, 1985; Mbeki, 1992; Platje, 1916; and Daniels, 1989). The formation of the Union of South Africa after the Anglo-Boer war, as well as the need for more cheap African labour to work in the mines and on commercial farms had a huge influence on the adoption of one of the most brutal Acts in South African history, the Natives Land Act of 1913 (Platzky and Walker, 1985). Mbeki (1992)

argues that the Land Act was a culmination of a concerted effort by insecure white farmers to eliminate competitive black farmers and to amass as much land as possible to themselves. Some of their concerns were as follows:

- According to whites, squatting on farms aggravated the already severe shortage of labour
- The presence of settled Africans who led independent lives on the farms they occupied would result in social contact with whites who occupied adjoining farms, and this to them was not acceptable
- Strong opposition was expressed to the practice of “farming Kaffirs” by absentee landlords and speculators who rented their farms to Africans in preference to whites, because it was easy to terminate agreements with Africans at short notice
- There was a claim that the growing number of Africans on white farms encouraged African syndicates that bought up land, creating scarcity for white farmers, which resulted in rising land value
- It was also claimed that Africans did not use land properly

Levin (1997:234) argues that the key objective of the 1913 Land Act was the obliteration of independent black farmers. This meant that they could only occupy “white owned land” if they were prepared to provide their labour in return. In order to survive, Africans had no other way of sustaining themselves but only through seeking wage employment, and most of the time, from white farmers.

This was the rationale behind the passing of the Natives Land Act of 1913, which formed the foundation of other land Acts which were discriminatory in nature. These Acts subjected Africans to abject poverty and underdevelopment. The current structure of the South African economy, class formations, capital and resource concentration and the political economy at large is indivisible from, and has direct roots in the dispossession of land from the black majority on the country (Greenberg, 2003).

Greenberg (2003:48) argues that the impacts of the process of dispossession, which were legitimized in the eyes of the white minority government and the white population in the country by the 1913 and 1936 land Acts respectively, were twofold. The first impact was that the laws constrained black farmers from competing against their white counterparts in the agricultural sector. Secondly, by depriving people of land, which was their primary source of livelihoods, the laws stimulated the growth of the migrant labour system, forcing the black population to seek wage labour in white-owned farms and industries.

Hall and Ntsebeza (2007:110) state that through the 1913 Natives Land Act, in particular, whites appropriated more than 90% of the land in the country, leaving the black indigenous communities in marginal reserves which were often overcrowded and therefore unproductive. This dispossession helped create an agrarian and economic structure that was dualistic in nature and racially defined in content. As Greenberg (2003:52) argues, it protected the white commercial sector and neglected the black subsistence sector.

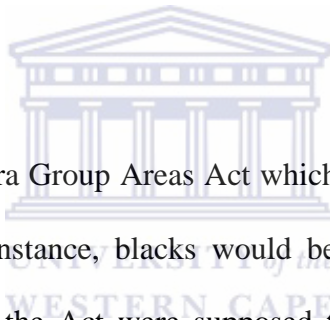
Sol Plaatje had this to say after the passing of the Native Land Act of 1913, *“Awaking on Friday morning, June 20, 1913, the South African Native found himself, not actually a slave, but a pariah in the land of his birth”* (Plaatje, 1916).

The adverse impact the Act had on the African community was enormous. The Act not only sought to abolish the squatter system of land occupation by Africans, but it confined the African majority to only 7% of the land in South Africa, only about 9 million hectares of land (Walker, 2005; Platzky and Walker, 1985; Mbeki, 1992; Xulu and Maharaj, 2004; Daniels, 1989; and Bundy 1979).

The Act effectively banned Africans from buying and owning land anywhere other than in their designated reserves which with time became degraded as a result of overcrowding. It banned squatting thereby undermining the capacity of the African peasantry to sustain itself. The Act removed from the Africans their most valued livelihood resource, the land. Mbeki argues that the Act not only dispossessed Africans of their land, but in addition, those Africans who were squatting on white farms were thrown out and their livestock was confiscated (Mbeki 1992:36).

The Act was followed by a series of other legislative measures aimed at controlling access of Africans to land, the Urban Areas Act of 1923, the Native Administration Act of 1927, the Development Trust and Land Act of 1936, and under apartheid, the Group Areas Act of 1950. According to Platzky and Walker (1985:92), these land Acts had both immediate and far-reaching impacts for the African community. The 7% of land allocated

to Africans was grossly insufficient, and the government had acknowledged that even in 1913, but it was only in 1936 that more land was added to the native reserves (Levin, 1997:235). The 1936 Land Act, for instance, added another 6% to the land in the reserves, leaving about 13% of the land for Africans, although this concession was traded with the voting rights of Africans in the Cape for instance (Platzky and Walker, 1985:89). This Act provided for the establishment of the South African Native Trust. This Trust was tasked with acquiring and administering land in the reserves (Platzky and Walker, 1985:89). The Trust also became a very repressive mechanism for Africans in that it tightened even further the conditions under which Africans were allowed to occupy white farms.



Then there was the apartheid-era Group Areas Act which prohibited different races from living in the same area, for instance, blacks would be removed from the areas they inhabited, which according to the Act were supposed to be exclusive white enclaves. Platzky and Walker (1985:9) estimate that over 3.5 million people were dispossessed of their land due to the application of these Acts between 1960 and mid 1983.

Levin, Solomon and Weiner (1997:98) argue that the land Acts of the colonial and apartheid era were designed to disempower and impoverish black South Africans, and to establish a sustainable supply of black labour to white industries. They were aimed at altering the racial geography of the country in a way that would put whites in areas in close proximity to productive resources, while locating blacks far away from productive resources. Levin *et.al* (1997) argue that the application of these Acts and the forced



removals took no account of the meaning that people assigned to the land, which meant that apart from depriving the victims of forced removals of their right to land, the process of dispossession left deep psychological scars on the victims. To most African communities, land forms part of a treasured history, visible in the graves of the ancestors and enshrined in memories of time gone by - times of prosperity and abundance.

In a study carried out in the Central Lowveld of Mpumalanga, Levin *et al* (1997:102-108) found that dispossession was done for a multiplicity of reasons, ranging from the creation of game and nature reserves, to the expansion of exotic forest plantations, and the establishment of intensive commercial agricultural industry. As Levin *et al* (1997:104) note, at least from the perspectives of the community they studied, dispossession was only part of a historical process of resource expropriation from Africans and their removal to areas with less rainfall and water. The community studied, for instance, gives details of how Africans were exploited as labour tenants while at the same time managing to secure their livelihoods through agricultural production. As soon as the labour requirements of the farms ended, the communities would be removed as well.

Levin *et al* (1997:101) believe that the SPP estimate of 3.5 million people who were victims of forced removals is an underestimation of the actual number of the victims of removals. Removals that were as a result of 'betterment' planning, for instance, as well as those that took place prior to 1960, are not accounted for in the SPP data. Levin *et al* (1997) argue that the nature of the forced removals was historical and generational, and

therefore it will be difficult to quantify. Many black Africans were direct or indirect victims of removals.


Forced removals were carried through using a variety of forms and were named differently, but all entailed removing communities from their land, against their wishes, to areas they were not familiar with. These forms of removal included black spot removals, “betterment planning” removals in the reserves, Bantustan consolidation removals, farm worker and labour tenant retrenchments and evictions, and privatization of state land (Levin, 1997:235). Of these categories of forced removals, black spot removals, Bantustan consolidation and urban relocation combined, account for the largest number of removals under apartheid (Platzky and Walker, 1985:9).

Black spot removals are particularly interesting because they are somehow a delayed implementation of the 1913 Native Land Act. According to Levin (1997:235), ‘black spots’ refer to “African freehold farming communities that acquired deeds prior to the 1913 Land Act in areas later scheduled for white occupation”. The ‘black spot’ removals only occurred during apartheid. Elaine Unterhalter (1987:110) estimates that the black spot removals were responsible for the removal of about 614 000 people, and that a further 1 million people were directly threatened by black spot removals in 1987.

The hardships that African communities faced and the psychological damage they suffered were enormous, the legacy of which any future democratic government would have to address to ensure its legitimacy. It is no wonder then that against this background

of dispossession, the democratic government elected in 1994 sought means to reverse the damages that were done by successive white minority governments and restore rights to land of those who were dispossessed. As Platzky and Walker (1985:65) argue, forced removals were a deliberate attempt to destroy the dignity of the African people. In the process, houses were destroyed, people were removed from their places of work, families were prevented from staying together, and long established communities were destroyed.

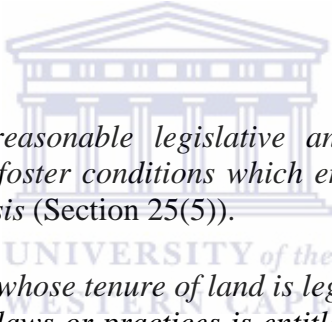
### **1.3 The land reform programme as a post-apartheid response to land dispossession**



The liberation movements in South Africa prior to the attainment of the democratic order spoke of the need for the state to play a significant role in restructuring the economy to equitably redistribute the productive resources in the country so that the structural make-up of the economy reflects the demographics of the country. The common liberation movement rhetoric at the time was that the state should nationalize productive resources like the mines and the land in order for any effective transformation to take place. But the leading liberation movement, the African National Congress (ANC), came out of the negotiations with the apartheid government with a much more neutralized stance. While there was no contest about the need to redress historical injustices, and that the majority of black South Africans expected no less from a democratic government, there were quite significant compromises made during the negotiation process. The constitution of the republic protects the property rights of those who took ownership of vast tracts of land during apartheid. Within the same document though, the constitution mandates the state

to take measures to ensure that the African majority gets access to land through the land reform programme.

Within the limits of the constitution, the ANC government since the dawn of democracy in 1994 has embarked on an ambitious land reform programme that seeks to address the injustices of the past and achieve an equitable distribution of land between the diverse racial groups that make up South Africa. The government's land reform programme has three tiers, namely, Land Redistribution, Land Tenure Reform and Land Restitution. The 1996 constitution of the republic makes provisions for these three tiers of land reform through the following clauses:

- 
- *The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis (Section 25(5)).*
  - *A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress (Section 25(6)).*
  - *A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress (Section 25(7)). (RSA, 1996)*

Section 25 (5) of the constitution deals with the need for land redistribution, section 25(6) focuses on land tenure reform; and section 25 (7) highlights the need for land restitution. Subsequent to the adoption of the constitution, a White Paper on South African Land policy to articulate the government's approach to the land reform programme was

developed in 1997. This White Paper lays bare the objectives that the land reform programme should achieve, these are listed as:

- To address the injustices of racially-based land dispossession of the past
- To cater for the need for a more equitable distribution of land ownership
- To use land reform as a tool to reduce poverty and contribute to economic growth
- To ensure security of tenure for all
- To facilitate the creation of a system of land management which will support sustainable land use patterns and rapid land release for development (DLA, 1997).

The department tasked with carrying out land reform is the Department of Land Affairs (DLA), located within the ministry of agriculture and land affairs<sup>2</sup>. This department is tasked with the mammoth task of redistributing 30% of agricultural land to black South Africans as stated in the 1994 Reconstruction and Development Programme. The RDP aimed to achieve the 30% redistribution of land within the first five years of democracy. Reality has proven to be a complete contrast to the expectations of the ANC government. As Hall and Ntsebeza (2007:18) note, by the end of the first five years of democracy in South Africa, only one percent of agricultural land had been transferred to Africans through the land reform programme, and this figure only rose to 3.1% after ten years of democracy. There have been challenges both in policy and in the implementation capacity of the Department of Land affairs, and then there is what Ruth Hall (2004:219) calls 'big policy and the shrinking state'. This phenomenon, Hall argues, is as a result of the state's own inability to implement the policies and programme that have been

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<sup>2</sup> The departments have been restructured since the coming to power of the Zuma administration in may 2009. The department's new name is now the Department of Rural development and Land Reform

developed, and that budget allocation, institutional structures, as well as the political willingness to effect reforms fall far below the requirements necessary to implement land reform policy. The three components of land reform though aimed at different sections of the African community, are facing almost the same underlying problems when it comes to implementation.

### **1.3.1 Land redistribution**

The land redistribution component of the land reform programme in the country focuses on redistributing land to black South Africans who need access to land but are left out of the restitution programme. Provision for this programme is made in section 25(5) of the constitution of the Republic of South Africa and further refined by the Provision of Land and Assistance Act 126 of 1993, which was amended in 1998. This provides for assistance to be given to people ‘who have no land or who have limited access to land, and who wish to gain access to land or to additional land’. The act also provides assistance to those who wish to upgrade their land tenure rights, and those who are the victims of land dispossession but who cannot benefit from the land restitution programme. The purpose of land redistribution, as stated in the 1997 White Paper on South African Land Policy, is as follows:

*“The purpose of the land redistribution programme is to provide the poor with access to land for residential and productive uses, in order to improve their income and quality of life. The programme aims to assist the poor, labour tenants, farm workers, women, as*

*well as emergent farmers. Redistributive land reform will be largely based on willing-buyer willing-seller arrangements. Government will assist in the purchase of land, but will in general not be the buyer or owner. Rather, it will make land acquisition grants available and will support and finance the required planning process. In many cases, communities are expected to pool their resources to negotiate, buy and jointly hold land under a formal title deed. Opportunities are also offered for individuals to access the grant for land acquisition” (Department of Land Affairs, 1997:38).*

From 1995 up to 1999, the redistribution policy of the government was premised on the Settlement/Land Acquisition Grant (SLAG), and this provided a small grant of R16 000 to poor people to purchase land on the open market (Jacobs *et.al*, 2003:1; Hall, 2003:215). Due to the small size of the grant, households had to pool their resources together in order to have enough funds to buy land (Hall, 2003:215). Hall (2003) further notes that this arrangement often led to complex group dynamics because it resulted in overcrowding and more often, the grant and land acquisition was not linked to other resources that would enable people to generate livelihoods.

In 1999, a new policy direction was introduced by the new Minister of Agriculture, emphasis moved away from the subsistence based SLAG to a programme whose aim is to create a class of black commercial farmers (Hall, 2003:216). According to Hall (2003), the new programme, the Land Redistribution for Agricultural Development (LRAD) was designed for people who would be able to invest their capital on the land, and preferably those who are equipped with technical agricultural skills. To access this grant,

beneficiaries need to contribute to the cost of land an amount of between R5000.00 and R400 000.00, or contribute in kind with sweat equity. The Department of Land Affairs would then match the beneficiaries contribution with a grant of between R20 000.00 and R100 000.00 on a sliding scale (Hall, 2003:216; Jacobs *et.al*, 2003:4). Referring to the LRAD programme, Jacobs *et.al* (2003:4) note that there are four types of projects that the LRAD programme can fund. These are:

- Food safety net projects, agricultural production primarily for subsistence farming
- Share equity schemes, the purchase of shares in established commercial agricultural enterprises
- Commercial agricultural production
- Agriculture in communal areas

The main difference between LRAD and SLAG is that the former makes grants available to individuals rather than to households as it is the case for the latter, secondly, responsibility for approval and implementation of projects for the LRAD has been devolved to provincial and district municipality level, and this is aimed at enhancing the roles of district municipalities in land based developmental projects.

The underlying challenges facing the LRAD programme are however similar to those facing the land reform programme in general. The programme is still very much within the ambit of the willing-buyer willing-seller arrangement and the markets are almost sanctified by the land reform policy in South Africa. As Hall (2003) noted, it is sometimes exclusively the well-off who benefit from the programme because they are able to contribute substantial amounts of cash and can operate in an open market with



ease. This means that as much as the grant for LRAD has been increased from the grant that SLAG offered, this grant is accessible to fewer people who can afford to make the contributions needed.

As with other land reform programmes, the LRAD is not linked to other infrastructural and developmental imperatives in the country. Adams (2000:41) argues that if land reform is to be successful, it has to be part of a broader political, social and economic change, rather than a narrow intervention to redistribute land that was taken by European settlers. The pace of a successful land reform should be indivisible from other government programmes, especially those that aim at providing infrastructure, and technical support services to emerging farmers, and other services like credit facilities, support with input costs, marketing and extension services. The main shortcoming of this programme is the inability to coordinate or form part of bigger developmental imperatives in the country.

### **1.3.2 Land restitution**

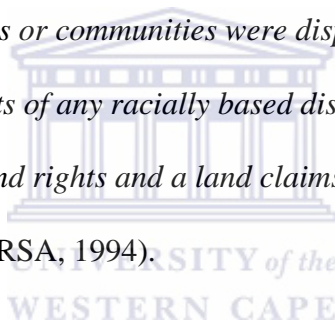
Of the three land reform components in South Africa, the land restitution program is the most symbolic in both political and social terms, its land restoration purpose can be measured directly against the claims made.

Section 25(7) of the Constitution of the Republic of South Africa reads: “*A person or community dispossessed of property after 19 June 1913 as a result of past racially*

*discriminatory laws and practices is entitled, to the extent provided by an act of parliament, either to restitution of that property or to equitable redress” (RSA, 1996)*

The Act of parliament providing for restitution is the Restitution of Land Rights Act 22 of 1994, which was provided for already by the Interim Constitution of 1993. The purpose of the Act is to ensure the restitution/restoration of land rights of those individuals or communities dispossessed of their land or rights to land after the enactment of the 1913 Land Act.

The purpose of the Act is stipulated as follows: *“to provide for the restitution of right to land in respect of which persons or communities were dispossessed under or for the purpose of furthering the objects of any racially based discriminatory law, to establish a commission on restitution of land rights and a land claims court, and to provide for matters connected therewith” (RSA, 1994).*



According to the 1997 White Paper on South African Land Policy, land restitution is aimed at achieving the following outcomes:

- Substantial numbers of claimant who fulfill the criteria in the Act receive restitution in the form of land or other appropriate and acceptable remedies
- The restitution process does not lead to major disputes or conflict
- Public confidence in the market is maintained
- A framework is developed for claims and demands that fall outside of the Act

An in-depth analysis of the restitution programme will follow in the next chapter.

### **1.3.3 Land Tenure Reform**

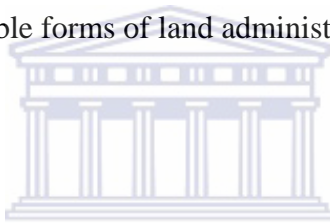
As the provision in the constitution states, land tenure reform is focused on securing the tenure rights of those whose right to land is insecure due to the discriminatory nature of land rights under successive colonial regimes. The focus is on affirming the rights of those in communal areas, as well as the rights of farm dwellers.

Cousins and Claassens (2004) note the complexity of land rights in communal areas and the historical process by which those rights have been affirmed. Atkinson (2007:25) and Walker (2006:71) also note the challenges of reforming and securing the tenure of farm dwellers. Reforming the tenure of farm dwellers focuses on affirming the basic right of workers, their entitlement to government services and subsidies, and the prevention of the problem of unfair dismissals and illegal evictions. Land Tenure laws were developed in line with the provisions of the constitution, and the following are the laws guiding tenure reform in South Africa:

- The Land Reform or Labour Tenants Act of 1996
- The Interim Protection of Informal Land Rights Act of 1996
- Extension of Security of Tenure Act 1997, as well as
- Communal Property Association Act of 1996

These Acts seek to protect farm dwellers from unfair evictions, to provide labour tenants an opportunity to purchase land and enabling community groups to hold and manage property. But there have been serious challenges, Edward Lahiff (2001:2), for example, points to the failure of ESTA to prevent illegal evictions on farms, and he attributes this to the incapacity of the DLA to enforce legislation, as well as the complicity of magistrates and police who are based in farming areas. Lahiff also points to problems with reforming tenure security in communal areas in that existing forms of reform seek to reinforce the power of tribal authorities in administering land, and this falls short of achieving the objectives of land reform and does not address the need for individual security of tenure and accountable forms of land administration (Lahiff, 2001).

#### **1.3.4 The study area**

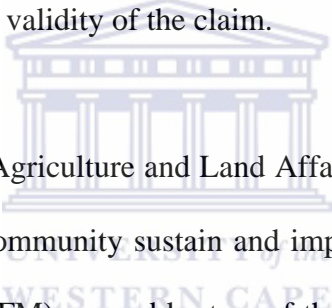


The case study is the Moletele Land Claim lodged by the Moletele community for the farms they were removed from in Maruleng, popularly known as Hoedspruit in the south eastern parts of the Limpopo province. The community was dispossessed of their land over a period of time. From the community's narratives, people were deprived of their land rights as early as the 1930's, which is as far as the living would remember, but dispossession became more formalized and brutal from the 1950's onwards. The community was moved into the Arcornhoek area, about 45 kilometres from Marulaneng.

The Moletele community lodged the land claim before the cut-off date of 31 December 1998 and the claim was gazetted in October 2004. The community lodged claims on 28 farms in the Maruleng area, but some of the properties they claimed had been subdivided

and consolidated into other farms. This brought the total number of farms under claim to 42, and these had about 500 individual portions.

The farms claimed produce high value exports, with a combined turnover of over R1 billion per annum. Products on these farms range from mangoes, citrus, sweet corn, maize and vegetable produced under intensive shade-netting. The first batch of farms were transferred between 2006 and 2007 to the Moletele Communal Property Association (MCPA), the second phase was underway when this study was done, and the third phase, which consist of about 400 farm units includes those farms that are still under dispute with land owners contesting the validity of the claim.



The Provincial Department of Agriculture and Land Affairs put out a tender for strategic partners to help the claimant community sustain and improve productivity of the farms. Strategic Farm Management (SFM), owned by two of the recent former owners of some of the land claimed, won the tender and formed a joint venture company with the MCPA. The company was named New Dawn Farming Enterprises. Shareholding arrangements in this company are that the MCPA will own 51% of the shares, SFM will have 47% and then a trust established for workers will get two percent shareholding in the company.

The two owners of SFM, who, as mentioned above, are also the immediate former owners of the land, are directors of New Dawn, as well as three directors appointed by the MCPA who are to get proper training in financial management and governance.

However, the land still belongs to the MCPA, and New Dawn will own the equipment and improvements to the land.

This arrangement was done to ensure that productivity on the farms does not collapse and that there is a proper skills transfer to the Moletele community for a period of ten years, after which the community can buy out SFM and manage the farms on their own. Subsequent to entering this partnership agreement with SFM, the Moletele Communal Property Association has entered into strategic partnerships with one other strategic partner during the course of this study and was negotiating another strategic partnership with one more partner for the other pending claimed land that the CPA hopes to receive ownership of in the near future. The one more strategic partnership entered into is with Chestnet (Pty) Ltd, forming an operating company called Batau Farming Enterprises, and the arrangements made are almost carbon copy of the arrangements with SFM, the only difference being that there is no provision for a workers trust in the later arrangement, the MCPA will have a 52% stake and the joint venture partners will have a 48% stake in the operating company. The third joint venture partnership that is yet to be entered into will be between the MCPA and Dinokeng farming enterprises, and having had the experience of the two other strategic partnerships, the MCPA decided that it will have an equal shareholding basis with Dinokeng. This move is informed by what the MCPA says are 'difficulties' the strategic partners face when they have to apply for operational loans from the banks because of their minority shareholding on the joint venture partnerships.

The joint venture arrangements are encouraged and often facilitated by the Department of Land Affairs and emanate from the so called failure of land reform projects throughout the country. This so called failure of land reform projects led to the need for proper management and skills training on the beneficiary communities to make sure that the farms maintain and improve their productivity after land reform, and the strategic partners, it is hoped, will be the magic wand to arrest the deterioration of land reform farms.

The Moletele case can be a relevant lesson for land reform projects throughout the country. The complexity of managing the needs of a large community as well as maintaining the soundness of business operations is a complex challenge that may have been overlooked by the government. But only time will tell if this arrangement can bear the fruits to the members of the communities who may have thought that having access to land finally would bring about positive change in their socio-economic conditions.

### **1.3.5 Research problem, objectives and questions**

Joint ventures between the beneficiaries of land reform and the private sector are perceived as being the panacea for economic and social development for the beneficiaries of large scale land restitution. But little attention is paid to the historical process of dispossession and the social and livelihood requirements arising from the legacy of dispossession which will have to be addressed by the resultant joint ventures. This study then will analyze the historical process of land dispossession in its political, social and economic terms, attention will be paid to the socio-economic impacts insofar as it affected the strengthening or weakening of community identity, of building or destroying

social relationships and the forms of social accountability or governance that were entrenched by dispossession.

### **Research objectives**

The overarching objective of this study is to assess the history of dispossession of the Moletele community from their land and their perceptions of opportunities to be provided by the settlement of their restitution claim.

The particular study objectives are:

- Study the historical process of land dispossession the Moletele community was subjected to
- Examine the extent of social and livelihood differentiation of the community caused by the land dispossession
- Examine the current socio-economic and livelihood status of the dispossessed
- Understand the perceptions and expectations the community has from the restitution of their land rights

### **Research questions**

- What was the extent of land dispossession in Maruleng in social and economic terms?
- Did the process of land dispossession contribute to the weakening or strengthening of social relations and livelihoods strategies of the community?
- What is the present socio-economic and livelihood status of the community?
- What are the community's expectations and preferred resettlement models?

### **1.3.6 Research methods**



The study employed qualitative research methods comprising a three- pronged approach. The first was to review the historical process of dispossession with the view of gaining deeper insight into the social and livelihood deprivation caused by blocking people's access to productive land resources. The initial thoughts were that this would be done by reviewing historical documents, the history of the claim submitted to the Department of Land Affairs, interviewing key community informants and Non-Governmental Organizations working in the region. However, though all this was done, it was found that apart from the documents from the Regional Land Claims Commission (RLCC), the great source of historical context of land dispossession came from the Moletele community themselves.

The second was to select multiple households and informants in the community to do semi-structured interviews and focus group discussions on their experiences after losing their land and the kinds of relationships the community maintained after dispossession. The aims here were to solicit the extent to which social relations were destroyed or empowered after dispossession, as well as to get first hand narratives on the experiences of land dispossession. This method was also used to understand the expectations that communities had of the settlement of their land claim; as well as gauging the perceptions of the claimant community on the strategic partnership model as well as the settlement arrangements.

The third was to study the social and economic demographics of the area and the information was sourced from using the semi-structured interviews with the members of the community. The intention of this was to get a clearer understanding of the present economic and livelihood status of the community, and how this may affect the expectations of the community. The plight of the current farm workers on the claimed farms was deliberately left out of the study because the challenges of farm workers on restitution farms is a wide and complex challenge that requires specific attention.

As mentioned above, the first prong of the methodology entailed reviewing documents, and no sampling was required. For the second and third, a set of open-ended questions

were developed. The questions were grouped into five categories. The first category of questions looked into the livelihood and income status of the households, followed by the second category that focused on the community's perception on the importance of land and agriculture. The third category looked at the history of land dispossession and the impact that it had on individual households and the community in general and the fourth asked questions about the community's perceptions of the strategic partnership and their expectation on the settlement of their claim. The last category focused on community leadership to gauge if the community felt that the leadership they had represented their aspirations to the best of their abilities. The categories are linked, for example, access to land and agriculture can be directly linked to the livelihood and income status of households, and the history of dispossession is linked to both livelihood strategies and whether there is access to agricultural land, as well as what people may expect out of the settlement of their claim and the way they view strategic partners.

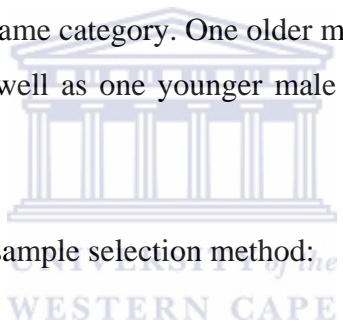
A targeted sampling method was applied. This was done according to gender, age, class, and involvement on agriculture and/business. This was further broken down to livelihood strategies and relative wealth, and people were selected who belong to the following categories:

- Farming and relatively wealthy
- Have jobs and or businesses and relatively wealthy
- Farming and relatively poor
- Receiving grants and relatively poor

A total sample of 20 households that fall within these categories were purposefully selected and heads of households were interviewed. The initial plan was to select eleven women headed households and ten men headed households. Of the women headed households, one household would be headed by an older woman who is involved in agriculture and relatively wealthy in terms of community perceptions of wealth, one would be headed by a young woman who falls under the same category of wealth and involvement in agriculture. Two households headed by older women who have jobs and/or businesses and are relatively wealthy were to be selected, as well as one young female

headed household that falls within this category. The plan was to also select two female headed households that are involved in farming and relatively poor, as well as one young female headed household that falls within this category. Two old female headed households that receive grants and are relatively poor were to be selected, as well as one young female headed household that falls into this category.

The categorization would be the same for male headed households. Two older male headed households involved in farming and relatively wealthy, one older male headed household having a job and/ or business would also be selected. One young male headed household involved in farming and relatively wealthy and one young male headed household with a job or business and relatively wealthy. The plan was also to select one older male headed household involved in farming and relatively poor, as well as younger male headed household in the same category. One older male headed household receiving grants and relatively poor, as well as one younger male headed household in the same category were to be selected.

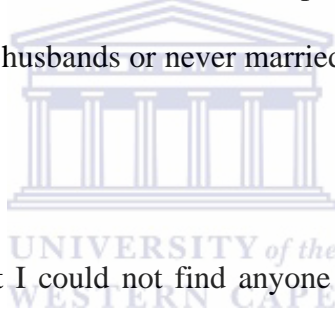


The table below illustrates the sample selection method:

<p><b>Involved in farming and relatively wealthy</b></p> <ul style="list-style-type: none"> <li>• 2 old male headed households</li> <li>• 1 young male headed household</li> <li>• 1 old female headed household</li> <li>• 1 young female headed household</li> </ul>	<p><b>Have jobs and/business and relatively wealthy</b></p> <ul style="list-style-type: none"> <li>• 1 old male headed household</li> <li>• 1 young male headed household</li> <li>• 2 old female headed households</li> <li>• 1 young female headed household</li> </ul>
<p><b>Involved in farming but relatively poor</b></p> <ul style="list-style-type: none"> <li>• 1 old male headed households</li> <li>• 1 young male headed household</li> <li>• 2 old female headed households</li> <li>• 1 young female headed household</li> </ul>	<p><b>Grant recipients and relatively poor</b></p> <ul style="list-style-type: none"> <li>• 1 old male headed household</li> <li>• 1 young male headed household</li> <li>• 2 old female headed households</li> <li>• 1 young female headed household</li> </ul>

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However, the situation on the field was different. The sample size remained the same, but it was initially difficult to locate the required number of female headed households, particularly young female headed households. This was then replaced by selecting young women in general to supplement this, and young women who have migrant worker husbands in particular. These women are not heads of households strictly speaking, but they run the households for the greater part of the year when their husbands are away. Only two young female headed households formed part of the sample, the rest were young females who had absent husbands or never married at all but who have children of their own.



The second challenge was that I could not find anyone who engaged in farming as an exclusive livelihood source. In all cases, farming was supplemented by either grants or jobs. Those who have land do farm, but they complement farming with other livelihood activities or sources such as grants, jobs, or other businesses.

The households formed the basic units of analysis for this research, and the varied livelihood strategies and class of the sample is such that the results of this research can be generalized to areas of similar social and economic standing as the Moletele community.

### **1.3.7 Outline of the mini-thesis**

The first chapter of this mini-thesis gives background to the research problems and questions. The history of the land question is given attention, as well as the response of the democratic government to the challenges of redressing inequitable distribution of land along racial lines. A brief overview of the land reform programme is given, with focus paid more on the redistribution component as it has similar post settlement challenges to the restitution programme, which forms the basis for this study. The restitution and tenure reform programmes are examined briefly.

The second chapter focuses on the land restitution component of the land reform programme. The restitution process is highlighted, as well as the challenges around settling large rural claims. Focus is also paid on the challenges of maintaining productivity on farms after land restitution. The second half of the chapter focuses on strategic partnerships as a tool for addressing post-settlement productivity of restitution farms; and draws on literature to look at whether this form of giving support to the beneficiaries of land reform is suited for the challenges that the programme faces.

Chapter 3 presents the results of the research field work. This chapter analyses the Moletele land claim and the process followed, the claims and counter-claims made, the size of the claim and the productive use of the land presently. Chapter 4 focuses on the claimant community and attention is given to the socio-economic status of the community as well as differentiations that exist in the community. Issues of community identity, leadership institutions that exist and the community's perceptions of the accountability of the present leadership structures are also explored in this chapter.

Chapter 5 explores the historical process of dispossession that the community experienced. The community's recollection of the process and what it meant to them in social and economic terms is documented. The chapter then gives account of what members of the community expect from the settlement of the land claim and their perceptions of the strategic partners.

Chapter 6 gives a summary of the findings as discussed in chapters 3, 4 and 5, and looks at the importance of these findings for the Moletele land claim as well as their relevance to the wider restitution programme and strategic partnerships in South Africa.



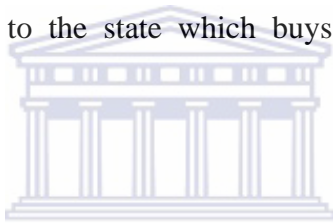
## Chapter 2: Land restitution- Do strategic partners offer the solution?

As noted in the previous chapter, land restitution is a constitutionally enshrined component of land reform. The Restitution of Land Rights Act 22 of 1994 was one of the first pieces of legislation to be passed by the democratically elected Government of National Unity led by the African National Congress (ANC). The Act gives an opportunity to people who were deprived of their rights to land after 19 June 1913 as a result of racially discriminatory laws to claim back their land or rights to land.

The purpose of the Act is stipulated as follows: *“to provide for the restitution of right to land in respect of which persons or communities were dispossessed under or for the purpose of furthering the objects of any racially based discriminatory law, to establish a commission on restitution of land rights and a land claims court, and to provide for matters connected therewith”* (RSA, 1994). Acceptance of claims for restitution purposes is subject to meeting three conditions, namely, (1) the claimant was dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws, (2) the claimant was not paid just and equitable compensation, and (3) the claim was lodged on or before the 31st of December 1998 (RSA, 1994)

The Act also provides for three means by which claims can be settled, they are: restoration of the land under claim, granting claimants alternative land if it is not possible to restore the original land claimed, or granting claimants financial compensation. For most settled urban claims, settlement of claims has been through financial compensation (Lahiff, 2001).

Lahiff (2001) also notes that the claims made are not against the current landowners, but the claims are against the state. This puts the state at the centre of the restitution programme, but the success of the restitution programme does depend to a large extent on the willingness of the landowners to participate. Nancy Andrew (2006:4) argues that this even gives more power and resources to the farmers who hold the land unjustly and in unfair proportions as the state has to pay market value for the land to the white farmers, before the land can be given to the victims of racial dispossession. Even though the state has the power to expropriate land for the purposes of land reform, this provision has not been used, and there has been over-reliance on the preparedness of landowners to accept restitution and sell their land to the state which buys it on behalf of the claimants (Ntsebeza, 2007:113)



Restitution was given a timeline of 18 years, the first three years were for the lodgment of claims, and five years were set aside to finalize the claims and then ten years to implement all court orders (Hall, 2003; Lahiff, 2001; DLA, 1997). Establishment of institutional structures is provided for in the Act to contribute to the attainment of the restitution outcomes which the 1997 White Paper on Land Policy stipulates as follows:

- (1) Substantial numbers of claimants who fulfill the criteria in the act receive restitution in the form of land or other appropriate and acceptable remedies.
- (2) The restitution process does not lead to major disputes and conflicts.
- (3) Public confidence in the land market is maintained.
- (4) Frameworks are developed for claims and demands that fall outside the jurisdiction of the act (DLA, 1997).

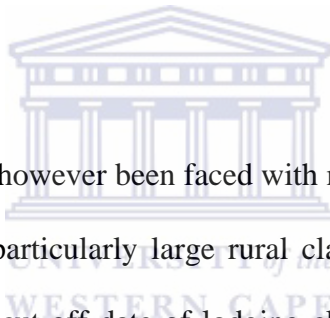


To drive this process, the Act provided for the establishment of a Commission for the Restitution of Land Rights (CRLR), to be led by a Chief Land Claims Commissioner, and Regional Land Claims Commissions managed by Regional Land Claims Commissioners in various provinces of the country. The establishment of a Land Claims Court with the same status as the High Court was also provided for to deal with claims and other matters related to land (Hall, 2003; Lahiff, 2001).

Hall (2003) explains the life-cycle of the restitution process, where it starts with the lodgment of the claim, followed by screening and prioritization, after which the claims are validated in accordance with requirements of the Act. If the claim satisfies the above, then the monetary value of the claim should be determined before the claim can be negotiated and settled, and if the land is to be restored, land use and developmental plans are needed. Claims are considered to be settled only when a settlement agreement is signed.

A lot has been written about obstacles to the restitution process, some scholars have argued about the policy framework and the fact that the 'willing-buyer willing-seller principle', the property clause in the constitution and the reluctance to enforce the expropriation clause are some of the major obstacles to land reform in general and land restitution in particular (Ntsebeza, 2007:107-131). Other scholars have noted the slow pace of delivery, attributing this to policy failures or to lack of capacity within the implementing agency, the Department of Land Affairs (Ntsebeza, 2007; Hall 2003; Walker 2005; Lahiff 2001; Du Toit 2000). The issues of delivery of land to the claimants

is important, but I am going to refrain from discussing these issues extensively, but rather focus on the other aspect of restitution which is often relegated in importance by the DLA and CRLR, the issue of restitution as a catalyst for development. As noted earlier, restitution is but one sub-program of a bigger land reform programme which has broader objectives that are potentially far-reaching. The White Paper on South African Land policy lists these objectives as (1) the need to deal effectively with the injustices of the past, (2) the need for a more equitable distribution of land, (3) poverty reduction and to stimulate economic growth, (4) security of tenure for all, and (5) to create a system of land management that will support sustainable land use patterns and rapid land release for development (DLA, 1997).



The restitution programme has however been faced with myriad problems, judging by the slow pace in settling claims, particularly large rural claims at the initial stages of the restitution programme. By the cut-off date of lodging claims of 31 December 1998, 63 455 restitution claims had been lodged throughout South Africa, but through the process of validating claims, the commissions had to increase the recorded number of claims lodged because some of the claim forms submitted represented more than one claim (Hall, 2003:20-21). As a result of the splits in these claim forms, the total number of restitution claims that the CRLR had to deal with rose to 79 696 (Walker, 2008:204).

Settlement of the claims was painstakingly slow at the beginning of the restitution programme. Only 50 claims were settled within the first five years of democracy, but the number rose after 1999 when a new Minister of Land Affairs took over (Hall, 2003:21).

This increase cannot be solely attributed to the minister though, as a number of claims had been researched by that time and the move towards a more administrative process was proving to be effective.

While there has been a significant rise in the number of claims settled, Hall (2003) further argues that the number of households benefiting and the size of land being restored has not increased dramatically at all. This, Hall (2003:22) further argues, is as a result of the small size of the claims that have been settled.

The number of settled claims continued to rise such that by March 2007, the CRLR had settled a remarkable 93% of all claims lodged, this translates to 74 417 of all claims lodged by the cut-off date of 31 December 1998 and this figure was 74 613 by the beginning of 2008 (Walker, 2008:21 and 205). Of these figures, Walker (2008:21) notes that 88% of the settled claims were urban claims and 70% of all land claimants in the settled cases had opted for financial compensation.

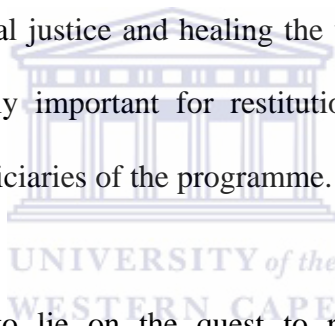
The following table is an illustration of progress in land restitution as of March 2007 as it appears on the CRLR Annual Report 2006/2007:

**Table 2.1: Progress in land restitution by 2007**

<b>Province</b>	<b>Claims Lodged</b>	<b>Urban Claims %</b>	<b>Rural Claims %</b>	<b>Claims Settled</b>	<b>Beneficiary Households</b>	<b>Hectares transferred</b>
Eastern Cape	9 469	89	11	16 116	47 826	72 075

Free State	2 213	96	4	2 582	4 875	44 464
Gauteng	13 158	83	17	13 148	14 333	7 557
KZN	14 808	81	19	14 576	51 417	435 190
Limpopo	5 809	27	73	2 789	34 777	356 042
Mpumalanga	6 473	19	81	2 429	36 821	213 360
North West	2 508	63	37	3 655	26 656	213 659
Northern Cape	2 502	38	62	3 623	14 817	305 389
Western Cape	11 938	95	5	15 499	20 340	3 115
Total, as of March 2001	68 878	72	28			
Audit Adjustments 2001-2003	4 983					
Total as of March 2003	72 975	69	31			
Adjustments 2003-2005	6 721					
<b>Total as of March 2007</b>	<b>79 696</b>	<b>82</b>	<b>18</b>	<b>74 417</b>	<b>251 862</b>	<b>1 650 851</b>

As much as the numbers are important, land reform as a developmental programme can be a powerful rural development tool to address the legacy of squandered assets, and open market opportunities for those to which access was denied under apartheid. The creation of these opportunities through the redistribution of land and other market reforms can be key components of a poverty reduction and rural development strategy (May, 2000:41). The success or failure of restitution therefore cannot only be measured against the number of hectares restored to blacks and it needs to go beyond that. Lahiff (2001) argues that restitution should restore land in such a way that it supports national reconciliation, as well as the reconstruction and development of the country. He argues that although ensuring historical justice and healing the wounds of racial discrimination are worthy goals, it is equally important for restitution to address the poverty and underdevelopment of the beneficiaries of the programme.



The central problem seems to lie on the quest to reach the equilibrium between addressing the legacy of racial discrimination and present day economic development and poverty reduction. Hall (2004:221) observes that the former is a symbolic function in that it should provide tangible evidence of redressing the injustices of the past while also promoting nation building, the latter should be the centerpiece of a broader programme of rural restructuring, transforming social and economic relations to provide a structural basis for a wide ranging pro-poor development programme. Restitution can therefore be judged by its results, by the realization of the vision of restoring land and paying compensation as part of the broader land reform programme, redistribution of land, tenure security and rural development (Du Toit, 2000:79). Du Toit further argues that

restitution that only entails resettlement of communities on claimed lands is a costly exercise and is counter-productive to the broader aims of the land reform programme, the process of resettlement, he argues, should be linked to the process of significant investment and developmental programmes, restitution should be done in such a way that it assists and enhances the livelihood strategies of claimant communities, lifts them out instead of confining them to poverty. This seems to be the main challenge of the restitution programme, to link past injustices to the present era of redress, and to link the present to the immediate and future prospects of growth and development. Walker (2005:660) however argues that the realization of the goals of social justice, redress, and rebuilding communities that were destroyed by apartheid is proving to be an elusive ideal, primarily because it is dealing with a complex web of factors, the histories of dispossession and now reconstruction, the intersection of the symbolic process of dispossession and the material era of restitution and development, the rights that claimants have to reclaim their long lost land and the developmental agenda of the country, the conceptualization of the national restitution agenda and the complexity and dynamism of local communities. Walker (2008:16) further strengthens her argument by labeling the discourse and thinking around land restitution in South Africa as a 'master narrative', a narrative of loss and restoration. This narrative, she argues, may be a politically powerful narrative and arouse emotions of the majority whose life was disturbed by land dispossession, but as a pragmatic programme of developmental action, the narrative is less useful as it focuses on the difficulties of the past and not so much on the challenges of the present. Central to her critique on this narrative is that the numbers are not important as a measure of the success or failure of the restitution programme as

far as redress and development are concerned, but rather how those whose land has been 'restored' manage to extricate themselves out of poverty or how they have managed to improve their socio-economic status (Walker, 2008:209). Land restitution, she argues, cannot be taken out of group experiences of redress, but rather on the experiences of individuals of the restitution beneficiaries.

The Department of Land Affairs has been experimenting with various interventions to achieve this equilibrium. There has been an emphasis on entrepreneurship as a core area of developing a class of black farmers with little involvement in the economy by the state but rather over-reliance on the private sector (Hall, 2004:218). This has also seen the department dictating terms of resettlement to the beneficiaries, like the promotion of joint ventures with the private sector and rental arrangements by which blacks can own land but rent it to white farmers to farm it, in the process satisfying the need for both racial transformation and the demand for maintaining existing modes of production (Hall et.al, 2003).

But as Walker (2005: 655) noted, it is important to take into account local dynamics and preferences when negotiating restitution options. This may mitigate adverse impacts that will see beneficiaries being marginalized all over again, of giving land back to beneficiaries without a clear plan of development and service provision (Du Toit, 2000:83). It is precisely this point that compels an investigation to the conduciveness of strategic partners as developmental catalysts in land reform projects, and to look at how

local dynamics may play out in reconfiguring power relations between the beneficiaries of land reform and the private sector.

## **2.1 Restitution as restorative justice and as a developmental programme: the need for strategic partnerships**

Cherryl Walker (2008:16) speaks of the master narrative, the narrative of loss and restoration, as a notion on which the whole restitution programme is premised. She argues that this narrative has as its guiding light the need to get productive land back to the people who were unceremoniously removed under racially discriminatory laws. But the narrative, she argues, works well as political rhetoric, but if it gets divorced from the present struggles of the very people it seeks to return the land to, it loses the significance in light of the present demands of growth and development of the dispossessed masses. Walker (2008:16-17) observes that a lot happened during the intervening years between dispossession and the time of the application of restitution as a means for restorative justice and that the 'master narrative' does not take this into account. She argues that the intervening years have brought about significant social and livelihood differentiations within the dispossessed communities, and simply restoring land to the dispossessed will not achieve any significant results if the use of the 'master narrative' ignores marrying the national project of land restitution to other developmental programmes that the post-apartheid government has embarked on, programmes like the provision of housing, infrastructural development, justice, socio-economic development and equality. Lahiff (2001:4) echoes this sentiment when he argues that in order for restitution to have any impact on livelihoods, it has to be supplemented by adequate infrastructural development,



excellent service provision and sound business planning. He also laments the poor integration of restitution with other governmental programmes.

Du Toit (2000:80-81) also argues in terms not dissimilar to Walker when he speaks about the discourses of loss and redemption, that restitution is in effect designed, packaged and understood by its links to specific events in the country's apartheid past. But unlike Walker, Du Toit (2000) acknowledges the significance and emotional and political power of this discourse, and recognizes that the broader developmental discourse in South Africa after 1994 is premised on the felt emotional and political experiences of the past, and that by simply lodging a claim in the restitution programme, people are once again entering into a relationship with the past. He however recognizes the dangerous limitations of only constructing the restitution claimants as essentially victims, people who are only related by their powerlessness and experience of loss, a loss that was always more than just land, and which has multiplier effects beyond just the claimants. The discourse of loss or redemption, or the narrative of loss and restoration as Walker (2008) puts it, can sometimes be hazed with romanticism and be patronizing towards the very people it is meant to serve, argues Du Toit (2000:82). These narratives or discourses about loss and redemption inevitably construct assumptions and expectations that are difficult to engage with in an effective manner in light of the demands and limitations facing the democratic government in South Africa (Du Toit, 2000; Walker, 2008). Solutions to the challenges of development are more often undermined by the sentimental conceptions that are derived from the discourses on loss and redemption that underestimate the levels of fragmentation and division that characterize many restitution

settlements (Du Toit; 2000:82). Du Toit (2000) further argues that these sentiments lead to disappointment and anti-climax when claimant communities finally realize that the return to their long lost land cannot live up to their expectations and hopes.

The disjuncture between expectation and reality, between the ideal of redeeming long-lost rights to productive resources and pushing forward a developmental agenda, between romanticism and pragmatism, is what seems to be the central problem of the land restitution programme as the authors argue above. The Centre for Developmental Enterprise (CDE), in their 2005 report on land reform in South Africa, argues that:

*“South Africa needs a land reform programme that is both developmentally and politically successful. Its outcomes must make land reform beneficiaries better-off and create an increasing degree of confidence, domestically and internationally, that land issues are firmly under control, and that historic wrongs are being righted at a steady pace”* (CDE, 2005:6)

Government might have come to this realization as well as the latter day land policy in South Africa is now aimed at creating a class of successful black farmers, though this will not be inclusive of the majority of the people (CDE, 2005:8; Hall, 2003; Hall et.al 2004).

In order to do this, emphasis has now been placed on the centrality of the market in championing the imperative of developing this class of yeoman farmers. To do this, in recent times strategic partners have been sought to mentor and facilitate the entry into

commercial agriculture of the beneficiaries of land reform, land restitution in particular. It therefore helps to look at the strategic partnership model in detail.

### **2.1.1 Strategic partnerships**

In the Terms of Reference for the Accreditation of Service Providers as Strategic Partners to the Land Reform Programme, the DLA (not dated), had this to say about the requirements for strategic partnerships:

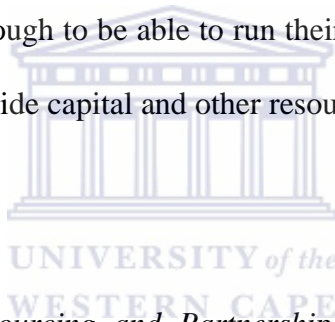
*“The strategic partners can be agricultural businesses, commodity organizations, cooperatives, financial institutions/intermediaries and non-governmental organizations working in the land and agriculture sector and will be agencies/companies with preferably proven experience. However, new agencies/companies, with the requisite competencies in land reform and agricultural development will not be excluded from this process. Partners that have developed commodity strategies and which have been identified by the department as commodities that will accelerate land reform and growth will receive priority.”*

Among the responsibilities of the strategic partners, the following are listed in these terms of reference:

- Co-ordinate and provide settlement support in land reform projects, strengthening the managerial skills and technical skills of beneficiaries;
- Ensuring that private sector resources, capital and capacity are available and that risk sharing take place; and

- Promotion of black economic empowerment through packaging agricultural business enterprises/deals and farming enterprises

As noted above, the government's neo liberal policy direction placed the markets at the centre of the land reform programme and limited the role of the state in effecting significant reforms in the land and agricultural economy. And with the apparent failure of land reform in bringing about tangible benefits to the beneficiaries, the government, again, looked to the markets to solve this problem. As can be seen from the Terms of Reference above, the strategic partners are required, among other things, to ensure that the beneficiaries are skilled enough to be able to run their enterprises successfully after a period of time, and also to provide capital and other resources and shield the beneficiaries against market risks.

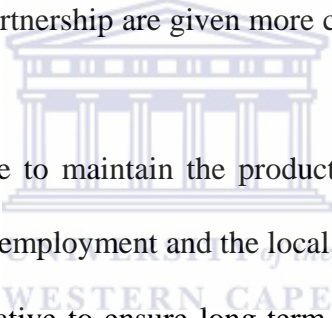


In the document, *Strategic Sourcing and Partnership Framework*, the DLA (2008) describes the rationale for strategic partnerships as follows:

*“The slow pace of land reform has created a huge backlog in terms of delivery. Many new settled black farmers are worse off after acquiring land due to the lack of sufficient post settlement support to the beneficiaries of land reform... The question is how an enabling and favourable environment can be created where the private sector and government can jointly participate in achieving the goals set out for the National Project of Land reform. There is therefore an urgent need to adopt innovative and radical approaches to speed up the delivery of land reform, to deal with the backlog, and to ensure sound asset and financial management.*

*Land and tenure reform cannot be undertaken without strategic partners thus the need to come up with a strategic sourcing strategy that will speed up land and tenure reform. These partnerships will therefore give rise to pre-agreed goals, approaches/strategies and certain roles which should be fully understood by all parties involved. The partnerships are meant to foster an enabling environment for ease, speed and sustainability of the land reform intervention. Sustainable initiative will be achieved through only such strong partnerships” (DLA, 2008:4-5).*

The imperatives for strategic partnership are given more clearly by Derman et.al (2006:5) as:

- 
- An *economic* imperative to maintain the productivity of commercial farms and minimize the impact on employment and the local export economy
  - A *developmental* imperative to ensure long-term benefits to claimants, over and above the symbolic value of the return of the land, or the limited benefits perceived to flow from alternative land uses (i.e. ‘subsistence’ agriculture)
  - A *political* imperative to preserve the image of the government – in the eyes of political opponents, potential investors and international commentators – as competent in the implementation of its programmes, dependable in fulfilling its promises, and responsible in the use of state resources, as well as the need to protect it from negative consequences of not fulfilling promises among its constituency.

David Mayson (2003) identifies a range of partnership arrangements between the beneficiaries of land reform and other agencies, be they state institutions or the private sector. He identifies about five different types of arrangements:

- Contract or out grower schemes
- Share-equity schemes
- Municipal commonage schemes
- Share-produce or sharecropping schemes
- Company-supported schemes

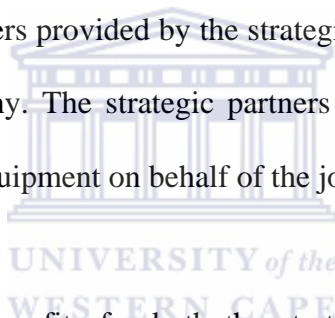
Only two of the schemes have direct relevance to the land restitution programme. These are the company-supported schemes and the contract or outgrower schemes. The company-supported schemes are joint ventures that emerge as a result of commitment by a large company to engage in community upliftment as part of its social responsibility programme, while the contract or outgrower scheme is an agreement between farmers and processors or marketing firms, the basis of such an agreement is a commitment on the part of the farmer to provide a specific commodity in quantities and at quality standards determined by the buyer, and a commitment on the part of the company to support the farmers production and to purchase the farmers products (PLAAS, 2007:9).

The PLAAS Thematic Report on the Business Models in Land Reform published in 2007 describes joint ventures as an initiative to “*mobilize private sector and government resources to support land reform initiatives in order to help poor people overcome the*

*many barriers of entry into commercial agriculture. At the same time, commercial farmers and corporations are faced with changed circumstances, they have to recapitalize to enter the global markets, and they have to show their transformation commitments when marketing their goods” (PLAAS, 2007:12).*

As far as the joint venture arrangements are concerned, Derman et.al (2006), as well as the PLAAS report (2007), offer a detailed picture of the strategic partnership arrangements. Under these arrangements, the authors’ note, the Communal Property Association (CPA), acting on behalf of the claimant community, takes complete ownership of the land claimed. The Settlement Agreement that gets signed between the beneficiaries and the Ministry of Agriculture and Land Affairs specifies the conditions of the land transfer and a range of state grants that will be made available to the claimants. In this Settlement Agreement, the claimants also commit to entering a combined shareholding and lease agreement with a selected strategic partner. The CPA, acting on behalf of the claimant community would then form an operating company with the strategic partner, and under this arrangement, a small percentage of the shares is also allocated to a worker’s trust. The allocation of shares varies, but the claimant community is always the majority shareholder. In a case study done by Derman et.al (2006), in the Levubu Restitution claim, the claimant community holds 50% of the shares, while the strategic partner and the workers trust hold 48% and 2%, respectively. In the Moletele Restitution case, which forms the basis of this mini-thesis, the claimants hold 51% of the shares, with the strategic partner and workers trust at 47% and 2%, respectively. The responsibilities and specific rights in this operating company are written in the

shareholders agreement and may vary from case to case. Profits that the operating company makes will be paid to the shareholders proportional to their shares. But in addition to their shares in the company, claimant communities also get rental payments for the use of their land from the operating company. The rent is set at 1.25% of the land purchase price and is paid on an annual basis. Though the operation company is owned jointly by the claimants and the strategic partner, the day to day operations and management of the company is wholly vested in the hands of the strategic partner, who has full control of financial and operational matters. For this responsibility, the strategic partner then charges the operating company administrative fees. This fee, when combined with the salaries of key managers provided by the strategic partner should not exceed 8% of the turnover of the company. The strategic partners are also tasked with obtaining machinery and all necessary equipment on behalf of the joint operating company.



This model has some clear benefits for both the strategic partners and the claimant communities. Derman et.al (2006) and the PLAAS report (2007), state that the beneficiary community does benefit through a combination of the rental payments that the operating company pays, as well as the share in the profits, training and skills development opportunities provided by the strategic partner, and preferential employment in the operating company. The strategic partners benefit through the payment of the management fee, a share in the profits of the company, as well as exclusive or near exclusive control of the upstream and downstream activities, whose potential benefits may well exceed that of the operating company.



Derman et.al (2006:9-20) raise serious concerns about this model, however, the questions these authors raise, and which they call 'strategic questions for strategic partner' are briefly summarized by the PLAAS Thematic Report (2007:13) as:

- Excessive control by the strategic partner, who will effectively dominate the board of the new company and monopolize all financial and operation decisions
- Guaranteed benefits to the strategic partner, in the form of a management fee and the control of upstream and downstream processes, set against the very limited and uncertain benefits accruing to communities in the form of rental paid to the CPA by the operating company, dividends from the farms and employment for a few members of the community.
- Potentially insurmountable obstacles facing communities at the end of the contractual period when they have to effectively buy out any investment made by the strategic partner
- The likelihood that a substantial number of the community members will receive no benefits whatsoever, at least in the short term as employment opportunities are limited and both rental and dividend income are likely to be re-invested in the commercial operation

The strategic partnership model represents a new departure in the trial and error process that land reform has become in South Africa, and there are both challenges and opportunities for all concerned parties (PLAAS, 2007). However, the model can only be deemed as working if there are significant and tangible benefits to the claimant communities. A model that only perpetuates long held imbalances on the structure of the


agricultural economy is an anathema to the goals and objectives of the land reform programme.



## **Chapter 3: The Moletele land claim and strategic partnership**

The focus of this chapter is on the details of the restitution claim lodged by the Moletele community and later verified by the Land Claims Commission as a valid restitution claim. The bulk of the data presented here was sourced from the archive documents pertaining to the Moletele Land Claim that are held by the Limpopo Regional Land Claims Commission. The office file reference number for this data at the RLCC is ref: KRP 4028. This chapter also explores the strategic partnership that the community entered into in order to assist in the preservation of land.

### **3.1 Details of the land claim**



According to submissions made to the RLCC in terms of section 42D read in conjunction with section 14(3) of the Restitution of Land Rights Act of 1994 (Act no 22 of 1994), the Moletele community was dispossessed of their rights to land after the 19<sup>th</sup> of June 1913 as set out in section 2 (1) (a) of the Restitution Act and section 25(2) of the Constitution of the Republic of South Africa.

The community was gradually dispossessed from their land and rights to land between 1920 and 1970. Initially, they would be forced into becoming labour tenants, and those who would not obey would then be forced out of the land. Some members of the community were removed as a result of the application of the Group Areas Act on the land that was reserved for white people. Some were removed for the purposes of establishing peri-urban areas in Hoedspruit.

It is stated that the community had beneficial occupational rights to the land in that they stayed on the land for more than ten years before they were removed. The land was utilized by the community for residential purposes, grazing of livestock, and ploughing, as well as using the land for collecting firewood, medicinal plants, burying the dead and performing rituals. The total extent of the land lost by the community is approximately 78 791.7704 hectares.

The land claim was lodged as early as the 8<sup>th</sup> of November 1995. Initially, Mr BA Chiloane lodged an individual claim; and Mr E Chiloane and Mr AL Chiloane lodged the claim on 28 farms on behalf of the Moletele community. Community members took a resolution to empower their traditional council to lodge the claim on behalf of the people who were actually dispossessed of their land rights and their descendents on the area under claim. The investigations that ensued thereafter by the RLCC established that the claims lodged on behalf of the Moletele community and that lodged by Mr BA Chiloane were of the same people. It was then recommended that the claims be consolidated into one community claim. The claimants then took a resolution to merge the land claims into one community claim under the name “Moletele Community Land Claim” on the 26<sup>th</sup> of September 2003 at the Moletele Tribal Authority.

Running parallel to the claim lodged by the Moletele, it was discovered during the verification process that Mr NA Letebele had lodged a claim on behalf of the Ba Ga-Letebele, Mpuru and Moraba communities; and Kgosi Moraba had lodged a claim on

behalf of the Moraba Tribal Authority on some of the very same properties claimed by the Moletele community. The Moletele, Ba Ga-Letebele, Mpuru and Moraba communities then took a resolution to merge their land claims into one community land claim under the name “Lekaung Community Land Claim” on certain properties on the 29<sup>th</sup> of July 2004. This eliminated the problem of competing land claims. The focus of this research however is on the properties that are exclusively claimed by the Moletele community, and not those consolidated under the Lekaung Community Land Claim.

After the consolidation of the claims into one Moletele Community Land Claim, the RLCC in Limpopo accepted the land claim by the Moletele Community as a ‘prima facie’ valid land claim in terms of Section 2 of the Restitution of Land Rights Act 22 of 1994, read with rule 3 and 5 of the Rule Regarding the Procedure of the Commission on Restitution of Land Rights. The claim was then gazetted on the 20<sup>th</sup> of August 2004 in terms of government notice no 1665 of 2004. The RLCC realized a little later that some properties were left out of the gazette notice. An amendment of the gazette was done and published on the 15<sup>th</sup> of April 2005 in terms of government notice no 536 of 2005.

When the Moletele community lodged the land claim, it was on 28 farms. Some of the farms that they had claimed had been subdivided and consolidated into other farms, therefore bringing about new farms. The result was 14 new farms being formed, bringing the total number of farms under claim to 42, all with their individual titles though in some cases one farmer would own more than one farm, as can be seen from the table

illustrating phase 1 claims below. These 42 farms have approximately 500 individual portions.

After the owners of the land were informed of the claim on their land after the claim was gazetted, they resolved to challenge the validity of the claim. But a number of the owners later indicated that they would be willing to sell their properties. An independent valuer was then hired to help determine the market value of the properties. Twenty six of the owners accepted the offers that the RLCC made, and negotiations are still underway for the other properties.

These 26 properties now form what has come to be known as the phase 1 of the settlement of the Moletele Land Claim. As soon as there is settlement of the outstanding properties, another submission will be made by the RLCC to the Minister of Land Affairs for approval, and these will constitute succeeding phases of the settlement of this claim.

The properties that constitute phase 1 of the Moletele Land Claim are listed below.

**Table 3.1: Moletele restitution claim phase 1 properties**

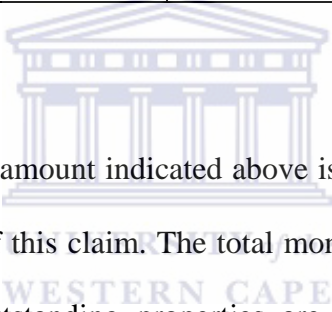
<b>Property</b>	<b>Owner before restitution</b>	<b>Extent in Hectares</b>	<b>Accepted offer</b>
Portion 11 Antioch 240 KT	Erasmus Phillipus Lodewikus	72.8052	R 2 140 017.00

Portion 12 Antioch 240 KT	FD Aucamp	29 6974	R 1 544 559.00
R/E of Portion 41 Blyderus 596 KT	Venter Getruida Sussana	39 1914	R 109 736.00
Portion 42 Blyderus 596 KT	JA Venter Family Trust	39 . 2846	R2 83431.00
Portion 43 Blyderus 596 KT	Moolman Melinda Sheryl	57 7088	R161 585.00
R/E Chester 235 KT	Geluk Landgoed CC	548 1622	R5 397 478.00
Portions 7, 9,10,11 and 12 of Chester 235 KT	Chester Broedery CC	111.0800	R5 212 172.00
Portion 17 Chester 235KT	Manie Kruger Bekeggings (EDMS) Bpk	21.9638	R 647 736.00
Portion 40 Chester 235KT	Aucamp Florence Davina	34 4249	R 1 878 677.00
Portion15 Essex 204 KT	Anton Ras	35 9990	R996 309.00
R/E Portion 8 Glencoe 210 KT	Zeply 2304 (PTY) Ltd	98 1504	R2 710 380.00
Portion 9 Glencoe 210 KT	Andriese Wildbroedery (Pty)	75 2862	R3 257374.00

	Ltd		
Portion 25 Glencoe 210 KT	MAritz Martha Catharina Cornelia	50 4408	R2 455 72.00
Portion 26 Glencoe 210 KT	Maritz Martha Catharina Cornelia	50 4408	R 987 852.00
R/E Portion 29 Glencoe 210 KT	Inteieto Trade 47 (Pty) Ltd	48 8584	R1 985 449.00
Portion 33 Glencoe 210 KT	TML Boerdery (Pty) Ltd	72 6802	R 3 559 419.00
Portion 35 Glencoe 210 KT	Jaken Meadows CC	49 9822	R 2, 746 157.00
R/E Portion 5 Grovedale 239 KT	Potgieter Petrus Lourens	289 2083	R 9 894 400.00
R/E Portion 39 Grovedale 239 KT	Manie Kruger Bellegings (Pty) Ltd	59 9572	R4 462 530.00
R/E Portion 4 Jongmanspruit 234 KT	Bergendal Trust	98 5020	R3 517 157.00
R/E of Portion 2 Moriah 238 KT	Boshoff Johan Meyer	118 2568	R 7 535 665.00
Portion 4 Moriah 238 KT	Janse Van Vuuren Susan Getrude	24 8209	R748 932.00
Portion52 Moriah	Janse Van Vuuren	25 0910	R 1 370 963.00



238 KT	Susan Getrude		
R/E of Portion 2 Scotia 248 KT	Ebenhaeser Landgoed CC	1268 9066	R 4 841 800.00
R/E Southampton 603 KT	Southampton Boedery (Pty) Ltd	68 1177	R5 434 491.00
Portion 9 of the Farm Southampton 213 KT	45 Boedery (Pty) Ltd	64 2399	R2 243 480.00
<b>Total</b>		<b>3446.8567</b>	<b>R 76 123 521.00</b>

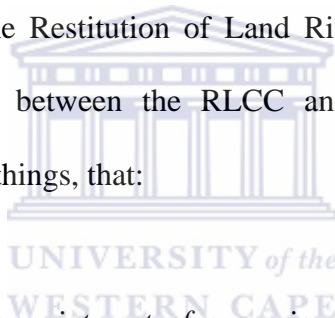


It has to be noted that the total amount indicated above is only for the purchase of farms for phase 1 of the settlement of this claim. The total monetary value can only be known once negotiations with the outstanding properties are complete. There are also two properties that could not be restored back to the community, and these are both nature reserves. On these properties, the claimants opted for financial compensation which amounted to the value of R2 897 606.00. But for about 35 thousand hectares, the regional land claims commission has already parted with a little more than R76 million. This also translates to an average cost per hectare that is around R2, 200.00. But land prices are high in Limpopo, and according to the Project Coordinator from the Regional Land Claims Commission in Limpopo, Mamotshabi Ntiwane, the R2 200.00 per hectare was a very reasonable amount as compared to the prices paid for commercial land in the province. Generally, prices on land used for agricultural crop production can be as high

as R3500.00 per hectare in Limpopo. The amount paid was a product of a very protracted negotiation process and some skilled negotiators. The prices paid were market-related and would differ from one property to another.

After the Land Commission bought the land, the ownership of the land was then transferred to the legal entity representing the community, the Moletele Communal Property Association in 2007. The then Minister of Agriculture and Land Affairs was present when the title deeds were handed over to the MCPA in July 2007.

In terms of section 42D of the Restitution of Land Rights Act of 1994, a settlement agreement was entered upon between the RLCC and the MCPA. The settlement agreement states, among other things, that:



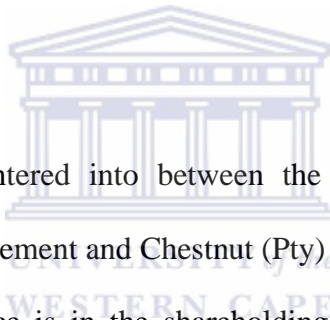
*“The state will facilitate the appointment of a service provider to compile a detailed future land use and farm management plan, as well as conducting needs assessment”*

And

*“The state will submit a section 42C application to the minister for approval of the funding of development support, as informed by the detailed land use and farm management plan for the restored land”,*

*As well as “ The state will negotiate with the Department of Agriculture in Limpopo and other stakeholders such as the Maruleng Municipality to assist the claimants with the necessary technical support on farming operations in order to ensure sustainable farming practices”.*

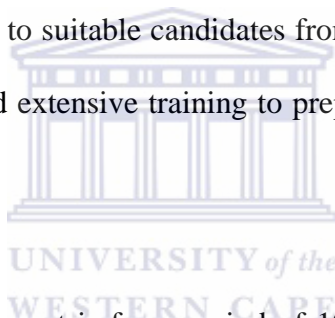
As indicated in chapter 1, after receiving ownership of the claimed phase 1 land, the MCPA entered into partnership with a strategic partner by the name of Strategic Farm Management, and most of the functions that were supposedly going to be performed by the department of land affairs as indicated in the settlement agreement have now been given as a responsibility of the strategic partner. Subsequent to this particular joint venture partnership, one more partnership was entered into and another is in the process of being set up. The one already entered into is with Chestnut (Pty) Ltd and the operating company formed as a result is Batau Farming Enterprises, and the pending one is with Dinokeng Farming Enterprises.



The partnership conditions entered into between the MCPA and the two strategic partners, Strategic Farm Management and Chestnut (Pty) Ltd, are almost carbon copies of each other. The only difference is in the shareholding arrangements. The partnership agreement with the SFM entail the CPA getting 51% stake on the operating company, New Dawn Farming Enterprises that resulted out of the partnership, and the strategic partner, SFM getting 47% stake and 2% going to a workers trust. With the Batau Farming Enterprises, which is the operating company that resulted out of the partnership with the MCPA and Chestnut, the MCPA has a 52% stake and Chestnut has 48% stake, and there is no shareholding for a workers trust.

By far, the partnership with the SFM, under the management of New Dawn Farming Enterprises is the larger of these two strategic partnerships. Of the 28 phase 1 properties

restituted to the MCPA, New Dawn is in charge of 17 of them. These properties are largely producing mango, citrus, seed maize and sweet corn. There are well-established and efficient irrigation systems, packing houses, easy road access to the properties, a mango atchar processing plant and some two mango drying plants. The properties on the New Dawn Farm cost the government about R50 million to buy from previous owners. In this arrangement, the operating company, New Dawn, owns improvements and equipment on the land, but land belongs exclusively to the MCPA and the operating company must pay the MCPA rental that is market-related. Also a key component of the agreement is that the strategic partners must embark on, and devise a programme that will ensure speedy transfer of skills to suitable candidates from the Moletele community who will receive some intensive and extensive training to prepare them for eventual takeover of the company.

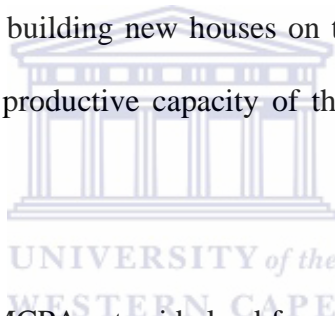


The strategic partnership agreement is for a period of 10 years, after which the MCPA should buy out the 47% ownership stake from the SFM. It is assumed that after 10 years of this partnership, enough members of the community would have been sufficiently trained and capacitated to take over management of the farms.

In order to ensure that benefits accrue to the members of the Moletele community, it has been agreed that at least 30% of the workforce on the farms managed by New Dawn must come from the Moletele community. But it was emphasized that this job quota must only apply to new jobs created and should not in any way be seen as a threat to the existing workforce who may not be members of the Moletele community.

Another way of channeling benefits to the members of the community is that the MCPA will use revenue from the business and initiate projects for the benefit of the community. The MCPA is considering building better schools and clinics for the community, and other projects that are yet to be identified.

Another contentious issue that is also yet to be addressed in a meaningful manner is the issue of relocation. The majority of the people want to relocate back to their ancestral land, and they are somehow hoping that they will receive some assistance from both the government and the MCPA in building new houses on the claimed farms. But for now priority is on maintaining the productive capacity of the farms and ensuring that they compete on the markets.



At the beginning of 2009, the MCPA set aside land for settlement by the members of the Moletele, but the criteria for who is going to receive priority in settling on the land had not been clarified by the time of writing this thesis. But what became clear was that people will be allocated plots and then those who can afford to erect their own housing structures can do so. No form of assistance was yet clarified about what will happen to those who cannot afford to build their own houses but who want to settle on the claimed farms.

The second strategic partnership, with Chestnut (Pty) Ltd is almost similar to the one with SFM, with minor differences. The more pronounced of the differences is that this

partnership is for a relatively smaller number of properties. It is on 11 properties of the 28 property first phase of the Moletele land claim, with a total value of R25 million. The shareholder agreement in this partnership is also slightly different for the resultant operating company named Batau Farming Enterprises. The MCPA holds 52% of the shares in the company and Chestnut holds 48%, and no provision is made in this partnership for shareholding for a workers' trust. Reasons for this lack of provision for a workers' trust were not investigated.

The properties managed by the Batau Farming Enterprises consist of farming of mangoes, citrus, litchis and a wide range of vegetables in shade net houses. The mango fields consist of 44, 904 trees covering an area of 74, 5 hectares of land, and this entire extent of land is in full production. The citrus fields consist of 31, 854 trees, covering a total area of 59 hectares of farming land. This 59 hectare piece of land consists of 24 hectares of grapefruit trees in full production, 11 hectares of lemons and 24 hectares of oranges.

The litchis are planted in an area that covers 4.75 hectares of farming land. There are also vegetables in shade netting, and these are as follows:

- 9 hectares of net houses are rented out to an external farmer and rental income goes to the MCPA
- 2.25 hectares of net houses are used for growing peppers
- 5.75 hectares of net houses are used for planting tomatoes
- 2 hectares of net houses were being reconstructed after being damaged by wind

- And 1 hectare was used by the MCPA for growing peppers

Furthermore, during the course of my fieldwork in 2008 and 2009, there were also open fields which were not fully utilized, with only a portion planted with maize.

Just as it is with the partnership with SFM, Chestnut is also expected to provide training to members of the community so that they can take up management of the farms when the partnership period comes to an end. The partnership is also for a period of 10 years, after which the MCPA must buy out the strategic partner.

In both of the strategic partnership arrangements, the day-to-day administration and management of the farms is almost the sole responsibility of the strategic partners. Although the directors of the operating companies also include members selected from the MCPA, for now, the experience and knowledge of the market conditions of the strategic partners make them de facto dominant in the partnership. Even with the majority shareholding by the MCPA, executive administration and management decisions still rest with the strategic partners.

### **3.2 Conclusion**

What the chapter clearly shows is that a lot of land that is currently used for commercial purposes in Hoedspruit has been transferred to the hands of the Moletele Community. The land has left the state a few millions poorer. All this has been done in the name of addressing historical injustices visited upon the community by a discriminatory and racist

government. A significant number of farms, producing a variety of products, are now, technically speaking, in the name of the Moletele people. The focus on these farms is however on maintaining the commercial viability of these farms, and the responsibility for ensuring that has been handed over to the strategic partners. This is no small or easy task, the white farmers who were not far ago owners of the land are now given the responsibility of ensuring that land reform succeeds. While there is nothing wrong with the role of the private sector in speeding up land reform and ensuring that it succeeds, it is ironic that the democratic government is handing over this national responsibility of making sure that those who were not so long ago marginalized and prohibited from owning land to a few strategic partners who were themselves beneficiaries of a system that marginalized and destroyed aspirant black farming in South Africa.





## **Chapter 4: Livelihoods and social differentiation within the Moletele Community**

This chapter focuses on the Moletele community, particularly their sources of livelihoods and notes the differentiation on the socio-economic status of individual households of the community. It focuses on presenting the results of the field work done in Arcornhoek and Maruleng with the Moletele. From the community and key informants, the emphasis was on understanding the livelihood sources and strategies employed by the community to sustain themselves. In addition to this, leadership structures of the community were also studied.

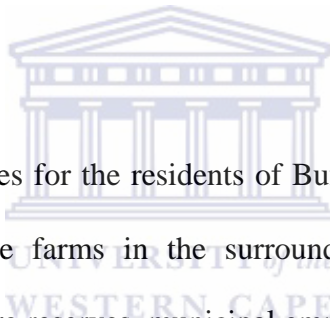
### **4.1 The Moletele Community**

There are two focal areas for this study. The first is the area where the community currently resides, the village of Buffelshoek in the town of Arconhoek in the Mpumalanga province, the second focal area is the area where the claimed farms are, in and around the town of Hoedspruit in the Limpopo province.

A considerable amount of time was spent with the community in Buffelshoek, a village in the town of Acornhoek, Mpumalanga province. The community was moved to this village over a period of time, and from the testimony of the living, people started moving in to this village from the mid 1950's up until the 1970's as a result of forced removals. The village is about 40+ kilometers away from Hoedspruit/Maruleng where the

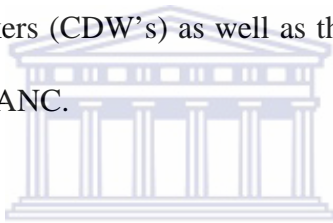
community has lodged a successful restitution claim as per the provisions of the Restitution Act of 1994.

Buffelshoek, and Acornhoek in general, is a rainfall deprived area; which makes farming a near practical impossibility. But people still soldier on and practice farming though it is not economical to do so in the area. Water is a luxury in this area, there are about four or more borehole communal water tanks on which the entire community depends during times of drought. During the time I spent in the village, the nearest river to the residential area, which is about 2 or 3 kilometers away, was dry because of the severe drought experienced in the area.



The main employment industries for the residents of Buffelshoek and other neighboring villages in Acornhoek are the farms in the surrounding towns of Hoedspruit and Bushbuckridge, as well as nature reserves, municipal employment and other public sector employment. There is also a considerable amount of migrant labour, where a number of the members of the community go to seek employment in far afield areas as Johannesburg, Nelspruit and Polokwane. The village's socio-economic standing is dualistic. On the one hand, there are despicable levels of poverty in some households that are sustained by nothing more than the government grants. On the other hand, there are thriving households sustained by salaries from professional employment and small businesses.

The community is under the leadership of a traditional council, established in line with the provisions of the Traditional Leadership and Governance Framework Act no 41 of 2003, and is comprised of various Indunas. The council is accountable to, and acts on behalf of the Chief of the Moletele tribe, who is the ultimate authority in the village. It is the Chief and the traditional council who lodged the restitution claim on behalf of the Moletele community, though they later stepped back from the process when the Communal Property Association was established. The Chief is now represented in the MCPA by his brother, who acts as an ex-officio member of the association. Politically, the area is a stronghold of the African National Congress (ANC), the councilors and Community Development Workers (CDW's) as well as the majority of the people on the area pay their allegiance to the ANC.



The community belongs to the AmaPedi tribe and their language is Sepedi, although they speak a dialect of Sepedi known as Sepulana<sup>3</sup>. There is uniformity in the language spoken, the cultural rituals performed, and allegiance paid to the chief. What is interesting however in the community is that not all of those who reside in Buffelshoek were victims or direct descendents of the victims of forced removals. A good number of the residents of the village relocated to the village after the Moletele people, and were from somewhere else and are therefore not part of the restitution claim lodged. Though these people speak the same language and also pay their respects to the chief, they are excluded from anything related to the claim by virtue of them not being the victims or descendents of the victims of forced removals. The process of verifying the eligibility of

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<sup>3</sup> The community members however strongly reject to be labelled as AmaPedi, they insist that they are Mapulana, and their language Sepulana is not a dialect of Sepedi, but a distinctive language. Such a language however is not currently recognized as an official language in South Africa

individual members of the community who should have their rights to land restituted was quite simple because people in the village know each other, so there was no chance of having people who should be part of the claim being left out.

According to the provisions made by the Communal Property Associations Act No:849 of 1996, the Moletele Communal Property Association (MCPA) was formed and registered in 2006 to be the legal entity representing the community on the management and administration of the restitution claim. The MCPA has become such a powerful body, not only in the village, but the entire town of Acornhoek and even as far away as Bushbuckridge; a leading member of the association even boasts “*even the ANC is scared of us; they think we may just decide to contest local government elections and dispose of them in this area*”. The MCPA is made up of six core members, five additional members and one ex-officio member, which makes the total number of the members of the association twelve. The association is under the leadership of Mr Thandios Mashile who is the chairperson of the MCPA. The MCPA is tasked with acting on behalf of the community on any matters relating to the restitution claim. It has full powers to make decisions, sign transactions, enter into partnerships and agreements with other parties or institutions, and then to regularly keep the community informed on the status of the restitution claim. The MCPA is also responsible for assessing the developmental needs of the community, and working together with other institutions like the Regional Land Claims Commission, the Development Bank of South Africa, municipalities and other relevant actors, to catalyze and unlock developmental potential of the land they hold. The

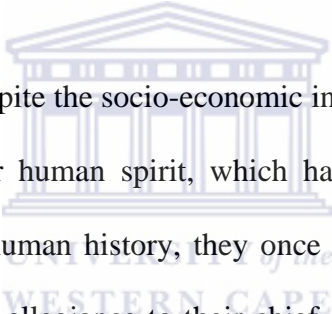
overall responsibility as provided for in the CPA Act though is for the MCPA to hold land and all that is on it on behalf of the community.

Formed with the sole purpose of complementing the work done by the MCPA was the Moletete Community Capacity Building Forum (MCCBF). The role of the MCCBF is to ensure that skills gaps are identified in the community and organize training opportunities for selected people in the village. The forum has currently strong partnerships with the University of Pretoria which assists in providing training and resources to the community through the MCCBF. The unintended consequence of the formation of this forum is that it has now become closer to the ground and appreciative as well as very sensitive to the cries of the people at the grassroots level, while the MCPA is perceived as being more elitist and removed from the people on the ground. There is now a subtle contest for relevance between the two formations, but this can only serve for the better of the community as it will only foster a culture of responsibility within the respective organizations. Almost all the people I spoke to who have no links to the MCPA kept referring to it as an elitist and self-serving association, whose sole interest is to accumulate as much wealth and resources for the people who form part of the leadership structure.

This assertion by the community members is not an entirely fair judgment on the MCPA, and it is a judgment I attribute largely to the less than ideal communication between the MCPA and the community members, and the high expectations that people on the ground had of the restitution of their land rights. The MCPA is trying, with the capacity and

resources they have, to be responsive to the needs of the community. But with all associations, there is still a large room for improvement, the community needs to be brought more on board and decisions should be communicated.

A large number of poor households among those that formed the study sample had serious misgivings about the accountability of the leadership in the area, the MCPA leadership included, arguing that in order to get any opportunities on projects and employment in the area, even on the restitution projects, one had to be closer to the leaders in the community.



The community as a whole, despite the socio-economic inequities, is one that prides itself in the indestructibility of their human spirit, which having endured one of the most dehumanizing experiences in human history, they once again are raising up to reclaim their long lost dignity. All pay allegiance to their chief, though some out of fear rather than respect for the traditional institution.

The second focal area of the study, though to a lesser extent, was the area of Hoedspruit, now known as Maruleng, where the Moletele community lodged the restitution claims.

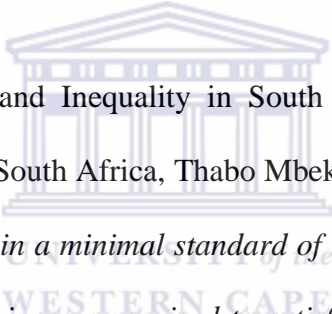
The Maruleng Municipality is situated in the south-eastern quadrant of the Limpopo Province within the Mopani District. The municipal area extends over 324 699ha and is bordering Kruger National Park to the east, The Ba-Phalaborwa and Greater Tzaneen to the North, the Lepelle Nkumpi Municipality to the west, and the Tubatse Municipality and Bushbuckridge Municipalities to the south. The municipal area is characterised by

typical lowveld vegetation and is evenly sloped with isolated kopjes and ridges. To the south, the municipal area also borders the Drakensberg escarpment. Population densities vary from sparse in the east, to relatively dense in the south – west. A definite fragmented urban and rural form is evident in all areas throughout the district. This can mainly be attributed to economic factors and racial segregation induced by past legislation causing artificial fragmentation in the rural and urban areas. The implementation of the Group Areas Act resulted in the segregated residential development pattern that saw the Black, Asian and Coloured population groups being removed to peripheral and separate locations. Within Mopani, black people have since been concentrated in the former homeland areas of Lebowa and Gazankulu. The fragmented spatial structure where most of the economic activities are concentrated in predominantly white urban concentrations and farms resulted in the concentrations of the majority of the population within areas severed by distance from their place of work. These areas experience severe poverty and low human development potential due to high illiteracy rates, low income and a general low life expectancy, accompanied by low levels of social and engineering services.

#### **4.2 Livelihoods and differentiation in the Moletele Community**

The socio-economic status of Buffelshoek, like in most villages in South Africa, is a manifestation of the legacy of apartheid and colonialism. These repressive forms of governance had severe social and economic impacts on the lives of many African populations in South Africa. As much as it is difficult to tell if the condition of the African population would have been better had repressive programmes like land

dispossession not taken place, the current state of affairs as far as socio-economic issues are concerned in South Africa is directly linked to deleterious impact of the discriminatory laws and programmes of the apartheid and colonial regimes. The socio-economic status of Moletele community in Buffelshoek is a constant reminder of a past still engraved in people's memories, and a reflection of the dire state of rural livelihoods in South Africa. The inevitable product of the inhumane past from which most South Africans emerge is the deeply entrenched poverty, confounded by the lack of resource capacity, both human and material, that will enable rural South Africans to extricate themselves from the shackles of poverty.



In a report entitled "Poverty and Inequality in South Africa" prepared for the then Executive Deputy President of South Africa, Thabo Mbeki, Julian May (1998:29) defines poverty as "*the inability to attain a minimal standard of living, measured in terms of the basic consumption need or the income required to satisfy them*" Many in rural areas of South Africa fit this definition provided by May (1998). Further explaining the roots of rural poverty, May (2000:21) argues that the poverty and marginalization of the rural communities is the legacy of squandered assets and inappropriate production and investment strategies. He further argues that the decisions that rural people make (I would argue that the decisions that most poor people make), are largely informed by the unequal and distorted access they have to markets, services and opportunities. This, he argues, is compounded by gender and age differentiations most pronounced in rural areas. Women and the youth for instance have different levels of access to productive resources, primal among these being access to land ownership.



Perret et.al (2005:8) also argue that rural poverty and chronic deprivation can be traced directly to the poor availability of high quality natural resource in the areas Africans were forced to live in by the apartheid regime. Owing to this deprivation of natural resources, Perret et.al (2005) argue that income from farming or non-farming rural activity remains low and uncertain.

As a result of these factors, most of the poor in South Africa reside in the rural areas, with more than 70% of poor households having their residences and staying in rural areas (May, 2000; Perret et.al 2005). According to May (2000), rural poverty is further characterized by racial dimensions, in that 61% of the African population is poor as compared to only 1% of the white population that is poor. This poor endowment with natural resources of the rural areas leads to rural people to tend to move away from nature/land-based livelihood strategies onto more diversified livelihoods (Ellis, 1998; Bryceson ,2000). Fogey et.al (2000) also note that even though 70% of rural households do practice some form of farming activity, only 2.7% of rural households in South Africa are relying primarily on farming as a source of income.

This diversification of livelihoods seems to be a strategy by which rural people employ to move out of poverty, and towards more resilience and sustainability (Ellis, 1998:25). Ellis (2000:298) sums up the diversification of rural livelihoods by the following articulation:

*“Livelihood diversification is a pervasive and enduring characteristic of rural survival,*

*reflecting the continuing vulnerability of rural livelihoods. The task of policy is to facilitate rather than inhibit diversity... Diverse livelihood systems are less vulnerable than undiversified ones”*

According to May (2000) and Ellis (1998), rural livelihoods may take one or more of the following forms:

- farming activities and income;
- non-farming activities and sources of income (e.g. gathering from the wild and local trade, food processing, local services –traditional healing, repairs...-, handcrafting);
- off-farm activities (e.g. permanent, seasonal or casual external jobs and wages, self-employment in trade, small scale industry and businesses);
- non-income related activities (i.e. housekeeping, child / relative caring, fetching firewood and water for domestic use);
- non-activity related sources of income (i.e. remittances, welfare).

Linked directly to the livelihood strategies employed by rural households, May (1999:26) then argues that there are rural livelihood strategy classes in African households that may be explained as follows:

- Marginalised households
- Welfare-dependent households
- Remittance dependent households
- Secondary wage dependent households
- Primary wage dependent households
- Mixed income households with secondary wages
- Mixed income households with primary wages

- Entrepreneurial households

It is therefore important that the livelihoods of the Moletele people be understood within this context, as the results that follow are not too dissimilar from those found elsewhere in South Africa.

On the one hand, the community is characterized by deep levels of poverty, unemployment and lack of access to basic services like water. On the other hand, there is, within the same community people with some levels of higher education, mostly teachers and other professionals employed by the government. There is also a highly resourceful but small class of budding entrepreneurs who own taxis and shebeens. Some are fruit and vegetable vendors as well and others try to make a living out of the difficult practice of agriculture in an area that is almost semi-arid, where water for agricultural purposes is seen by most as a luxury.

*“We are a family of nine in total, my children, grandchildren and I. The only source of income is my grant from the government, and then the small stipend from government for my three grandchildren.*

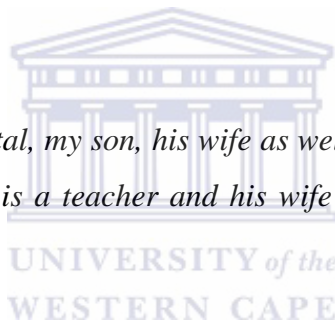
*No one is employed or involved in any business of any kind, so life is difficult for me, I do not know what will happen to these kids when I die. I own no livestock, I own no land, it is just the pension, which is not enough at all. I also am part of a group of 10 women, who were allocated a plot to farm on one of the claimed farms, but this is still a new initiative, and I do not see any benefits from it because the transport costs from here to the farm are way too much.*

*I think if at least we can get a monthly income of between R2000 and R3000, things would be better” (MaSegobela, a 65 year old woman in Buffelshoek).*

The quote above from this elderly woman reveals the dilemma that most of the elderly face and fear, an uncertain future for their children and their submission to a life of hopelessness and permanent deprivation. But there is hope still, because even at this late age, she has not given up, and the CPA has opened some doors of opportunities, however small, to her and a group of other nine women to practice some semi-commercial farming. But even that seems not to be doing anything to improve the immediate marginalization of her and her family. This reveals the difficulty of those with only one reliable source of livelihood.

However, it is not all gloom for everyone in the village as some people have more than one livelihood source:

*“We are a family of eight in total, my son, his wife as well as children and I. Everyone is staying here with me. My son is a teacher and his wife is clerk with some government department.*



*I do not own any livestock, I would love to own some stock though, but the environment here is not good, and I do not have money to get initial stock. Even if I had money, my grandchildren seem not to be interested in agriculture related work, so I would not be able to take care of the livestock because I am now old.*

*My son and his wife are supporting their children and I am only dependent on my old-age pension. However, it would be very difficult for the household if they were to lose their jobs, it would put an enormous amount of strain on my already insufficient pension grant.*

*Although we survive relatively well as compared to others in the community, the income we get as a household is barely enough to keep us alive through the month. I cannot tell how much would be enough for us, but would be happy if the pension can be increased” (Ma- Chilane, 70 year old woman in Buffelshoek).*

The presence of a working member of a household does a world of good to those households, as clearly demonstrated by the quote above. The only difference between Ma-Chilane and Ma-Segobela is that one has a son and daughter in law who is working, and therefore is shielded from the deleterious effects of poverty, while the other is only dependent on her pension and the social grants of her three grandchildren.

As can be seen from the stories of the two elderly women above, more often than not, the government social and old pension grants seem to be the difference between life and terminal starvation for the elderly. But for the younger generation, though this livelihood source is also crucial, there seems to be some level of energy and creativity.

*We are a family of five in total, comprising my four children and I. My oldest is 19 years old. Everybody is living in this area, with me in the house. We have no other livelihood source than my involvement in business, I run a sheeben. I have no livestock and no chickens. The income we get does sustain us for the whole month, but other than that, it becomes difficult to cater for other needs like the children's school needs (Missy, a 35 year old woman in Buffelshoek).*

The narrative above and the one below show the differences that running a small business and having remittance income can make to a rural household:

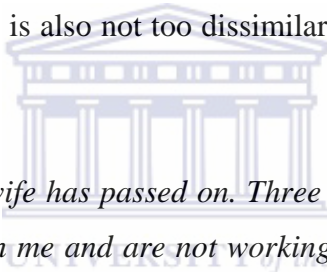
*We are seven in the household, my husband, five children and I. My husband is employed in Rustenburg and I am also self-employed, selling fruit to the locals.*

*We do not have any members of the extended family living with us. We have livestock, but it is not anywhere close to what I would like to have, we only have about four goats. At the present moment, we do not get any substantial benefits from the goats. We only occasionally slaughter them for meat and use the skin to carry children. There is not enough grazing land, and if there was quality land, I am sure we would be having more than just four goats.*

*So the main source of income in my household is my husband's income, and the very little that I make from my very unreliable fruit stand. With this income, it is a never ending struggle to make a living, it is so difficult to have to buy groceries, send children to school and clothe them with this meager income. If at least we can have a household income of R3000.00 per month, I think things would be much better (Mahuku, a 33 year old woman);*

Although the sources of income for these two young women are not nearly enough, there is a marked difference on their poverty and vulnerability levels as compared to those of the elderly women above. The sample is however limited and these views cannot be confidently extrapolated to the broader Moletele community.

The story of Ntate Maile below is also not too dissimilar from that of the elderly women above:



*I have seven children and my wife has passed on. Three of my girls are married and the others are staying at home with me and are not working. I do not have any members of my extended family living with me. It is only my four remaining children who are all living with me here in Buffelshoek and I. In my household nobody is employed, and we are not involved in any form of business. Our only source of livelihood is the pension that I am receiving. I do not own any livestock, though I would like to own some cattle and goats, I do not have the financial resources to access these. I am only dependent on my pension, which is way too little. Maybe if I can get a monthly stipend/income of about R2000, things may improve (Ntate Maile, a 70 year old man in Buffelshoek).*

And the narratives below also depict a picture that is not pleasing about the state of affairs in some of the rural households, particularly about the condition under which the elderly, both men and women, live under:

*I have two families. My first wife has nine children, and I wanted to create balance with the second wife as well, she also has nine children. The wives are not staying together in the same house, but both their houses are my houses, I am the head of both, and they are my wives.*

*Two of my children from the first wife are working in Gauteng, and the others are working locally. From my second wife, one is working at the garage here in Arcornhoek, and the others are working at various firms around.*

*I do not have any members of the extended family staying with me, only two granddaughters. All my children have their houses here, even those in Gauteng, but there is one who is permanently residing in Brakpan. No one has any form of business as they are all working in firms.*

*I own two cows and eleven goats, but I do not get any benefits from them because people are stealing our livestock, and the land is of poor quality that one just cannot expand his herd. There is not enough grazing land here, and as a result livestock is suffering. I would like to have more land of my own to graze my cattle and expand my herd.*

*I am currently solely dependent on my pension. I do not get any support from those children of mine who are working as they are focusing on building their own families.*

*The only source of livelihood I have is the government grant that I am receiving, and that is not enough, but there is nothing I can do, I just have to soldier on (Ntate Moremi, a 65 year old man in Buffelshoek);*

If the sample was extensive and could be extrapolated, then it would mean that the elderly are the more vulnerable in this community and their concerns can only be addressed through immediate intervention from the government, not the CPA, as the CPA can only intervene using revenue from the farms, and profitability on the farms would be realized after some time.

Generally, livelihood strategies employed by the households of the Moletele community can be classified as follows:

- Those dependent solely on welfare grants from the government
- Those who depend on remittance stipend from working family members
- Informal small businesses
- Those depending on wage laborers
- Those who predominantly use agriculture as a buffer against poverty, albeit very limited in numbers

It has to be noted though that it was very seldom that during the course of the study to find households that have a single source of livelihood. Multiple livelihood strategies are being used to supplement income from the mainstream household livelihood strategies. The few households that have a single source of livelihood were mainly the households led by the elderly who depend on the government's pension grant and are too old themselves to practice any other form of livelihood strategy as can be seen from the narratives above.

There is a wide gap as well between those households that are classified as depending on wage labourers. Within this group, there is a highly vulnerable group of low paid wage labourers who work around the farms in Bushbuckridge and Hoedspruit as well as those working in construction sites around the province of Mpumalanga and Limpopo, some as far away as Gauteng. Most people that form part of this group are casual workers and face the regular threat of losing their jobs.



Still within the group of wage labourers, there is an educated to highly educated group of workers that are employed by the government or working for private companies. There are store managers, teachers and other government administrators.

There are also households that depend on the government's welfare grants. The welfare grants being referred to here are the old age pension and the child support grant. In some of the households, these grants are the only thing that protects these households from complete starvation.

Then there are those households that depend predominantly on the support of family members who are working. In these households, the head of the family is not working but there is a child or other family member that is working and keeps the household afloat. Also within this group, there are households where the head of the household is not working, but dependent on a welfare grant of other family members that have their own families.

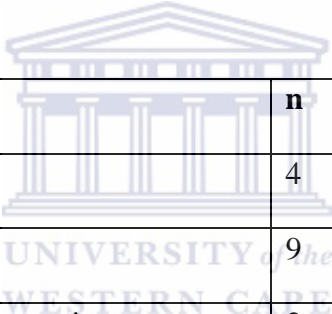
There are also people engaging in some forms of businesses; these range from small fruit and vegetable vendors and sheeben owners up to aspiring commercial farmers.

And lastly there is a group that still uses agriculture as the means of supplementing the little income that they get. Despite the harsh and not so conducive climatic conditions, this group manages to produce enough to supplement the income they get from somewhere else and manages to put food on the table and sometimes sell excess produce

to some members of the community. This activity, as with others, is not the exclusive livelihood activity that the households depend on, but is used within a multiple framework of other livelihood activities.

Using these categories of livelihood strategies that came out of the sampled households; the livelihood structure of the Moletele community in Buffelshoek may be presented as follows:

**Table 4.1: Primary livelihood sources of the Moletele Community (n= 20)**



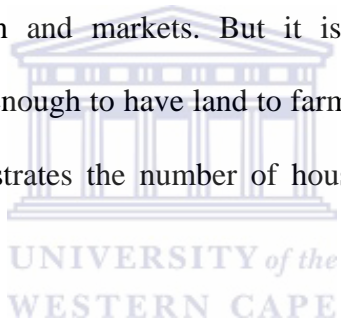
<b>Livelihood activity</b>	<b>n</b>	<b>% of sample</b>
Wage labourers	4	20
Welfare dependent	9	45
Informal or semi-formal enterprises	3	15
Remittance from working family members	4	20
<b>Total</b>	<b>20</b>	<b>100</b>
Overall involvement in agriculture	15	70

The above is a representation of the structure of livelihood activities of the sampled households, even though more often, household livelihoods are not derived from a single source. The dominance of welfare intervention by the state shows how important a barrier against poverty this intervention is. It is also important to note that agriculture is practiced by the majority of the sampled households, but mostly at a subsistence level,

with a few budding agricultural entrepreneurs. But even that level of entrepreneurship had to have some level of cash injection from somewhere, and in one case, the CPA is playing a pivotal role as they run a pilot with ten women in the village whereby they gave them access to a piece of land within the claimed farms to run a small commercial agribusiness. There is also very little business activity in the community, at least in more pronounced terms. There are forms of trading among the community that may not be termed 'businesses' in the modern understanding of the term. For example, people who produced excess food in their small agricultural production do sell the surplus to the members of the community, and those who own livestock sometimes sell the livestock for traditional rituals and funerals, but this is not a regular occurrence and since livestock numbers are too low, cannot be considered a reliable source of income. There are also subtle traditional ways of trading in the community, those who own livestock for instance sometimes do lend it to those who do not own livestock for ploughing purposes, but in return, those who have been lent livestock have to plough back the field of the lender. The main business groups in the community are shebeen owners and fruit and vegetable vendors. There is also a new initiative that started with the aftermath of the settlement of the claim to get a number of women to run their own commercial business within the claimed farms. However, this is still relatively new and its success cannot be ascertained. One of the sampled households is involved in medium scale commercial agricultural production, and the owner was boasting that during good years, the income from the farm far exceeds the salary he makes as a teacher.

Employment rate is very low in the community, only a small fraction of those sampled were employed, and as mentioned before, these vary from low paying jobs to relatively better paying jobs. The major employment sector is the farming sectors as well as construction and the security industry, with a few employed as teachers and clerks in various government departments.

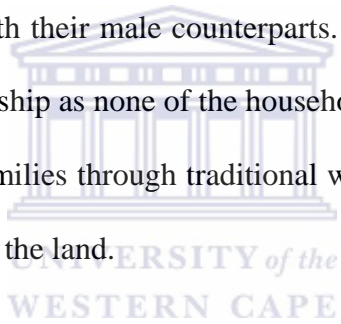
As can be seen from the table above, about 70% of the households sampled have some level of involvement in agriculture, although to varying degrees. The main challenges they face on their quest to practice an agriculture that is rewarding are many, including access to fertilizers, irrigation and markets. But it is not all the members of the community who are fortunate enough to have land to farm, however difficult the farming may be. The table below illustrates the number of household with access to land for agricultural purposes.



**Table 4.2: The Moletele community’s access to land (n=20)**

<b>Access to land</b>	<b>n</b>	<b>% of sample</b>
Have access to land	13	70
No access to land	7	30
<b>Total</b>	<b>20</b>	<b>100</b>

About 70% of the households in the village do have a piece of land on which they farm, almost all of these households complain that the land they have is just not enough for them to make any meaningful agricultural production. Approximately 70% of these households use the land they have in their residential areas for farming and only 30% have land somewhere else other than their residential area on which they do farming. The problems of irrigation, drought and lack of access to better equipment and fertilizers are felt by almost all the respondents. Only 20% of the households have access to some form of irrigated land, which makes the situation at least better for them. There was no difference noted in any way on gender influences on land holding as women have more or less equal access to land with their male counterparts. But access to land here should not be equated to formal ownership as none of the households have title deeds to the land. Land was allocated to these families through traditional ways of land ownership, and the chief is the overall authority on the land.



It is also important to a look at the gender representation of livelihood activities, and the tables below show gender dynamics as far as livelihood strategies are concerned:

**Table 4.3: Livelihood strategies of the Moletele Community according to gender**

<b>Livelihood activity</b>	<b>n=actual number of women</b>	<b>% women</b>	<b>n=actual number of men</b>	<b>% men</b>
Wage labour	1	10	3	30

Welfare dependent	4	40	3	30
Informal or semi-formal enterprise	3	30	2	20
Remittances from working family members	2	20	2	20
<b>Total</b>	<b>10</b>	<b>100</b>	<b>10</b>	<b>100</b>
Overall involvement in Agriculture	8	80	6	60

The table above, though not fully representative of the Moletele community because of the limited sample, shows a slight dominance of women in agriculture. Evidence from the oral accounts of the community also confirms this overall dominance of women in practicing agriculture. But involvement in any farming activity is a struggle in the area because of lack of water. Access to irrigated land is a distant luxury for most of the community members. There are of course those who have better lands as far as their access to irrigation equipment is concerned, and they do make good agricultural production, but they are in the minority. And most of the land has been severely overused

and has since lost its productive capacity. What is also of note is that agriculture, that is, subsistence agriculture, is sometimes seen as a hobby or cultural practice, so people do their small scale production regardless of whether it is worth doing so or not. Almost all the respondents who indicated that they practice agriculture mentioned that they would still do some form of agriculture even if there were other livelihood options available as they see agriculture as an important part of their heritage. These households produce a variety of crops, but most favour groundnuts, peanuts, maize, and tomatoes; but maize and nuts seem to be the most favoured by the respondents.

*I am currently involved in small scale gardening and grow groundnuts and other vegetables. The problem though is that the soil is not healthy. It hardly produces anything good, but I persevere because I love agriculture. If I can have enough land and money, I would expand my farming to plant more vegetables and to also do stock farming. In that case, I would keep livestock for business purposes, and I would plant crops for subsistence purposes.*

*The land I currently have is very small. I would like to own a big plot of land and have a truck to farm it with. My knowledge of agricultural practices is only the traditional way, I know how and when to plant the different kinds of crops, I know what breed of cattle is good for our area, and I am sure I can make money with livestock farming. But the land here is not the same as it was where we come from. This area has a lot of challenges, it is dirty and the land is not fertile. We are solely dependent on money here, so we cannot afford the many agricultural implements that are needed, inflation is sky high, and we cannot use this land as security to borrow from banks, you know white people want you to give something before they can lend you anything. So if I can have enough land in my name, I can make a success of it.*

*Besides the problem of lack of land, there is a very serious problem here, we do not have water, and we do not even have water to drink, so it is very difficult to farm successfully. Even the land that is available is as good as dead, it is not productive. As a result, there is little harvest that we get from the land, so it is not enough to sell to the milling companies, we only use the produce we currently get for our own subsistence needs.*

*We just eat whatever comes out of the land, if I can produce enough, I will definitely sell.*

*I wish I can get more land of high quality, I am sure that I can be able to manage the land and though I am old, I would use my social relations to get help. Were I to get more land, I would farm and send the produce to the markets, I would plough groundnuts, peanuts and beans as well as other products that are suitable.*

*I would prefer to farm as a family to minimize problems that would arise if many people are involved. But if it is with people that one knows and is comfortable with, then it can be okay to farm with others. Working with family will give fewer problems as compared to working with group (Ntelele, a 40 year old man in Buffelshoek).*

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The quote from Ntelele almost sums up what most in the community feel about agriculture. Though it is an important livelihood and cultural practice to farm, the conditions that exist in the village are not encouraging for people to farm. One of the principal problems identified is the lack of financial resources to procure infrastructure and implements. Furthermore, there is no irrigation to support crop production and there is no money to buy fertilizers and pesticides. The prospect of losing one's products through pests and drought seems to be a serious disincentive for these willing potential farmers.

It is also apparent that as far as unemployment is concerned, women are more likely to be unemployed than men, reading from this sample. This may be due to existing cultural stereotypes, but it is not clear at this stage why only 10% of the women in the sampled households held any form of salaried work.



Reading from the limited and ungeneralisable sample, it seems the elderly women are more dependent on the welfare interventions by the state as compared to their male counterparts, but this is mainly due to the numbers of elder women in the community more than anything else. Although the difference in percentages on the sample is very minute, the oral conversations I had with leaders of the community suggest that most of the recipients of welfare/ pension grants are elderly women. This is either due to their old age, or as a result of these elderly women being de-facto custodians of their grandchildren.

It was also found that women seem to be more resourceful than men in terms of identifying and pursuing business opportunities. Almost all the fruit and vegetable vendors and shebeen owners are women, and they speak of a need to expand their current operations. Men do engage in businesses of some sort, with the major one being in farming, but men in general seem to be preoccupied with securing a steady income for their households and are therefore less inclined to venture into the unknown world of uncertain rural businesses.

It is also important to look at the age aspect of the composition of the Moletele livelihoods. Young people are envisaged to be the key role players in sustaining the settled land claim. The table below looks at the composition of the livelihoods of young people of the Moletele Community:

**Table 4.4: Livelihood sources of the young members of the Moletele Community**

<b>Livelihood activity</b>	<b>n= number of young men</b>	<b>% young men</b>	<b>n= number of young women</b>	<b>% young women</b>
Wage labour	3	60	2	30
Welfare dependent				
Informal/Formal business enterprises	1	20	3	50
Remittance	1	20	1	20
<b>Total</b>	<b>5</b>	<b>100</b>	<b>5</b>	<b>100</b>
Involvement in agriculture as a crosscutting livelihood strategy	2	40	3	60

While the difference in employment is not that high between young men and women, this finding is consistent with the finding above that women in general are more likely to be unemployed than men for reasons not studied in this mini-thesis. What is of great importance though is that young women seem to be more likely to open their own businesses than young men, and that they are very much involved in agriculture as compared to their male counterparts, although the difference is marginal. Young women are also less likely to be dependent of remittances from working family members, but rather would want to be in control of their own livelihoods. From this table, the

challenges facing both young male and female members of the community are not too dissimilar; both want to have access to job opportunities, and they want to secure a certain future for them and those close to them. But the challenges of unemployment and deep poverty are huge problems that they have to deal with. A very concerted youth developmental programme is needed to fully realize the capacity of these very energetic but marginalized rural young people.

### **4.3 Conclusion**

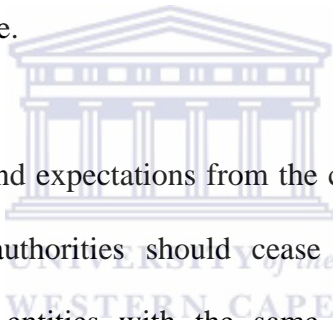
The findings of this chapter are significant for the emerging strategic partnership.

As this chapter shows, there really exists no single Moletele identity as far as social and economic differentiation is concerned. Although the community may generally be categorized as a poor community, there are visible and sometimes explicitly pronounced class, gender, and age differentiations. Those who were fortunate enough to access higher education or jobs or capital resources to start a business are much higher in the socio-economic ladder as those who were less fortunate to access all these capital or human assets. The chapter also shows that as much as females may seem to be marginalized in terms of access to jobs, they are also the key to any business aspirations in the community.

Any development that is focused on building the capacity of the community would have to take into account the serious role that young people should play, particularly young women. The elderly are dependent on the welfare grant and as they cannot work

anymore, it becomes the responsibility of the younger generation to lift the Moletele community out of poverty and underdevelopment.

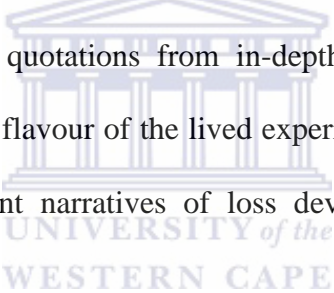
The role of agriculture in people's livelihoods, though it may seem marginal, but it cannot be ignored. It is practiced by almost everybody and those who do not engage in agriculture do not do so mainly because they either do not have land, or it has simply become expensive for them to do so since there is no water or agricultural supplements at their disposal. Should an opportunity be provided, land and water resources, almost everyone interviewed, regardless of age, expressed interest in agriculture, either for subsistence or commercial value.



The wide variety of interests and expectations from the community need to be managed in a proper way; and the authorities should cease the general categorization of communities as homogenous entities with the same interests and aspirations. The experience of the Moletele community might have been the same as a result of historical tragedies, the community might have enjoyed quite a uniform life before the removals; but it has become so differentiated over the years that it would be almost impossible to recreate a pre-dispossession Moletele community.

## **Chapter 5: Experience of dispossession and expectations of restitution**

This chapter reveals the results of semi-structured interviews held with members of the Moletele community, who now live in a village called Buffelshoek located close to the town of Arcornhoek in Mpumalanga province. The village is about 40 kilometers from Hoedspruit, where the Moletele community lived prior to their dispossession. In this chapter, I focus on the narratives of loss and dispossession expressed by community members in in-depth interviews, as well as their hopes for redeeming that loss through the restitution programme. The data reported in this chapter are qualitative in character, and include lengthy verbatim quotations from in-depth interviews, in an attempt to directly convey the quality and flavour of the lived experience of respondents, as well as the character of the subsequent narratives of loss developed and communicated by Moletele community members.

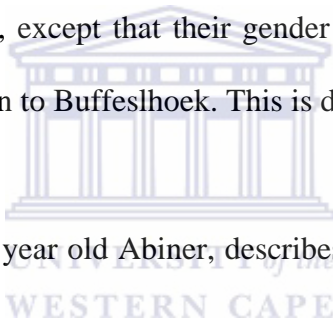


### **5.1 Experience of dispossession**

The narratives of loss expressed by community members who had first-hand experience of dispossession are compelling. They relate a story of being moved from a situation of abundance to one of scarcity, a story of lives broken and dreams deferred, a story of hopelessness, of a prolonged and consistent process of dehumanization. While some differences emerge between younger and older community members in relation to the emotional damage to the community incurred during the process of dispossession, there

is a strong underlying feeling of a profound loss, on several dimensions. For older community members who had firsthand experience of dispossession, the primary loss was that the dispossession rendered them unable to secure relatively prosperous livelihoods and thus take responsibility for their families. For the younger members, the primary loss was that of opportunities that their parents could have provided for them had they had at their disposal productive land-based resources such as arable and grazing land.

In relation to gender, the experience of loss appears to be very similar for the elderly generation of men and women, except that their gender roles were somewhat modified after the community's relocation to Buffelshoek. This is discussed in more detail below.



The narrative below from a 76 year old Abiner, describes the significance and impact of the forced removals:

*“I was in the group that was the first to be chased away. This was, I think, about 1954. I worked in the farms during that time, but an opportunity for me to go work in Johannesburg came, and I left. While I was away, the white farmers chased away my parents and some other members of the community. The farmers did not only chase them away, they also took some of our cattle as well. Then the farmers told my parents that if they wanted to get any of their cattle, I had to come back from Johannesburg to work on their farms, but I refused. So my parents settled at another farm where my father worked, he was not even getting paid a cent; he only worked so that the farmer could allow the family to stay at the farm. The farm is where the Cheetah tourism place is now. After they*

*finished building that centre, the whites there chased them away as well. So it became a norm, we settled on one farm and when the whites thought that we were no longer of any use to them, they chased us away.*

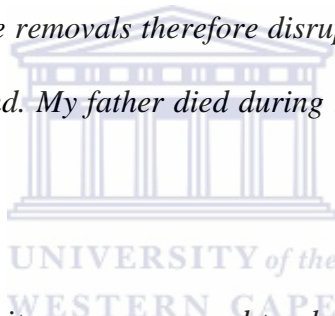
*We were under the leadership of Chief Moletele before all this started. We were one happy family before the whites came and made us labour tenants in our own land. Then came the whites, and told us that they now owned our land and if we wanted to live there, we had to work for them for six months without any wages. Some Boers would just come and collect our livestock without our permission, we were like their animals, they would do whatever they wanted to do with us since they had government and guns on their sides, and we had nothing to fight them with, so we just succumbed. They stripped our chief of his powers, he became an ordinary person just like us and there was nothing he could do. Furthermore, when the whites noticed that our chief was resisting in the little way that he could, they arranged for his brother to assassinate him.*

*The long process of removals was a very painful period in my life. There are so many people who also died as a result of not being able to deal with the loss of their land and belongings. Land and livestock meant everything to us, and we were deprived of both these items, when they did this to us, they did not only rob us of our rightful possessions, they robbed us our life and humanity. When we came here, people who used to be upstanding members of the community suddenly became drunkards, they had lost their desire to live, and they were just empty shells in human bodies. A great number of them*

*even committed suicide when they saw the condition under which they had to live in this place. It was horrendous.*

*And the way we were removed, it was like we were dogs, they would give us eviction orders and tell us to vacate 'their' property a day after receiving the orders. So we had no chance to even leave with our possessions, we left all those behind; our livestock and our houses with everything inside those houses.*

*I think my father suffered even more, he had five wives, and I cannot recollect the exact number of children he had. The removals therefore disrupted family unity in a great way because we all scattered around. My father died during this period and one of my older brothers also died.*



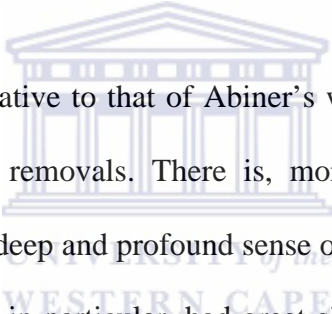
*Life was so good before the whites came, we used to plough the land, we had cattle and goats, but all this was destroyed when the whites came. We had enough grazing land for our stock, where we are now, you cannot have any of these because the land is not enough, and even there that is here, it is just not of quality standards, so we have to struggle to make a living. There is nothing good here. The place pushed us into deeper poverty.*

*When we were still living in our ancestral land, I remember our father was the main breadwinner for the family before we could start working as his children, but we were not suffering. So were we moved from a situation of prosperity into deeper poverty, to levels*



*of poverty I had never dreamt of. When we got here, we were just dumped like waste refuse. We were given no support, so my father and my older brother had to find ways of sustaining the family. They worked in some white men's farms, but they soon passed away.*

*During that time, I think the community remained intact and we were united even more by the fate that befell us. However, when it came to helping each other out of the poverty mess we were in, people had to look after their own blood families. It was everybody for himself" (Interview with Abiner, a 76 year old man in Buffelshoek).*



*Comments:* A very similar narrative to that of Abiner's was expressed by all those who were affected directly by the removals. There is, more especially among the older generation, men and women, a deep and profound sense of loss which seems to be almost irredeemable. The loss of land, in particular, had great significance both in terms of the physical loss of the land as a productive resource, and equally important, the loss of 'sovereignty', by which I mean that the once proud and prosperous Moletele tribe was in an instant reduced to a tribe of poor men and women, whose future and that of their children looked very bleak without the basic resources that the community had sustained itself with for generations. Land ownership had a very particular meaning to the community; apart from being a key livelihood resource, it also had a powerful symbolic and psychic meaning, signifying a life of liberty, prosperity and sovereignty. Loss of this resource stripped both individual members and the group, the community, of the material

base of their personal and communal identity. To them, landlessness equates homelessness and loss of nationhood.

Another key impact of forced removals that emerged strongly from interviews with community members was that of the almost complete fragmentation of the social systems of power and responsibility that resulted. This was evident in an interview with a 66 year old, Mofokeng.

*“When we were still staying in Hoedspruit before the removals, life was so good. We had enough water, enough land to plough, and a great variety of wild fruits and animals. We did not have to worry about jobs and we used our own hands to make a living. But things are very difficult here now because everything depends on money. Where we used to live, money was not a big factor. And the Boers also could not understand that land was not simply a productive resource for us, it had cultural significance. Our ancestors are buried there, you cannot succeed as a man if you do not perform certain rituals to your ancestors. A man loses his manhood when he cannot support his family, when he cannot teach his children to plough the land, he becomes a nonentity”* (Interview with Mofokeng a 66 year old man, Buffelshoek).

This narrative reveals that men in particular were profoundly disorientated by the removals. Together with losing their ancestral land, they also lost their status as the defenders of their families’ well-being, rendering them redundant and useless. As a result, after relocating to Buffelshoek, a great number of men resorted to using alcohol

and others committed suicide. Those who were breadwinners before the removals suddenly became no different from paupers, as one of the interviewees put it:

*“The removals did not only deprive us of the land which we used to depend on, but our way of living in general was significantly altered. Those who yesterday had everything suddenly became beggars. Where we are at present, life is so difficult, people are dying, maybe it is because of the environment or maybe hunger. Most of the people here have even committed suicide as a result of the suffering we have to live under; and this is all because of the whites who removed us from our land.*

*When they brought the community here with all their big trucks, people were just dumped in the middle of nowhere, with no food, no houses, but just tents. People had to find jobs in an area they did not know very well, and our husbands could not take that at all, they simply became living spooks”* (Interview with Ma Lena, a 66 year old woman in Buffelshoek).

This interview reveals that dispossession and forced removals led to an unprecedented situation in the social structure of this community. Women now had to look for salaried employment in order to provide for the livelihoods of their families. Prior to the removals women acted as the nucleus of the family. They ploughed the land, looked after the children and often had the additional responsibility of looking after their in-laws as well. These responsibilities were typical of a conservative patriarchal society, where women were expected to play the reproductive function in a household and tend to the needs of

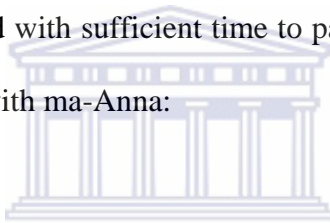
the household, but not necessarily controlling the means of production. Men were expected to ensure the availability of the key resources required to keep the family alive, either through farming (and in particular ensuring that the land was ploughed), or through wage work on the gold-mines in Johannesburg or on the surrounding commercial farms in the Hoedspruit district. Changes in gender roles subsequent to the forced removals to Buffelshoek are clearly revealed in the following interview with 78 year old Ma Anna.

*“I remember that my husband was the main breadwinner then when we were still in our ancestral land, he ploughed our fields. He vowed never to work for a white man, so he ploughed our fields and only began working when we were moved here. It was very bad for him and his health. To make the impact of dispossession even much worse was that we were just moved to here, we did not get any settlement support from anybody. I, as a woman had to stand up and look for a job, I supported the whole family on my own because my husband could not hold onto jobs working for the white people and he later passed away”* (Interview with Ma Anna, a 78 year old woman in Buffelshoek).

Conditions after the forced removals did not render men as merely ‘ceremonial’ heads of their families; women still had to undertake all the conventional female responsibilities expected of them in a traditional community such as the Moletele. However, one positive change that may have resulted from dispossession as far as gender relations are concerned is that a more democratic space was opened up that allowed for greater assertiveness by women. Judging by the community narratives of the past and the condition of the present, I think that it may be said that the present day assertive Moletele

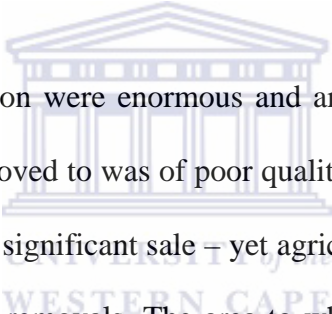
woman would not have been possible without the tragedy of dispossession. However, this evolution in the roles of women in the society may just be a consequence of changing times, I cannot explicitly tell if this was as a result of the fragmentation of the social systems by dispossession or a mere evolution of how societies in general think about gender issues.

In addition to the loss of land and the restructuring of social relations, the community lost a great deal of material assets as well. Well built houses were destroyed, cattle and other livestock were lost, household belongings disappeared, sometimes because the victims of the removals were not provided with sufficient time to pack up their possessions. This is also revealed in the interview with ma-Anna:



*“We had so much pain and irreparable damage to our hearts, we were powerless, and we were stripped of our humanity. I just cannot comprehend how a human being can treat another human being the way we were treated by the whites and their government. The farmers just came and selected the best cattle in our stock and took them away from us, and there was nothing we could do to save our possessions, they were so cruel to us. So many people died as a result of this, my father in law died immediately after being told that we were to be removed, he said he could not live to see the day when he would be forcibly removed from his father’s land”* (Interview with Ma Anna, a 78 year old woman, Buffelshoek).

As Ma Anna notes, the loss that the community endured is one that cannot be redeemed. In my view, the brutality of the manner in which they were removed, without proper resettlement plans, without consideration of their feelings and thoughts, the loss of material possessions other than land, makes the process of dispossession one of the most unjust crimes against humanity in recent history, no different from mass genocide<sup>4</sup>. Although this crime was more subtle and involved no direct killings, it was genocide nonetheless, because even though people were not killed, (some, however, committed suicide), this experience killed something in the community that might never be able to be reconstructed.



The after-effects of dispossession were enormous and are still evident even today. The land that the community was moved to was of poor quality, and as a result, they could no longer practice agriculture on a significant scale – yet agriculture was at the centre of their livelihood strategies before the removals. The area to which they were moved was also much more arid than Hoedspruit, and accessing even water for domestic purposes was a daily struggle, with insufficient water for agricultural purposes. Having been stripped of their land and possessions, families had to start afresh. Some blame the removals for the despicable conditions they currently live in, and, there is a high degree of reminiscence about ‘the good old days’ when people used to roam around freely in a land that had plenty of wild fruits and animals. This reminiscence however may sometimes border on romanticism, the narratives are that of a faultless community, a prosperous community where none suffered poverty and marginalization, where there were no class

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<sup>4</sup> The Oxford dictionary defines genocide as “the deliberate killing of a very large number of people from a particular ethnic group or nation”. I draw similarities here because minus the killing part, land dispossession had all the elements found in genocides.

differentiations. Although I have no empirical evidence to dismiss this faultless picture of a flourishing and classless pre-dispossession community, and although I have always understood African communities as communal in nature, I have also understood them as communities that do have class differentiations, communities that differ in wealth and social standing. I find it hard to accept this biblical picture of a heavenly community where there is abundance for all.

According to the dominant narratives of Moletele community members, their communal spirit and 'sense of togetherness' vanished when they were dispossessed of their land and other invaluable possessions. People who used to work together and share their belongings were forced by circumstances of scarcity to prioritize the needs of individual members of their families, and this destroyed the 'social capital' present in the pre-removal community. This also led to the emergence of more explicit class structures within the community that were not so apparent before the removals. Those who managed to overcome their dire circumstances became more educated, held better jobs, built themselves beautiful houses, and sent their children to better schools and even universities. The less fortunate saw themselves becoming more and more poverty-stricken. The only available means of survival were government pensions, both child support grants and the old age grants.

The Moletele Community's narratives of loss are no different from those expressed elsewhere in South Africa. Walker (2008:27) attributes these strong narratives to the intense moral and political forces that derive from 'strong memories of place, saturated

with feeling'. She argues that this narrative is underpinned by at least two themes, firstly is the trauma of deep and dislocating loss of land in the past, and secondly, the promise of restorative justice through the return of the land in the future (Walker, 2008:34). In this book, Walker also recalls a narrative from a victim of forced removals in Cremin, Linah Shabalala, who paints a picture of dispossession that is not dissimilar from the narratives expressed by the Moletele community.

*“It was a terrible time. My mother in law was disturbed. She did not live long here in Ezakheni. Her mind was disturbed. The worst part of it was seeing your house being demolished. That – that thing, just pushing your house flat. A big house. You are told, ‘remove everything,’ and they even help you take the things out, because you are wasting their time. Then they push the walls flat. We could not stop them. They were fully armed. It was forced removal. We were not being asked. The cows, we had to take them somewhere else, trying to save them. I was broken. It was that time. We had nothing to say, it was that time”* (Walker, 2008:30-31).

The section below looks at what the community expects from the settlement of their land claim and the strategic partnership model that has been adopted in settling the land claim.



## 5.2 Expectations of the restitution settlement

*“The settlement of the claim is fine, I am happy about it. I was not born there, and have no present connection with that place, but it is fine as I think it will give us an opportunity to re-connect with the life our predecessors used to lead.*

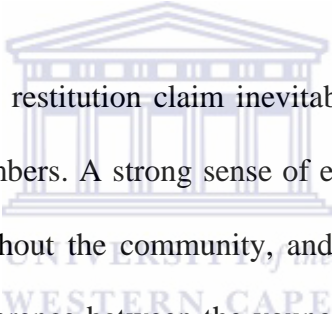
*I feel that my pride as a person will be restored, though I never really lost one directly. It feels like we are going home after a very terrible hijacking. I am going back to the land of my ancestors, I want to go back, I do not belong here. Even though my parents are buried here, I want to go back, I never really felt home here anyway.*

*But even more than the emotional aspect of this claim, being sensational will lead to nowhere, to me, economics talk. It is all about my well-being economically that is attracting me so much to this claim, I understand the suffering that our parents went through, but through that suffering, I think we are now presented with an opportunity to make an impact in this country by utilizing the land that has now been developed by the whites.*

*Going back to the land, I think I will have a lot of opportunities to work and start businesses. I also hear that we will be involved in some sort of partnerships with the white farmers, this is okay with me. They have skills and money, and we as the community do not possess that, their role is very much important. But we need to be the overall owners of the land, the community is the centre of power, the partners cannot do anything without consulting and getting our approval first. If we still focus on the past,*

*things will not work out for us, we need not treat them the way they treated our parents, otherwise what is happening to them now might happen to us in the future.*

*I am convinced that going back to our land will provide us with the much needed job opportunities, so going back there would make economic sense to our people. Our livelihoods will surely improve, I for one would be able for once to be independent, we would be able to diversify our operations beyond just agriculture and involve ourselves with a whole lot of other things like tourism” (Interview with Dineo, a 36 year old woman in Buffelshoek).*



The settlement of the Moletele restitution claim inevitably raised huge expectations on the part of the community members. A strong sense of expectation that all that was lost will be restored echoes throughout the community, and this is very strong among the elderly. There is a marked difference between the younger generation and the older one on how they view the meaning of the restitution of their land. Furthermore, there is some difference between the views of the aged men and women, as well as those who are relatively better off from those in the community whose life is a manifestation of the daily struggle to put food on their tables.

To the older generation, the return to their ancestral land is paramount over everything else. There is a strong feeling that a long lost human dignity will be restored, and a somewhat superstitious feeling that those who had passed away with broken souls as a result of dispossession will find peace at last, and that this will translate to a more

peaceful and prosperous community. Ancestors will be pleased and will smile down again to those who are still living. The intricacies and complexity of the restitution claim does not seem to bother them as they want to return to their land before they depart the living for their souls to rest in peace. There is an expectation or belief that after settling in the land of their forefathers, the socio-economic conditions will change for the better, and this will happen as a result of the return to the farming practices they once employed as a community. This feeling is particularly strong among the elderly men and the elders who are less educated in general and living under dire livelihood condition. To them, anything other than their present livelihood conditions would be better, their long lost dignity and control over their lives would return back again. The elderly women do acknowledge that a lot of work will need to be done because things will never be the way they were before the removals, but to them as well, the opportunities that may arise out of the restitution settlement are not for them to explore, but for the younger generation. All they want is to return back to their ancestral land. The feelings of these groups as well are not homogenous though. Some claim that the restitution of their land right came a little too late and there is nothing restitution can possibly do to make their lives better. They have made peace with the fact that theirs was a lost opportunity in life and nothing can be done at this stage to make things better as the cattle they lost will never be returned and the pieces of land each owned may never be restored to them. In addition, their dead fathers, relatives and friends who succumbed to the brutality of life during and after dispossession are not coming back. Thus mere restitution of their land, with the prospects of working together with the white farmers who had been occupying this land in the past, will do nothing to heal the wounds of the past.

The younger generation sees this as an opportunity to make something out of their lives. Those who are relatively worse off than others are looking for opportunities to work and think that the settlement of the restitution claim will provide them with just that, there is an expectation that opportunities for the young to go to training institutions and get some set of working skills will be provided by the CPA and the strategic partnership.

The relatively well-off among the younger generation are looking at opportunities to maximize their wealth. To this group, the strategic partners are expedient for now, but there are strong ambitions that the running of the farms will eventually be theirs to do. Women in this grouping are more assertive and business inclined, more especially those who are currently running their own small businesses although they were in the minority in the sample. The emotional attachment to the ancestral land counts for little to them, what is important is that they should be able to maximize their socio-economic opportunities from the restitution claim.

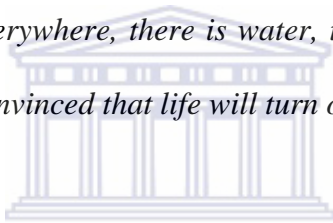
Overall, the main expectation of the sampled households of the Moletele people can be categorized as follows:

- That the settlement of the land claim will help bring back lost dignity and make the Moletele people a proud and autonomous tribe once again
- Individual members of the community will own pieces of land to practice small scale agriculture and have land for grazing
- There will be job opportunities for everybody

- The settlement of the claim will present the members of the community with an opportunity to start and own businesses

The first point on reclaiming lost dignity is mainly informed by fond memories of the past before people were removed. There is a strong desire to claim back the freedoms lost, to roam around the bushes collecting wild fruits and hunting wild animals, to collect traditional medicines, to rebuild the sense of communal spirit long lost during and after dispossession.

*“The land of our fathers has enough resources to make us start a new beginning, there are wild animals and fruits everywhere, there is water, there is enough and fertile land for us to till. I am more than convinced that life will turn out for the better.*



*I feel very proud to have been part of this history. I have seen it all. I have seen our people being treated as being worse than animals and now our humanity is being restored” (Sinnias, a 66 year old man in Buffelshoek).*

This expectation is based on the belief that going back to the land of the forefathers will help eliminate all the ills facing the community, and that nothing has changed since the Moletele people were removed. The peace and tranquility that was there is still expected to be there even now.

*“For me personally, I think that returning to the land will have so much emotional value more than anything else. I know that we have to make the land work for us economically, but to me, this is about healing the historical wounds that whites opened in us. When I go*

*back and rest under the shade of the tree, and breathe the air that our forefathers once breathed, our ancestors will help open the doors for us. How can we suffer when we are there? There is enough honey in the bushes, there are enough wild fruits, the water there is the cleanest I have ever seen. We used to go up and stay in the mountains for a number of days, surviving on nothing but on the readily available wild fruits and animals. We discovered ways of living way before the whites, they saw that and became jealous, that is why they chased us away” (Lartos, a 70 year old man in Buffelshoek).*

The expectation that a long lost humanity and dignity will be restored is also strongly linked to the expectation that there will be access to resources and healthcare. There is a belief that the physical environment in Hoedspruit is cleaner than in Buffelshoek and there are wild herbs and traditional medicine that will improve the state of health in the community. People need clean running water, proper healthcare and opportunities to be the best that they can, and going back to the land in Hoedspruit is believed to be providing just that.

The second expectation is one that seeks to affirm the autonomy of the individual members of the community. People, before becoming members of the community are firstly members of families and households, and that these households or families differ on how they conduct themselves on a daily basis, and therefore the households should have own pieces of land where they can exercise their autonomy, to plant the crops they want to plant, the way they want to plant them.

*“I hear that the white farmers will remain there and partner with us to make the farms a success, but we as the community should be given our land back as well so that we can go and live there. Besides the commercial farms being there, which I fully support, we also need to have land to do what we need to do, we need to have access to natural resources for our rituals, and we need to have individual plots of land for us to farm on a subsistence level”* (Missy, a 34 year old woman in Buffelshoek).

As much as the community supports continuing with commercial farming on the claimed farms, the settlement of the claim will only make sense to the majority once it directly responds to these individual needs. It is expected that the claim should give a sense of ownership to the individual members of the community in order to prevent a perception that it is only benefiting certain elite members of the community, and allocating individual plots to community members seems to be what the community prefers.

*“I hear that there will be partnerships with the white farmers and do not have a problem with that, but the community members should be given land for settlement and subsistence farming as well. If people want to farm individually they will have to do so. The freedom we get from having our land restored back to us from the whites should not be a limited freedom”* (David, 56 year old man in Buffelshoek).

The need for owning land by community members, as can be seen from the narrative above, is informed by the desire to sustain community identity and way of life. There is an unspoken fear that focusing too much on commercial agriculture will in a way

decimate the community's way of life and force people to be what they are not. While the majority does practice agriculture at a subsistence level, not all may be willing or able to do so at a commercial level. The other factor is that commercial agriculture has a specific goal, and that is to make profit, while subsistence agriculture is aimed at promoting household food security. The restitution claim should be able to bridge the gap between profits and household food security.

The third and fourth expectations are linked in that the settlement of the claim is expected to bring about much needed job opportunities for the unemployed and create conditions conducive to the creation of businesses by members of the community. The unemployment rate is very high in the community, and inevitably therefore there is hope that the community cannot own vast amounts of commercial agricultural land and fail to absorb labour from community members. This expectation is much more profound among younger people who have nothing to fall back on for their livelihoods as compared to the elderly who have government grants as a buffer against starvation. Linked to this is the expectation that enough training and resources will be available for community members to be able to start up and expand their own businesses.

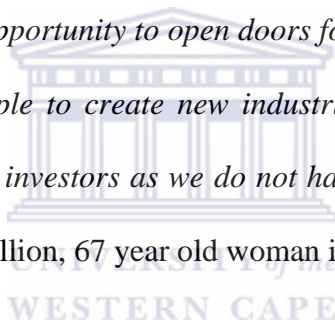
*“I am convinced that going back to our land will provide us with the much needed job opportunities, so going back there would make economic sense to our people. Our livelihoods will surely improve, I for one, would be able for once to be independent, we would be able to diversify our operations beyond just agriculture and involve ourselves*



*with a whole lot of other things like tourism” (Segobela, a 32 year old woman in Buffelshoek).*

There is a realization also that the community cannot achieve all these expectations on their own, and that they will have to build strong partnerships with established institutions and people who would help identify and sustain ventures that have the potential to create employment and provide those who wish to do business with the necessary set of skills to do so.

*“The youngsters can use this opportunity to open doors for themselves and they can work with some knowledgeable people to create new industrial businesses. This means that they will have to invite private investors as we do not have the money as the community to establish such ventures” (Million, 67 year old woman in Buffelshoek).*



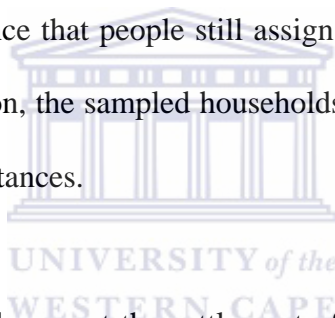
The table below shows the spread of expectations raised by the households sampled in Buffelshoek:

**Table 5.1 Restitution expectations of the Moletele Community (n=respondents):**

<b>Community expectation</b>	<b>Percentage of sample</b>	<b>n</b>
Restoration of dignity	70%	14
Individual ownership of land	85%	17
Jobs	60%	12
Business opportunities	40%	9

It maybe not surprising, but it is quite significant that a large number of the sample would like to have clearly defined individual rights and individual ownership of the land. This may not be a surprise because as mentioned earlier, land is an all-encompassing resource that defines and gives dignity to individuals or a community. Therefore, the issue of having land as individuals is very much linked to the need for the restoration of dignity that was stripped away from the community by the apartheid government.

A significant number of the sampled households also felt that they will have their dignity restored when or if they move back to their ancestral land. At 70% of the sample, it is quite revealing of the importance that people still assign to having land. Without it, one has no dignity left. By extension, the sampled households feel that they have no sense of dignity in their present circumstances.



60% of the sampled households expect the settlement of their restitution claim to bring about job opportunities, thereby making a contribution to eliminating poverty. What should be of concern though to the MCPA and the emerging strategic partnership is that only 40% of the sample expressed any desire to be involved in businesses. This presents an imminent danger to the fixation that the government has with making land reform projects business initiatives and maintaining pre-settlement land use methods even after settlement. The sample however was small and may not necessarily be generalized as representing the broader views of the Moletele community.

It is important as well to break down these expectations according to age and gender and the tables that follow are illustrating how expectations may differ when disaggregated according to age and gender.

**Table 5.2: Restitution expectation of the women of the Moletele Community (n=actual number)**

<b>Community expectations</b>	<b>% Women</b>	<b>n</b>
Restoration of Dignity	50	5
Individual ownership of land	60	6
Jobs	50	5
Business opportunities	70	7

The table above shows that about 70% of women are expecting that the restitution of their land will open business opportunities for them. This is important to note if the entrepreneurial spirit of the community is to be utilized for the emerging strategic partnership. And it is also important to note that 60% of women in this community would like to have clearly defined individual rights to land. As indicated earlier in this chapter, this desire to have clearly defined rights to land may indicate the changing roles that women play in a society, as compared to what the situation was prior to the forced removals.

When broken down to represent young women, the figure look as follows:

**Table 5.3: Restitution expectations of young women of the Moletele (n=number)**

<b>Community expectation</b>	<b>% Young women</b>	<b>n</b>
Restoration of dignity	20	1
Individual ownership of land	60	3
Jobs	40	2
Business opportunities	80	4

The table above shows just how less important connections to the past are to younger women. Only one out of five of the younger women interviewed would feel any sense of restoration of dignity as a result of settling the restitution claim, no dignity of theirs was lost because most were born in Buffelshoek. The primary objective of these women is to ensure a bright future for them and their families, and 80% of them see business as the means to that end.

As far as men are concerned, the expectations from the land claim are as follows:

**Table 5.4: Restitution expectation of the Moletele men (n=number)**

<b>Community expectation</b>	<b>% Men in general</b>	<b>n</b>
Restoration of Dignity	80	8
Individual ownership of land	90	9
Jobs	30	3
Business opportunities	20	2

This table is somewhat interesting. 80% of the sampled men felt that by going back to their ancestral land, they will have their dignity restored, and 90% of them would want to have clearly defined individual ownership to the land. A paltry 2% would like to be involved in business, or expect the restitution claim to open any business opportunities for them. And 3% expect to have jobs out of the claim. Most of the men indicated that once they have their land restored, they would want to farm it themselves, but do not consider this ‘farming’ as business, but rather as a means of sustaining themselves and their families. This is an interesting dynamic between men and women of the Moletele community and may need to be studied further, but the time limits of this research did not allow an extensive exploration of these dynamics.

When taken down to the level of young men, the figures look as follows:

**Table 5.5 Restitution expectations of younger Moletete males (n=number)**

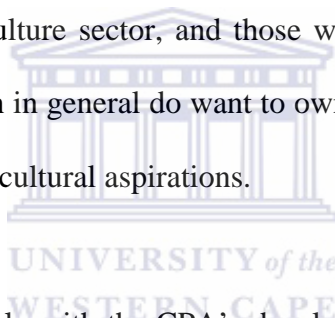
<b>Community Expectation</b>	<b>% of Young men</b>	<b>n</b>
Restoration of Dignity	40	2
Individual ownership of land	80	4
Jobs	40	2
Business opportunities	40	2

Even within the groupings and expectations mentioned above, there is diversity of views pertaining to the land claim and how they see things going into the future. Men in general, regardless of their socio-economic standing in the community, have almost similar views and expectations as far as the restoration of their land rights is concerned, save that the relatively well-off have the confidence that their children will be able to extract the benefits from the settlement because they have better education and knowledge and will understand the working of a commercial enterprise. The poor of them seem to either be overwhelmed or oblivious to the complexities that the restitution comes with. Jobs for their kids are paramount of course, but to them going back to the ancestral land and with the support from government to reconstruct the lives they once led will be the most important thing.

Women, younger women to be precise, are the most entrepreneurial of the sample and it is noteworthy that the emotional aspect of the restitution has no great significance to

them. What matters the most are the prospects of opportunities to open and run business ventures. This group is the only one in the sample that saw the need for diversification of activities beyond just agriculture, but also spoke about the need for upstream and downstream industries for the members of the community because there is more money there than in actual farming.

The younger men who are relatively worse-off than the rest are looking for jobs and hope that the restitution of their land will provide them with the much needed employment. A very small percentage of those who formed the sample are looking beyond just jobs into entering the commercial agriculture sector, and those who do are mostly the better-off and educated. But younger men in general do want to own land, as this will provide them with security and free their agricultural aspirations.

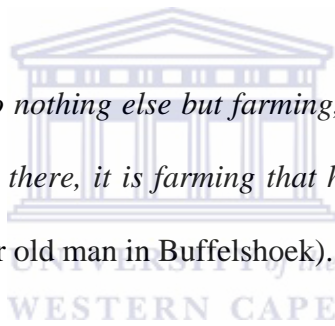


A key informant working closely with the CPA's developmental arm in the community, the MCCBF, noted that because of the level of education of most people in leadership positions in the CPA and the MCCBF itself, most poor people feel intimidated and left out. That any opportunities that may come will be out of grasp for the poor explains why their wish is just to get jobs and then use that as a catalyst for improving the conditions in their households by sending children to school to ensure that at least the children do not suffer as the parents are suffering now. The informant noted that the community was not a classless community and that the whole design and structure of the CPA and the settlement arrangements were such that the elites in the community would be favored.

The expectations shown by the sample, show that there is real danger that only the expectations of the elite within the community will be met. Those who are educated and have the knowledge of running businesses stand a good chance of benefiting from the current arrangement with the strategic partners more than those who are poor.

There was another aspect to the expectation that people have of the settlement of their restitution claim, and that is related to what people want to do when they settle on the land. A great number of the sample singled out farming as the main land use activity that they would prefer to do when they settle on their ancestral land.

*“When I go back, I want to do nothing else but farming, you will be wasting the land if you want to do something else there, it is farming that has the greatest potential for us there”* ( Mahloakane , a 38 year old man in Buffelshoek).



As mentioned above, farming means continuing with the current commercial model of farming and also granting the community the opportunity to engage in subsistence level farming. About 80% of the sample sees agriculture as the main activity to be followed after settling in the land, and the majority of these are old men and women. The younger generation looks to benefit from the multiplier effects of farming but not necessarily farming itself. Younger women in particular link farming with other sectors like tourism and establishment of supermarkets, and see these as the main opportunities that they would like to exploit.



### 5.2.1 Perceptions of the strategic partnership

*“I hear that these boys are now saying we should be partners with the white farmers. My son, let me tell you something. We could not go to school because of the white farmers, our parents died because of the white farmers, we as the elders had to lead senseless lives because of these white farmers. We are suffering, our children are suffering and I attribute all that to the white farmers. They cannot be trusted, they are evil people. So going into business with them is a very bad idea. Isn't there somebody somewhere who can mentor our children other than these white farmers? These people are still hardcore racists, they will pretend to be good at the beginning because they want to do to us what they did to our forefathers, they will use us and when their pockets are full, and they will discard us. They will bring trouble to the Moletele people once again as their fathers did to us back then. The committee elected by the community should be very alert and be party to all the decisions that will be made. The members of the community should be vigilant and ensure that these whites toe the line. All the farms should be under our administration, we cannot afford to be robbed once more by these people” (Region, a 70 year old man in Buffelshoek).*

The perception that the community has of the strategic partnership is one of cautious optimism. There is one extreme end of the continuum, where some members of the community deeply disapprove of the strategic partnership model as the quote from the conversation with Ntate Region shows, the other extreme end is empty, but there are those holding the middle line, they are optimistic that the strategic partners will be able to

impart their skills to the members of the community, but that optimism is held with a deep sense of caution and a belief that the strategic partners, who also happen to be the immediate past owners of the land, cannot be fully trusted. The table below shows the percentage number of people who either support or disprove of the strategic partnership model.

**Table 5.6: Community perceptions of the strategic partnership (n=number)**

<b>Perception of the strategic partnership</b>	<b>% of community</b>	<b>n</b>
Support the notion of strategic partnership but with caution	75	15
Against strategic partnership	25	5

The members of the community that support and are positive about the strategic partnership raised issues of trust, that as much as the notion of strategic partnership is good, they cannot fully trust the strategic partners but feel that they need to give the strategic partnership some time for the benefits to really accrue to the community members. This group is however confident that the model, if carefully managed, will work in the community's favour and that the strategic partners will impart skills in the community that are presently not there.

*“The white farmers who are now our partners are important to the community, they will help us in managing the farms profitably but they must be made aware that they are not going to be with us for too long. The community through the CPA should have more decision making powers and the final decisions should be taken by the community. Yes the experience of the white farmers will help grow the business, but at some stage we should be able to run things independently from them”* (Elena, 28 year old woman in Buffelshoek).

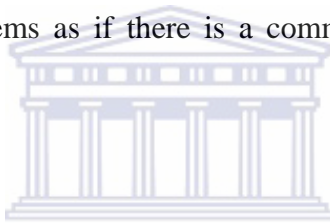
Elena’s views about the administrative powers of both the CPA and the strategic partners can be generalized among the 75% that supports the strategic partnership model, but this view is at odds with the real operational arrangements between the CPA and the strategic partnership as shown in chapter 2 and 3. This view is informed by the perception that the CPA is the ultimate authority and decision maker in the partnership, a perception that is grossly incorrect, as the CPA is the land owner, and of course a majority shareholder in the operating company, but the day-to-day operational requirements of the operating company are solely the responsibility of the strategic partner. Elena’s views are for instance supported by the following quote:

*“As far as the white farmers are concerned, as long as they know and respect that the land now belongs to us, I have no problem with that. They bring a set of skills that we do not have, but the community should take the lead in everything that happens on the land. If we maintain a healthy relationship with the white farmers, then I am sure that our partnership can only flourish”* (Somalia, a 46 year old woman in Buffelshoek).

And this view:

*“The partnership that is being built with the whites is fine, but only those who want to cooperate with us can stay”* (Willie, a 48 year old man in Buffelshoek).

The overall perception though is that the community needs the strategic partners if there has to be any serious entry by the community into the commercial agricultural market. But my view is that it is exactly this kind of dependence, of entrusting someone else with the fortunes of one’s future that leads to paternalism. It however remains to be seen if the relationship between the strategic partners and the CPA will be based on mutual respect going forward, for now, it seems as if there is a common understanding between the partners and the community



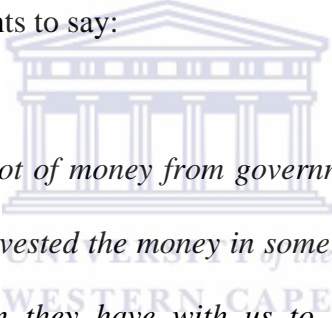
The 25% of members against the strategic partnership, although they may be statistically insignificant, but they however hold very strong views that are in part informed by the historical project of land dispossession and by the relationships between Africans and white farmers that ensued in the intervening years between dispossession and the settlement of the restitution claim; and in part informed by the arrangements that seem to be favoring the strategic partners as far as access to off-farm market products are concerned.

*“The whites did not only steal our land and cattle, they stole my youth as well and the opportunities of being a better person as I grew older. I am now already old, what can going back to the land and partnering with the whites give me? My youth back? I do not*

*think so. The only thing I will get is a constant reminder of what the whites had done to me” (Lesetja, a 74 year old man in Buffelshoek).*

These negative perceptions may not sustain if the relationship with the strategic partners works out well, and they are informed more by the events of the recent past than by any present day experience of dealing with white farmers, they are emotional perceptions.

There are also concerns about potential leverage that the strategic partners may use from their involvement with the community. An informant of mine working closely with the CPA had the following comments to say:

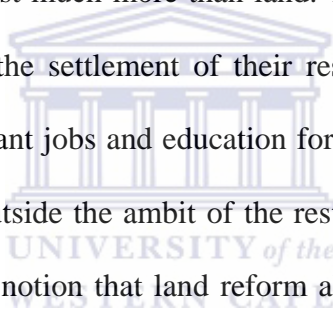


*“The strategic partners got a lot of money from government when the land was bought from them, they went off and invested the money in some other farms. I suspect that they are now using the association they have with us to leverage more funds from the government, but channel those funds to their private operations. They are simply using us to enrich themselves even more” (Informant, Buffelshoek).*

The concerns may be real or imagined, but the true test of the feasibility of the strategic partnership and the practicalities of the people’s expectations can only be determined in time.

### 5.3 Conclusion

The experience of the brutal apartheid and colonial project of dispossession left an indelible mark on the psyche of the people. People lost more than just land, they lost their livestock and lost their homes, they lost their livelihoods as well. After more than three decades in the wilderness, is it really possible to reconstruct lives once lived? Is it really possible to fully restore everything that was lost through dispossession? The restitution component of the land reform programme in South Africa focuses on restoring land back to those who lost it through racially motivated programmes, but as can be seen from the case of the Moletele, people lost much more than land. The people of Moletele seem to know what they want out of the settlement of their restitution claim, they want their livelihoods to improve, they want jobs and education for their children, they want better healthcare, and all these are outside the ambit of the restitution programme as currently constituted. This displaces the notion that land reform alone can be a panacea for rural development if it is structurally and conceptually separated from other developmental programmes of the state.



## **Chapter 6: Taking claimants' expectations seriously: conclusion and recommendations**

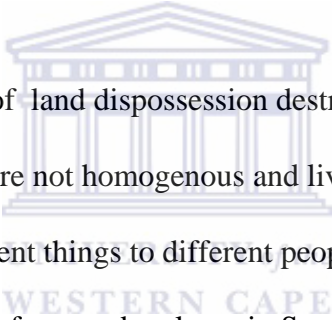
The debate on land reform in South Africa has recently been dominated by two trends of discourse, and these are firstly that the transfer of land from the white minority farmers to the black majority is painstakingly slow, and the second dominant discourse is that land reform is a failure as far as its impacts on issues of socio-economic development are concerned. This mini-thesis paid specific focus to the discourse on land reform as a tool for social and economic development and did not focus on issues of land delivery per se. The focus on land reform as a tool for socio-economic development was done through firstly looking at the apartheid and colonial project of land dispossession as a precursor to the present disparities in ownership of productive resources in the country, and secondly by looking at the land restitution component of the land reform programme as a mechanism for restorative justice as well as a programme aimed at giving impetus to development in rural areas through agriculture.

Though forming part of a bigger study on strategic partnership between the beneficiaries of land reform and the private sector, the focus of the study was biased in favour of the beneficiaries of land reform, to understand their experiences of land dispossession and their aspirations for the future using the restorative justice mechanism that is the land restitution programme.

The Moletele Land Claim presented a good case study because it is one of the biggest community land claims in Limpopo, and the fact that the strategic partnership is still

relatively new provides an opportunity to assess the needs and expectations of the beneficiary community before the partnership is fully operational. As a case study, the Moletele land claim and the narratives from the members of the community reveal the brutality of South Africa's recent past in as far as it marginalized and deprived Africans of productive resources through racially discriminatory programmes like land dispossession and other economically repressive programmes.

Key themes emerge from the findings of this study that respond directly to the research questions indicated in chapter one and what follows is a brief summary of those thematic findings:

- 
- The historical injustice of land dispossession destroyed the Moletele social fabric
  - Claimant communities are not homogenous and livelihoods differ
  - Restitution means different things to different people
  - The market is both the referee and a player in South African land reform: the role of the strategic partners
  - The determination of community and individual rights to property is not properly clarified

## **6.1 Land dispossession and the destruction of the social fabric of the Moletele Community**

Narratives and historical accounts of the apartheid project of land dispossession as can be seen in Chapter 5 reveal a deep sense of emotion among both those people who were



physically dispossessed of their land and their descendents. As mentioned earlier in Chapter 5, the dispossession of land from the Moletele community and Africans in general during successive apartheid and colonial regimes was genocide of a special kind. It deprived the people of the resources from which their whole livelihoods were sourced, and therefore condemning the community to a life of hopelessness and marginalization. A previously prosperous and united community was stripped of its dignity and identity.

Although it is common to speak about dispossessed communities as collective and homogenous communities, the process of land dispossession had deep individual meanings to those involved. The individual experiences and the meanings that individuals attach to the dispossession of their land vary, and inadvertently shape the manner in which individuals relate to the community and their current livelihood status. While many lost everything during dispossession, others were able to salvage what they could and that helped give them a base from which to reconstruct their lives when they relocated to Buffelshoek. It is noteworthy that whereas the community was this unitary community that had abundant land and natural resources, which was always ready and willing to provide assistance to any one member of the community who was in need, the loss of their land and the scarcity of resources that followed helped elevate the individual over the community. In their pre-dispossession life, the Moletele people claim that the interests of the community took precedence over the interest of the individual and this is what held the Moletele people together. The culture of individualism and individual accumulation that followed seemed to have caused clear cracks in the social fabric that held the Moletele together. While others managed to at least adapt to the conditions in

Buffelshoek and to create conditions that enabled them to sustain themselves and their immediate families, the majority of the people are still under despicable conditions of chronic poverty as clearly shown in Chapter 4. Even though the community can generally be categorized as a poor community, there are now clear and distinct class and livelihood differentiations. These differentiations explained in Chapter 4 should never be ignored when crafting any developmental plans or programs for the community.

Apart from the class and livelihoods differentiations above, another significant change that was observed in the community was the issue of gender in relation to the socio-economic roles in the society. Although the Moletele community is still a deeply patriarchal community that still allows polygamy and other forms of gender and cultural stereotypes, land dispossession necessitated a significant shift on the roles of women in the society. Contrary to their main reproduction role prior to forced removals as can be seen in Chapter 5, the loss of productive resources and the migration to towns of men compelled women to be instant breadwinners for their families. This they did by actively looking for work in neighboring towns and farms, and some by having informal businesses. This taste of economic power and independence by women has had an impact on the structure and functioning of households, and affirmed women as key role players not only in their households but also in the society.

But this has not eliminated fully the vulnerability and the repressive nature under which rural women live under. They still bear the burden of raising their children, sometimes

without any help, their right to own pieces of land is still limited and generally men still have the ultimate authority both in the household and in the community.

Land dispossession had a significant physical and emotional impact on the Moletele people. People did not only lose their land, they also lost their houses, their cattle and everything that defined who they were. They also lost the communal spirit that had sustained them for generations. The things that the community lost cannot be reclaimed back just by returning the land to them, if they can be reclaimed at all.

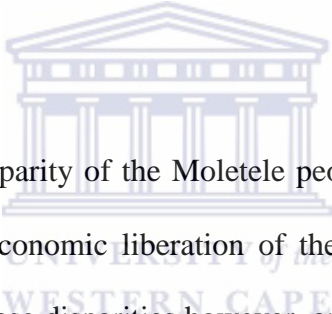
## **6.2 The Moletele community is heterogeneous with multiple livelihoods**

As indicated above and in Chapter 4, the unintended consequence of dispossession was the unlocking of other means by which the community used to survive. While the community is relatively poor, as most rural communities are, it can be said that in the community, there are the poor, the very poor, and then also a sizeable number of prospering households.

Within the community, there are the educated classes, mostly teachers and other civil servants. This class of people, apart from leading relatively prosperous lives, they are also able to invest in the health and education of their children, and stand a good chance of capitalizing from developmental opportunities that may come to the village.

Then there are the poor classes. These are mainly those who work on farms and on construction firms, and those who make a living out of vulnerable and insecure informal businesses. They cannot sufficiently invest for the future of their children beyond matriculation, such that there are a number of young people who have passed their matric, but can neither secure employment nor study further.

A great majority of the people are however very poor in the community and have as their main livelihood source the government pension, disability or child grants. These people are struggling to even send their children to school because they cannot afford the uniforms and school fees.



Such is the socio-economic disparity of the Moletele people that any intervention made towards advancing the socio-economic liberation of the community should appreciate these disparities. Underlying these disparities however, and as shown in Chapter 4 is that a large percentage of the community do practice agriculture at a subsistence level and somehow use it as a buffer against poverty, but access to quality land and agricultural implements are obstacles that prevent people from deriving any meaningful benefit from agriculture. Nonetheless, agriculture is practiced despite the less than significant value it adds to people's livelihoods.

### **6.3 Restitution means different things to different people**

The national project of land restitution, as mentioned in chapters 1 and 2, aims to restore land or rights to land of those who were dispossessed of their land or rights to land after

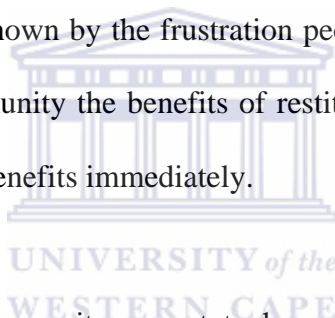
the promulgation of the 1913 Natives Land Act. Central to the notion of land restitution is that land must be returned to the people, and the success of the programme is measured by the number of hectares that change ownership from whites to Africans. But as mentioned above, land dispossession not only deprived people of their land, it had deleterious impacts on their psyche and social relations. They lost their houses and most of their assets.

It is therefore understandable that the topic of restitution raises so much emotion on the victims of dispossession. And it is also of great significance that 70% of the Moletele people that were sampled during the course of this research said that they hoped that the restitution of their land will restore back their dignity as mentioned in Chapter 5. There is a great sense that the dispossession of their land stripped the community of that important aspect of their lives, their dignity, and that returning to their land will help restore that which they lost, which is much more than the physical land.

The effect of the intervening years between the time when the community was dispossessed of their land and the time of restitution was quite profound for what the community expects from the restitution of their land. As per the findings of Chapter 5, 85% of the sampled households would like to have clearly defined individual rights to restituted land. This is a departure and a contradiction from the idealistic communal society that most of those sampled yearned for. The individualism that is emerging and the various expectations that the individual members of the community have should guide the restitution options. It is noteworthy that while the 85% mentioned here would want to

go back and settle in Hoedspruit on the restituted farms, there is also an expectation from this that the government and the MCPA will help in the building of new houses for the community. Only a small number of those sampled showed no interest in going back to the claimed land, arguing that they have constructed a new life for themselves in Hoedspruit and do not want to relocate again as this would create some instability in their lives.

Some people see the restitution of their land as an opportunity to eliminate the debilitating unemployment, more especially among the young people of the community. This expectation was clearly shown by the frustration people had with the slow progress of trickling down to the community the benefits of restitution. They want to see visible benefits, and they want those benefits immediately.



The entrepreneurial in the community expect to have business opportunities open to them. The focus of this group is not only on agriculture, but also on tourism and other downstream and upstream activities.

With all these different expectations, the underlying factor is that the community expects the restitution of their land to help enable them to extricate themselves out of the shackles of poverty and under-development. The MCPA and the emerging strategic partnerships have the unenviable tasks of ensuring that at least parts of these expectations are met with the resources they have.

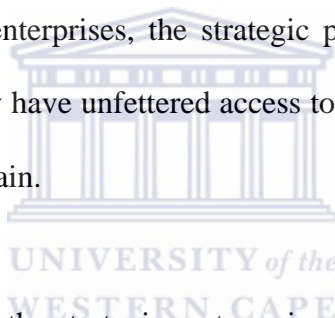
#### **6.4 Strategic partners are not the only solution**

In chapter 2, the rationale for using strategic partners on land reform projects is explained. And that the common denominator is the need to save land reform projects from their perceived failure and enable them to live up to their developmental objectives. The use of strategic partners is getting more prevalent, particularly on larger restitution projects.

The Moletele CPA had entered into two strategic partnerships and finalizing a third at the time of writing this thesis as shown in Chapter 3. All three of the strategic partners were immediate past owners of the land and had received market remuneration from the government when the land was bought for restitution purposes. The partnership agreements are for a period of ten years, and during the course of the partnership, the strategic partners are expected to play a crucial role in sustaining the farms and ensuring that they compete in the markets.

They are expected to ensure transfer of skills to identified and talented members of the community who will be able to then eventually take over the management of the farms at the end of the partnership period. They are also expected to be in charge of the overall operations and administration functions of the farms. Although they hold minority shares in the enterprises as compared to the MCPA which represents the community, all financial and administrative decisions are taken by the strategic partners.

This arrangement is problematic in my view on four fronts. Firstly, even though land reform and restitution in particular, is a constitutionally enshrined and important political and developmental project in the country, the state has in all abdicated its responsibility of carrying out developmental land reform and left this to the markets in the form of strategic partners. The arrangement is not even and has condescending elements. Not even because the very strategic partners who are partnering with the community are the immediate previous owners of the land, and they received market related compensation for the land. They never left the land and are now camouflaging their stay on the land as strategic partners. It is condescending because even although on paper the MCPA has the majority shareholding in the enterprises, the strategic partners make all the decisions, they know all the markets, they have unfettered access to both upstream and downstream markets of the agri-business chain.

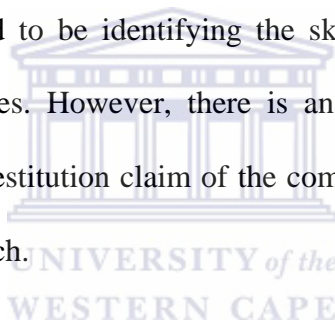


Even though the main focus of the strategic partners is on making profit, the state saw it fit to task them with the responsibility of developing and imparting skills to the very people whose suffering is as a direct result of the strategic partners or their predecessors.

This arrangement, if made a permanent feature of South African land reform, poses a real danger of land reform policy that is impractical and out of touch with the realities faced by people on the ground. The state remains the centre of policy development in the country, but the role played by the government in land reform is dramatically shrinking. The strategic partnership model has the potential to further widen the disjuncture between policy and practice.



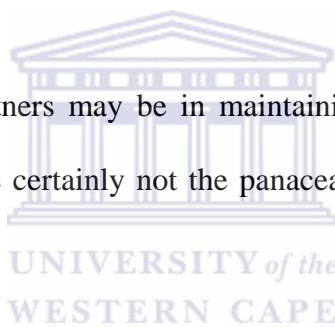
Secondly, the strategic partnership model has obvious flaws in as far as its community capacity development responsibility is concerned. The strategic partners are expected to identify and train promising members of the community to prepare them for eventual take-over of the running of the farms. This idealistic view ignores the obvious fact that the strategic partners are commercial farmers, they neither have the time nor the capacity to undertake social assessments and identify skills gaps in the community. Even the current co-directors from the community side on the strategic partnership enterprises are those within the community who have some form of education and may be said to be coming from the privileged classes of the Moletele community. The MCCBF mentioned in earlier chapters is supposed to be identifying the skills gap in the community and organizing training programmes. However, there is an obvious distance between the MCCBF and the mainstream restitution claim of the community for reasons not pursued during the course of this research.



Thirdly, the strategic partnership model is overly fixated with maintaining the current production methods and practices on the farms. There is no attempt to restructure production methods and align them with the requirements of and pressure from the community. The present production methods may have worked when there were fewer land owners, but it cannot be said that they will equally be successful when there are thousands of people who have a stake on the farms. The subdivision of the land into smaller but effective units was never investigated. There may be no fit between the requirements and expectations of the community and what the strategic partnership model can offer.

The fourth problem I have with the strategic partnerships is that it is all about the people without the people. The majority of Moletele people want to go back to their land and they want to have a portion of land on which they can live their lives the only way they know how. The strategic partnership model puts commercial farming at the centre of restitution. It does not address livelihood issues, the strategic partners are partially accountable to the MCPA, and the MCPA's accountability to the community is not unqualified. This poses the real danger of the benefits of restitution accruing only to the elite in the Moletele community and those who are close to the decision makers.

As useful as the strategic partners may be in maintaining production and commercial viability of the farms, they are certainly not the panacea to land reform that is socially and developmentally sound.



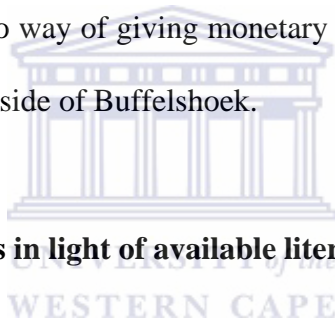
### **6.5 Community benefits and rights to land not clearly determined**

At the centre of restitution are the people who or whose parents were unceremoniously and brutally removed from their land. It is these people who have to benefit and develop from the restitution of their land.

As shown earlier in this chapter and in Chapter 5, the Moletele people expect their dignity to be restored, they want to own land and have security of tenure over the land. It is noteworthy that other than giving ownership of land to the MCPA, the members of the

community have no idea what their rights are to the restituted land, and neither has the MCPA developed any guidelines or strategies on how community access to the land is going to be. There are plans afoot however to set aside pieces of land for settlement, but even there, only those who can afford to build new houses for themselves will be allowed.

It is not shown how the benefits that the MCPA will be getting out of the strategic partnership will be channeled to the community. The MCPA say the only way to do this will be to initiate and fund community development projects, like roads and clinics and schools, because there is just no way of giving monetary benefits to the more than 13000 Moletele community in and outside of Buffelshoek.



## **6.6 Reflections on the findings in light of available literature**

As clearly reflected upon in chapter 1, there is a vast amount of literature on the content and context of the colonial and apartheid project of land annexation in South Africa (Platzky and Walker 1985; Mbeki 1992; Bundy 1979) to mention but a few. The volume by Platzky and Walker (1985) is by far the most authoritative account of land dispossession in South Africa, even though the authors themselves acknowledge that their account is an underestimation of the actual extent and impact that land dispossession had on the majority of Africans in the country.

Greenberg (2003) argues that the land dispossession project had two main impacts on the structure of the South African economy. The first one was the elimination of blacks from competing in the agricultural sector in South Africa, thereby creating a racially monopolistic agricultural sector. Secondly, the dispossession of their land forced Africans into migrant labour and to look for alternative forms of livelihoods.

These impacts can be clearly observed in the Moletele community. At some stage a vibrant farming community before being dispossessed of their land, the Moletele community now practices a kind of agriculture that is neither competitive nor self-sustaining. This is due to lack of quality agricultural land and lack of support and access to critical agricultural implements such as irrigation water, fertilizers and pesticides.

Dispossession also had a major impact on the family and communal unit that was maintained by the Moletele people in that it forced people to look for ways to sustain their livelihoods by forming part of the migrant labour system. Most people, men in particular, left to look for employment in cities and on farms, leaving behind a vacuum in the household and communal unit, and forced women to be the de facto heads of their households.

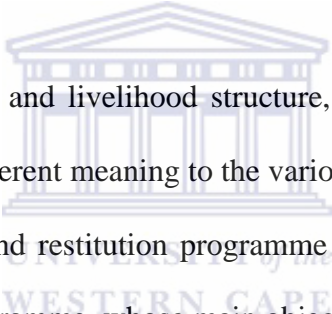
The deleterious impacts of dispossession are echoed by many scholars. Platzky and Walker (1985:67) argue that dispossession was a well calculated attempt at destroying the dignity of the African people. Levin et.al (1997:104) argues that dispossession was a shameless act of resource expropriation from the African people which moved people away from high rainfall and productive areas into arid or semi-arid areas. They further

argue that dispossession was designed to primarily disempower and impoverish black South Africans and secondarily to provide a sustainable supply of cheap labour to white commercial farms and mines.

The dispossession of the community also had serious impacts on the differentiation of the social and livelihood structures in this community. Writing about the structure of rural poverty, May (2000:21) argues that rural poverty and marginalization are direct legacies of squandered assets and inappropriate production and investment strategies, and further that the livelihood decisions that most rural and poor people make are largely informed by the access that people have to resources, markets and opportunities. Perret et.al (2005:8) also argue that the dire state of rural livelihoods is a direct impact of the poor endowment with quality land and natural resources of the areas that Africans were forced to live in by the apartheid government. Access to these resources and opportunities, although limited in rural communities, is further compounded by the differential roles of women and young people in exploiting these opportunities (May, 2000:21). Gender and age are serious variables on the structure and substance of rural livelihoods.

The poor endowment of rural areas with high quality and productive natural resources therefore compels rural people to move away from land based livelihoods to more diversified livelihoods (Ellis, 1998; Bryceson, 2000). Ellis (1998) contends that the diversification of rural livelihoods is a strategy employed by rural people to move out of poverty to more sustainable livelihoods. The diversified livelihood options are mentioned in chapter 4.

The livelihoods of the Moletele people are no different from the description of rural livelihoods articulated by the authors above. The differential access to resources and opportunities are determined by the class and gender differentiations in particular. The more educated and the relatively well-off in the community stand a good chance of having access to information and resources. This further defines the different livelihoods approaches employed by the households. The common denominator across these differential livelihood strategies however is the practice of subsistence agriculture, albeit with no tangible livelihood impacts on the majority.



With such a differential social and livelihood structure, the restitution of the Moletele land claim is bound to have different meaning to the various groups in the community. As mentioned in chapter 2, the land restitution programme is a component of the broader South African land reform programme, whose main objectives are stipulated in the White Paper on South African Land Policy (1997) as: (1) the need to deal effectively with the injustices of the past; (2) the need for a more equitable distribution of land; (3) poverty reduction and to stimulate economic growth; (4) security of tenure for all; and (5) to create a system of land management that will support sustainable land use patterns and rapid land release for development.

The restitution programme therefore has the cumbersome responsibility of redressing the injustices of the past. It also seeks to ensure that there is sustainable social and economic development of the claimant communities. Hall (2004), argues that the responsibility of

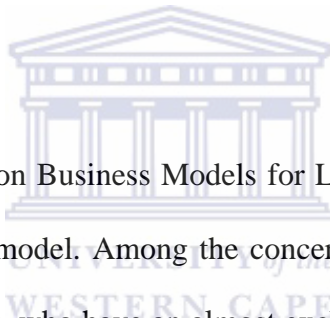
redressing the injustices of the past and the promotion of nation building are symbolic and political imperatives that the restitution programme should be seen to be achieving, and that the stimulation of social and economic development among the claimant communities should be the centerpiece of the restitution programme that aims to provide a wide range of pro-poor and developmental interventions.

The different expectations on the restitution programme lead to what Walker (2008) refers to as narratives of loss and restoration, what Du Toit (2000) refers to as ‘discourses of loss and redemption’. Central to these narratives and discourses is the emotional aspect of the restitution programme. The main focus is emotional and political, and that is the return of land and land rights to those whose land or rights to land were taken away. Both Walker (2008) and Du Toit (2000) speak about the need expressed by claimant communities to reclaim that which was lost and recreate the life that they once lived, oblivious to the many changes that have happened during the intervening years between dispossession and restitution. This narrative or discourse relegates that which Hall (2004) argued should be the main focus of restitution, the developmental and economic role that restitution should play.

These narratives were very profound in the Moletele community, as indicated earlier, a great majority of sampled households felt that through the restitution programme, they will reclaim their lost dignity by simply returning to the land of their forefathers. The dominance of this narrative delinks restitution from the wider developmental interventions made by the state. And while the state seems to be focusing more on

maintaining the commercial viability of restitution farms, the communities want their dignity back, they want to recreate and relive the life they once led.

Recently, in a drive to maintain at all costs the commercial and production potential of restituted farms, the state has been promoting the use of strategic partners. Derman et.al (2006) argue that the strategic partnership model promoted by the government has three imperatives, and these are developmental, political and economic imperatives. These imperatives are explained in chapter 2. Mayson, (2003); Derman et.al (2006) and the Plaas Report (2007) give a description of how these strategic partnership models are structured.



The PLAAS Thematic Report on Business Models for Land Reform (2007:13) however has some concerns about this model. Among the concerns mentioned are the excessive control by the strategic partners, who have an almost exclusive control over financial and operational decisions; guaranteed benefits to the strategic partner and uncertain benefits to the beneficiary communities; and the burden placed upon the claimant communities to buy out the strategic partners at the end of the partnership period.

The problems and potential problems facing the Moletele restitution claim are not that different from the concerns raised by the PLAAS report (2007). Although the community through the MCPA is the majority shareholder, the strategic partners remain the strategic centre of power in the partnership agreements. The problem is compounded by the apparent lack of any community capacity developmental plan to help the community run



the farming enterprises after the strategic partners are gone. The main interest is on maintaining production at pre-restitution levels on these farms. The benefits accruing to the MCPA are not defined sufficiently, and the filtering of these benefits to the broader Moletele community is almost ignored in the strategic partnerships.

The strategic partnership model in the Moleteles case also ignores the issue of defining individual rights to land of the members of the Moletele community, such is the focus on maintaining large scale commercial viability of the farms that even the resettlement of the people to their land has not been given priority, albeit their strong desire to relocate to their ancestral land.

### **6.7 Recommendations and lessons for policy**

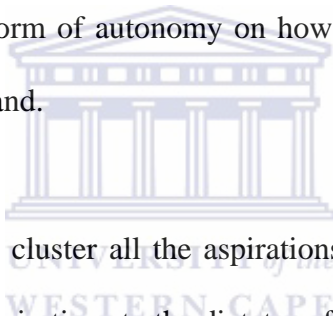


The Moletele restitution claim is a large and complex restitution claim, and the community itself is also a large and complex community that is predominantly poor. The debilitating experience of land dispossession and the marginalization and impoverishment that followed gives rise to expectations from the community that the restitution of their land rights will in a big way make a contribution towards the extrication of the community from the deep shackles of poverty. There is however a disjuncture between the expectations of the community and the restitution option or approach preferred by the government and the MCPA. Below, I provide some few recommendations that may be used to help narrow the gap between the needs of the

community and the imperatives of keeping the restituted farms productive and serving their social and economic function.

### **6.7.1 Determination of individual rights to land and the development of a beneficiation strategy**

The main weakness of the strategic partnership model particular and community restitution claim in general is that claimant communities are perceived as unitary or homogenous entities. As can be seen from the evidence of the Moletele restitution claim, individual members of the community have different needs and preferences, and most would like to maintain some form of autonomy on how they structure their livelihoods and what they can do on their land.



It is therefore important not to cluster all the aspirations and expectations of the entire community and subject these aspirations to the dictates of the strategic partnership.

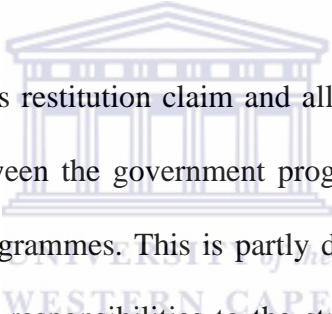
Individual and household rights to the restituted land need to be clarified and strengthened, lest the community views the restitution of their land as benefiting only a select few.

Directly linked to the issue of individual rights to land is the matter dealing with the sharing of benefits. In a community as large as the Moletele, the farms cannot absorb everyone who needs employment, and the financial rewards would be insignificant if they were to be spread equitably to everyone in the community. What can be done however is to ensure that, among other things, with the dividends coming out of the

farms, every child of the Moletele who wants to access education should be provided with the necessary assistance. This will help ensure a highly skilled and educated community that is not depending merely on the restituted land for its livelihoods. The health facilities in the community can always be improved, and schools and recreational facilities can be built.

A clear and coherent beneficiation strategy needs to be developed.

### **6.7.2 Alignment of functions of existing programmes and capacity development**



Another major weakness of this restitution claim and all restitution claims in general is that there is a disjuncture between the government programme of restitution and other government developmental programmes. This is partly due to the government dumping all coordination and functional responsibilities to the strategic partners. For a pro-poor and community driven restitution programme, more work still needs to be done to align the functions of government programme to ensure the success and efficiency of land restitution. In the time spent with the Moletele community, the roles of the departments of agriculture, housing, public works, the municipal IDPs were not clarified. It is important for large restitution projects like this that may entail the relocation of people, to be as inclusive of other government programmes as possible.

At the community level, it was not clear how the MCPA which is responsible for the restitution claim and the MCCBF, which is a community driven capacity development

initiative, work together. The MCCBF can act as a very useful forum to identify the skills gaps in the community that the MCPA may fill to ensure that everyone benefits from the restitution claim. The capacity of the MCPA itself needs major improvements if it is to be able to manage the complex restitution process without much help from the strategic partners and outsiders.

### **6.7.3 Careful planning for integrated human settlements**

The majority of people sampled for this study expressed a need to resettle on the restituted land. Although this is not a priority focal area for the MCPA and the strategic partners, it is a very important aspect to the sustainability of the Moletele restitution project. A settlement plan will have to be developed that caters for those who do not have the resources and means of building themselves new houses in Hoedspruit. The lack of funds or resources should not exclude people from their desire to settle in their ancestral land. Linked to this plan, should be a proper plan on linking human settlement and the provision of schools, health services and municipal services.

### **6.7.4 A Stronger focus on households**

The Moletele households differ, and as mentioned above, focus needs to be paid on building stronger and food secure households. This can be linked with the audit of skills gaps and the immediate needs of the community. The MCCBF can do this for the MCPA if proper working relations can be built.

## 6.8 Conclusions

The recommendations made in this chapter are based on the expressed needs and aspirations of the member of the Moletele community that formed part of the sample. But I provided the context and located these needs and aspiration within the land restitution context.

What clearly came out of this research is that there needs to be major shift in land restitution policy, and a new policy perspective that is grounded on the practicalities at the ground level needs to be developed. This policy perspective needs to be clear as to for whom is the restitution programme targeted and for what reasons. If it is for the poorest of the poor who were forced off their land by the apartheid government, then a question needs to be asked if the strategic partnership model is the way to address these inequalities. Evidence shown here may point to another direction, that strategic partners are not the panacea to successful and developmental land reform.

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## Addendum

### Questions for semi-structured interviews

Hello, I am Lubabalo Ntsholo from the University of the Western Cape, completing a Masters degree in Land and Agrarian Studies. I am conducting research on the land claim lodged by the Moletele community for my studies and I would like to ask you a few questions.

The answers you give to the questions will be kept confidential and will not be disclosed to anyone under any circumstances.

(1) Experience of dispossession in the past and the impacts suffered from this process

1.1 Please tell me your recollection of what you experienced/heard of about dispossession of the community

1.1.1 How was the community constituted then?

1.1.2 Do you have an idea of how big the community was?

1.1.3 Who was the chief and what role did he play during the process of dispossession

1.1.4 Did you know of people who died or whose health was disturbed during the process? Who were they, and was it old or young people?

1.1.5 Did the policemen/people who carried out the removal use any force? Did they beat people up? Were people injured?

1.2 How many members of your family were affected and how?

1.2.1 Who were these members and what were their age groups?

1.2.2 Was family cohesion disrupted in any way? And it was, in which manner?

1.2.3 Were there any deaths or injuries in your immediate family as a result of the removals?

1.3 What livelihood strategies in your household were disrupted by dispossession?

- 1.3.1 Would you say the removals marginalized your family into deeper poverty or did the process of removal present new opportunities for livelihoods that your family was not aware of before the removals?
- 1.3.2 Who were the main breadwinners and what did they do to sustain your family?
- 1.3.3 Was your family male or female headed during dispossession? And how do you think that helped or compromised your family during the process of removal and afterwards?
- 1.4 What kind of support did your family receive after dispossession and from whom?
- 1.4.1 Who played a key role in sustaining your family and what did they do?
- 1.4.2 How was the community as a whole constituted after dispossession? Did you have the same chief and the same relationships as before removals?
- 1.4.3 Did the community act as a unit or was it each family looking after their own?
- 1.4.4 Do you think there are any people from the community who benefited from the removals, and how?
- 1.5 How did your family survive after dispossession?
- 1.5.1 Who were the main breadwinners and what did they do?
- 1.5.2 Who was heading the household? Was it a female or a male? And did gender play a positive or negative role?

## (2) Importance of land and agriculture

2.1 Do you engage in agriculture, and if you do, what form of agricultural practices are you involved in?

2.1.1 If you were to be given a choice, would you still engage in agriculture if there were other livelihood options?

2.1.2 Do you see agriculture as a business or merely as a subsistence livelihood strategy?

2.1.3 How much land does your household have? And do you own any livestock?

2.1.4 Are you well informed about opportunities or threats in practicing agriculture?

2.2 What are the main challenges you face in practicing sustainable and profitable agriculture?

2.2.1 In your opinion, what do you think is key to ensuring that your involvement in agriculture becomes profitable and self-sustaining?

2.2.2 Do you have access to enough resources, i.e., water and other agricultural implements?

2.2.3 How big is your agricultural practice and what do you produce?

2.3 How much of your household's livelihood directly come from agriculture?

2.3.1 Do you derive your livelihood from sales or from consuming your produce?

2.3.2 How much of your agricultural produce do you consume and how much do you sell?

2.4 Do you have enough land? And what size of land do you consider enough for your household?

2.4.1 Are you able to manage the land you currently have? How do you manage it?

2.4.2 Do you think you have the ability to manage bigger portions of land?

2.5 If you were to get more land, what would you use it for?

2.5.1 Would you like to own land as an individual household or as part of a group, and why?

2.6 Would you consider sharing an agri-business with a group, or would you rather farm as a household?

2.6.1 In what ways do you think partnering with a group may enhance or limit your opportunities in running a successful agricultural business?

### (3) Livelihoods and income

3.1 How big is your household?

3.1.1 Who are the members of your household and what do they do for a living?

3.1.2 Are there any members of your extended family living with you?

3.2 How many members of household are living in the area and how many are away?

3.2.1 Those that are living in the area, what are they doing for a living?

3.2.1 Are those who are away employed or involved in business?

3.3 Do you own any livestock?

3.3.1 What economic benefits do you derive from your livestock?

- 3.3.2 Do you have enough grazing land? And if not, would you like more land for grazing?
- 3.4 How many members of your household are employed?
- 3.4.1 Who are they and how do they support the household?
- 3.4.2 If they were to lose employment, how much would your household suffer?
- 3.5 What are the main sources of income in your household?
- 3.5.1 Who are the main drawers of this income in your household?
- 3.5.2 Does the income in your household allow for the basic things that you want or do you need more supplementary income?

(4) Perceptions of the land claim and strategic partners

- 4.1 How do you feel about the settlement of your claim?
- 4.1.1 Do you feel your sense of belonging is going to be restored? And how?
- 4.1.2 Do you want to go back to your ancestral land or would you rather remain where you currently stay?
- 4.1.3 What do you think is more important, the emotional satisfaction of returning to your ancestral land or economic opportunities that may arise out of the restitution?
- 4.2 What opportunities do you see coming out of the settlement of the claim?
- 4.2.1 Would you like all the land to be part of the strategic partnership or would you prefer having your own piece of land to farm on?
- 4.2.2 Do you think adopting the commercial enterprise would benefit the community?
- 4.3 Do you think your household's livelihood will improve?
- 4.3.1 What resources will you need to improve your household's livelihood?
- 4.4 How important is the role of the strategic partners?
- 4.4.1 How do you think decision making power should be structured? Who should have more decision making powers?
- 4.4.2 Do you think the experience of the strategic partners will influence the operations of your farming enterprise, and how?

(5) Community and leadership

5.1 Do you think all the members of the community or their parents were subjected to the removals?

5.2 Who are the leaders in the community and do you have easy access to them?

5.3 Do you think that your leaders represent accurately your views and aspirations?

5.4 Do you feel that the community relationships are strong and the community is united?

!!!Thank you very much for your time!!

