

## **Landscapes of Dispossession**

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### **Farm Dwellers' Experiences of Relocation in the Context of Private Game Farming**

**Liv Kristin Kjelstrup**

**June 2011**

*Submitted in fulfilment of the academic requirements for the degree of  
**Master of Social Science (Geography and Environmental Management)**  
in the School of Environmental Sciences, University of KwaZulu-Natal (Howard College  
Campus, Durban).*

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**By:**

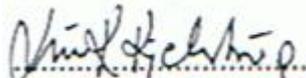
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Submitted in fulfilment of the academic requirements for the degree of Masters of Social Science (Geography and Environmental Management) in the School of Environmental Sciences, University of KwaZulu-Natal (Howard College Campus, Durban)

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Declaration

I Liv Kristin Kjelstrup hereby declare that this dissertation and title: "Landscapes of Dispossession: Farm Dwellers' Experiences of Relocation in the Context of Private Game Farming" is the result of my own investigation and research and that it has not been submitted in part or in full for any other degree to any other institution or university.



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Prof. Dianne Scott

22 March 2012

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## **Abstract**

This thesis explores the material and non-material impacts of private game farming for a group of farm dwellers in KwaZulu-Natal. The thesis is located within the context of an increasing trend whereby farm dwellers are being relocated in order to provide farm owners with the economic opportunity that commercial game farming entails. The thesis emphasises the marginalised position of the farm dwellers and points to the fact that the farm dwellers themselves often have little control and knowledge regarding their legal rights. It further emphasises the lack of protection that this group receives from the authorities. Even though legislation has been implemented to address tenure insecurity, in reality this legislation has made little difference to the lives of farm dwellers. The thesis concludes that as a direct consequence of the relocation the farm dwellers were affected materially, but perhaps more important were their 'invisible' non-material losses. Their non-material losses include loss of self-esteem, increased social marginalisation and the cutting of their ties to their ancestral land.

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## **Chapter 1 – Introduction**

### **1.1 Introduction**

In 1996 a group of farmers from the Vryheid region in KwaZulu-Natal joined together to convert their farms into a private game farming initiative. However, most of these farms had labour tenants and workers – referred to in this thesis as ‘farm dweller’ families - living on the land. This was the beginning of a long process that ended with the relocation of the farm dwellers.

This thesis is concerned with examining both the material and non-material or emotional impacts of private game farming for farm dweller communities in KwaZulu-Natal, especially in cases where farm dwellers are relocated in order to make way for a commercial game farming operation. In order to achieve this goal, the thesis brings together two sets of literature. Firstly it utilizes ideas and literature on lived geographies and sense of place; secondly it draws on literature regarding the livelihood of poor people and what happens to them after relocation. The thesis is also, crucially, about land in post-apartheid South Africa, and is intended to throw light on the experience of a still marginalized group of people - farm workers or, more broadly, farm dwellers, who have poorly established rights to land despite the introduction of post-apartheid land laws intended to provide this vulnerable group with greater tenure security. The rural history of the former Natal colony and province includes a large presence of farm dwellers, often historically involved in verbal ‘labour tenant’ contracts with white farmers. (McClendon, 2002). A considerable number still reside on the farms into the post-apartheid period.

The literature on sense of place is concerned to understand the qualitative nature of place. In this thesis the concept of sense of place is used to explore how people relate to their home place. It looks at the interaction between people and place and how this interaction can fill a place with meaning and create place attachment. Sense of place and place attachment are both multi-dimensional phenomena based on variables like the history of a

place, its aesthetic and function. More importantly, people's sense of place is an ever-present feature of their lives. It is there even though they may not be consciously aware of it. It allows them to *inhabit* a place, to live in a place that is filled with meanings that have been built up through their interactions with that particular place over time. This sense of place is so self-evident that it is seldom brought up either by the people themselves or by politicians and policy-makers; however this thesis argues that farm dwellers' attachment to place requires serious study and meaningful consideration in policy-making with regard to land.

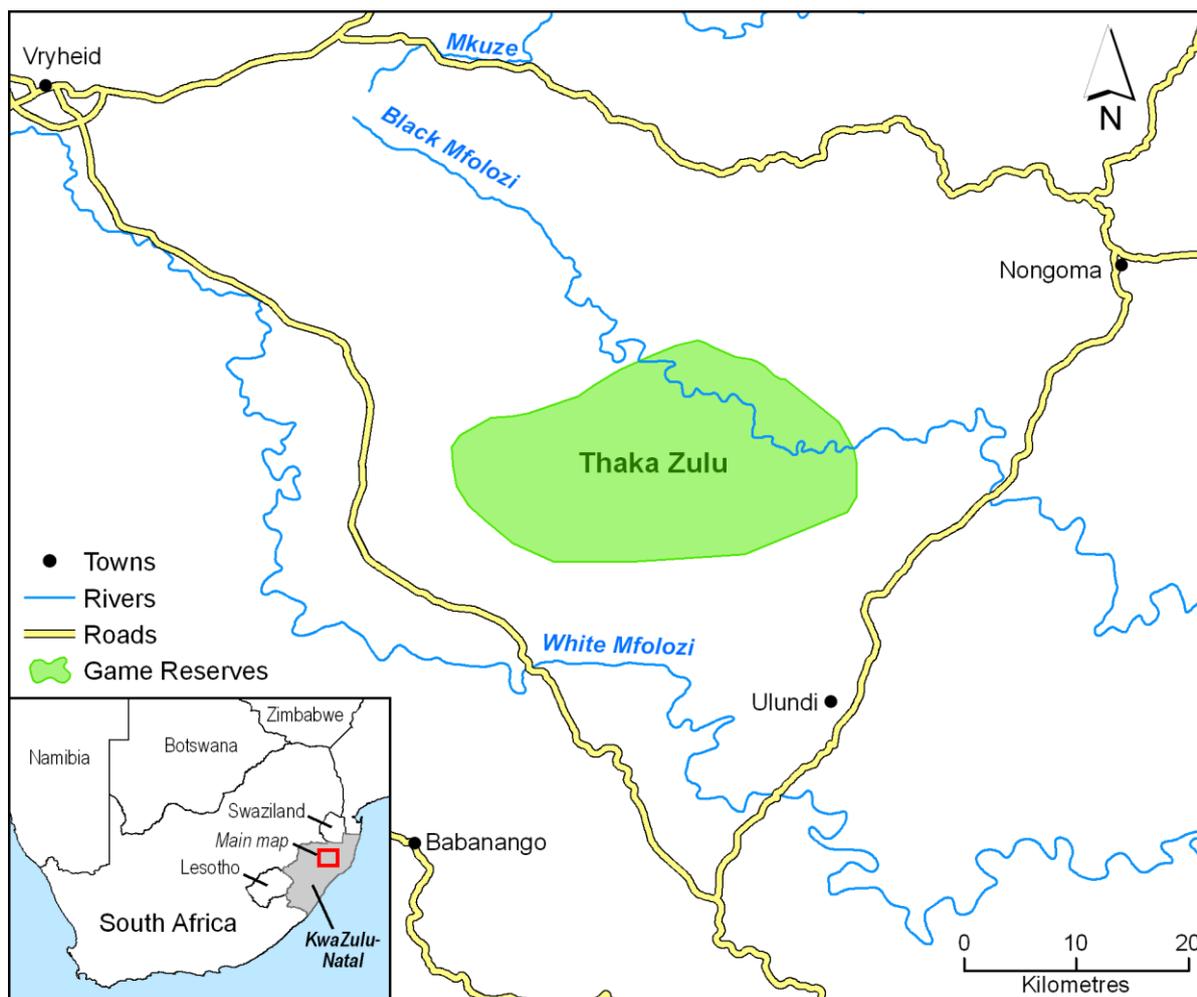
While the incorporation of sense of place into political debates is close to non-existent, in the last decade or so the evaluation of risks related to the socio-economic impacts of relocation has gained prominence. Cernea's (1997) "Risk and Reconstruction Model" for displaced populations has provided policy-makers with a framework within which to assess likely impoverishment impacts, and if possible take preventative or remedial action. In his work developed in the context of large dam construction, Cernea identified eight impoverishment risks for relocated communities, namely landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food insecurity, loss of access to common property resources and social disarticulation. This thesis employs Cernea's framework to examine whether any of these risks have affected the farm dwellers after the relocation.

## **1.2 Rationale and purpose of the study**

There is a significant gap in the literature concerning the implications that a shift from farming practices to private wildlife production has for farm dwellers. State removals of people to make way for formal protected areas have received much scholarly attention. However little has been written on the impacts of private conservation. While many of the same processes may be in play, the relationship between the individual farmer and the relocated community is obviously quite different from that between the state and communities (in the case of removals for formal protected areas). The thesis hopes to make a fresh contribution in this area.

In addition, there has been very little research on farm dwellers' sense of place. This thesis will use the existing literature about place to guide and interpret empirical research on farm dwellers' sense of place, using a case study methodology. This work seeks to increase knowledge about farm dwellers' relations with their land, which in turn may help to empower them when threats of evictions are present. The thesis also explores the centrality that their "home" land has in shaping and maintaining the identity of the farm dwellers. Further, the thesis explores the impacts that a removal has on farm dwellers' social and economic situation. This will increase the knowledge base of relevant actors regarding the consequences that a removal may have on a whole community, and it is hoped that this research will inform better decision-making on the part of the various role-players involved in future land-based dramas such as that recounted here.

The study area of this thesis is in the Vryheid area of north-central KwaZulu-Natal. The farms on which the farm dwellers were residing prior to the establishment of the Thaka Zulu private game reserve lie approximately 60 km outside of the small town of Vryheid. It should be noted that the aim of this thesis is not to try to come up with some universal 'rule' about these issues. The research presented here is based on a specific case study, and while it might be relevant for other farm dweller communities, it is not the aim of this research to provide a general model that can be transferred to other cases.



**Figure 1.1: Map showing location of Thaka Zulu Game Park**

In recent years, globalisation and related economic processes have led both private investors and local governments to develop a politics of entrepreneurialism, where place is seen as an ‘enterprise’ which is ‘selling’ favourable business conditions, jobs or housing, and where the consumers can be transnational companies, capital investors or tourists (Nel, 2001). In the case examined here, private investors have created an enterprise in the form of a game park, which they are trying to sell to tourists. They are further constructing an image of this place which is quite separate from the identification with the place by the local population (the farm dwellers). These are competing geographies. Further, the image construction lacks grounding in the different aspects of the current identity of the place. The result is that conflicts develop between the different actors who have quite different interests in the development of the place.

### **1.3 Aim and objectives**

The overall aim of the study is to *investigate the impact on farm dwellers of relocation from privately owned farmland due to the development of a game farming enterprise.*

In order to fulfil this aim the following objectives were identified:

- To critically investigate how the process of farm dweller relocation due to the game farming enterprise occurred in this case, with particular focus on the actions of the various role players (farmers, state, NGOs).
- To assess the state's ability to protect the interests of farm dwellers in this instance.
- To investigate how farm dwellers attribute value and meaning to the land where they lived, and how the relocation has affected their sense of place and identity.
- To assess the socio-economic impacts of the relocation for the affected farm dwellers.

### **1.4 Outline of Thesis**

This thesis consists of seven chapters. Chapter One, the introduction, describes the background of the study, and introduces the rationale, the aim and objectives of the thesis. Chapter Two, the theoretical framework, describes and discusses concepts and theories in order to help understand the findings of this thesis. The chapter starts with an introduction to the concepts of place and space, followed by a presentation of changing geographical approaches towards space and place. The chapter goes on to discuss the dialectics between landscape and place, after which spatial processes of marginalization are considered. Furthermore, other aspects of place including place attachment and place dependence are discussed. This is followed by a brief presentation of the history of protected areas and the impacts on local communities due to displacement following state conservation initiatives in South Africa. The last part of the chapter deals with the assessment of relocation impacts, focusing on Cernea's (1997) "Risk and Reconstruction Model" for resettling displaced populations.

Chapter Three provides the background to the study. The chapter begins with an introduction to nature conservation and state game parks in South Africa, followed by a discussion on the establishment of private game parks. The next part of the chapter describes the system of labour tenancy, followed by a section dealing with the legislative framework that has affected people living on farms. South Africa's path to democracy is briefly explained with an emphasis on how this change has influenced the land reform program that exists today. The final part of the chapter explores the Extension of Security of Tenure Act and looks at the implications this act has for farm dwellers living in South Africa.

Chapter Four discusses the methodology that was used in this thesis. It begins by outlining the major features of qualitative research, and states the reasons why qualitative research was selected as the main methodology in this study. The next section describes the data collection process, and outlines how and why qualitative interviews, documentary evidence and sampling has been used to gather materials for this thesis. The last part of the chapter explains how the fieldwork material was analysed. The chapter also describes the reflections that were made before entering the field, and it provides information surrounding the textual analysis undertaken.

There are two "results" chapters. Chapter Five focuses on the removal itself. This chapter sets out to achieve two of the objectives of this thesis, namely 'to critically investigate how the process of farm dweller relocation due to the game farming enterprise occurred in this case, with particular focus on the actions of the various role players (farmers, state, NGOs)'; and secondly, 'to assess the state's ability to protect the interests of farm dwellers in this instance'. The chapter investigates the legal disputes that existed prior to the removal and provides an analysis of the entire process.

Chapter Six, focusing on the effects of the relocation, presents the second part of the results of this thesis. This chapter focuses on meeting the last two objectives of this thesis, namely 'to investigate how farm dwellers attribute value and meaning to the land where they lived, and how the relocation has affected their sense of place and identity'; and 'to assess the socio-economic impacts of the relocation for the affected farm dwellers'. The first part draws on Cernea's (1997) 'Risk and Reconstruction Model' to explore the socio-economic

impacts of the relocation. The second part of this chapter explores the impact of the relocation on farm dweller's sense of place and identity.

Chapter Seven, the conclusion, highlights the major findings of this thesis and considers their implications for future research and practice in this field.

## **Chapter 2 – Theoretical Framework**

### **2.1 Introduction**

The aim of this chapter is to provide an overview of the theory that will be used in this thesis. It will commence by providing an insight into the concepts of space and place, a major theme in the discipline of Human Geography. Ongoing academic debates over space and place in the discipline are discussed and the chapter examines some key concepts within the literature on place, such as place-attachment, place dependence and peripatetic sense of place. A further aspect is the concept of landscape and place, and processes of marginalisation within spaces. The second part of the chapter deals with the issues around relocation of communities. This includes a history of protected areas and populations displaced due to conservation, as well as an examination of Cernea’s influential “Risk and Reconstruction Model” for the resettlement of displaced populations. The purpose of this chapter as a whole is to familiarise the reader with the theoretical insights that will lay the foundations for this thesis.

### **2.2 Introducing Space and Place**

Space and place are two of the most central concepts within the field of geography. In spite of their centrality, or perhaps just because of it, space and place are being conceptualised in a range of different ways. This section will briefly go through some of the ways these concepts are being understood in relation to each other, and establish the view that will ground the perspective taken in this thesis.

At first glance, space and place may seem like two straightforward concepts. Most people have an impression of what they are all about. Not only do we hear about the concepts on a daily basis, we also participate in their design by experiencing them, and by interacting in them. Especially in this globalised era that we live in today, these concepts are on everybody’s lips (Massey, 2005). We are fed information about the New York stock exchange, the crisis in Darfur and the Olympics in Beijing. These are both places and spaces.

Tilley (1994) argues that the difference between place and space lies in the way that we interact with and in them. According to Tilley (1994), space is something we experience; we might read about spaces or perhaps we have heard a story from there. *Place* on the other hand is something we give meaning to, and this requires us to become active participants in that particular place (Tilley, 1994).

A map is a good example of an imagined space. Maps can show the topography, climate, resources etc. of an area, and thus convey a sense of space which is removed from human presence. It is easily imagined as being in a 'pristine' or 'pre-humanised' state (Edney, 1999). Looking at Beijing, for example, on a map provides a sense of space. It is not until one has experienced Beijing more intimately that one may give further meaning to the area so that it transforms into a place. In this way, what some people may conceive as a place, other people may simply recognise as a space.

Robert Sack (1980) argues that the conceptualisation of space and place depends on the level of abstraction at which the separation of substance from space occurs. Generally, when people refer to space in any connection, they refer to space as if it was empty (Sack 1980). Thus conceptually they are removing the substance from the space (Sack 1980). During this process, there will be underlying views and values that guide this separation. Robert Sack (1980) describes this process as a continuum where the actors first have a perception of the space. This perception influences the following steps: first a description of space, then an analysis of space, and finally an evaluation of space (Sack 1980). However, the perception itself also depends on the description, analysis and evaluation. Robert Sack (2001) further emphasises the controlled nature of place. Unlike space, place is contained within an identifiable area, which has been "tamed" by humans. Place can be a house, a garden, a region or a country. However, place should not be regarded as a purely physical concept (Holt-Jensen, 1999). On the contrary, place has been conquered by human experiences, values and emotions. Place is a central feature of human lives. It is penetrated with values and is given meaning through its presence.

Massey (2005) challenges the conceptualisation of space as an empty surface, or as filled with 'things'. She proposes a view which looks at space as a result of practises and

processes. This perspective transforms the often assumed static nature of space into an on-going product of interconnections (Massey, 2005). This definition of space also necessarily influences the definition of place. Massey writes that:

“If space is rather simultaneity of stories-so-far, then places are collections of those stories, articulations within the wider power-geometries of space. Their character will be a product of these intersections within that wider setting, and of what is made of them.” (Massey, 2005:130)

Places then, like spaces, are in process (Cresswell, 2004). They are constantly created and creating, shaped and shaping. While space is often conceived of in an abstract form, place is somewhat closer to our personal lives, values and feelings. All living organisms require space as a condition for their very existence (Tuan, 1977). However, while for animals space fulfils a biological need, the situation becomes more complicated when it is related to human beings. For humans, space is “... a psychological need, a social prerequisite, and even a spiritual attribute” (Tuan, 1977:58). In one sense, this psychological definition of space is what transforms space into place. The experience and attachment that people develop towards places is the force that creates human places from empty places.

The humanistic geographer Yi-Fu Tuan (1977) compares space with movement, and visualises that place becomes the ‘pauses’ or the stops along the way. This is reminiscent of Massey’s (2005) quotation above where she likens space to a series of ‘stories-so-far’, where place is seen as the congregation of those stories. Those stories will again differ from person to person. Some people may have listened to one story so many times that they have acquired an intimate knowledge of the place, often because they have learnt and memorised the stories to the point where they attribute a meaning and a value to them that exceeds that of the spoken words (Sack, 1980). Within the discipline of geography, a physical geographer will have heard many similar stories and will adopt a conception of space and place which is in line with his or her discipline. Farm dwellers on the other hand might have an experienced conception of place which they share with the community, and which will be very different from that of the geographer. The farm dweller will incorporate memories and experiences he or she has of the place which will increase the value that is attached to it.

This may be either negative or positive, but it increases the difficulty for outsiders to evaluate the value a place holds for a certain person. Yet this is the task that human geographers aim to undertake.

### **2.3 Changing Geographical Approaches to Space and Place**

Vidal de la Blache's (1903) regional geography was one of the earliest geographic inquiries into the relationship between people and nature (Archer, 2005). De la Blache developed an ideographic form of enquiry where different regions had to be studied independently, and the point of departure was the interplay between people and nature which had developed at that particular place. He rejected the theories that were advocated by environmental determinism, and instead formed the basis for possibilism. While the environmental determinists claimed that human beings were subject to nature, the regional school argued that nature should be seen as a framework for human action (Archer, 2005). Within that framework, human beings were free to choose how they related to and took advantage of nature. This would again enable people to develop different 'genre de vie', or local ways of living, from the interplay between a given nature and the flexible social relations. This relation was also assumed to be the determinant of the identity of the place in question.

Rather than focusing on 'place' per se, the *region* was the central focal point of this theoretical direction (Cresswell, 2004). This mode of analysis would typically begin with identifying the physical components of a region. Through a detailed analysis of the climate, the geology etc., one would end up with the identification of the region's culture. However, contrary to the environmental determinists, culture is here seen as embodying the power to alter the natural environment (Cresswell, 2004). An important component of this regional geography was therefore to study how cultural groups altered their natural environment.

In the 1950s and 1960s, a quantitative approach towards place was developed as a reaction against the regional school (Kitchin & Tate, 2000). Quantitative geography represented a new sort of spatial analysis that built upon the scientific ideal of positivism. It had its roots in the criticism of regional geography which was perceived as too descriptive and without any theoretical or hypothetical basis. Quantitative geography aimed to change this by

introducing a new approach towards geography (Kitchin & Tate, 2000). While the regional geographers focused on nature–society relations, the focus was now on society related issues. To make geography more scientific these geographers introduced a variety of new tools which included statistical techniques, such as probability sampling, analysis of variance and trend surface analysis.

The supporters of quantitative methods drew heavily on logical positivism. Three “beliefs” were introduced that according to them described the triumph over the regional approach: there existed only one true scientific method; science was neutral; and the standards of precision and accuracy operating in the physical sciences offered the only genuinely explanatory framework for the generation of scientific knowledge (Kitchin & Tate, 2000). Place was regarded as a neutral function of distance and localisation. People’s relative localisation in space was emphasised. The new geography was preoccupied with general laws of human and spatial behaviour, rather than individual perspectives on place. Places were regarded as added equational values divorced from their qualities; background noise that disturbed the normative models being developed.

As a reaction against the quantitative turn in geography, Marxist and humanistic approaches developed in the 1970s (Cloke, Philo & Sadler, 1991). The Marxist critique of positivism focused on the separation in quantitative geography between the spatial and the non-spatial; they argued that the study of spatial patterns could not be separated from economic, social and political processes that produced and re-produced these patterns (Cloke, Philo & Sadler, 1991). Marxist geographers criticised what they regarded as a neglect of deeper structural conditions of social existence contained within the spatial scientific agenda. Thus they tried to create an approach that focused on the part structural conditions played in the existence of social inequality and the uneven distribution of power in society. This created an understanding of space that emphasised the structural relations between the objects in this space.

The critics of positivism laid claim to a fundamental difference in approach from the quantitative geographers (Kitchin & Tate 2000). Still, there are certain similarities between these approaches in that they all claim to be able to express reality as it is, even though they

are talking about different realities. The relationship between observer and the observed is understood in the same fashion. To express this differently, epistemologically the critics of positivism are themselves positivistic. Another feature which can be recognized in all three approaches is their constant generalizations (Kitchin & Tate, 2000). All of them tend to take certain facts or assumptions that may be suitable to one place, and apply it everywhere, even though it has not been confirmed that this is possible.

The prime motivation for the humanist account of place was to change people's perception of place as a rigid entity. Humanistic geographers sought to enhance the position of place in the discipline as something subjective; shaped, created and given meaning by human beings. Humanistic geographers see place as fundamental for the existence of people, and their role as geographers to explore what they understand to be an existential relationship between people and places (Cresswell, 2004) While others, like David Harvey (1996) perceive place to be a social construction, some humanistic geographers argue that place has been in existence ahead of these subjective and intersubjective constructions. This does not mean that they reject the notion of places as social constructions: rather, they see places as embodying more than that; the 'social' is not a precondition for place.

Human geographers like Sack and Malpas disagree. For them, place did not exist in any meaningful sense before humans, but at the same time as people were born, place was born as well (Cresswell, 2004). They argue that people will necessarily have to be in place before they create place. Cresswell accepts that place is a necessary social construction, but for him the constructing practices of people is still of secondary importance. People's experiences, identity and attachment to places are seen to be more pertinent issues than the social construction of place.

Clearly the identity of the places is not given, but must be socially constructed (Winchester et al., 2003). In this thesis, place will be looked upon as a social construction. Inherent in this assumption is the idea that people can create places, and thus also change them (Cresswell, 2004). Most importantly, people can construct places through meaning and materiality.

Robert Sack (2001) emphasises the controlled nature of place. Unlike space, place is contained within an identifiable area, which has been “tamed” by humans. Place can be a house, a garden, a region or a country. However, place should not be regarded as a purely physical concept (Holt-Jensen, 1999). On the contrary, place has been conquered by human experiences, values and emotions. Place is a central feature of human lives. It is penetrated with values and is given meaning through its presence. Sack identifies place as a phenomenon which brings together the social, natural and cultural spheres of people’s lives (in Cresswell, 2004). What is featured as space for one person might be another person’s place or neighbourhood once that person has established an intimate relationship with that area (Tuan, 1977).

Yi-Fu Tuan (1991) draws attention to home as the primary place for all people. He looks at the earth as the home of all human beings, and argues that it is through the transformation of the earth to our home that places are created. Thus the creation of places coincides with the creation of ‘homeliness’ (Cresswell, 2004). Home is a place where we have memories and experiences that can be evoked by a simple smell or an item. The extension of home can be the neighbourhood or the village. Here too we have memories from previous experiences that occurred at this particular place. While people themselves might be frail, the land which they live on represents a constant (Tuan, 1977).

The value attached to the homeland is a recurring feature all over the world. Homeland does not necessarily coincide with country, but is “...a region (...) large enough to support a people’s livelihood” (Tuan, 1977:149). The relationship between land and religion is strong in ancient Greek culture, in Indian culture in America and in Zulu culture in South Africa. The earth is the home of people’s ancestors, something which features strongly in Zulu culture. The emotional ties to the homeland vary from culture to culture according to their lifestyle. While nomadic hunter-gatherers may have weaker emotional ties to their homeland, as they do not see themselves as owners of a particular plot, their attachment to land is just as strong as in other cultures (Tuan, 1977). Generally, if a community have strong ties to land, their emotional ties will also be a strong one.

Yi-Fu Tuan's (1977) emphasis on home as a central place in human lives has been criticised by feminist writers (Cresswell, 2004). They claim that the image of home as the primary place is seen from a masculine point of view. On the contrary, for many women home is a site of repression and violence. Gillian Rose (1993) rejects the rosy image of home that features in many humanistic accounts on the basis that many women do not regard their home as a conflict-free zone (in Cresswell, 2004). However, not all feminist writers agree with Rose. Bell hooks (1990) describes home as an empowering place which can act as a place of resistance (in Cresswell, 2004). As a black woman growing up in an oppressive environment, home became a place of freedom from this oppression. Thus for hooks, home really was a primary place where she had the power to define her own identity.

There is a difference between having an intimate knowledge of a place and having a conceptual knowledge of a place (Tuan, 1977). A community living in a village have an intimate knowledge of that place. They are aware of the boundaries of the village, whether or not these may be visibly discernible from the surrounding land. They can distinguish their village from the neighbouring village, and this together with the physical land they live on, contributes to the community's sense of self, their identity (Tuan, 1977). A member of the community may look at the village and see a tree where he used to play when he was a child. He might see a patch of grass where they used to grow vegetables, but which has now been abandoned. An outsider on the other hand, will not have the necessary experience of the place to see the same things. The outsider is equipped with a *conceptual* knowledge of the place (Tuan, 1977). He/she might look at the village and see that it is crowded. If she is an environmental scientist, she is likely to notice whether the soil is eroded or not. If he is a land speculator, he might imagine the future possibilities of the place. An intimate knowledge of a place is something you get once you have lived there, while a conceptual knowledge of a place is something you acquire from experience (Tuan 1977).

Humanistic geographers have been criticised for what is perceived as their essentialist understanding of places. Massey (1994) is one of those who are critical of the belief that places are in possession of a unique identity which can be found. However, Entrikin (1991) argues that this is a widespread misunderstanding. On the contrary, humanistic geographers are preoccupied with the subject's unique experience of places and the meaning that they

attach to these experiences. Thus, the unique becomes a function of the quality of the experiences, rather than what the places essentially *are* (Entrikin, 1991). In this way, human geographers interested in place are not trying to find the essence of the place, but they aim to understand the essence in the individual's place experiences.

Lately, there has been a discussion of whether place as a concept is still relevant (Escobar, 2001). The diminishing national border caused by an increase in migration, refugees and leisure and business travelling has resulted in a re-focusing on space as a determinant for features like culture, power and identity. Global processes of mobility have led to a spatialisation of place, where the latter has come to be defined in relation to concept of 'placelessness' (Escobar, 2001). On the other side, this can happen at the expense of 'placeness'. The mobility that many people express today has become so commonplace, that it is easy to forget how stationary people used to be. However, the attachment that most people still have to where they were born or grew up is still there (Escobar, 2001).

## **2.4 Landscape and Place**

Landscape as a term is imprecise and may refer to a number of different concepts. It has been associated with concepts like regions, habitats and 'locale', and its etymological meaning varies between the languages (Lundberg, 2006). In the French tradition, the country is divided up into several areas or regions (*pays*). As already noted, Vidal de la Blache developed a regional geography where nature and culture were regarded as one: the landscape (*paysage*) (Lundberg, 2006). In German too, the word *Landshaft* is closely linked to regions. However, contrary to the French *pays* and *paysage*, *Land* in German cannot be defined as a parallel spatial expression of *Landshaft*. But *Landshaft* is a much wider concept which can be significant in the formation of political, personal and place identity (Olwig, 1996). The old English word *landscipe* referred to an area which were owned by a lord or occupied by a group of people. The modern word *landscape* was influenced by Dutch *landschap* painters and signified paintings or scenery, in particular rural scenes (Lundberg, 2006).

Today in geography, the concept of landscape incorporates traits associated with “place”, the interaction between society and nature, and the character of certain environments (Lundberg, 2006). Thus, the idea of landscape is directly linked to several of the basic concepts and established research themes in the discipline. Carl Sauer wrote *The Morphology of Landscape* in 1925, and it quickly became an influential book within the geography of landscape. Sauer argued that landscape should be a central theme within geography, and he visualised an approach towards the concept that was separated into several steps. An important aspect of this model was the differentiation between nature and culture. Humans were the driving force that transformed nature into culture, and Sauer suggested that it was important to identify the processes of change within this conversion. He wrote the book partly as a critique of environmental determinism, and he wanted to underline the impact that people have upon the transformation of nature.

Sauer (1925) visualised a model where the focus is on how the cultural landscape is a result of four variables that are working in time: A *culture* is working over *time*, and is transforming the *natural* landscape as a medium, resulting in a set of structural conditions: settlement, population, production, communication in addition to other relevant factors (In Lundberg, 2006). Those factors which influence each other can then be read in the cultural landscape in different stages in history, as well as how it is today.

Hartshorne (1939) critiqued Sauer’s (1925) emphasis on the importance of landscape studies (In Lundberg, 2006). In Hartshorne’s view, the concept itself was too vague, out of reach and weak on theory. Further, he argued that it was too shallow, ignoring underlying processes which should be given more attention. Hartshorne argued instead for a ‘science of space’ which should incorporate regions which he thought were mentally constructed (Lundberg, 2006). There has been a general critique against Sauer’s (1925) emphasis on history and time in research on the landscape. Contemporary writers such as Duncan & Ley (1993) and Jackson (1989) have come down hard on *The Morphology of Landscape*. However, Sauer (1925) did change some of his statements in this book. Among others, he later increased the emphasis on the social transformation of landscape. He underlined cultural patterns, which had to be explored through custom, tradition and cultural innovation (Lundberg, 2006). This

has been adopted by geographers like Jones (1988) and Olwig (1997) and has been central in geographic approaches towards landscape.

Today, there is an important divide between geographic and ecological approaches towards landscape. The first discipline is concerned to emphasise how different representations of the cultural landscape are social and cultural constructions which are understood by specific groups of people through their feelings, knowledge and preferences (Lundberg, 2006). The latter discipline is interested in revealing and understanding ecological processes and patterns, and how people affect biodiversity, the ecosystem and the cultural landscape. It is possible to think about the landscape as an expression of the interaction between humans and nature. If the landscape acts as a mirror which reflects phenomena and processes that occur in different spheres, it could be used as a tool to understand both intentional and non-intentional consequences of human actions and to understand the interaction between humans and nature (Lundberg, 2006).

An increasing emphasis on the cultural and social dimensions of landscape is evident in contemporary human geography. This is tied up to the “nature of place”, understood as the result of interactions between people and environment. Furthermore, there is a recognition that invisible as well as visible cultural expressions in the landscape are of importance. The study of landscape does therefore include the interpretation of linguistic and non-material phenomena, such as ideas, values, knowledge and interpretations of place names (Bastian & Steinhardt, 2003).

Because there are so many different ideas about what constitutes landscape, it is important to distinguish between these. As a starting point, it is useful to distinguish between landscape and place. Places are considered in this thesis as comprising more than landscape. Places incorporate people, their social relations and people’s sense of place (Winchester et al., 2003). Figure 2.1 lists ten different perceptions that people might have, looking at the same landscape. Although this list is not meant to be exhaustive, it is useful in distinguishing between the different ways we might look at one and the same landscape. In terms of the case study of farm dwellers, their land may be identified by themselves as a place, or a landscape as locality, sense of home and place (Meinig, 1979 in Winchester et al., 2003). In a

similar manner, the farm owners may identify it as a landscape of wealth and as a potential resource that will be realised once it is converted into a game park. This thesis focuses on the landscape as a place.

**Table 2.1 Perceptions of Landscape**

<b>Landscape</b>	
<b>Nature</b>	The landscape in its pristine or underlying condition
<b>Habitat</b>	Reworked nature, fashioned into the home of humankind
<b>Artefact</b>	Landscape as bearing the mark of culture
<b>System</b>	Landscape as stage for biophysical cycles and social systems
<b>Problem</b>	Landscapes needing correction; remediation or investment
<b>Wealth</b>	Landscape as a resource or commodity
<b>Ideology</b>	Landscape as repository of aspiration, nationalist ideals
<b>History</b>	Landscape as the cumulative record of the culture
<b>Place</b>	Landscape as locality, sense of home and place
<b>Aesthetic</b>	Landscape as subject matter for artistic representation

Source: Meinig, 1979 in Winchester et al., 2003:28)

Audhild Schanche (1995) suggests another classification of landscape perceptions. She claims that the life world of ‘native’ or ‘fourth world’ people differ in many ways from that of ‘modern’ people, and thus their way of interpreting the landscape will generate different results. While the farm dwellers in this thesis are not classified as ‘fourth world’ people as such, it is expected that there will be similarities to other indigenous groups in the way that they interpret the world.

Schanche (1995) classifies the landscape into four different levels of meaning; the historical, the magical (or religious), the mythical and the political. She argues that the religious and magical landscape is bringing the natural and the cultural landscape together. The magical landscape represents religiously connected features like burial places and places that are considered sacred. Thus, the cultural value that is inscribed into the landscape does not necessarily have to be visible traces that people have left there. On the contrary, it is often the other way around, that nature has left visible traces into the cultural sphere (Schanche, 1995). In other words, Schanche argues that there is reciprocity between people and nature, where they both influence and are influenced by each other.

For people like those described in this thesis, the magical landscape is a feature in their lifeworld. For example, burial places play a significant role in their life, and can as such be categorised as part of their magical landscape. A burial place is not simply a remnant of the dead, it is a manifestation of their ancestor's life, and some of this life still belongs to the landscape. The attachment that such people have to the land where their ancestors are buried is therefore linked to a mythical context of continuity (Abrahamson, 2000, Hui & Yeoh, 2002). The past is manifest in the present.

The above categorisation of landscape is not meant to be absolute or exhaustive. Schanche (1995) emphasises that hers is a highly abstract categorisation and interpretation which is creating a superficial division between the everyday life and the religious life of the subjects. The advantage of a categorisation like this is that it has a greater potential to unveil parts of the understanding of the natural and cultural landscape that traditional historical or landscape analysis might overlook (Schanche, 1995). In the case of this research, this perspective suggests that farm dwellers' landscape values must be understood with reference to their horizon of ideas and meanings, and there is a greater scope of realising this when the landscape is categorised according to their life world. It is also helpful in the realisation that the farm dwellers' cultural values are not necessarily manifested through visible traces in the landscape (Schanche, 1995). Moreover, it emphasises how different land relations are culturally imagined and practically understood (Abrahamsen, 2000). Outsiders cannot see the land in the same way as farm dwellers see it, and the subsequent 'cultural blindness' (Cohen, 1993) can have destructive consequences for people like these). In cases

where such communities are forcibly removed from their land, they are not only removed from their material resources; the removal from their symbolic resources is often more of a loss for them.

## **2.5 Spatial Processes of Marginalisation**

Whenever there are people in places, there will almost always be a number of unwritten rules or norms that those people follow. These norms may prescribe what to wear or how to conduct oneself. Further, people will have an idea about who or what belongs in one place, but not in another. Cresswell (1996) implies that these norms are the origin of sayings like “know your place” and “she was put in her place”. People who do not abide by these rules - for instance swearing in church or singing in a lecture - are considered to be out of place. In a similar manner, there are things and practices that are considered to be *in* place. It is the social environments that symbolise to the individuals or the collective how they should behave through values and norms (Cresswell, 1996). There are actions considered appropriate ways to behave in specific places and this is visible through a silent knowledge of values and norms (Cresswell, 1996).

These are socially constructed borders which it is out of place to cross. Cresswell (1996) argues that these norms should be seen as expectations; it is not necessarily the person who crosses the border who intends to be out of line. Rather, it is the spectators that hold certain expectations about what is ‘in place’ for the position the person holds in the social hierarchy. This position then is the determinant for what we can do where. In this way, it is people who ascribe meaning to places, and it is the way people read and interpret places and their moral codes that determines this meaning (Cresswell, 1996). If it is considered as out of place to swear in church, this is so because the codes and values tell people that this is not a socially accepted way to behave in this place. Thus, when we experience that something is inappropriate, we will take action according to the meaning that lies in the way the place is structured.

To summarise, what we are doing and where we are doing it have implications for the extent to which our behaviour is considered as appropriate (in place) or inappropriate (out of

place). Cresswell (1996) uses the example of graffiti artists who practised their graffiti on the streets of New York. This was seen as an intrusion of public and private space, and the artists were subsequently judged as being out of place. However, acclaimed artists who had appropriated a space at an art gallery and showcased the same form of art experienced a whole different attitude. As they had moved into another space – the art gallery – their behaviour was at once accepted as being in place (Cresswell, 1996). The graffiti art was now being restricted and controlled. This is a good example of how the *where* matters.

With respect to landscapes, there is no single definition of what constitutes a marginal landscape. However a general feature is that such landscapes are inhabited by people who are removed from the system of power (Winchester et al., 2003). Thus, marginal landscapes are defined with reference to social groups rather than the landscape itself. Winchester et al. (2003) argue that nonetheless the processes of marginalisation are still relevant to the landscape that the people in question occupy.

Marginal places can refer to a separation between countries, as exemplified by the notions of the 'North' and the 'South', the 'First World' and the 'Third World', the 'developed' countries and the 'developing' countries and 'centre' and 'periphery' (Winchester et al., 2003). Marginal places can also be an internal division within countries, where the centre and periphery refers to differences between rich areas and poorer areas within the country. The reasons for this marginalisation of certain areas are multifaceted and contested. The explanations range from governmental mismanagement to an unfair international economic system.

As a marginalised group, farm dwellers inhabit a marginal landscape (AFRA, 2005). The exclusion and oppression of the farm dwellers also extends to the landscapes they occupy. Iris Young (1990 in Winchester et al., 2003) has developed a categorisation of the different forms of oppression that occur in marginal landscapes, namely exploitation, marginalisation, powerlessness, cultural imperialism and violence. In the case of this thesis, the marginalisation of farm dwellers is in a large part a heritage from apartheid, but the present social order has reinforced many of the categories that Young outlined. England (in Barnes & Gregory, 1997) writes that marginal groups almost always face stronger opposition when

they claim a territory than more privileged groups do. As explained in Chapter Three, farm dwellers often do not work anymore or are not needed for labour purposes on the farm on which they live, and therefore are often not seen as legitimate farm dwellers any longer. Thus, they are seen as non-conforming with the landscape they occupy (Winchester et al., 2003).

## **2.6 Other Aspects of Place**

The following concepts are all being debated within the literature on place and space. They are also important in order to understand the impact on the farm dwellers caused by the relocation that is studied in this thesis.

### **2.6.1 Place Attachment**

Richard Stedman defines place attachment as “a positive emotional bond that develops between people and their environment” (Stedman, 2003:672). Another definition is “the emotional link formed by an individual to a physical site that has been given meaning through interaction” (Milligan, 1998:2). Yi-Fu Tuan has developed a similar definition of place attachment, however, he emphasises the importance of time and experience in the creation of a strong relationship to a place. Tuan claims that the longer a person has lived in a specific place, the more he or she will get an intimate knowledge of it. This intimate knowledge will again provide people with a feeling of rootedness which penetrates their relationship with the place, and makes them comfortable and provides them with a feeling of safety. Knowledge and experience of a place takes time, but will generate a continuation of stories. Some of these stories will produce legends, which again produces local history. This project of localness runs as a self-reinforcing circle which allows people to feel at home in a place. Thus, Tuan’s argument is that the longer you live in a place, the more stories you will have to connect you to it. Your childhood memories, your ability to remember smells and feeling that occurred in that place are strong motivators to create a place attachment.

Altman and Low (1992) argue that place attachment impacts on the behaviours and actions that people display in place. Places provide people with a range of opportunities, including control, creativity, privacy and safety. Further they argue that once people have acquired a

place attachment that provide them with the above mentioned issues, they become comfortable enough to extend their sphere of actions. Altman and Low (1992 in Kyle et al., 2004) go on to point out three different constituents of place attachment, namely affect, cognition and practice. These constituent denotes the emotional attachment that people have developed towards a place, the thoughts, beliefs and knowledge they have of this place, and the behaviours and activities which they display in the place.

Thuen (2003) also argues that place-attachment should be considered as a dual concept. On the one hand, it represents home, or home place. On the other hand, it represents a meeting place. In other words, place-attachment can be interpreted as a symbol and/or as a space of actions. Thus, while farm dwellers may represent a view of their land as a symbol, the land owners may regard the land as a space of actions. As the land then acts as a symbol for the farm dwellers, it would follow that the actors within this space should be the farm dwellers. However, the land owner may represent the opposite view, that the land represents a meeting place. It is a space of actions where national and international tourists should meet and cooperate.

### **2.6.2 Place Dependence**

Place dependence will often, but not always, follow from place attachment. Place dependence can be defined as the act of “valuing a particular setting for a certain activity” (Moore & Graefe, 2004, quoted in Bott et al., 2003:105). People become attached to places through their usage of the place in question. How well the place serves the need of the people becomes the determinant of whether place dependence is perceived in a positive or negative manner (Jorgensen & Stedman, 2001).

### **2.6.3 Peripatetic Sense of Place**

Paul C. Adams (2001) has developed the term ‘peripatic sense of place’, which refers to an attachment to a place gained through the art of walking. Adams argues that people will obtain a stronger attachment to a place the more they physically move inside it. According to this theory, walking through a landscape will enable us to discover the place in a fuller way than if we were to drive through it. It releases the opportunities to really use ones

senses; smelling the surroundings, looking at it, hearing the birds and touching the branches (Adams, 2001). Rather than driving past a range of objects, these objects – trees, hills, houses – transform into a complex of associations that creates and increases one’s relationship with the landscape.

## **2.7 A Brief History of Protected Areas and Impacts on Local Communities**

In Africa, the establishment of protected areas was linked to the British aristocracy’s interest in hunting. Neumann (1995) argues that hunting in Africa was supported by the British aristocracy as a way to maintain their political power in this part of the world. Hunting became an exclusive hobby reserved for the elite. The political and economic power of the aristocracy in England was threatened by the incorporation of previously marginalised groups into the political life. This coincided with a withdrawal of many of their privileges, and as a consequence, the aristocracy witnessed a dramatic decrease in their economic assets. Neumann (1995) shows how this again threatened their fundamental existence, as they had formed their identity around their elevation over the rest of society. Africa then became a potential location for the maintenance of the elite as a powerful group. The identity of the elite was entrenched within the activity of hunting.

In 1903, the Society for the Preservation of the Wild Fauna of the Empire (SPFE) was formed as a means to save the wild animals of Africa (Neumann, 1995). The SPFE argued that the wildlife of Africa needed to be protected, and claimed that the best way to go about this was by establishing a series of national parks. Hunting within these parks would be severely restricted, ie basically reserved for the English elite. The SPFE created an image of African wildlife as being threatened, not by European hunters, but by African “poachers”. This rhetoric had a powerful influence on the period’s hunting ethics. Through discourse, they managed to redefine African hunters into poachers, an image which became prominent in discourses concerned with animals and nature conservation (Murombedzi, 2003).

MacKenzie (1991, in Murombedzi, 2003) argues that this definition coincided with a general segregation of Africans from the white population. He claims that “...it should be remembered that racial segregation was preceded by efforts to separate animal habitat

from human settlement... the only hope for survival of game – and for the ‘civilization’ of Africans – lay in the provision of separate territories where it would be protected.” (Mackenzie 1991, in Murombedzi, 2003:6). After segregating Africans from the white population and the game, elite hunting became a reality in remote regions or in controlled areas. The result was inevitably that Africans who broke these policies and continued to hunt were charged as poachers. The white population in Africa had the power to identify and separate hunters from poachers, a view which still to a certain degree is present today.

Reserves were established on a pretext of protecting the diminishing African wildlife and to preserve the ‘pristine’ wilderness which had been lost in Europe (Neumann, 1998). Inherent in the view of a ‘pristine’ nature is the conceptual separation of people and nature. African ‘wilderness’ was portrayed as a garden of Eden which was untouched by people. Murombedzi (2003) argues that the sense of superiority that the colonialists expressed towards African wildlife is linked with the uncoupling of the cultural and the social from nature. Bernard Grzimek who was a driving force behind the creation of Serengeti National Park argued that: “A national park must remain a primordial wilderness to be effective. No men, not even native ones, should live inside their borders” (Adams & McShane, 1992:xvi).

When state conservation areas were established, the original occupiers of the land had no rights or means to defend themselves from being evicted. Conservation was imposed on them and removed them from their livelihood and their cultural landscape. A typical example where the local population had to be forcibly relocated for the sake of nature occurred in the Mkomazi Reserve in the north-east of Tanzania, created in 1951 (Brockington, 2002). The reserve contained elephants among other animals. There were also a significant number of cattle grazing inside the borders of the reserve, as well as a few settlements. As recently as 1986, the Wildlife Division claimed that the cattle was not part of the indigenous fauna and had to be removed. As a consequence, the settlements had to move with the cattle. However, according to Brockington (2002) the perceived damaging effects of the cattle are not self-evident. Brockington cites a scientist who argued that “the disturbance caused by grazing and burning does not necessarily cause damage; it is more likely to result in disturbances that foster biodiversity. Livestock do not necessarily exclude wildlife, rather the greatest concentrations of wildlife in East Africa depend on pastures

grazed with livestock". Brockington (2002) and other scholars have argued that the effort of 'saving' African nature from these 'intruders' is a misguided and misinformed attempt at nature conservation.

As evidence of relocations like the ones in the Mkomazi Reserve kept appearing, the international environmental field were forced to come up with alternative conservation strategies. In 1979 UNESCO held a conference aimed at changing conservationists' attitude towards local populations that lived next to nature reserves. UNESCO introduced the concept of biosphere reserves where the needs of the local populations played a central role when establishing nature reserves. Socio-economic development was coupled with conservation in a way that was very similar to the concept of sustainable development. In 1987, sustainable development was firmly put on the agenda by the World Commission for Environment and Development. The World Commission wrote a report named "Our Common Future" where 'sustainable development' became a political goal internationally. The concept became popular within the environmental and developmental circles (Shanmugaratnam, 1992). The World Commission was looking at the connection between environmental and developmental problems. It was argued that poverty in itself caused environmental degradation.

With the introduction of sustainable development into the discourse surrounding both national and private parks, the hegemony of the previous "fortress conservation" paradigm was broken (Agder et al., 2001). As it was no longer legitimate to discriminate against less resourced groups, the well-being of local populations was put on the agenda. Governments, nature organisations and external donors were increasingly cooperating and talks about win-win situations were encouraged. The local population were now supposed to participate in the preservation of the environment surrounding them, and would share the benefits generated from this preservation (Agder et al., 2001). In this manner the preservation of nature was promoted as the best alternative for both the local population and the environment since both parties seemingly benefited from it.

Another significant concept is that of 'community-based conservation'. There are many different types of community-based conservation, but a common determinant is that

conservation is emphasised as a means to accomplish both protection of the environment and poverty eradication. Community-based conservation has however been criticised from many different angles. There have been claims that community-based conservation has not been able to reach the two goals simultaneously (Adams et al., 2004), that the conservation field has been “hijacked” by the development field (Sanderson, 2005), that the concept only entails semantic changes (Büscher & Wande, 2007), and that it is a means to increase the total area that is under formal conservation (Brown, 2002).

Table 2.2 shows the IUCN model in which different types of protected areas were categorised and graded (IUCN, 1994).

The category system by the IUCN has also been criticised. Brockington et al. (2008:23) argue that “the category system’s success in expanding perceptions of what ‘parks’ and protection mean has just added to the power of the idea of protected areas”.

Table 2.2 IUCN Categorisation of Protected Areas

<p><b>Category 1a</b></p> <p>Definition:</p>	<p><b>Strict Nature Reserve: protected area managed mainly for science</b></p> <p>Area of land and/or sea possessing some outstanding or representative ecosystems, geological or physiological features and/or species, available primarily for scientific research and/or environmental monitoring.</p>
<p><b>Category 1b</b></p> <p>Definition:</p>	<p><b>Wilderness Area: protected area managed mainly for wilderness protection</b></p> <p>Large area of unmodified or slightly modified land, and/or sea, retaining its natural character and influence, without permanent or significant habitation, which is protected and managed so as to preserve its natural condition.</p>
<p><b>Category II</b></p> <p>Definition:</p>	<p><b>National Park: protected area managed mainly for ecosystem protection and recreation</b></p> <p>Natural area of land and/or sea, designated to (a) protect the ecological integrity of one or more ecosystems for present and future generations, (b) exclude exploitation or occupation inimical to the purposes of designation of the area and (c) provide a foundation for spiritual, scientific, educational, recreational and visitor opportunities, all of which must be environmentally and culturally compatible.</p>
<p><b>Category III</b></p> <p>Definition:</p>	<p><b>Natural Monument: protected area managed mainly for conservation of specific natural features</b></p> <p>Area containing one, or more, specific natural or natural/cultural feature which is of outstanding or unique value because of its inherent rarity, representative or aesthetic qualities or cultural significance.</p>
<p><b>Category IV</b></p> <p>Definition:</p>	<p><b>Habitat/Species Management Area: protected area managed mainly for conservation through management intervention</b></p> <p>Area of land and/or sea subject to active intervention for management purposes so as to ensure the maintenance of habitats and/or to meet the requirements of specific species.</p>
<p><b>Category V</b></p> <p>Definition:</p>	<p><b>Protected Landscape/Seascape: protected area managed mainly for landscape/seascape conservation and recreation</b></p> <p>Area of land, with coast and sea as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity. Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance and evolution of such an area.</p>
<p><b>Category VI</b></p> <p>Definition:</p>	<p><b>Managed Resource Protected Area: protected area managed mainly for the sustainable use of natural ecosystems</b></p> <p>Area containing predominantly unmodified natural systems, managed to ensure long term protection and maintenance of biological diversity, while providing at the same time a sustainable flow of natural products and services to meet community needs.</p>

Source: IUCN,1994 [http://www.unep-wcmc.org/protected\\_areas/categories/index.html](http://www.unep-wcmc.org/protected_areas/categories/index.html), 19/12-2008

While the interests of the local population have become a focus area in many of the modern ecological discourses, population displacement is still a concern in relation to protected areas (Adams & Hutton, 2007). West et al. (2006) claim that governments and NGOs who support the existence and establishment of protected areas frequently deny that population displacements are occurring. The fact that there are often no records to provide an accurate estimate on how many people have been displaced from protected areas, makes it difficult to prove that it is happening on a big scale and should be of concern. The lack of knowledge has also been cited as a reason why displacements and relocations are not a strong focus point when new protected areas are being established (West et al., 2006). In recent years there has however been an increase in publications which shed some light on the connection between conservation and displacement. It is useful to notice that the definition of displacement has widened to include the loss of access to an area, and that it does not only signify the physical removal from an area. The World Bank exemplifies this by including “The involuntary taking of land resulting in ... loss of income sources or means of livelihood, whether or not the affected persons must move to another location” (Cernea & Schmidt-Soltau, 2006:1810). Following this definition, tens of millions people have been displaced in the name of conservation (Brockington et al., 2008, West & Brockington, 2006).

The establishment of protected areas in developing countries has been widely criticised from various perspectives (Brown, 2002). It has been argued that this kind of conservation has a detrimental effect on the population who live in or in close proximity to the parks. These critics claim that the removal of people from parks has a serious consequence on their livelihood. Access to natural resources is taken away from them, and as a consequence they are worse off economically. On the other hand, there are those who defend the existence of nature parks and back this statement up. A common argument is that conservation of nature contributes to the fight for poverty eradication.

While the debates around nature conservation has moved from the traditional 'fortress conservation' to the more inclusive sustainable development idea, there has been little change in the image of African wilderness. Tourist information focuses on the Edenic and untouched nature that Africa presents, and the various parks, national and private, tempt potential tourists with images of innocent nature that is free from human habitation

(Nelson, 2002). This thesis is concerned with the phenomenon of private parks and associated relocation. While state protected areas do receive critical attention from scholars, the impacts of private conservation are often at a smaller scale (individual or groups of farms converted to conservation), and research on this topic in South Africa is still in its infancy. The thesis hopes to give a better idea of the processes and impacts of associated removals in this context.

### **2.7.1 Conservation Displacements by the State in South Africa**

In South Africa, the establishment of protected areas started in the late nineteenth century. It was driven partly by the realisation of a dwindling stock of wildlife as a result of unsustainable hunting practices. The eviction of Africans from protected areas did however occur over a period of time (Carruthers, 1995). In the Sabi Game Reserve, at first Africans were hired to patrol the reserve to prevent poaching from happening. In return they were allowed to remain inside the borders of the park and continue with their agricultural activities (Carruthers, 1995). This soon changed, and a number of evictions from the Kruger National Park took place during the twentieth century. Brooks (2005) documents removals from the Umfolozi and Hluhluwe provincial game reserves in Natal in the 1940s.

After the apartheid government came to power in 1948, discrimination and racism became re-enforced and soon penetrated the whole society (Wu & Turner, 2004). Institutions and organizations such as the National Parks Board (which had come into existence in 1926) were increasingly politicised. Most of the white male board members had links to Afrikaner nationalist ideologies and ties to the nationalist government. Entry to the parks for the black population was severely restricted. The national parks were established by the white population for the white population and developed their own system of 'conservation apartheid' (Wu & Turner, 2004).

Overall, protected areas in South Africa have been characterised by exclusion of the local population and a corresponding inclusion of wealthy tourists. Conservation practices became a continuation of apartheid policies which demanded a strict separation between the black and the white population (Picard, 2003). The black population was pictured as a

threat towards the values that the colonial and later apartheid regimes wanted to preserve. Already marginalised groups were living in places that represented the European idea of wilderness. They had to be removed and kept away from the landscapes which the societies themselves had shaped through generations. For the local population, protected areas became associated with negative images of conflict and abuse (Hutton et al., 2005).

After the first democratic elections in 1994, a new national parks board was installed. The government was faced with the challenge of fighting poverty, ensuring that the whole population had access to natural and economic resources, promoting economic growth and protecting the environment. In addition, the protection of the environment has become a global concern which gives the South African government a global responsibility to implement laws and policies that will address environmental concerns. South Africa thus developed a National Environmental Management Act (RSA, 1998) and a Biodiversity Act (RSA, 2004). As a result, South Africa has increased the area of land under formal protection by more than 457000 hectares since 1994 (DEAT, 2003).

Still, the conservation practices featuring in today's South Africa are strongly reminiscent of the old colonial ideas of the concept (Carruthers, 1995). Even though South Africa has committed itself to address the discriminatory legacy of its national parks, injustices are still happening. While the country has implemented several community-based conservation programmes, there are disputes as to how these programmes are performing (Benjaminsen et al., 2008). Studies have for example been done on the Namaqua National Park which was opened in January 2002. The park was a result of cooperation between the World Wildlife Fund (WWF), the South African government and a few personal contributions like a donation from the businessman Anton Rupert (Benjaminsen et al., 2006, Benjaminsen et al., 2008). As in the rest of South Africa, land is a scarce resource in this area. The national park thus had to compete with potential land-reform beneficiaries in the bid for land. Unfortunately for the landless communities, the economic power of the WWF out-competed that of the Department of Land Affairs.

Namaqualand is a biodiversity hotspot (Benjaminsen et al., 2006, Benjaminsen et al., 2008). During spring, the park is attracting tourists with its spectacular scenery of flowering plants.

Interestingly, this flora is dependent on so-called degraded land to flourish (that is, land which has been tilled or grazed). Namaqualand National Park is therefore far from the popular attraction of African 'wilderness', but rather a result of human intervention. The land which now forms the national park was previously owned by white farmers and the mining company De Beers (Benjaminsen et al., 2006, Benjaminsen et al., 2008). The landscape has been formed by the sheep that were owned by the workers, together with sheep the company held to feed the miners. After the park was established all the Africans who lived inside the borders were evicted together with their sheep. However, the park management is regularly tilling the land to provide good conditions for the flowers. The conditions for the local population are scarcely better than under apartheid. In the new democratic South Africa they are being subjugated through conservation where they previously were subjugated through politics (Benjaminsen et al., 2006, Benjaminsen et al., 2008). Ironically, the park is promoting itself as community-based: one of its "empowerment" projects involved letting the local population erect the fences which separated them from the resources inside the park.

Adams & Hutton (2004) argues that conservation areas and national parks do not generate any real benefits for the poorer strata of local populations. In cases where parks are profitable, these profits usually benefit the tourists who can afford to visit the park, and employees of the park authority. "The creation of PAs generates a stream of legal and illegal benefits but both tend to reproduce existing economic inequalities within local communities and wider society" (Adams & Hutton, 2007:161). Conservation areas and national parks thus tend to be fundamentally unjust. Poor communities pay the price for the existence of the parks; they are the ones who have to relocate and who lose access to natural and cultural resources. The wealthier people win the opportunity to visit the parks and to recreate the image of African 'wilderness'.

## **2.8 Assessing Relocation Impacts: Cernea's "Risk and Reconstruction Model" for Resettling Displaced Populations**

This thesis is fundamentally concerned with issues around the experience of relocation. While the qualitative impacts of the loss of home are difficult to measure, scholars have worked on creating a framework for the objective measurement of resettlement risks. The

work of Cernea (1997) has been influential in this regard. Cernea developed the “risk and reconstruction” model for resettling displaced populations, in an attempt to create a framework from which to address issues faced by resettled communities after removals due to development projects of various sorts. The model is based on Cernea’s personal research in addition to the literature, and identifies a number of impoverishment risks that he argues are likely to be most prominent during a resettlement process.

“Risks” are here defined as “the potential that a certain course of action will trigger future injurious effects – losses and destruction” (Giddens, 1990 in Cernea, 1997:1571). The rationale behind the model is to introduce what Cernea calls a “socially responsible resettlement”. He claims that when a resettlement scheme is unavoidable, the people who approve the program have to administer the resettlement process according to an “equity compass”. This translates into a planned approach where the “rehabilitation” process of the displaced population is given as much attention as the displacement itself. Cernea (1997:1572-1575) has identified eight major impoverishment risks; Landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food insecurity, loss of access to common property and finally social disarticulation.

**Landlessness.** The displacement of communities has become a normal occurrence, especially in developing countries (Cernea, 1997). Development projects – including, in the case of this thesis, the development of a private game reserve - calls for the relocation of populations that lose their “right to stay” in favour of the project’s “right of way”. In some cases, displaced populations do not get compensated at all. In the cases where they are compensated with alternative land, this land will more often than not fail to fully compensate for their loss. This results in the loss of both natural and man-made capital (Cernea, 2007).

The loss of land in agricultural societies has a range of negative consequences for the people who are occupying it. While landlessness refers both to land for housing and for production, it is generally the last category which causes most damage. The loss of land is detrimental both in the economic, cultural and social way of life of the inhabitants. Cernea (1999) claims that the loss of land is the most serious consequence of a relocation. In addition to the direct

loss of land, landlessness can also create a feeling of political disempowerment among the displaced population. The creation of political disempowerment happens when the authorities fail to support the displaced population's right to land.

**Joblessness.** More often than not the displaced communities do not reap any profits from the development project that displaced them (Cernea, 1997). In urban areas, displaced populations are at risk of losing jobs primarily in the industry or in the service sector. In rural areas people will primarily lose employment in the agricultural sector. This refers both to wage employment on other people's land, and to self-employment. In some instances, the displaced population may be offered training in alternative occupations. Re-training does not however provide the insurance of getting a job. Rather it creates skills which may or may not lead the person to find employment. Both unemployment and underemployment cause economic and psychological stress. The loss of employment is usually not compensated after a relocation. In addition it may be difficult to assess the scope of the problem. The full magnitude of the problem will often become evident after a time delay. This is because some members of the displaced population may be hired temporarily to work on the project which displaced them.

**Homelessness.** Displaced populations might experience temporary or permanent homelessness. In some instances the families are compensated for an assessed value of their home rather than the replacement value. This exacerbates the risk of long-term homelessness.

The loss of a home may have greater implications than losing a place to sleep; it also signifies the loss of a family's cultural space and may result in a feeling of 'placelessness' as discussed in the first section of this chapter. This non-physical dimension of homelessness is often ignored. The loss of the cultural space of a group may again lead to a feeling of alienation and to cultural impoverishment.

**Marginalisation.** Social and economic marginalisation occurs when relocated populations experience a loss of economic power and a drop in social status. While the displaced population does not always become landless, they will usually be deprived of their previous

positions. This happens when middle income households become low income households and when the poor become poorer. When people relocate they might be unable to make use of acquired skills that they needed at their previous home. Moreover, the nature of the relocation process has the potential to leave the affected people feeling disempowered and to lose confidence in self and society.

**Increased morbidity and mortality.** Increased morbidity and mortality stems from different sources. It can be psychological and result in stress-related diseases, or it can be physical. Parasitic or vector-borne diseases are often a result of inadequate or contaminated water supply and poor sewerage systems. It is the weakest individuals, the children and the elderly, who are most at risk. When these conditions are present, the life expectancy might be significantly reduced.

**Food insecurity.** People who are forcibly relocated are at higher risk of suffering from chronic undernourishment and food insecurity, defined as calorie-protein intake levels below the minimum necessary for normal growth and work (Cernea,1997:52). During a relocation process, food availability will shrink as food cultivation has to start from scratch. Moreover, in the cases where people lose income as a result of the relocation, the reduced purchasing power will impact on the ability to buy food. To rebuild a cultivation regime takes time, and the effects of the reduced food production may linger for years.

**Loss of access to common property.** The loss of access to common property may have a negative impact on a displaced population's livelihood. Common property includes among others, areas used for grazing land, forests for harvesting firewood, edible resources and burial grounds. The removal of such resources will often be associated with the loss of various common basic public resources and thus have serious consequences for all households. The loss of common property will hit the poorest household the hardest. The income generated from common resources count for a high share of these households' income, and in most countries the government does not compensate for the loss of access to common property. The result is that the households have to encroach on other areas, causing social conflict and environmental degradation.

**Social disarticulation.** Whether it is a forced or a “voluntary” relocation, it will invariably cause social uprooting and in some cases the termination of established social networks. This may happen when groups of people who previously resided adjacent to each other are removed to different locations. Relocations can sever kinship ties and disrupt informal networks within a community. Informal networks may previously have been relied upon for reciprocal help, and when these ties are cut there is a loss of social capital. Social disarticulation is difficult to predict and is generally uncompensated for.

The risks mentioned above are not meant to be exhaustive (Cernea, 1997). In some cases there might be some locally specific risks that are not included in Cernea’s major impoverishment risks. Moreover, depending on the circumstances in which the displacement occurs, the resettled group may experience all or some of the major impoverishment risks. The model aims to provide planners with the tools to conduct an early risk analysis so as to effectively mitigate the impacts of relocation (Cernea, 1997). If the planners give enough attention to the risk analysis, they should be able to tell whether some of the risks mentioned above are unlikely to occur and need not be planned for, or whether there are some additional risks that demands attention.

Cernea (1997) argues that the risk and reconstruction model can be used in several different ways by practitioners and researchers. The model can be used both as a tool for analysis - the generation and organisation of knowledge - and as a tool usable in the prevention of the above mentioned risks (Cernea, 1997). If project planning and execution fail to consider the impoverishment risks, it is likely that a number of these risks will materialise during the resettlement process (Cernea, 1997). He outlines four main ways in which the model should be seen as a useful resource:

Firstly, the risk and reconstruction model can be used as a diagnostic tool (Cernea, 1997). Through the identification of the eight impoverishment risks, stakeholders get the benefit of forewarning. The evidence gathered by Cernea in making this model rests on a substantial amount of research, and the results are eight recurrent themes in displacement processes all over the world. The stakeholders in the development projects can take advantage of this model to predict the nature, the risks and the possible outcomes of forced displacements.

Secondly, the model can be used as a predictive tool. Through the conversion of the diagnosis into a prognosis the planners have the opportunity to reverse the predicted outcomes of a resettlement scheme. They will be better equipped to analyse which impoverishment risks are the most likely to materialise. This must then be compared with the benefits that will be gained through the development project which displaces the people in question. If relocation is unavoidable the planners will have to identify the impoverishment risks which will then guide the problem resolution.

The third tool is thus the problem resolution capacity of the risk and reconstruction model (Cernea, 1997). It can be argued that one of the major strengths of the model is that it provides solutions to the impoverishment risks that it proposes. If planners and developers follow this model, they will equip themselves with the “equity compass” mentioned above. Thus, rather than representing a theoretical framework only, the model also constitutes a practical dimension.

The fourth tool, which is the one most relevant to this thesis, is the research tool (Cernea, 1997). The risk and reconstruction model can guide further research in the field and serve as a framework in the construction of hypotheses on risk correlation. The model systematises accumulated knowledge in a way that invites further research on resettlement. In this thesis, the resettlement has already occurred. The model can here be used in the *ex-post* evaluation of the results of the resettlement. The actual results can be compared with the major impoverishment risks to investigate whether one or more of the risks has materialised.

## **2.8 Conclusion**

The theory that is used in this thesis is twofold. Theories surrounding place and space have been discussed in order to inform the investigation of the way farm dwellers attribute values and meanings to their land. In this regard the thesis will draw heavily on the humanistic approach towards place. As described in this chapter, humanistic theories on place emphasise the way places are created by humans. During processes of place construction the subjects will gain an intimate knowledge of the place. This will again contribute to the

formation of place attachment and place dependence. In Chapter Six, the processes through which this takes place within a farm dweller community are described.

The second part of the theory focuses on relocation. The context is relocation due to conservation, a world-wide issue as well as a South African issue as this chapter has shown. The theoretical tool adopted here is Cernea's "Risk and Reconstruction Model". The chapter has mentioned the eight identified impoverishment risks that displaced populations face. This theory will be used to assess the socio-economic impacts that have affected the farm dwellers after the relocation.

## **Chapter 3 - Methodology**

### **3.1 Introduction**

The aim of this thesis is to assess the impacts that a relocation has had for a group of farm dwellers affected by a private conservation initiative. The thesis aims to look at the attachment that the farm dwellers have to their land, and it will also evaluate what material impacts the relocation has caused. Further, the thesis will investigate how the process of relocation occurred. The methodology used to achieve the results mentioned above was qualitative in nature, and the findings of this research are not meant to be generalizable to all similar communities. However, the unfolding of this case provides important lessons regarding recent events in the South African countryside.

The aim of this chapter is to discuss the methodological underpinnings of the study. The first part of the chapter deals with qualitative research and explains why a qualitative methodology has been adopted in this case. The chapter then goes on to look at the process of data collection. This is followed by a section on qualitative interviews; why this method was chosen and how it was executed. Further, the chapter discusses the documentary evidence that has been used as a source of information, as well as sampling and the ethical considerations that had to be taken into account through this whole journey. The last part of the chapter deals with qualitative data analysis.

### **3.2 Qualitative Research**

It is a common misconception that all research which is not quantitative in nature is qualitative research (Brockington & Sullivan, 2003). While quantitative research is usually associated with numbers and statistics, qualitative research is often looked upon as 'less scientific'. There are critical differences between the two methods, but it is rather misleading to deem one more scientific or better than the other. In fact, the main difference between the two lies not in the data per se, but in their epistemological and ontological assumptions. Doing qualitative research involves the attempt to understand the world through interaction, interpretation and empathising with the actors involved in a project

(Brockington & Sullivan, 2003). Qualitative research explores the life world of people; the meaning they attach to it and how these personal meanings influence impersonal structures. Further, qualitative research tends to take place in the field rather than in the laboratory. Lastly, where quantitative research works deductively, qualitative research is generally an inductive method where theories are generated from observations (Brockington & Sullivan, 2003).

Qualitative and quantitative methods are not necessarily mutually exclusive (Brockington & Sullivan, 2003). Research projects may work with quantitative data while using qualitative methods, but the analysis of these data will vary according to the method used. Where quantitative methods will focus on the statistics generated from numbers, qualitative methods will generally emphasise the impact the collected data has on the people involved. Ultimately, the research questions guiding a project will decide whether it is more appropriate to use qualitative or quantitative methods (Brockington & Sullivan, 2003). Qualitative methods are often suitable when researching complex and sensitive issues.

The purpose of this research project is to gain a deeper understanding of farm dwellers' life situations after they have been relocated. This could be done through the use of statistics showing for example the number of cattle they had before and after they moved. However, this project will attempt to understand how the farm dwellers view the value of their land. In other words, it seeks depth rather than breadth. It will thus be difficult to develop a statistical analysis which can penetrate this issue and do more than simply summarise a few aspects of the relationship farm dwellers have with their land. For this reason, qualitative analysis was deemed more appropriate.

### **3.3 Data collection and fieldwork**

Data collection for this thesis was mainly carried out between March and October 2009. This data was collected through multiple trips to the field, including interviews and the collection of documents from the Land Affairs office in Vryheid. Other data sources include articles written by workers at the Pietermaritzburg-based NGO AFRA (Association for Rural Advancement), who work with farm dwellers and who had spent time working with the farm dweller communities affected by the Thaka Zulu Game Park a few years earlier.

### **3.3.1 Qualitative Interviews**

Generating data through interviews is one of the most commonly used qualitative techniques (Gubrium & Holstein, 2001). Qualitative interviews are usually very flexible, in contrast with the more standardised survey tool. The possible types of interview range from conversation type interviews to structured questionnaires, although there is no consensus on how to classify them. The borders between oral histories, narratives and life stories are not rigid, and there will be different perceptions as to what belongs where. The two main types of qualitative interviews however are the semi-structured interview and the unstructured interview. A major advantage with these types of interviews is that the interviewees are given the opportunity to expand on their answers and add information that may not have been directly asked for (Gubrium & Holstein, 2001). There is greater opportunity for the subject to fashion the interview, which may then become a two-way dialogue between the researcher and the interviewee.

The nature of the research project must be the deciding factor as to whether qualitative interviews are the best tool to generate answers to the research questions. Qualitative interviews are frequently used when the objective is to explore people's interpretations and subjective meanings (Warren, 1988). In contrast, when the objective is to gather neutral facts there are other tools which may be more suitable.

The semi-structured interview was the main data gathering tool in this research project. The purpose of this research project is not to make broad generalisations or to gather neutral facts. This project is mainly concerned with understanding the subjective interpretations that farm dwellers make of their world. A qualitative interview was thus considered most suitable to gather these interpretations and understandings. The semi-structured interview allows the formulation of set questions, and at the same time it is possible to follow up new topics that emerge during the interview (Valentine, 1997). This was seen as an important reason to choose the semi-structured interview as a tool in this project. Just one of the objectives set for the thesis - to investigate the material impacts of the relocation - is more neutral (or factual) in nature. It was thus also necessary to pose some pre-determined

questions, for example, on such subjects as the numbers of cattle people owned before and after the relocation.

The first interview conducted was with Riaz Dawjee from the DLA in Vryheid. This interview occurred in March 2009, before I had definitively decided that Thaka Zulu was the case study I was going to use. It was not a very uplifting interview, as he had little information to provide. Going back to Durban I had time to write up my theory chapter and at the same time reflect on whether this was the case study I was going to use. After the decision was made regarding the case study, I went back to Vryheid and interviewed Dawjee again. This happened in April 2010. This time I was able to sit in on a meeting between the DLA and another farm dweller community who had been threatened with eviction. This was very useful as I got to see how the dialogue went and how the meeting was organised.

In April 2009 I also interviewed the local LED councillor who informed me about the vision and strategies that Abaqulusi Municipality has relating to private game parks and land issues. He was able to provide me with a lot of helpful information. He was surprisingly honest, and stated that communication within the municipality as well as between the municipality and the DLA was close to non-existent. He admitted that the rights of the farm dwellers who lived in the district were not being supported by the institutions who are responsible for this. It was difficult to say whether this was just his personal opinion or whether other officials working in Vryheid would agree with him. This was however an important breakthrough in the research.

The target group (relocated farm dwellers) were Zulu-speaking with little English vocabulary. It was thus necessary to use an interpreter to translate the interview as it was conducted. The use of a translator is potentially fraught with difficulties. Misunderstandings due to a lack of communication can be an obstacle to a good interview (Leslie & Storey, 2003). With this in mind, it is important to establish a relationship with the translator before entering the field. The translator who assisted the interviewer in this project was introduced to the researcher through a mutual contact. She worked as a teacher in Vryheid and thus had an understanding of the nature of the research which was very useful. We met prior to the interview and she was informed of the motives and aim of the research. We also discussed

the difference between a translator and an interpreter. I wanted to make sure that my translator did not change any elements of the interview, or skip issues that she did not consider important.

While it was a disadvantage that I did not speak Zulu and thus received ‘second hand’ information, the interviews went well. In most cases, the interviewees spoke freely and seemed happy to be able to articulate their case. The biggest difficulty was the element of expectation that I was expected to fulfil. The interviewees kept asking if I would come back with ‘development’. It was very tempting to say that I would try to help them, but as this would lay down false pretences for the interview I told them before the interview started that the primary purpose was to gather materials for my thesis, and that I did not have any power to help them the way that they wanted me to. This was because I did not want them to consent to do the interview under a false apprehension or in order to get something in return. I decided to be frank and not mislead them in any way, but I did try to articulate their case to the officials I interviewed later.

In some ways, having a translator actually helped during the interview process. As a young white woman from Norway the power relationship between us was skewed. I am not sure if they would have confided in me the same way as they did to my translator. She was a local person, and I think they felt more comfortable talking to her than they would with me. As she lived in the same area as the interviewees, they could more easily relate to her.

The farm dwellers who participated in the interviews were hard to locate. It was difficult to find anyone who knew where they were living, and it was not easy to gain access to them. The staff currently at the Vryheid office of DLA were unaware of where they had relocated, but they helped with some names and numbers of people who might be able to assist. The names and numbers did however not lead to any clarity about the farm dwellers’ whereabouts. Eventually, after one trip to Vryheid that failed to achieve any results, on a later trip I was introduced to a group of farm dwellers affected by the Thaka Zulu game reserve. They had been moved off the land of one of the biggest landowners involved in the project, a central figure in this thesis. For legal and other reasons, this man is referred to here and throughout the thesis as “Adriaan”. This group of affected farm dwellers – the

Mbekizweni group - were located through the help of the local population. The first trip to the field was to one small community which consisted of approximately ten families. Here, the local induna was interviewed. He then took us around to the surrounding area which housed the rest of the Mbekizweni community. The induna introduced us to the other families, and with his help we were able to talk to members of most of the households.

Upon establishing a relationship with the Mbekizweni community, however, it was a surprise to discover that there was a second community who had also been relocated from Adriaan's farms. I subsequently met them too. This was a puzzle. In the documents located at the DLA office, there was no mention of the affected farm dwellers having being separated into two groups, and it soon became clear that the Mbekizweni community was missing from their files. The members of the relocated farm dweller communities were questioned about their relationship to each other, but they appeared not to know anything about one another. It has been difficult to interpret the documents at the DLA as they simply refer to the case as the 'Thaka Zulu' case with no specifications as to which of the communities they are talking about. The documents from the court mention members of the second community I encountered, whereas there is no reference to the people from the Mbekizweni community. This was a riddle that I tried to get to the bottom of, with little result. Chapter 5 will further elaborate on this issue.

In the field, then, I encountered two different groups of farm dwellers who had previously lived on Adriaan's land. The participants from the two communities were consulted before any interviews were conducted. They wanted to know who would read this thesis and what benefits it would bring to them. The reply that was given to them was honest; they were not promised any instant and tangible benefits. It was explained that the thesis would try to broaden the understanding of the life situation of the farm dwellers. They still agreed to participate in the research, but preferred not to be named. The Mbekizweni community lived close to the old landowner Adriaan (who had set the eviction in motion) and did not wish to have their relationship with him deteriorate further. The second community were relocated to a piece of land which was owned by chief Zondo, and they also did not want to be named for the reason that they now wanted to blend in with chief Zondo's people as far as possible. The farm dwellers did therefore permit the research to be done but only on

condition of anonymity. I assured them of this and explained that I had never intended that anyone should be identified or named.

The second community I encountered, the people who had been moved to land owned by chief Zondo, were located with the help of the Local Economic Development councillor of Abaqulusi Municipality. He knew some of the farm dwellers and was able to arrange a meeting. While both of the farm dweller communities were living in remote areas, the Zondo community were especially remote. At the time when the meeting was supposed to take place, bad weather made it impossible to drive on the roads that led to their place. It had to be postponed. Eventually a meeting was arranged and my translator and I met with several of the members of the community. On the question of how many families had been relocated from the farms to make way for the Thaka Zulu private game park, they replied that it was almost 100. This large number, together with the inaccessibility of their dwellings, made it impossible to interview all of the families. Approximately 14 households were involved in the research.

### **3.3.2 Documentary Evidence**

The documentary evidence used as primary data in this thesis consisted of documents and letters obtained from the DLA. Riaz Dawjee at the DLA in Vryheid placed all the documents pertaining to the case at my disposal. However, the documents were disorganised with much information missing. It was therefore difficult to get a clear picture of the process of relocation. The case had been running for approximately six years, and the documentation was not organised by date. Many of the documents were not dated, so it took a lot of time and effort to get an overview of the course of events. Much of the documentation consisted of letters from the lawyers of the farm dwellers and the farm owner respectively. In order to understand the process of relocation it was therefore necessary to acquire some more information, obtained through interviews with the farm dwellers and through other information sources. Working like a documentary historian, it was necessary to build up a chronological account of the story as it unfolded, making the best possible use of the incomplete documentary record.

Additional information sources that were used, sometimes to fill in gaps in the story, consisted of reports and articles written by AFRA. These were in a sense “secondary” sources because this was data which had already been interpreted by others (Clark, 1997). AFRA is an advocacy organization that works with land rights and aims to help poor people achieve tenure security<sup>1</sup>. Their job is to help farm dwellers. It was necessary to bear in mind that their writings would possibly be influenced by their mission. While extremely helpful, their texts were therefore approached with a critical mind.

### **3.3.3 Sampling**

In cases where it is not possible to gather data from the whole population, a sample has to be used instead (Overton & van Diermen, 2003). The whole population in this thesis consists of all the farm dwellers who were relocated from the farmer Adriaan’s farms.

There are many different sampling methods that can be used in a research project. This thesis is based on a qualitative methodology, which generally uses a small sample. Where quantitative methodologies often seek to draw data from a large and representative sample of the population, qualitative methods focus on smaller groups. Likewise, where quantitative techniques usually emphasise breadth, qualitative techniques aim to get more in-depth information.

In cases where everybody within a defined population has an equal chance of being chosen, a random sampling is possible (Overton & van Diermen, 2003). The opposite of random sampling is non-random or non-probability sampling where individuals in a population are singled out.

This research project made use of non-probability sampling. The aim of this thesis was to investigate the attachment that farm dwellers have to their home place and to understand how their removal from their home place affects their everyday life. The specific case study of this thesis is an identified group of farm dwellers, namely those that were relocated from the farms owned by Adriaan. The non-probability sampling technique used was therefore

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1 <http://www.afra.co.za/default.asp?id=1107>

purposive sampling. As noted above, I was told that about 100 homesteads were involved, but some of these were too remote to reach. I began with the homesteads to which I was introduced, and allowed the study sample to 'snowball' from there.

### **3.4 Ethical considerations**

Doing fieldwork in a poor community is an ethical challenge. It is a challenge not only because of personal issues that the researcher may have when entering the field, such as a lack of experience or doubts as to how to approach the subject. It is also a challenge to avoid becoming an 'academic tourist' or inadvertently converting the research into so-called 'rape research' (Lather, 1988, Mowforth & Mount, 1998, cited in Scheyvens & Storey, 2003). This can happen unintentionally, and it is thus of crucial importance that the whole research project is carefully thought through regarding the effects it will have for the research subjects. Researchers who are doing fieldwork will almost always be confronted with some ethical dilemmas which will have to be solved in an unbiased manner.

One important issue that needs to be dealt with is the power imbalance between the researcher and the 'researched'. Escobar (1995, cited in Scheyvens & Storey, 2003) argues that there is a development discourse among researchers which serves to legitimise the voice of western researchers at the expense of listening to the voice of more marginalised people. The western researchers are automatically entitled to have their say, and as a result of their educated background they hold a credibility which cannot always be justified. This is a central argument both within the field of post-development and post-colonialism. To solve this dilemma, it is important to think about how we as researchers can contribute to the empowerment of marginalised groups, and if it is possible to incorporate their voices in a just and equal manner.

Escobar's insights speak to the purpose of this research which is to give the farm dwellers a voice and an opportunity to tell their side of the story. During the relocation process the farm dwellers were up against the land owner, who clearly represented the party with the most power. In the mediation between the farm dwellers, the landowner, their lawyers and the DLA, the farm dwellers were once again the weakest party. They had few resources and

little knowledge of the justice system or about their options and rights regarding the relocation. They were thus not able to set the agenda or to incorporate themes that were important to them in the discussions. This thesis, it is hoped, will give the farm dwellers the opportunity to be heard and to bring forth outstanding issues relating to the relocation process in itself or to their life situation.

A second issue relates to whether the community concerned will receive any benefits from the research at all (Scheyvens & Storey, 2003). Conducting fieldwork simply to boost one's own career should be questioned, as should research that borders on the exploitative. It should be self evident that the community involved should be consulted beforehand, and the researcher must have their permission to conduct the research when they are involved. In this case, it is difficult to foresee whether the farm dwellers will receive any benefits from the thesis. It is a goal that anyone who reads this thesis will obtain a better understanding of the material, social and to some degree the psychological consequences they face during and after relocation. The thesis will be given to AFRA who works daily with farm dwellers who are being threatened with evictions. While AFRA already has an extensive knowledge of the situation of farm dwellers in South Africa, this thesis will hopefully widen their knowledge and thus assist them in their work with farm dwellers.

The ethical dilemmas mentioned above, have sparked a discussion as to whether western people should be conducting field work in the 'Third World' at all (Scheyvens & Storey, 2003). Currently, academic research is very much a one-way conversation, where western people travel to the Third World, but there is little activity the other way around. This can easily lead to a patronising dialogue, where the researchers represent the West and thus contribute to legitimising the view of the West as the 'expert', while reproducing patterns of domination in the shape of an academic imperialism. As a result, some academics have gone to the extreme and abandoned development research altogether (Scheyvens & Storey, 2003). Their argument rests on the fact that they have no social claim on the research areas in question, and thus there is no credible claim that they have the right to research the 'others'. A less radical stance that a few academics have adopted is to privilege the voices of those from the Third World. However, this stance is criticised by what some perceive to be a romanticising of Third World knowledge (Shevyens & Storey, 2003). While it is important to

think about one's positionality, it is not necessarily always true that a woman is better at doing research on other women, or that a poor person is better equipped to conduct research on other poor people.

Can it be justified to do research in marginalised communities? There is a danger with the radical stances that propose to abstain from this type of research. Rather than protecting marginalised groups from intrusions by researchers, it has the potential to work against its own case. Being in a privileged position, as most researchers are, should come with a responsibility to work against the relations of privilege that are skewed against people in the 'developing' world in general, and marginalised people in particular (Scheyvens & Storey, 2003). To abandon research in marginalised communities altogether does not help the people who are in that situation. It can rather be regarded as the shedding of responsibility on behalf of the academic world. Moreover, assertions that the relationship between the communities and the researchers is exploitative, rest on an assumption that the people in these communities have no power (Scheyvens & Storey, 2003). While there is clearly a power imbalance in the relationship, the individuals and communities often exercise their power in forms of 'research resistance'. This can take the shape of withholding or altering information, and through the use of the vernacular language as a means of communicating 'around' the researcher (Scheyvens & Storey, 2003).

Cross-cultural research has the potential to increase the understanding of different cultures, environments, genders and social positioning (Scheyvens & Storey, 2003). Rather than focusing on the negative aspects of doing field work, Scheyvens & Storey (2003) argue that it would be more fruitful to emphasise the positive sides. This is not to say that the negative sides should not be discussed, but that both researchers and the individuals and communities that are being 'researched' will gain more than they lose from the activity. Firstly, doing research in marginalised communities can counter ethnocentrism and broaden the understanding and acceptance of new cultures. Secondly, the material gathered can reveal issues that could not be uncovered using different methods where one does not have to enter the field. Thirdly, being in a new location can open people's eyes to new perspectives that would otherwise have remained 'hidden'.

### **3.5 Data Analysis**

It is a difficult job to analyse qualitative data collected in the field. There are no clear-cut or standardised models of analysis that can be used. The data must be interpreted by the researcher, whose job it is to enter as far as possible into the life worlds of the research subjects, while also standing back to identify key themes and patterns when analysing the data. In general, Chapter 5 draws more on the primary data of a documentary nature, while Chapter 6 uses more of the interview material. Overall, in analysing the data I was guided by the research objectives derived from the literature review. They captured the themes that needed to be drawn out of the data. A further note on the textual analysis of the documentary evidence is provided below.

#### **3.5.1 Textual analysis of documentary evidence**

Geography has traditionally been seen as a subject where 'being in the field' has been an essential part of conducting the research (Aitken, 1997). However, the 'field' is an ambiguous concept which has several different meanings. The 'field' represents a physical space where the researcher is expected to get his or her 'hands dirty'. Aitken argues however that the 'field' can also exist in written accounts or texts. Texts as such include documents, images, videos and communication systems among others.

Textual analysis has limited methodological literature to draw upon (Aitken, 1997). The most common way of approaching a text has been to divide it into three separate parts. The first step is to try to comprehend what is actually said in the text. The second step is to look for a deeper understanding. The third step is to present the comprehension of the content and meaning of the text. In order to reach these results it is important to explore the material in question by reading through it many times.

The documents that were analysed in this thesis were read through multiple times. The first step was to separate the useful information from the information that did not have any relevance to this thesis. There were over 700 documents on the Thaka Zulu case at the DLA. After browsing through them, I found out that many of them were irrelevant. After painstaking work, I managed to construct a picture or account of what had happened. This

understanding was then supplemented by the perspectives gained through the interviews with the farm dweller communities. I was not able to obtain an interview with Adriaan, the land-owner who initiated the relocation or evictions, but this did not matter because his perspective (often represented by his lawyer) was amply covered in the court documents obtained from the DLA office.

### **3.6 Conclusion**

This thesis uses a qualitative research approach. The main methods used are qualitative semi-structured interviews and document analysis. Qualitative methods were chosen as appropriate measures to obtain an in-depth understanding of the farm dwellers' attachment to their land. Further, the farm dwellers were questioned about the material impacts of the relocation with reference to Cernea's (1997, 1999, 2007) risk and reconstruction model. Textual analysis was utilized in gaining a better understanding of the process of relocation. This method was chosen as the studying of the unsorted primary correspondence and other documentary evidence held by the DLA made it possible to obtain information that could not be accessed through other means.

## **Chapter 4 – Background to the Study**

### **4.1 Introduction**

Before presenting the results of the research, it is important to provide some background context to give the reader a better understanding of these results and their context. The purpose of this chapter is to contextualize the study in terms of the issues addressed, as well as historical and legislative frameworks. The chapter starts with an examination of the growth of nature reserves and game parks in South Africa. This is followed by a historical background on the system of labour tenancy; how it came into existence, how it worked historically and how it was affected by legislation throughout the twentieth century. The chapter ends by looking at the democratic transition that occurred in 1994, South Africa's land reform program, and what implications the transition and related new legislation has had for farm dwellers.

### **4.2 Nature Conservation and Game Parks in South Africa**

The politics of nature conservation is a controversial topic, especially when the conservation areas are located in places which are economically important to the local population (Wøien, 2002). There will then typically be a trade-off between the preservation of nature and the well-being of the population. On the one hand, communities will often have to be moved when a conservancy area is established. Adjacent communities will also be restricted from entering the protected areas to hunt, collect fuel wood or harvest plants. On the other hand, nature conservancy organizations champion an increase in protected land cover, and claim that this is for the benefit of all, both humans and nature. They use a range of arguments to illustrate their case; from the instrumental value of animals, to a focus on biological diversity and people's need to experience 'pristine' nature (Cronon, 1995). Other have pointed out that sustainable use of the natural resources that we wish to preserve may be the best option. However, it has been difficult to come up with a definition of both sustainable production and sustainable use that everybody agrees upon. Until they do, it is unlikely that arguments of sustainable use will prevail (Wøien, 2002).

In Africa, the most prevalent form of nature conservation is area conservation which can be defined as an area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means (IUCN, 1994). This means that people's access to these areas will be restricted. Area conservation is an approach towards nature conservation that has been adopted from Europe. When the colonial powers developed their conservation strategies in South Africa, this was done mainly to serve their own special needs. Hunting had become an income generating activity manifested primarily in the ivory trade (Wøien, 2002). By the 1870s, elephants, lions, buffaloes and rhinos were practically extinct in large parts of the country, something which threatened the viability of continued hunting. In the beginning of the 20<sup>th</sup> century, the first wildlife reserves were established (Wøien, 2002). The intention behind it was primarily to preserve hunting as an exclusive activity reserved for the wealthy white population. With the establishment of the wildlife reserves, a new word entered the vocabulary: poaching. The black hunter was blamed for the diminishing wildlife, and had to be restrained from hunting freely. Thus, any person who was caught hunting within the borders of the reserves or on white owned land, became a poacher - even though these were often landscapes where Africans traditionally had hunted for food (Murombedzi, 2003).

As the number of national parks increased, gradually traditional hunting was substituted by photo tourism (Wøien, 2002). Photo tourism were seen as more compatible with the traditional African lifestyle, and in some cases Africans were allowed to stay in the parks to add a colourful and exotic touch. However, this attitude quickly changed as the Africans became 'modernized' and no longer matched the picture of the 'exotic native' (Neumann, 1995). Pressure from influential organisations in Europe contributed further to the exclusion of Africans from the parks. The idea behind the national parks was to reconstruct an 'original' and 'pristine' landscape that was seemingly removed from human influence. The fact that Africans had influenced and shaped the landscape for generations was ignored, and anyone living within the game reserves was forcibly removed. The white settlers and colonial powers were therefore central actors when it came to define the views on nature conservation, both when it came to what was important to conserve, and what strategies that were the most suitable at any time (Neumann, 1995; Brooks 2005).

Independent South Africa has to some extent adopted the European view on economic development (Wøien, 2002). They also adopted the established approach towards nature conservation, and the colonial conservation policies have been continued and reproduced. Traditionally, conservation has been seen as a white issue which has excluded the majority of the population from accessing the areas under protection (AFRA, 2004). The new democratic government has been addressing this issue and argues that they want to make conservation work for everybody. This means that conservation should be regarded as beneficial - even when this occurs on land that has been forcibly taken away from communities.

#### **4.2 Private Game Reserves**

In recent years there has been a rise in private game farms, game reserves and game ranches. Although documentation is poor, a 2002 estimate indicates that in KwaZulu-Natal there are approximately 123 game farming operations which cover 190 000 hectares of land (AFRA 2004). On a country basis, approximately 250 000 hectares are being converted into game parks each year (AFRA, 2004). However, the private game farming industry is difficult to monitor, and the estimates only refer to registered game farms.

The government's attitude towards the rise of private game farms is twofold. On the one side they actively support these initiatives, and increasingly regard the farmers as partners both in the tourism sector and in the environmental sector (AFRA, 2004). The game farming industry fits nicely with South Africa's policies on economic growth and the strengthening of the private sector. After the government changed the RDP in favor of GEAR, they also developed the belief in neo-liberalism (Habib & Kotzé, 2003). With neo-liberalism comes the belief that the private sector is the best actor in the market. Unlike the state, the private sector will support the natural price creation which is responsible for efficient production, and make sure that investments are being made in the most productive sectors (Habib & Kotzé, 2003). Thus it is expected that the private sector will have a positive influence on the environmental and tourism industry in South Africa.

The private game farms are also accepted by the state because they improve South Africa's statistics on the percentage of the total area under conservation. The United Nations Development Programme (UNDP) has suggested that all countries should aim to place at least 10 % of the total land area under conservation. In 2003, South Africa held 6.2 % of its total land area under protection (EarthTrend, 2003<sup>2</sup>). When South Africa ratified the Convention on Biological Diversity in 1995, they committed themselves to increase this (Cousins et al., 2008). It is common internationally for countries to purchase land for conservation (Cousins et al., 2008). In South Africa where land is a scarce resource, this is not a viable option. Moreover, the country lacks the economic resources to purchase and maintain conservation areas. Thus the establishment of private game farms has a potential to contribute to the protection of threatened wildlife and habitats. Already, the private reserves are taking credit for saving species like the Southern white rhinoceros, bontebok, black wildebeest, Cape mountain zebra and the geometric tortoise (Cousins et al., 2008). However, the conservation efforts of private game farms are not as clear-cut as the above picture shows. As private game reserves necessarily will be profit oriented in order to survive, there are examples in which the maintenance of the natural ecosystem has to step aside to accommodate a more commercial form of wildlife production. It is therefore questionable whether conservation ideals can be attributed to the private wildlife industry.

### **4.3 The System of Labour Tenancy**

The system of labour tenancy has its roots in the late nineteenth century with the expansion of commercial agriculture in South Africa and specifically the Colony of Natal (McClendon, 2002). The system of labour tenancy initially grew out of the need that white land owners had for cheap labour, and the need that Africans had for access to grazing land (McClendon, 2002). In exchange for this labour, which in Natal was usually given for a period of six months at a time, black peasants could reside on white owned land in exchange for providing labour at certain times of the year. The African family was constructed as a patriarchal unit. The father, or *numzane*, was the head of the household and was the one person within the household who gained the most from the relationship with the white farm owners (McClendon, 2002). As labour tenants, the homestead would provide labour to the land

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<sup>2</sup> [http://earthtrends.wri.org/pdf\\_library/country\\_profiles/bio\\_cou\\_710.pdf](http://earthtrends.wri.org/pdf_library/country_profiles/bio_cou_710.pdf)

owner as 'rent' for the area they occupied. The labour force would usually consist of the sons in the family, while the daughters often served as domestic helpers. The wife was responsible for the domestic household production and would only occasionally work for the land owner (McClendon, 2002). Thus, the whole system depended on the ability of the father to make his sons and daughters do the required chores that were expected of them.

The 'rents' that were provided primarily by the sons of the *abanumzane* were referred to as *isithupa*, which means 'six months' (McClendon, 2002). This follows the requirements that during the high season, homesteads were to provide labour for the duration of six months. During the six-month "off" period, the labour tenants would either "rest" and look after their homestead or they would migrate to the cities to earn much needed cash (McClendon, 2002). In the cities, the young men of the family would earn money for tax payments, but they would also get the opportunity to buy clothes and utilities that were unavailable in the rural areas. Moreover, the wages they earned were high compared to what they got working *isithupa*. The wages that they earned working on the farm automatically went to their father (McClendon, 2002). Working in the urban areas meant that they had an opportunity of earning money for themselves, even though they were expected to send remittances back home. The money that the sons made in the city was also put forward towards *lobola* (bridewealth). As the income generated on the farms were too small to fund the bridewealth, this was an important factor contributing to the seasonal migration from the rural to the urban areas (McClendon, 2002).

The above mentioned system represented a compromise between black peasants and white landowners, who both more or less benefited from the arrangement (McClendon, 2002). On the one hand, the colonial powers limited the opportunities for Africans to acquire land for their homestead and cattle. Labour tenancy became an opportunity for Africans to gain access to arable and especially grazing land. On the other hand, the white landowners were in demand of a labour force which would work for next to nothing. The provision of land to Africans was the only way they could gain access to cheap labour.

The African peasantry was independent to some degree in that they would refuse to work for the farm owners for the whole year around (McClendon, 2002). It was crucial for their

own livelihood that they be given time to attend to their own production and livestock. However, as time went by the power relationship between the tenants and the farm owners became increasingly skewed in favor of the latter. The labour tenant system developed into an interference in the organization and coherence of the homesteads. The results became evident in the tension that arose between the *numzane* and his dependants (McClendon, 2002). Rather than his sons being dependent of their father, it was now the other way around as the *numzane* became reliant on the work that his sons provided. When his sons did not return from the cities during the six months off, the rest of the family faced eviction when they failed to provide the labour that he had promised the landowner, and that was the basis of their tenure on the farm.

One of the main problems that commercial farmers faced in the first half of the twentieth century was a shortage of labour (Lipton, 1996). To counter this, farmers attempted to limit Africans' access to land. To gain access to arable land, the African population was forced to work on commercial farms, and in return they were given a small plot of land. While the native reserves also provided labour to the white farmers, this was often too expensive. The farmers were competing with the mining sector to attract labour power, but without the necessary cash they fell short (Lipton, 1996). The importance of securing labour for agricultural production was increasingly recognized by the government. While the sugar and wattle industry relied on indentured labour from India, the majority of the agricultural sector employed labourers among the native South Africans (Lipton, 1996). Thus it became crucial to ensure a steady supply of this labour force. This was done by restricting their opportunities to take up work elsewhere, and by limiting their possibilities to acquire land for themselves.

In Natal, rent paying tenants and especially labour tenants were widespread, as described above. However, while labour tenants were preferable from the farm owner's point of view, rent paying tenants had greater freedom to grow their own crop (Lipton, 1996). Further, they were able to accumulate more stock than labour tenants did. Rent paying tenants, or squatters as they were frequently referred to, had to pay a fee to the land owner to be allowed to stay on his land, and they were often subject to evictions. But on the bright side there was little to no interference in their agricultural production practices. As the working

environment for rent paying tenants became gradually more difficult, this system saw its replacement by the system of labour tenancy (Lipton, 1996).

#### **4.4 The legislative framework**

In the nineteenth century, the pattern of land ownership in Natal was characterized by a few land speculation companies who owned great portions of land (Bundy, 1972). The resulting land scarcity impacted upon immigration schemes undertaken by the government as there was not enough land to hand out to the white settlers. However, the Africans living in Natal were able to use this pattern to their advantage. They could choose between living on unalienated crown lands (state land), unoccupied land owned by land speculators, mission land, or they could live as labour tenants or rent paying tenants on white owned land (Bundy, 1972). The majority of Africans chose to live and work in the manner which gave them the greatest level of independence, which in many cases resulted in an increase in rent paying tenants. The big land owners experienced that renting out land to Africans would provide them with an easy source of revenue (Bundy, 1972). This was again seen as a threat by the 1852-1853 Native Affairs Commission which complained that the Africans were becoming too independent. The Commission were concerned about the labour shortage which was beginning to impact on the colony.

The discovery of diamonds in Griqualand West in 1867 increased the demand for labour and produce (Bundy, 1972). This affected the African peasants in two ways. On the one side, the government introduced new taxes and pass laws to try to keep up with the demand. On the other hand, many peasants took advantage of the emerging markets and managed to increase their cash income. With the discovery of gold in 1886, the agricultural commercialization intensified (Bundy, 1972). The value of land rose together with the demand for produce, placing considerable pressure on African squatters. In addition, the rinderpest epidemic of 1896-1897 killed vast numbers of the cattle who belonged to the African peasants. Rent paying tenants were constantly under attack through a range of proclamations and laws where the main goal was to force them on to the labour market (Bundy, 1972). The introduction of the Native Servants Act (1901) and its amendment (1904), the amended Masters and Servants Act (1901), the amended Squatters' Rent Act

(1903) and the introduction of a Poll Tax (1901) on all male adults contributed to an influx of Africans to the cities (Bundy, 1972). At the same time, much land shifted hands from the big companies to independent farmers. In 1905-1906 this spurred mass evictions of squatters and rent paying tenants from farms in Natal. In addition, the sale of crown land to Africans was blocked in 1904 (Bundy, 1972).

After the Union of South Africa had been formed in 1910, South Africa ratified the country-wide Native Land Act of 1913. The Act stated that Africans could own land within the borders of the 'native reserves' only. This added up to an area comprising around 7 % of South Africa within the four provinces. The rest of the country was demarcated for the white population, and could not be bought, leased or in any other way acquired by Africans unless the property was acquired from another African (Feinberg, 1993). In addition, the Land Act rendered share-cropping and rent tenancy illegal, although existing tenancies were allowed to continue (McClendon, 2002). African rent tenants had to leave the farms and look for a new way of life. If they were lucky, they found a farm owner who was willing to break the law and take them on as share-croppers or rent tenants. However, the farm owner would run a great risk as they would suffer heavy penalties if they went against the law (Lipton, 1996). A fine of £100 or six month imprisonment was imposed on those who did not terminate their relationship with their rent tenants.

The other alternative that the African farmers could choose from was to turn into labour tenants. The Act went further to single out exactly who were allowed to take up work as labour tenants (AFRA, 2004). Those who were willing to stay on white land and take up work either as a domestic servant or as farm labourers were granted permission to remain where they were. As soon as their employment terminated they were forced to relocate to the already overcrowded reserves. In Natal, labour tenants still made up the majority of the labour force on white farms by the 1920s (McClendon, 2002).

However, the system of labour tenancy was increasingly regarded by the colonial power as inefficient. In 1932 the Native Service Contract Act (NCSA) imposed further restrictions on African farmers (McClendon, 2002). The act attempted to impose written contracts between land tenants and farm owners. Further, it institutionalized the authority of the head of the

tenant household. As it was usually his sons who performed the labour on the farms, this would give the head (*numzane*) legal authority to force them to work. As a consequence of the low payments the labourers got, they would increasingly “overstay” in the cities to take up more profitable work during their six month “off”. The NCSA also restricted the labourers’ access to work in the cities by means of pass controls. Perhaps the most radical element of the act was Section 9, which imposed a tax of five pounds on every able-bodied African man living on white owned land, but who did not work for the farmer. This was thus a further attempt to end the system of rent paying tenants. However, few of the provisions of the NCSA were enforced (McClendon 2002).

In 1936, the Native Trust and Land Act were instituted to further tighten the territorial segregation of Whites and Blacks (Brooks, 1996). The Act also increased the area that was demarcated for African use from around 7 % to around 14 % - although this did not have much significance in practice as the area that was extended for African use was already occupied or owned by Africans. The intention behind the extension of the native reserves was to restrict the number of Africans living on white owned farms, thus preserving the ‘whiteness’ of the South African countryside (Lipton, 1996).

The above mentioned legislation was put forward to prevent Africans from gaining access to their own land, and to strengthen the power of the white land owners (Lipton, 1996). A further result was that the land owners gained easier access to cheap labour, and this was undoubtedly one of the reasons behind the legislation. White farmers felt that they could not compete with the mining sector for labour, and that the best way to secure access to labour was to transform squatters and rent paying tenants into labour tenants. As the 1936 Land Act represented a significant blow to the independence of Africans, there was significant protest against the Act from African farmers and those sympathetic to them (Lipton, 1996).

When the nationalist government came to power in 1948, better implementation of the Native Trust and Land Act was given a high priority. As a result, share-croppers and rent paying tenants had all but disappeared by the 1950s (TRAC, 1988). They had usually been relocated to the native reserves, while some had been converted into labour tenants. By

now, the government wanted to eliminate the labour tenant system as well. Instead, they wanted the system to turn into one of wage labour. Labour tenancy, they argued, was inefficient and tied up an unreasonable share of the available work force (TRAC, 1988).

In 1951, Dr Verwoerd claimed that the system of labour tenancy served to limit the number of young African men who entered the labour market (TRAC, 1988). He wanted to eliminate the system whereby Africans would work on the farm for six months, and rather make them full-time servants. In 1954, Act 42 set out to register all 'squatters' and labour tenants, and to restrict the introduction of additional tenants (Lipton, 1996). It was decided that tenancy was only allowed on farms where this was already in existence. 'Squatters' were also recognized as long as they had been resident at the same spot since the 1932 Act. The law did not specify an upper limit for the number of labour tenant families who could live on a farm. Labour tenant control boards would still investigate the number who lived on different farms, and if they exceeded five families, the farm owner was required to give evidence regarding their necessity. Furthermore, the farm owner's responsibilities towards evicted labour tenants were relaxed (Lipton, 1996).

The pressure on labour tenants became even worse in the 1960s when the (Du Toit) Commission of Inquiry into the European Occupancy of Rural Areas found that the black to white ratio had become increasingly favorable to the former group (Lipton, 1996). In other words, between 1930 and 1960 the black population had doubled, while the white population had started to decline. The Commission expressed a concern regarding this statistic and came up with a strategy to try and turn this trend around. The Commission highlighted the need to tighten the enforcement of Chapter Four of the Native Trust and Land Act, 18 of 1936.

#### **4.5 The Path to Democracy**

As the pressure to abolish the apartheid system was increasing, the Nationalist government responded and gradually began to 'reform' some of their racist policies. In 1986, the Abolition of Influx Control Act was passed (TRAC, 1988). The Act reversed the positions of farm dwellers dramatically, and again legalized labour tenant contracts. In addition, the Pass

Laws were abolished, which meant that anybody could take up employment in the cities, regardless of their race. However, while the position of the farm dwellers had been strengthened on paper; in reality they were still as marginalized as they had been before the Abolition of Influx Control Act. While they now had the opportunity to move into the cities, they had no guarantee that they would find employment or a place to live (TRAC, 1988).

The transition to democracy that occurred in the early 1990s has greatly influenced the current government. Traditionally, democratic transitions are the outcome of negotiations and compromises. In South Africa the democratic process was dominated by the elite in the country and it has since been criticised for this. It has been argued that this elite transition was undemocratic since it excluded the majority from participating in the process. Further, the negotiations between the different parties, most notably the apartheid government and the ANC, were concluded with a pact which represented a compromise that both parties had agreed on. The result of the elite transition and pacted agreement was that a large part of the existing power and wealth structures remained unaltered.

The post-apartheid government was faced with a huge challenge in establishing development programs (Habib & Kotzé, 2003). The majority of the South African population lacked access to basic services like water, electricity, decent housing, job opportunities, education and health facilities. In an effort to address these socio-economic issues in the country, the ANC designed the Reconstruction and Development Programme (RDP) which emphasized state-led development and drew on neo-Keynesian policies. The social-democratic underpinnings of the RDP, while drawing support from ordinary South Africans, stood against the current policy advocated by international institutions like the World Bank and the International Monetary Foundation (IMF). The fact that the new government established a program which was as controversial as the RDP was indicative of the compromises, concessions and contradictions of the time.

Many of the developmental programs which were initiated suffered as a result of a lack of understanding as to how they could be implemented (Habib & Kotzé, 2003). Moreover, the centralist approach adopted by the government tended to exclude civil society organizations (CSO's) from participating in the design and implementation of the development agenda. It

soon became evident that the state was unprepared and lacked the necessary capacity to implement the agenda. The government's people-centered rhetoric remained largely rhetorical, and instead they became inaccessible to the masses. Historically, the ANC has represented an agenda with a strong anti-capitalist stance (Habib & Kotzé, 2003). However, when they came to power in South Africa they chose to form a working relationship with the private sector rather than the 'third' sector, ordinary people. In fact, the ANC's relationship with the business sector probably started already during the negotiations in the 1990s. Even when the ANC stated their commitment to the RDP, representatives of the World Bank were invited to their workshops. In 1996, the official death of the RDP was announced. In its place came the Growth, Employment and Redistribution (GEAR) policy.

The emphasis of the GEAR policy was on containing government expenditure, lower fiscal deficits, lower inflation, deregulation, privatization, the priority accorded to attracting foreign investment, and minimalist state intervention (Habib & Kotzé, 2003). Thus it was a marked shift from the social-democratic basis of the RDP:

“...during Mandela's presidency, the South African government's orientation towards addressing the problems of poverty and inequality underwent some marked shifts, in language and emphasis, if not in substance. The 1996 closure of the Office of the RDP signalled to some an at least symbolic reduction in the priority given to improving the access of the majority of South Africans to adequate shelter, sanitation and education.” (Carter & May, 2001:1992 quoted in Habib & Kotzé, 2003:256).

South Africa has caught up with the international political trend. So far, the result of South Africa's neo-liberal policies has roughly been that the rich are getting richer and the poor are getting poorer (Habib & Kotzé, 2003).

#### **4.6 Land Reform in South Africa**

In the Freedom Charter from 1955 it is written that “The Land shall be shared among those who work it!”, and further: “Restriction of land ownership on a racial basis shall be ended,

and all the land re-divided amongst those who work it, to banish famine and land hunger” (cited in Hall et al., 2001:1). In 1996, with the advent of GEAR these words changed into: “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” (S. 25(6) of 1996, cited in Hall et al., 2001:1).

The colonial and apartheid history of South Africa has left behind a skewed distribution of wealth and resources. This is particularly pertinent in relation to land. The country has a legacy of displacement and injustice which in many ways continues to this day. Although the government acknowledges the need for redress and reform, the tasks are too big to address in a short time span. In an attempt to level out the differences, South Africa embarked on a land reform program after the first democratic election in 1994. The idea behind the program is that when a greater proportion of the population gains access to land, this will again influence the economic situation of the country. An increase in the economic growth is then assumed to trickle down on the poorer segments of the population. (Hall, 2004:v).

The rhetorical shift from the wording in the Freedom Charter to the wording in the land reform program cited above reflects the cautious nature of the government’s land reform policies. The pro-market approach that South Africa adopted in 1996 has had implications for the country’s land reform program. Contrary to the wording in the Freedom Charter, the ANC has supported the creation of a market-based land reform (MBLR) where the willing-seller, willing-buyer principle is paramount (Lahiff, 2007). The MBLR focuses on *reforms*, rather than on a holistic restructuring of agrarian relations. The neo-liberal assertion of MBLR is that it is the market – not the state – that can redistribute land in an efficient way. In other words, MBLR is expected to transfer land from less productive to more productive users.

At the time when South Africa experienced a shift from apartheid to democracy, 86 % of all farmland belonged to the white minority (Lahiff, 2007). The new government formulated a goal that 30 % of this farmland should be redistributed within five years. Later, this target was extended to 20 years. In 2001, the Land Redistribution for Agricultural Development

programme (LRAD) was launched as the main tool for market-based redistribution. By 2007 LRAD had only achieved 40 % of its target (Lahiff, 2007). The reason for the slow progress is reportedly high land prices. As shown in Table 4.1, the redistribution program has achieved the greatest amount of land transfers, while there has been little impact of tenure reform. Together, the three legs of the land reform program have redistributed an amount equivalent to 4.1 % of the farmland owned by whites in 1994 (Lahiff, 2007). A large amount of the land that has been redistributed was owned by the state. Thus it has had little impact on white-owned land. Table 4.1 does not indicate land that has been redistributed through pure market forces, and also missing is the number of labour tenants that have been evicted from land on white-owned farms.

**Table 4.1 Total Land Transfers under South Africa Land Reform Programs, 1994-2006**

<b>Programme</b>	<b>Hectares Redistributed</b>	<b>Contribution to total (%)</b>
Redistribution	1 477 956	43.8
Restitution	1 007 247	29.9
State land disposal	761 524	22.6
Tenure reform	126 519	3.7
Total	3 373 246	100

Source: Lahiff, 2007:8

**4.7 Recent farm dweller legislation and its effects**

South African farm dwellers as a whole are a marginalized group who until recently could be evicted from their homesteads by the owners of the land at any time regardless of the circumstances (Hall, 2003). The new legislation put forward after the end of apartheid was intended to address this vulnerability and secure long-term tenure rights for this group. The national land reform program intended to formalize the informal rights that the farm dwellers enjoyed (Hall, 2003). The Act seeks to level the power imbalance between the farm dwellers and the farm owners and the state in two different ways (Roodt, 2006). Firstly, by

restricting and regulating when and how farm dwellers can be evicted. Secondly, through the provision in the Act that provides the state with the responsibility to fund and support long-term solutions.

#### **4.7.1 The Land Reform (Labour Tenants) Act 1996**

In 1996 the Land Reform (Labour Tenants) Act was introduced by the government (Weideman, 2004). The Act consists of five chapters, all intended to convert labour tenants into an institution covered by a legal framework. The two major aims of the Act was firstly the protection of existing tenure rights and secondly the redistribution of land to tenants through the availability of grants. The Act maintained that the Land Claims Court would be the sole actor who could legally evict labour tenants. In other words, it was no longer the farmer's privilege or right to evict workers residing on his or her land. From June 2<sup>nd</sup> 1995 the farmer would have to go through court in order to effect an eviction.

The drafting of the Labour Tenants Act was highly influenced by various NGO's who campaigned for the rights of labour tenants (Hornby, 1998). However, once the Act was put into place it was criticized for the resulting implications that the labour tenants experienced (Hornby, 1998, Dlomo & Lumphondwana, 1998). One of the major concerns was the Act limited the labour tenants playing field. While their rights were secured on paper, the labour tenant's real life experience was the stagnation of their role in society. The Act failed to translate their rights into formal ownership, something which severely limited the positive influence the Act could have made to their lives. Furthermore, once their rights had been 'secured', there was no further development of any new rights that the labour tenants could benefit from.

#### **4.7.2 The Extension of Security of Tenure Act 1997**

In 1997, the government passed the Extension of Security of Tenure Act (ESTA) No. 62. The Act is intended to protect the rights of farm dwellers and farm workers (not just those of bone fide labour tenants), and to regulate the relationship between them and the land owner. As well as protecting the rights of both parties, the Act also puts forward a range of obligations directed towards both the farm dwellers and the farm owner (Hall et al., 2001).

ESTA grants the farm dwellers a legal right to live and use the land they reside on, irrespective of whether they have a formal title to that land or not. This is intended to protect them from evictions and threats of evictions, and provide them with greater security and freedom. ESTA operates with the category 'occupier' to include all people who live on agricultural zoned land with the consent of the owner. Should the farm owner withdraw this consent, the farm dwellers will subsequently lose their right to residence. However, the owner does not have the right to evict them unless he has obtained a court order which says otherwise (Hall, 2003).

While ESTA is also intended to protect the rights of the farm owners, it spells out the obligations they have towards the dwellers. When landowners have given farm dwellers the right to reside on their land, they are at the same time obligated to provide them with access to services which have been agreed upon. Further, the Act establishes that long term occupiers stand on a stronger platform than dwellers who have recently established themselves on somebody else's land. People who fall into the long term category includes dwellers who have lived on the same place for ten years or more, people who are sixty years or older and disabled people (Hall et al., 2001). Long term residents are not to be evicted unless alternative accommodation has been provided, or if they have violated the terms of occupancy. This can be interpreted as a conversion of farm dweller's *de facto* land rights into *de jure* land rights, which should help to provide certainty and confidence to the respective farm dwellers (Adams et al., 1999). Another important aspect of ESTA is the 2001 amendment which specifies the farm dweller's burial rights (Hall, 2003). In response to the importance that burial practices have in most farm dweller's religion and culture, ESTA provides them with the right to bury their relatives on the farm where they lived. Further, they are given the right to visit the graves of their relatives in cases where they no longer reside on the land where relatives are buried.

On the other side, farm dwellers are in return responsible for upholding their part of the relationship. This includes provision such as the following: they shall not damage the property of the farm owner, they are prohibited from helping others to establish a homestead on the ground unless the farm owner has given his permission, and they are to respect the other farm dwellers who reside on the farm (Hall et al., 2001).

One of the most important implications that follow from farm dwellers acquiring land rights lies in their increased control of their land. Provided that they get a reasonably sized piece of land, they now have the authority to decide how this piece is used. They get the right to live in their home, grow crops, graze animals and collect fuel wood and medicinal herbs and to bury their dead (Adams et al., 1999). This is important to the farm dwellers. Their conception and definition of home includes aspects such as the place where they will be buried, and where their ancestors are buried (AFRA, 2005).

But even though both ESTA and the KwaZulu-Natal Cemeteries and Crematoria Amendment Act 2 of 2005 recognize farm dwellers burial rights, it is still a problem that land owners ignore this legislation (AFRA, 2005). Moreover, with increased land rights the land owners will have the power to control who should be allowed to live on the land. As the situation is now, in many cases the children of the farm dwellers are forced to leave when they grow up (AFRA, 2005).

The pace of land reform in South Africa has been slow, and the tenure reform program has suffered the worst. Despite the legal security provided by ESTA and the Land Reform (Labour Tenants) Act, evictions are still happening all over the province. The National Eviction Survey conducted by NKUZI Development Association estimated that between 1994 and 2004 a total of 1,679 million people were evicted from farms across the country (Table 4.2). A total of 2,351 million people were displaced from farms in the twenty years between 1984 and 2004.

In many of the cases, the displacement of farm dwellers from farms was due to external factors which made it difficult to continue living on the farm. There have for example been numerous instances of farm dwellers being pressured by the farm owners to leave. Farm owners have been reported to cut off the access to water, denying children easy access to schools and generally creating a tense relationship between themselves and the farm dwellers, thus making it near impossible for the dwellers to continue living there (Weregriif et al., 2005). As seen in Table 4.3, the number of people evicted from farms has actually increased in the post-apartheid era in spite of the new legislation which is intended to

empower and strengthen the rights of farm dwellers. The number of farm dwellers who are being evicted or displaced is of serious concern. It creates pressure to build new settlements and to prevent them from becoming squatters in urban areas. On the other hand, the removal from their home is likely to affect the farm dwellers' identity. This is a subject which is usually not taken into consideration in eviction cases. However, it is likely that this place-based identity will be affected by relocation.

**Table 4.2 Evictions from farms 1984-2004**

<b>Total number of people displaced and evicted</b>		
	Displaced from farms	Evicted from farms
1984 to end 1993	1,832,341	737,114
1994 to end 2004	2,351,086	942,303
Total	4,183,427	1,679,417
Now on other farms	467,808	93,060
Permanently off farms	3,715,619	1,586,357

Source: Weregrif et al., 2005:7.

**Table 4.3 Yearly breakdown of farm evictions 1984-2004**

<b>The percentage and number of evictions found to have occurred each year</b>			
Year	% of evictees	No. of evictees	Context
1984	9.5 %	159.545	This follows an extended drought from 1982-84
1985	3.3 %	55.421	
1986	5.9 %	99.086	
1987	2.1 %	35.268	
1988	2.9 %	48.703	
1989	3.8 %	63.818	
1990	4.1 %	68.856	
1991	1.1 %	18.474	
1992	10.7 %	179.698	Severe drought 1991-92
1993	0.4 %	6.718	Farms recover, one of the few years where there was an increase in farm employment.
1994	7.4 %	129.315	Political uncertainty, trade liberalisation (SA joined GATT in 1993), and Restitution of Land Rights Act.
1995	5.0 %	83.971	New Labour Relations Act (LRA) comes into effect.
1996	6.8 %	114.200	Land Reform (Labour Tenants) Act.
1997	7.7 %	126.196	Extension of Security of Tenure Act (ESTA) and New Basic Conditions of Employment Act.
1998	3.8 %	63.818	
1999	5.4 %	90.689	
2000	3.4 %	57.100	
2001	1.5 %	25.191	
2002	3.6 %	60.459	
2003	8.2 %	137.712	Sectoral determination for agriculture including a minimum wage.
2004	3.4 %	57.100	

**Source: Weregrif et al., 2005:9.**

The majority of the evicted farm dwellers (67 %) ended up in urban centers where there are better job opportunities. Most of these settled in townships or informal settlements. Another 14 % moved to the former homelands. This settlement pattern contributes to a reinforcement of the former apartheid settlement policies whereby this land was demarcated for ‘black’ usage. Moreover, the movement of farm dwellers into urban areas has been recognized as a significant contributor to rural-urban migration (Hall, 2003). In some cases evicted or displaced farm dwellers will even establish new informal settlements in the outskirts of towns. All of this ensures that the issue of tenure rights for farm dwellers has expanded to incorporate economic and governance issues as well as being a human rights and a development issue (Hall, 2003).

**Table 4.4: Comparison of land reform benefits with eviction losses**

<b>Comparing land reform benefits with eviction losses</b>	
	<b>Beneficiary households</b>
<b>Restitution</b>	
No information on how many farm dwellers	90 282
<b>Redistribution</b>	
No information on how many farm dwellers	66 360
Tenure for farm dwellers (ESTA + LTA)	7 543
Total households that gained land or tenure security from land reform, up to July 2005	164 185
Farm dweller households evicted 1994-2004	199 611

**Source: Weregrif et al., 2005 :21**

The Department of Land Affairs (DLA) was established as an integral part of the land reform programme with the responsibility to protect the tenure rights of South Africa’s farm dwellers (Hall, 2003). In cases of threatened evictions the DLA is to do fieldwork and gather information that will be taken into consideration in the court. Many farm dwellers are unaware of their rights, and do not know that the land owner needs to substantiate his claim if he is to go through with an eviction. This helps to explain the disparity between the

number of reported threats of eviction and the number of reported court cases that deals with these threats.

Hall (2003) argues that when farm dwellers receive a notice of intention to obtain a court order that will grant the land owner the right to evict them, many farm dwellers rather perceive this as simply a notice of eviction. They will thus vacate the place before the matter can go to court. The law states that before land owners can go through with an eviction they have to notify the DLA, the local municipality and the farm dwellers themselves two months before the case goes to court (Hall, 2003). This gives the DLA time to gather information about the circumstances of the specific cases. It also allows for negotiations to be initiated, and for the farm dwellers to obtain legal advice. However, the interim period does at the same time allow for the land owner to persuade the farm dwellers to leave before the matter is raised in court.

The report that the DLA is to write up before eviction disputes are settled in the court is also a contentious issue (Hall, 2003). The cases that the DLA have to deal with are simply too numerous, which has implications for their ability to finish writing reports for them all. Usually the court will allow them three weeks to write up the report, but this is often not enough. The law is unclear as to whether these reports are mandatory, and where the DLA is unable to write them the court case will proceed without this evidence (Hall, 2003). This may in some cases mean that farm dwellers are being legally evicted without there being any evidence that they will find suitable alternative accommodation.

The justice system makes it hard for farm dwellers to enforce their rights. ESTA, which was introduced to protect farm dweller's tenure rights, has instead had the effect of providing land owners with a legal framework in which to evict farm dwellers (AFRA, 2004). Compared to the farm dwellers, the owners have resources to draw upon and they use these to their advantage. The clause in ESTA that prohibits owners from evicting anyone living on their land unless there is a compelling reason is both ambiguous and open to personal interpretation (Hall, 2003). If the courts are to rely on precedence, then the odds are highly unfavorable to the farm dwellers. 'Compelling reason' has been interpreted as the sale of an unoccupied farm, or that the dwellers represent an obstacle to economic growth (Hall, 2003,

AFRA, 2004). The latter reason is often drawn upon when there is a change in farming operation - for example when there an agricultural operation is converted into a private game park. Moreover, the South African police force (SAPS) seems to be biased in favor of the farm owners in disputes concerning evictions. When illegal evictions are concerned, charges laid on the owners seldom lead to a conviction. For a long time, the SAPS did not even regard illegal evictions as a crime, thereby rendering it almost impossible to convict the farm owners (Hall, 2003).

Like ESTA, the Labour Tenants Act aims to extend the rights of labour tenants and prevent evictions. However, it has been claimed that this act too ends up providing a legal framework for land owners to legitimize evictions. Moreover, there is a tendency to conflate labour tenants with farm dwellers and farm occupiers, something which causes confusion and misinterpretations of the law. Previously, the apartheid government wanted to eliminate labour tenancy because it was seen as inhibiting the development of society. Today, the rhetoric is that the fight against labour tenancy is fought in order to protect the tenants themselves.

## **4.8 Conclusion**

South Africa has a long history of segregation and apartheid which is still affecting the country's policies both with regard to the economics of nature conservation and the realities of the country's farm dwellers. Nature conservation is today striving to fulfill two separate goals. The first is to meet international and national agreements relating to the protection of flora and fauna. The second goal is to provide South Africa with an economically sound industry which will attract tourists. This last goal has implications for the farm dwellers that live in or in close vicinity of protected areas. In the Extension of Security of Tenure Act No 62 it is written that farm dwellers cannot be evicted unless they represent an obstacle to economic growth. In cases where owners of land want to turn the land into a private game park, they have the opportunity to evict farm dwellers on these grounds. At a time where the growth of private game parks has accelerated, the numbers of evictions had increased as a result. Despite the fact that legislation supposedly protecting farm dwellers from evictions

has been put in place, it seems their situation has in fact deteriorated in the post-apartheid period.

## **Chapter 5 – The lead-up to relocation: The farm dwellers and the legal struggle**

### **5.1 Introduction**

This chapter presents the first section of the results of the study, focusing in particular on answering two of the research questions or objectives that structured the field work. These are:

- To investigate how the process of farm dweller relocation due to the game farming enterprise occurred, with particular focus on the actions of the various role-players (farmers, state, NGOs).
- To assess the state's ability to protect the interests of farm dwellers in this instance.

The first part of this chapter provides a detailed narrative of the relocation. It was a complex and contested process with a number of actors involved. The narrative attempts to reconstruct the process from its beginning in 1996 until it was finalized in 2001. It has been pieced together by the researcher mainly from archival sources, with supplementary material from interviews.

### **5.2 Legal disputes prior to the removal**

Early in 1996, a group of twelve farmers from the Vryheid district got together to establish a new private game farm, to be called the Thaka Zulu game park. The farmers were having serious trouble with cattle theft. With the promise of earning a lot of money within the tourism industry, they perceived the chances of economic success as being greater if they transformed their land into a game park (AFRA, 2004). The plan was that each of the farmers would contribute their farm/farms which were situated adjacent to each other, together making up approximately 30 000 hectares of land.

Most of the farms had farm dwellers - current or former labour tenants - residing on the land. These dwellers would now be situated inside the game reserve, and would therefore

have to be resettled (AFRA, 2004). The owners of the farms planned to introduce the 'big five' game animals to the reserve, and it would thus be too dangerous for either the farm dwellers or the farmers to continue to stay within the borders of the proposed game park<sup>3</sup>. The farmers did however predict that a number of the farm dwellers would be employed when the reserve was up and running. According to AFRA (2004), they also offered the farm dwellers the opportunity to become part of the project. If the latter agreed to this, they would have to contribute the land they currently occupied towards the game reserve. They would be resettled on the edge of the reserve into an agri-village (AFRA, 2004). The drawback was that they would not have the opportunity to continue with their cattle farming. This was rejected by the farm dwellers as they regarded the continuation of their cattle keeping as vital for their livelihoods.

When the twelve landowners decided to turn their farms into a game park, they themselves informed the farm dwellers that they would have to move (AFRA, 2004). The information appears to have been poorly communicated, and the exact legal status of the farm dwellers was unclear. The farm dwellers later reported that they were uncertain of their situation (Respondent F, 15.01.2010). Previously most of the farm dwellers had apparently maintained a good relationship with the farm owners (AFRA, 2004). They were however generally uninformed about their rights and obligations, and did not know what alternatives were at their disposal (Respondent A, 04.06.2009, Respondent F, 15.01.2001).

It was at this point that the Department of Land Affairs became involved. The farm dwellers asked the DLA for assistance, a step apparently approved of by both parties (AFRA, 2004). The majority of the farm owners declared that they were willing to seek a solution within the tenure legislation. In 1997, the labour tenants from the various farms to be affected by the Thaka Zulu private game park, lodged applications to acquire land in terms of the Land Reform (Labour Tenants) Act 3 of 1996<sup>4</sup>.

In the meantime there was an internal restructuring in the proposed game park. This involved the reduction of the original twelve farm owners participating in the venture to

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3 Project Identification Report, DLA, 26.11.1997

4 Memorandum, DLA (Vryheid), 20.07.2000.

eight, and the original land area of Thaka Zulu was reduced to 12 500 hectares (AFRA, 2004). Most of the eight remaining landowners immediately started negotiating with the farm dwellers with the aim of resettling them outside the boundaries of the reserve. Five of these eight farmers were prepared to provide land outside of the Thaka Zulu game reserve on which the farm dwellers could live while the Department of Land Affairs (DLA) was assisting them in the process of getting them declared labour tenants under the 1996 legislation and dealing with their rights as such<sup>5</sup>. The available options were: for the state to buy land on behalf of the labour tenants; for the state to assist the tenants in buying shares in the proposed game reserve; or for the farm dwellers to be declared labour tenants under the legislation with all the rights and responsibilities that this would entail.

The farmers who split off from the original Thaka Zulu project were not, however, abandoning the idea of creating a private game reserve. It appears that they simply wanted more control over the project. The farmer named here as Adriaan, in particular, was still determined to turn his substantial lands into a private game reserve. He may have thought that the eight remaining landowners were taking too 'soft' a line with the farm dwellers. He took a different line, as will become clear in this narrative. From the point of view of DLA, whether the result would be one or two private game parks, the process was the same. Thus Adriaan's struggles with the farm dwellers are contained in the Thaka Zulu files.

The documents available in the Department of Land Affairs' Vryheid office are difficult to untangle, but an attempt has been made to do so and to follow the legal proceedings through these documents. In the proceedings, the "Thaka Zulu land owners" were treated as three broad groups<sup>6</sup>. The first group comprised Broers Helpmekar, an enterprise owned by the farmer referred to here as Adriaan, in addition to Adriaan's other farms and those of his father. The second group included two farmers who owned the three farms Success, Vriesgewaagd and Lootskloof (referred to here as Dawie and Tian). The third group consisted of the five farmers who had agreed to make some of their land available temporarily so that the farm dwellers could live there while long term solutions were being sought<sup>7</sup>. (There was

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5 Thaka Game Reserve, text written by the DLA (Vryheid), 16.01.1998

6 Memorandum, DLA (Vryheid), 20.07.2000

7 Memorandum, DLA (Vryheid), 20.07.2000

also a suggestion that the land of another farmer in the area – who was not involved in the Thaka Zulu project - should be purchased by the state to allow for a permanent settlement). As noted above, Adriaan remained determined to evict the farm dwellers who were living on his farms and to convert his land into a game reserve. In addition, Adriaan was planning to build a dam which would flood a portion of the area where the farm dwellers were presently living. He saw no other option than to relocate them<sup>8</sup>. This was the start of an acrimonious conflict between this particular farmer and the farm dwellers who lived on his land. Due to the complexity of the case, as well as the large amount of information available in the DLA files detailing Adriaan’s legal struggle with the farm dwellers on his land, it was decided to focus the analysis on this particular farmer and the people who were eventually relocated from his land.

Adriaan and two other farms, Dawie and Tian (in the second group above) took a hard line against the farm dwellers. They held that they did not have land to provide the above mentioned temporary settlement for these people<sup>9</sup>. They also argued that the people living on their land were doing so illegally because they had not actually worked for the farmers for a substantial period of time. They suggested as an alternative that the farm dwellers could move to adjacent state-owned land as emerging farmers, and they agreed to bear the cost of an investigation into this possibility. As already noted, the farm dwellers instead went ahead and lodged their application to stay on the farms and obtain ownership of some of the land in terms of the Land Reform (Labour Tenants) Act 3 of 1996.

The farmers Adriaan, Dawie and Tian then took the farm dwellers to the local district court, arguing that they must reduce the number of livestock that they owned and kept on the farms<sup>10</sup>. This can perhaps be regarded as a retaliatory move, a ‘punishment’ for the farm dwellers having attempted to claim their rights under the 1996 legislation. The farmer Adriaan in particular, who owned a number of farms in the area, had numerous conflicts with the farm dwellers living on his properties. Despite these efforts, the farm dwellers’ application to be declared bone fide labour tenants went to the national Land Claims Court

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8 Letter from the DLA to the farm dweller's lawyer, 16.07.1997.

9 Strategy for Realising Potentials, text written by the DLA (Vryheid), no date.

10 Strategy for Realising Potentials, text written by the DLA (Vryheid), no date.

(LCC) which referred it for mediation – to avoid further expense, the LCC always hoped to reach a negotiated settlement in such cases.

However a disagreement arose between the mediator appointed and the DLA as to whether the mediator had mediated within the frameworks specified by the DLA or not<sup>11</sup>. The mediator appears to have extended the dispute around cattle to a local agreement on a land settlement option. During the mediation process, conflict between the land owner and the tenants was increased. An onsite visit was arranged and was attended by both parties and their legal representatives and two persons from the DLA<sup>12</sup>. The mediated option was revisited and the alternative land option discussed.

The negotiations between Adriaan and the people residing on the farms were slow and frustrating for both parties. Adriaan refused to admit that they were bone fide labour tenants, which complicated the process<sup>13</sup>. After more than a year of negotiations facilitated by a mediator without any results to show for it, Adriaan was threatening to stop the mediation and take the case back to court<sup>14</sup>. He attempted to push forward an agreement where the labour tenants would relocate to another farm, Uitkyk no. 714. This was however rejected by the farm dwellers as they would then be situated within the territory of a different chief, Chief Zondo, with whom they had no connection.

It is clear from the documents that the labour tenants' lawyer Mr Zondi (not his real name) also played a prominent and not always constructive role in the drama. He pressed forward another solution which was also unacceptable to his clients. The relationship between the parties grew tense, with allegations going both ways. Adriaan accused the farm dwellers of destroying his fences, thus rendering it impossible for him to continue with his normal farming practices<sup>15</sup>. Through his attorney, he accused the farm dwellers of sabotaging the negotiation process and causing him to suffer damage. Further, he threatened to sue the farm dwellers for thousands of rands for damage caused by their persistence in keeping

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11 Valuation Report, Van Rensburg, 23.01.2001

12 Letter from Adriaan's lawyer to the farm dweller's lawyer and the DLA, 26.02.1998

13 Letter from Adriaan's lawyer to the farm dweller's lawyer and the DLA, 26.02.1998

14 Letter from Adriaan's lawyer to the farm dweller's lawyer and the DLA, 15.05.1998

15 Letter from Adriaan's lawyer to the farm dweller's lawyer and the DLA, 28.07.2000

large numbers of cattle on his property<sup>16</sup>. This, Adriaan claimed, was preventing him from using the land for his own cattle, and he wanted to be compensated for lost profit. In addition, Adriaan claimed that the DLA was encouraging the farm dwellers in their intransigent behaviour, and that the Department thus bore part of the responsibility for slowing the case.

In private correspondence, staff of the DLA held the labour tenants' lawyer Mr Zondi responsible for the slow pace of the case<sup>17</sup>. A complicating factor in the draft agreement was a reference in the document to a second group of families not currently resident on Adriaan's land, but who had lived there in the past and now wanted to return and settle together with the current residents so as to be included in any agreement reached<sup>18</sup>.

On 24 October 1997 an on-site meeting was held with two officials from DLA, Lisa Del Grande and Zithulele Mbonane, present<sup>19</sup>. It was also attended by the farm dwellers, their lawyer Mr Zondi, and Adriaan and his lawyer. It became apparent during the meeting that an agreement was needed urgently, but at the same time the farm dwellers were not entirely happy with the new agreement proposed. During the meeting many accusations were passed between the two parties, both of whom appeared to have legitimate complaints. All parties present at the meeting were shown an alternative piece of land belonging to a different land owner just outside the proposed game reserve area<sup>20</sup>. It was agreed that the DLA would get this land valued during December 1997 so that it should be possible to agree on a fair price for the land if an agreement could be reached.

The labour tenants' lawyer Mr Zondi was based in Johannesburg – itself a complication in the case. In response to a complaint from the lawyer, the DLA proposed to Mr. Zondi that its officials should be allowed to meet the farm dwellers to establish their understanding of the draft agreement and to verify the details<sup>21</sup>. Adriaan's lawyer, while still arguing that the

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16 Letter from Adriaan's lawyer to the farm dweller's lawyer and the DLA, 14.01.1998, Letter from Adriaan's lawyer to the farm dweller's lawyer and the DLA, 28.07.2000

17 Letter from Lisa Del Grande to staff members of the DLA, DLA (Vryheid), 24.03.1998

18 Letter from the farm dweller's lawyer to Adriaan's lawyer and the DLA, 04.12.1997

19 Letter from the DLA to the farm dweller's lawyer and to Adriaan's lawyer (Vryheid), 21.11.1997

20 Letter from the DLA to the farm dweller's lawyer and to Adriaan's lawyer (Vryheid), 21.11.1997

21 Memorandum, DLA (Vryheid), 25.03.1998

farm dwellers were not bone fide labour tenants, indicated his willingness to nonetheless reach an agreement under the Labour Tenants Act for the sake of progress. Adriaan and his lawyer were thus willing to resolve the matter through the use of the Labour Tenants Act – without however acknowledging the rights accruing to labour tenants under this Act<sup>22</sup>.

It appears that this was accepted in principle, a decision that is difficult to understand from the point of view of DLA and the farm dwellers. This concession would seriously impact on the kind of agreement finally reached and the space within which the farm dwellers' lawyer could legitimately argue their case. This was also reflected in the second draft agreement where the entire burden in terms of costs and moving was placed on the farm dwellers<sup>23</sup>.

Adriaan's lawyer took it upon himself to redraft the agreement after the on-site meeting at 24 October 1997<sup>24</sup>. The DLA made comments to the farm dwellers' lawyer Mr Zondi on this agreement and were under the impression that he would take the matter forward with his clients. Much confusion arose as to what the lawyer then actually did in leading his clients to a mutual understanding on the issue. To try to address this, the DLA set up a meeting with the farm dwellers and their lawyer to resolve the matter. This meeting took place on 13 March 1998. Strangely, Mr Zondi took it upon himself to invite the farmer Adriaan to the meeting, without the knowledge of the DLA or his clients<sup>25</sup>. In sum, the applicants' lawyer did not create a trusting relationship with his clients. This was another issue which impacted on the negotiation process.

At the meeting described above, the relationship deteriorated further as the Johannesburg-based lawyer repeatedly told his clients that Adriaan had more rights as the owner of the farm, than the applicants had as tenants<sup>26</sup>. He tried to push forward an agreement where the tenants would move to a different farm, although there were already people living there. A disagreement arose between Mr Zondi and the DLA, who refused to go for this option if it meant that the current occupiers would have to be evicted. (Mr Zondi wanted the farm to be

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22 Memorandum, DLA (Vryheid), 25.03.1998

23 Draft Agreement, no date

24 Letter from Adriaan's lawyer to the farm dweller's lawyer and to the DLA, 17.11.1997

25 Memorandum, DLA (Vryheid), 25.03.1998

26 Memorandum, DLA (Vryheid), 25.03.1998

vacated to make way for his clients)<sup>27</sup>. A further point of disagreement was that the farm itself, even without the present occupiers, would not be big enough to house the relocated farm dwellers and their livestock.

Mr. Zondi seemed increasingly to take the side of his clients' opponent, going on to accuse them of keeping too many herds of cattle on Adriaan's farm and saying that they would have to get rid of some of them<sup>28</sup>. During all this, Adriaan, who was not supposed to have been present but who had been invited by Mr Zondi, had the opportunity to listen to the bickering between Mr Zondi and his clients. All in all, the labour tenants appeared to have lost their faith in their own attorney.

Subsequent to the above mentioned meeting, Lisa Del Grande of the DLA received phone calls from both Mr. Zondi and the farmer Adriaan. Both of them implied that the DLA had been stalling and causing problems with Mr. Zondi's clients<sup>29</sup>. Adriaan also threatened to grade the access roads so that the farm dwellers could not use them and said he would look at the option of fencing in each of the households with their cattle. He reasoned that if he was not able to use these roads and have access to his farm, then he would not allow access to the farm dwellers<sup>30</sup>. At the same time, the DLA expressed concern about what they regarded as insufficient work being done by Mr. Zondi with his clients. Numerous visits by the farm dwellers to the Vryheid office of DLA confirmed their worry that Mr. Zondi was causing difficulties. The DLA officials tried to liaise with both lawyers on the matter and establish some mutual approach, but were not able to speak with Adriaan's lawyer except through Mr. Zondi.

Another issue of contention was related to the number of cattle that the tenants owned, which became a concern for both the farm owner and the DLA<sup>31</sup>. The cattle not only exceeded the carrying capacity of Adriaan's farm but became a problem in the search for suitable alternative land. The farm dwellers expected to receive a portion of land which

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27 Letter from the North West Land Facilitation Services to the DLA (Vryheid), 24.03.1998

28 Letter from the North West Land Facilitation Services to the DLA (Vryheid), 24.03.1998

29 Memorandum, DLA (Vryheid), 25.03.1998

30 Memorandum, DLA (Vryheid), 25.03.1998, Letter from Adriaan's lawyer, 28.07.2000

31 Letter from Adriaan's lawyer to the farm dweller's lawyer and to the DLA, 14.01.1998, Memorandum, DLA (Vryheid), 25.03.1998

would support the present number of cattle that they owned<sup>32</sup>. Much facilitation work was also required with the farm dwellers to explain their rights and their duties if they were to make claims as tenants or occupiers. In the long run, it would have been preferable for the DLA to have been allowed to educate them on these issues as it would have speeded up the process. Among other things it would mean that when the issue of cattle numbers were raised as a concern, the farm dwellers might understand why they would need to compromise on the numbers they had. At this point they believed they had the right to a large number of cattle and expected the alternative land option to be sufficient to cover that need.

In addition, if the DLA had been able to do facilitation work with the farm dwellers, the additional families who did not reside on the farm might understand the need to separate their applications should the farm dwellers want to continue the case under the Labour Tenants Act. Further, the DLA argued that, although this education process would slow down the case in the short term, in the long term the agreement must be seen as fair and equitable<sup>33</sup>. If the farm dwellers did not understand their options and make informed choices, the Department would be forced to revisit the case at a later point. Overall, due to deep rooted mistrust and suspicions between farm owners and tenants, it was difficult to reach an agreement. This was compounded by numerous legislative changes (both parties are not quite clear about these) in the relationship between the tenants and the owners<sup>34</sup>.

There were three particular families who the farmer Adriaan wanted to evict with immediate effect. Adriaan claimed that these three families lived outside of the settlement area, but inside the boundaries of his new dam project<sup>35</sup>. The farm dwellers themselves argued that they had lived within the boundaries of the settlement area the whole time, but it was Adriaan who had moved the boundary fences. Therefore they argued that they did not have to move. Adriaan on the other had argued that the boundaries were fixed from existing beacons so there was no way that he could have altered them<sup>36</sup>. Further he argued that at

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32 Letter from the farm dweller's lawyer to the DLA and to Adriaan's lawyer, 20.02.1998

33 Letter from the North West Land Facilitation Services to the DLA (Vryheid), 24.03.1998

34 Final Report: Thaka Game Reserve (Phase 2), DLA (Vryheid), no date

35 Internal letter, DLA (Vryheid), 16.07.2001

36 Internal letter, DLA (Vryheid), 16.07.2001

the present time the families were breaking through his fence to fetch water, and that this behaviour would only continue if they were to remain. Five further families who did live within the borders of the proposed dam had been willing to relocate initially, but amidst all the disputes they became confused about the situation and where they stood in relation to the rest of the farm dwellers<sup>37</sup>. Their voluntary relocation had thus come to a standstill.

Finally, on 25 May and 14 June 2000, the labour tenant applicants were approved. Land was purchased outside the game reserve area as a settlement area for the farm dwellers. A year later, on 26 January 2001 and 15 August 2001, the agreement of sale and purchase was signed<sup>38</sup>.

There were still problems however. Both the land owner and the communities disputed the areas for settlement, and these issues had to be mediated by legal representatives<sup>39</sup>. An agreement was reached in which the owner agreed to erect fencing around the settlement after a survey was done<sup>40</sup>. However, the communities complained about the way that the fence was erected after the surveyor determined the boundaries of the property that had been purchased for them. There were also allegations that the surveyor did not do the measurements in the presence of the farm dwellers and that the fencing was not erected in the correct areas. The land owner too complained that some of his fences were being cut by the community<sup>41</sup>. The areas where the fence was allegedly taken down were at the edge of the community's property where only a seven metre access width was given to the river where the cattle had to drink. This was in accordance with the resolution during the initial mediation. It was finally agreed with the land owner that another 80 metres would be allowed for that purpose and that the community would help to move the fence to the agreed area.

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37 Internal letter, DLA (Vryheid), 16.07.2001

38 In the Land Claims Court of South Africa, Case no 132/98, Case no 133/98, Case no 134/98, Case no 135/98, Case no 9/97

39 Internal letter, DLA (Vryheid), 16.07.2001

40 Internal letter, DLA (Vryheid), 10.01.2003

41 Internal letter, DLA (Vryheid), 10.01.2003

The land owner Adriaan was ordered by DLA to make available a tractor, a trailer and a driver to assist the farm dwellers in the relocation<sup>42</sup>. According to the farm dwellers, this did not happen (Respondents A+B 04.06.2009, respondent J 05.06.2009). They claim that the farmer Adriaan bulldozed their houses and left them to help themselves. This meant that they were not able to transport any building materials from the old structures that could be recycled. Adriaan was also ordered to let the farm dwellers cut some trees to use as building materials for their new homes. However, the farm dwellers claim that this promise did not materialise. They did not however report this issue to the DLA.

In late 2001 when the case was finally closed and the farm dwellers relocated, the relationship between the farm dwellers and the farmer Adriaan was at an absolute low (Respondents A+B 04.06.2009, respondent J 05.06.2009). This has had detrimental consequences for the community who were relocated adjacent to Adriaan's land. When there is drought, they are left with no water source, and since they are not speaking to Adriaan there is no opportunity for them to receive help from him.

It has been a challenge for the researcher to determine just how many farm dwellers were actually relocated from the farms owned by Adriaan. At the DLA, no-one was able to give a clear answer regarding the number. The available documentation covering the case was patchy, and details about the farm dwellers were missing. The court documents mentioned 13 persons who were compensated after the relocation. However, as described in Chapter Four, during the fieldwork the researcher became aware of two different groups of farm dwellers who had relocated from the farms owned by Adriaan. The first settlement included around ten families. They informed me that they had been given title deeds to their new land.

It was however difficult to reach the second settlement as a consequence of its remote location and the lack of roads. I therefore arranged to meet with several of those farm dwellers in Vryheid. They informed me that their community consisted of almost 100 families all of whom had been relocated from Adriaan's farms. I spoke to all of the persons

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42 In the Land Claims Court of South Africa, Case no 132/98, Case no 133/98, Case no 134/98, Case no 135/98, Case no 9/97

who were mentioned in the court documents, as well as to people whose names are not mentioned anywhere. I enquired at the DLA and at AFRA but was not able to gain clarity on exactly how many people have been relocated. The gap between the figures of 13 farm dwellers (those mentioned in the court documents) to the more than 100 that the farm dwellers themselves are talking about seems too big to be explained away. One possibility might be that the farm dwellers misunderstood my question. Since they were relocated to an already occupied area they might have understood my question to be how many people that were living in the area now. However, my translators had an excellent knowledge of English, and I repeated the question several times, so this seems unlikely.

### **5.3 Analysis of the process**

What was perhaps most striking about the uncertainty surrounding this case was the lack of information from the DLA. The fact that the Department did not keep proper records of the case is a problem. During a workshop with the land-based NGO AFRA, workers from AFRA explained that their work is made more difficult than necessary (23.10.2009). Lack of access to information limits the working space of the organisation and inhibits their efficient participation on behalf of the farm dwellers. The result is that they constantly have to ‘re-invent the wheel’ which again results in waste of time and resources. In the Thaka Zulu case, as in other similar cases, AFRA have not been able to assist farm dwellers in the best possible way. As the farm dwellers themselves are often uninformed, it is absolutely critical that the relevant state channels facilitate the accessibility of records (Interview Lisa del Grande, 23.10.2009).<sup>43</sup>

One of the major issues that influenced the outcome of this case was the farm dwellers’ lack of insight and knowledge of the process. The majority of the farm dwellers could not read, and thus they did not have the opportunity to read up on their rights. In other words they were dependent on support mechanisms to aid them. One of these mechanisms should have been their lawyer, but as it turned out their lawyer was not dedicated to providing them with information. According to a letter from the North West Land Facilitation Services sent

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<sup>43</sup> It should be noted that Lisa del Grande worked at DLA at the start of this process, then later moved to AFRA. The 2009 interview with her was conducted when she was Director of AFRA.

to the DLA in Vryheid, their lawyer Mr Zondi did not provide the necessary information to his clients<sup>44</sup>.

The DLA facilitated a meeting between the farm dwellers and their lawyer<sup>45</sup>. The reason for the meeting was that the DLA believed that the two parties did not maintain an informative relationship. The department officials realized that the farm dwellers needed to obtain more information regarding their situation, and that their lawyer had not informed them sufficiently. Thus the DLA intended to aid the farm dwellers and Mr Zondi to establish a more constructive partnership. The stated objectives of the meeting were:

- To facilitate consultation between Mr Zondi and his clients;
- To communicate and discuss problems that tenants are experiencing with Adriaan;
- To help people come up with a concrete resolution on options available for them in preparation for the meeting with Adriaan and his lawyer which will have to be organised thereafter<sup>46</sup>.

It seems however that the DLA was unsuccessful in achieving these objectives. First of all they did not have a strategy as to how they would reach all of the involved farm dwellers. Most of the farm dwellers that were interviewed for this thesis had never heard of this meeting. While the DLA may have informed a few of the dwellers on the case, the majority did not benefit from this information. During the meeting a disagreement arose between the officials from the DLA and Mr Zondi<sup>47</sup>. Mr Zondi wanted the DLA to provide him with the names of all the farm dwellers who lived on Adriaan's farms. The DLA however argued that as their lawyer, he should already have acquired this information himself. Mr Zondi complained about the slow progress of the case and blamed this on the DLA. Moreover, Mr Zondi spent time questioning his clients about what the DLA had said about him. The result was that a meeting with the aim of informing the farm dwellers about their case ended in bickering between their lawyer and the DLA. The farm dwellers did not trust their lawyer,

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44 Letter from the North West Land Facilitation Services to the DLA (Vryheid), 24.03.1998

45 Letter from the North West Land Facilitation Services to the DLA (Vryheid), 24.03.1998

46 Letter from the North West Land Facilitation Services to the DLA (Vryheid), 24.03.1998

47 Letter from the North West Land Facilitation Services to the DLA (Vryheid), 24.03.1998

their lawyer did not trust the DLA, and the DLA was insecure as how to tackle it all. In the end, the farm dwellers lost out on an important opportunity to gain information.

In an internal letter the DLA reflected on the fact that they now had to play the lawyer's role to Mr Zondi's clients<sup>48</sup>. While the DLA is responsible for the implementation of ESTA, they only assist with the administration of ESTA when this is requested by the parties involved in the cases (AFRA, 2004). In the Thaka Zulu case they were called upon to mediate between the parties, but there did not seem to be a clear understanding as who were responsible to educate the farm dwellers about their case. During the interviews the farm dwellers expressed their frustration regarding the lack of information they received as well as the unavailability of personnel who could help fill in the information gap. First of all they did not know who to turn to. Second, they tried to contact the DLA, the Commissioner and the Human Rights Commission among others but were not able to organise any constructive meetings (Respondents A+B 04.06.2009, respondent E+F 15.01.2010). The lack of an inclusive consultation process affected the farm dwellers negatively. The relationship that existed between the farm owner and the farm dwellers also had a negative effect on the process. As their relationship deteriorated the negotiations were increasingly taking place without the affected parties present. As the lawyers were gradually taking over the negotiations, the farm dwellers did not develop a good understanding of the case.

The DLA officials found it difficult to balance their roles as mediators and information sources as well as to take on the role as a lawyer to the farm dwellers. During one telephone conversation with a DLA official, Adriaan accused the DLA of sabotaging the whole process<sup>49</sup>. He argued that the DLA were agitating the farm dwellers against him, and that this was the main reason for the slow progress of the case. This accusation was made in 1998, when the case had been going on for two years. Ironically it would take an additional four years until the farm dwellers had relocated and Adriaan could commence on his game farming ambitions. It could be that Adriaan noticed that the DLA was trying to make up for Mr Zondi's lack of dedication to his clients. When Adriaan saw that the DLA officials were giving

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48 Letter from Lisa Del Grande to staff members of the DLA, DLA (Vryheid), 24.03.1998

49 Letter from Lisa Del Grande to staff members of the DLA, DLA (Vryheid), 24.03.1998

advice to the farm dwellers, he perceived them to favour the farm dwellers at the cost of himself.

In their response, the DLA denied that they were responsible for the slow progress of the case. Rather, they blamed it on Mr Zondi, and claimed that he was 'stirring' behind the scenes. Mr Zondi on the other hand claimed that he was 'not happy with the manner in which this matter is being handled by the Department'<sup>50</sup>. Again the farm dwellers, arguably the weakest party, were at the losing end of this dispute. Reading through the various documents that the DLA kept on the case, arguments between the parties dominate the records. This may be a contributing factor to the slow progress of the case. The fact that it took them five years to reach an agreement on this matter should be a cause of concern.

What of the settlement itself? The farm dwellers were eventually relocated under the provisions of the Extension of Tenure Security Act (ESTA) – a piece of legislation which is intended to empower farm dwellers and provide them with legal rights to the land on which they had lived for generations. In reality, in this case ESTA proved to be a means to take away their right to this land. The farm dwellers were all illiterate or semi-literate and had to put their trust in other people to fight for their rights. In their view, the land belonged to them. Most of them had lived on Adriaan's farms their whole life, and their parents before them. Not surprisingly, they have now lost all faith in the system and feel that 'land reform' has failed them.

The DLA did not manage to come up with an option to which all parties could agree. The result is that the farm dwellers are bitter over the outcome of the conflict with the farmer Adriaan (All respondents). While the DLA made an effort to reach the farm dwellers and inform them of their rights and options, they did not talk to enough of them. The majority of the people I spoke to did not know of the existence of a court order and did not realise the different options that were available to them. In fact, the community that were relocated to land owned by Chief Zondo have now been in contact with a new lawyer with the intention of contesting the outcome of this case.

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<sup>50</sup> Letter from the farm dweller's lawyer to the DLA, 16.03.1998

From the records collected at the DLA in Vryheid it is difficult to evaluate who was at fault for the outcome of the case. It is however clear that there was a lack of effective information pertaining to the rights entitlements of the farm dwellers. This deprived them of the opportunity to participate in the realisation of their constitutional rights as farm dwellers. The mediation facilitated by the DLA was hijacked by disputes between the very people who were supposed to provide the farm dwellers with the best possible outcome. It is difficult to know exactly why the DLA failed to reach the farm dwellers with the information that they needed. One possible theory is that the office was understaffed. As Lisa del Grande, at the time a DLA official involved with the case, stated in a letter that ‘people’s diaries are full I know and finding time to meet is difficult’<sup>51</sup>. However, this is not an adequate explanation for the less than satisfactory outcome of this case. The winner in this case is the landowner Adriaan – who was able to go ahead and establish his game reserve – and possibly the municipality who will benefit from the increase in tourism. The losers however are the farm dwellers. They do not receive any benefits from the reserve, rather they lost their home as a consequence of it.

## **5.4 Conclusion**

This chapter has explored the process of relocation precipitated by the establishment of a private game park. The chapter also set out to investigate whether or not the farm dwellers got the support they needed from the state. In outlining the legal disputes prior to the removal actually taking place, the chapter shows that there were a lot of disagreements between the various actors relating to the status of the farm dwellers. The process itself was very complex, and the progress of the case was slow. In addition, the process was dominated by the bickering between the DLA and the two lawyers – a legalistic process which did not further the farm dwellers’ interests. A further objective of this research was to determine whether the state was able to protect the rights of these farm dwellers. From this narrative, one can only conclude that it was not. It is clear that the farm dwellers did not obtain the information they needed. Perhaps due to the legalistic process followed, the DLA did not provide all the farm dwellers with sufficient information; their lawyer did not inform them about their rights and entitlements, and even appeared to be colluding with the landowner.

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51 Letter from Lisa Del Grande to staff members of the DLA, DLA (Vryheid), 24.03.1998

The end result is that the farm dwellers lost their land, with all the difficulties that this has entailed for them. The effects of the relocation are the subject of the next chapter.

## **Chapter 6: The Effects of the Relocation**

### **6.1 Introduction**

This data analysis chapter addresses the third and fourth objectives of the study. These were:

- To assess the socio-economic impacts of the relocation for the affected farm dwellers.
- To investigate how farm dwellers attribute value and meaning to the land where they lived, and how the relocation has affected their sense of place and identity.

The chapter begins by using Cernea's risk and reconstruction model to try to understand the socio-economic impacts of the relocation. Cernea identifies eight aspects or risks which resettled communities are likely to face. In this way, he provides a framework for analysis. In presenting the results of this study, an attempt has been made to determine the extent to which the resettled farm dwellers have indeed experienced each of the eight impoverishment factors predicted in Cernea's theory. The second part of the chapter uses qualitative data from the interviews to explore the values and meanings that the farm dwellers attach to their land, and considers in more depth the impact of the relocation on their sense of place and identity.

### **6.2 Exploring the socio-economic impacts**

#### **6.2.1 Cernea's risk and reconstruction model**

As outlined in the theory chapter, any person who is exposed to resettlement, particularly the poor, is at risk of suffering from a number of impoverishment factors identified by Cernea (Cernea, 1997). These now widely recognized impoverishment risks include: landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food insecurity, loss of access to common property and social disarticulation. A major goal of

Cernea's model is to provide the administrators of resettlement schemes with a tool to prevent the impoverishment risks becoming a reality: that is, it is important that specific efforts are made to mitigate against these risks. In the case of the Thaka Zulu removals, it appears that the socio-economic impacts for the relocated communities were only partially addressed (or not at all). The following sections consider each of the eight risk factors in turn.

### **6.2.2 The risk of landlessness**

Groups of farm dwellers who were resettled from Adriaan's farmland as a result of the establishment of the Thaka Zulu private game reserve received two different outcomes. The Mbekizweni community, consisting of approximately ten families, seems to have received a better outcome in terms of land. Interviews with some members of this community revealed that they were happy about finally owning their own land. While they had close ties to Adriaan's farmland where they had been living for generations as labour tenants, they now had a new sense that the land they are living on belongs to them.

At the same time, they were not consistent in this positive attitude about receiving the land. It seems rather that they have accepted the reality that they live in a new place, and that they want to make the best of it. In their experience, complaining does not lead them anywhere. They have tried to contact the authorities (Department of Land Affairs) to get more information about their rights, but very seldom have they received a reply. When questioned about tenure security, it appeared that the receipt of the title deeds was not really a decisive factor in feeling secure. They said that they did not worry that much about tenure security even when they lived on the farm. They perceived the land to belong to them even though they did not have title deeds to it. For them, the fact that they had lived on the land for generations was proof enough that the land belonged to the various families that have now been relocated.

The land they previously lived on at Adriaan's farm was a great deal bigger than the plot they received after the relocation (Respondent A, 04.06.2009). At Adriaan's farm they had enough land to graze more cattle than where they live presently. They also had bigger

vegetable gardens and they had access to clean water. After the relocation they had to limit their number of cattle and they ended up with having very small gardens compared to before. However, the most critical issue was that they did not have access to clean water.

The families complained about the lack of post-settlement support that they received from the DLA and the Zululand municipality after moving to the new land. This has made them lose faith in the objectiveness of the authorities. In the end, it seems they reasoned that they should just be happy about the land: they were, after all, lucky to have received anything at all (Respondent B, 04.06.2009).

The second group that was relocated from Adriaan's farm were not given title deeds to the land which they now occupy. They were instead relocated to a piece of land under a traditional authority, Chief Zondo. The reason for the differential treatment of the two groups is not clear. It is however clear that this community is not happy with the solution. First of all, during the interviews it became clear that even though this second group eventually agreed to the relocation, they did not feel like they had any real alternative. Secondly, they feel betrayed by the DLA as they had previously stated that they did not wish to be resettled where they would fall under the territory of Chief Zondo – yet this was the outcome they received. These farm dwellers explained that as newcomers to the area owned by Chief Zondo, they would be the very last to benefit from any resources provided by the chief. Further, they have been resettled in the middle of an already settled area, and have very little land at their disposal. There are communal grazing areas that they can use, but as newcomers they are only allowed to graze approximately ten cows per family. In contrast, when they lived on the farm each family would have around 50 cows each. They all stated that they found it very difficult to use the land as other people already lived on it (Respondent E, F & G, 15.01.2010).

This group is far from happy with the situation and is determined to fight back. Even though they have now been living on the land since 2001, they have not given up on getting the lost farmland back. In addition, they are now being exposed to increased pressure. During the interviews, they claimed that Chief Zondo wants his land back again and is threatening to kick them out (Respondent E, F & G, 15.01.2010).

In summary, with regards to land access the members of the two communities have been affected in very different ways by the resettlement. The Mbekizweni community have done reasonably well considering the alternatives. They have received title deeds to their new land, which may present them with opportunities that they previously did not have. On the other hand, the amount of land they received does not fully compensate for their loss. They are not able to grow the same amount of crops that they used to. For households where very few, if any at all, are engaged in paid work, this has serious consequences for their food security. Further, their grazing land has been decreased which also adversely affects their lives.

The members of the second community who were relocated on land owned by Chief Zondo did not receive any land as compensation for their loss. As such, they have in fact become landless. They are not able to farm or to graze cattle to the same extent as they did before the relocation. The cattle have had to be severely reduced (from around 50 to only one-fifth of that, or about 10 cows per household). In addition this group has the threat of another relocation hanging over their heads, and they have to battle for land access with other people who have been settled on the chief's land for some time.

With regard to farming, neither of the resettled communities received any technical assistance or social support measures. Neither did they receive any information regarding the land where they were moving, prior to the removal. This would have made it easier for them to start with agricultural activities. Better support from the DLA would have made it easier for them to adapt to their new environment. As the situation is now, both the communities are struggling to develop a sense of belonging to the land although the Mbekizweni community are working on it. They both expressed a wish to return to their ancestral land (now a game farm).

### **6.2.3 The risk of joblessness**

All of the farm dwellers who participated in the research were resettled to make way for a private development initiative. In other words, they had to leave their homes and livelihoods

so that the farm owner could start a new business. In the beginning it was promised that some of the farm dwellers would be trained and given jobs at the game farm once it was up and running. According to the farm dwellers themselves, and as is evident from the correspondence between the two parties' lawyers, the relationship between Adriaan and the farm dwellers was not a good one. After the relocation all talk of the farm dwellers' employment on the game farm ceased, and to this day none of them have gained any such benefits from the reserve.

None of the farm dwellers were engaged in paid employment prior to the relocation. As such they have not lost their jobs. However, none of them have been given an opportunity to take up work after the relocation (Respondent B, 04.06.2009, Respondent E, 15.01.2010). Further, it can be argued that the benefit of receiving a paid salary is more important to them now. They have lost cattle and access to land as a result of the relocation, and as such have to survive on reduced means. They are also living in a remote part of the Vryheid district. Transport is expensive and their opportunities to travel to and from Vryheid are rare. Thus it is very unlikely that they will find employment in Vryheid which is the closest town. According to the farm dwellers there are very few job opportunities in the district (Respondent B, 04.06.2009, Respondent F, 15.01.2010). The farm dwellers' skills consist mainly of farming knowledge, but they do not have the opportunity to use these skills in forms of paid work. This has caused the farm dwellers to feel more marginalized and has lowered their self-esteem.

#### **6.2.4 The risk of homelessness**

Members of households from the Mbekizweni community mentioned that, when moving, they had received some help in rebuilding their homes. They said they received some building materials from Adriaan, and that the farmer had helped with transport to move their belongings to their new home. However, no-one helped them to actually build their houses (Respondents A, B & C, 04.06.2009).

The families who were relocated to chief Zondo's land, however, stated that they got no help to rebuild their houses after they moved. They did not receive building materials, and

thus had to bear the costs of buying this. They also stated that Adriaan had bulldozed their old homes without giving them any compensation. They could therefore not use the materials from their old houses to build new ones. These farm dwellers are unemployed, and relying on grants from the government to survive. The expenses incurred in establishing new homes for themselves were considerable, and made a big dent in their small monthly income. Moreover, they experienced a period of homelessness before they could build their new houses. At the time of the interviews however their houses were of a good standard. They had managed to erect them to the same, if not better, standard than the ones they possessed prior to the relocation (Respondent D, 04.06.2009, Respondent M, 07.06.2009).

All of the farm dwellers have experienced the psychological stress that comes from losing a home. They cited the increase in day to day challenges as a constant worry that they had to deal with. The members of the Mbekizweni community seemed to deal with this stress in a very practical manner. While they would talk about the trauma that the relocation had caused, they were trying to move on. They were thinking of their new place as their home now. The physical structures of their new homes were in place, and now they were trying to incorporate a mental image of this as their home. This emerged during the interviews and could be read in the contradictory way they spoke about their new homes. A person would say that they wanted to go back to their home (on the farm) in one sentence, and later exclaim that they now thought of their new place as home. They did experience the relocation as traumatic, but were now slowly settling down (Respondent A & B, 04.06.2009).

The members of the community who were relocated to chief Zondo's land had more difficulty in settling down. They too described the relocation as traumatic, but here the trauma was still vivid. This might be a natural consequence of the ongoing dispute over the land where they now live which has made it difficult for them to settle down. They had strong ties to the farmland, and have not been able to create new ties where they live now. The fact that they are under threat of a new eviction has exacerbated their uneasiness, and they do not feel that they have gained a new home. Furthermore, the bulldozing of the structures in which they lived on the farm was highly traumatic for the members of this group. The respondents E, F and G (15.01.2010) explained that while they had not witnessed

the bulldozing themselves, there were people present when it had happened. Exactly who and how many was unclear.

### **6.2.5 The risk of marginalisation**

The social and economic security of the farm dwellers was first and foremost vested in their land and their cattle. Likewise, the number of cattle the farm dwellers owned had a great bearing on their social status. Cattle represent their primary economic wealth (together with goats and chickens). When their sons marry, cattle are needed for the lobola. The farm dwellers stated that before the relocation most of the families had owned around 50 cattle each. The 'rich' families would own more and some families a little less. During the dispute with the farmer Adriaan, a lot of the cattle were impounded. After the relocation none of the farm dwellers had access to sufficient grazing land or water to support all of their cattle. Consequently they had to sell them off, and a great many also died. Thus today the families have an average of 10 cattle each. This is making the payment of lobola very difficult (Respondents A & B, 04.06.2009, Respondent K, 05.06.2009).

The loss of cattle had another unexpected effect on the dynamics of the families. A man who owns a great number of cattle acquires legitimacy and power in the eyes of his wife and children. It proves that he is a responsible man who can take care of his family. His sons know that he will be able to pay their lobola, and his wife (or wives) is assured that he can take care of her and their children. When he has to give up most of his cattle the loss is psychological as well as material.

Most of the farm dwellers who were interviewed were concerned about the future of their children. They realised that there was not much of a future for them where they lived now. The 'new' land was not big enough for everyone's extended family to settle in. Further, there were no job prospects and no access to higher education. In conducting the interviews, it was noticeable that there were few young people around. Most of them had left to go to Vryheid or further afield, to Johannesburg to look for a better future. The head of the household, usually their father, did not have the means to support them anymore. Thus the family were losing their strongest members to the city. Not only did this have consequences

for the work that needed to be done around their home place, but it made the fathers feel that they had failed.

Speaking to the farm dwellers, it became clear that after the relocation process they had a strong feeling of marginalisation and powerlessness. After what they had been through, they had lost faith in the authorities. Their main experience was that of not receiving justice. The members of the Mbekizweni community interviewed, for example, did not understand the nature of the process. They had little or no knowledge of their rights, and most of them did not even know that there had been a court hearing on the matter. They had tried to contact the authorities a number of times, but never gotten any reply. They had had talks with the DLA and Zululand municipality, but nothing came out of it. They now felt like their case was forgotten. Whenever they went to the DLA, they had to confront different officials who had never heard about their case before. Every time was the same; the people they spoke to promised to get back to them, but never did. They had sought help to apply for an extension to their land. The application had been sent to Pietermaritzburg a year previously, but they still had not received any confirmation that the relevant people had even received the application (Respondents A, B, C & D, 04.06.2009).

The members of the community who were relocated to chief Zondo's land appeared to be better informed about their case. They knew about the court case although they had not been there to witness it. They were however confused about the proceedings of the court, and they were not certain whether the case was closed or not. While both of the communities were economically and socially marginalised, they also felt marginalised and powerless within the bureaucratic system. They did not understand fully why they had had to move and how this had happened. This caused a lot of frustration and left them feeling disempowered (Respondents E, F & G, 15.01.2010).

The relocation has increased both the economic and the social marginalisation of the communities. It has created insecurity and caused them to lose confidence in themselves and in society. Since the farm dwellers have lost a substantial amount of their cattle, their social status has dropped.

### **6.2.6 The risk of increased morbidity and mortality**

To scientifically measure whether there has been an increase in the morbidity and mortality of the farm dweller communities lies outside the scope of this thesis. Thus there has been no collection of data from the clinics. It is however still possible to discuss some possible health related consequences of the relocation.

At a psychological level, as discussed above, the relocation itself caused stress and trauma which affected the overall health of the farm dwellers. At a physical level, it was observed that the lack of access to clean water is a possible source of the spread of illnesses. None of the farm dwellers have access to a proper sewer system. Together with the poor quality of the drinking water, they will be at risk of contracting illnesses like diarrhoea and epidemic infections.

The communities are also further away from formal health services and clinics than they were at their original settlement. The Mbekizweni community reported that the only health service they had access to is a mobile clinic that comes once every month. The farm dwellers who were relocated to Chief Zondo's land, reported that they were far from the nearest clinic. It is likely that the absence of health services will have a negative effect on their health.

### **6.2.7 The risk of food insecurity**

Issues of food insecurity are very often on the agenda when poor communities are moved from their homesteads. In this case, too, this is a pertinent issue. Initially, the problem was that the farm dwellers on Adriaan's farm had to leave behind gardens where they grew vegetables and other plants. When they arrived at their new home, they subsequently had to establish vegetable gardens all over again. There was therefore a period of time where they had to do without home-grown produce. Their meagre incomes had to be stretched to accommodate the extra expenditure this required. The increase in food costs meant that they had to spend less money on other items. In fact none of the families had the means to pay the extra money that the shortage of food required. Already, most of their income went to purchase food items. The result was that they had to survive on less food.

According to the respondents from both communities, they did not suffer from food insecurity before the relocation. They all stated that they had enough cattle and large enough vegetable gardens to support themselves. If they experienced difficult times they always had something to fall back on. If their crops failed, they would have their cattle as a security. After the relocation, their cattle herd decreased and the vegetable gardens became smaller. They were no longer self-sufficient (Respondents A & B, 04.06.2009, Respondents E, F & G, 15.01.2010). Subsistence farming had been especially important for the survival and well-being of the farm dwellers, because their purchasing power is weak. Their income is mainly made up of state grants (pensions), and this is not enough to support a whole family. Thus, they do not have sufficient resources to purchase their food requirements. In the end this is likely to cause malnourishment and undernourishment.

Again, the members of the Mbekizweni community seem to have fared rather better than the people who were relocated to Chief Zondo's land. At least the members of the Mbekizweni community own their land and have a greater incentive to start projects which will ensure their food supply. While their land is not big enough to support all the families who live there, they are applying for an extension of their land. If this extension is granted, they will have better prospects of establishing a steady food supply. The problem is that they have not received any feedback on the application. Thus they have no notion of whether it will be accepted or not.

At the time of the interviews, their biggest challenge was the water supply. The only source of water that they possess is a small dam which occasionally dries out. They have to share the dam with their cattle, and when it dries out they do not receive any help from the municipality. In these instances they are dependent on the mercy of a nearby farmer who donates water to them. This farmer lives approximately five km away, and they have to carry the water all the way to their home (Respondents A, B & C, 04.06.2009).

The members of the community who were relocated to Chief Zondo's land are facing a difficult decision in terms of their food supply. The land they have received is small and not enough to support them. Further, they are still not sure whether they are going to settle

down there. Chief Zondo now wants this land back, and the farm dwellers have to decide whether it is worthwhile putting a lot of effort into establishing new food gardens. They know that the land is not theirs, and they do not want to work it just to see it being taken out of their hands again. In the meantime they do need to eat, so they have to grow something. This dilemma is making them very bitter (Respondent F, 15.01.2010).

### **6.2.8 The risk of losing access to common property**

Both of the communities involved in this research have lost access to what they previously regarded as common property (although it was on the farmer's land). Most importantly they have lost access to grazing land and access to water sources. Other resources they have lost include hunting grounds and areas where they previously used to harvest medicinal plants. These areas were not taken into account when the farm dwellers are compensated for their loss of land. It is difficult to measure the extent of these resources and consequently would have been difficult to reimburse the households for them. However for the farm dwellers, who were already poor, the loss of access to these 'common property' resources has had a major impact. Today they have to walk further away to collect fuel wood and building materials. The members of the community who now live on Chief Zondo's land, in particular, experience increased daily competition over these resources. The members of the two communities used to hunt bush-meat on the farm. This practice is no longer available to them.

### **6.2.9 The risk of social disarticulation**

From the interviews, it became clear that the relocation of the families that lived on Adriaan's farms did cause a change in the social network among the farm dwellers. First of all, the categorization of the people into 'two communities' is a result of the removal and is based on a bureaucratic invention. Prior to the move, the various families would not have considered themselves as belonging to either of these communities. It is still unclear as to why these two groups were treated differently, but they were identified by the authorities as two separate groups, and as described above, their experience has been significantly different.

On the other hand, the farm dwellers themselves did not seem to put a lot of emphasis on this point. Rather it became evident that the families stuck together and seemed to think of themselves as 'belonging' together. It might be that the other losses they experienced were of greater importance to them, and that they rather emphasised these over the social uprooting.

Members of the community who were relocated to Chief Zondo's land emphasised that it was difficult to move into another community. However, the problem was not with the people per se. They got along well with the members of the community that were already occupying the land where they moved. The problem was rather with the 'ranking' system and with Chief Zondo. As newcomers, they had the lowest status among Chief Zondo's subjects. Thus they got the worst land to settle on, and the least access to grazing land for their cattle. To climb down this ladder was a hard blow to them. They were used to being proud of whom they were; they used to be self-sufficient and in control of their lives. Now suddenly they had become dependent on a chief towards whom that they felt no loyalty (Respondent J, 05.06.2009).

### **6.3 Place values: the impact of the relocation on farm dwellers' sense of place and identity**

As already explained, two 'groups' of farm dwellers took part in the interviews. The first group had been given land outside the farm (now a game reserve), and had received title deeds to the 'new' land (the Mbekizweni community). The second group was not given title deeds, but resettled on land owned by chief Zondo.

#### **6.3.1 Values and meanings associated with agriculture and gardening**

The farm dwellers did not practise large-scale agriculture, but managed enough land to engage in subsistence use. As none of them were participating in paid work, they were to some degree dependent on having a garden where they could grow vegetables. In this way, agriculture and food security were closely connected. However, the gardens had a value beyond that of providing food. The farm dwellers explained that it was a way of life which they were unable to continue with after the move.

The group that had been relocated to the land which belonged to chief Zondo emphasised this aspect more than the group who now owned their own land. This group received very small gardens after they relocated. Their new homesteads and gardens were allocated to them by Chief Zondo. As newcomers to the area, they could not choose where they wanted to live or where they wanted their gardens to be situated. As a result of limited space, they were not able to grow a variety of crops any more. Now they were mainly growing maize.

Having gardens that they felt belonged to them had given the farm dwellers a sense of independence that disappeared when they lost access to their land. This was a key differential between the two groups. It was noticeable that the farm dwellers who received ownership of a plot of land after they relocated were generally more satisfied with their present situation. While they had had access to larger gardens before the move, they were happy that they now had *de jure* ownership of their homestead and were able to establish vegetable gardens. They valued their new gardens in much the same way as they did their old and larger gardens (although they complained about the small size of the new gardens). The gardens symbolized a means to obtain food, but in addition the gardens symbolized a way of life. (Respondent D, 04.06.2009).

For these people, the gardening activities had already become an important part of their everyday life. It was the women who spent most time planting and harvesting, and their active involvement in providing for the family was appreciated both by the men and the women. It also gave them a sense of agency. The women felt that they were actively contributing to the household's physical well-being. One of the women said that she enjoyed gardening because it gave her something in return. If she spent a lot of time taking care of her garden, she was rewarded with a good harvest (Respondent D, 04.06.2009).

This woman also emphasised the social aspect of gardening, and emphasised that this had to some extent been lost since the relocation. The family had had a relatively large garden which they shared with the extended family. The women would usually work together in the gardens, which gave them an opportunity to socialise while working. After the relocation

they did not have gardens that were big enough for all of them. Rather they would have small plots that were spread around. The socialising while weeding activity was therefore not possible any more (Respondent D, 04.06.2009).

The marginal farming that the farm dwellers conducted contributed significantly to their self-sufficiency. The farm dwellers all reported that they did not involve themselves in the production of cash crops and were not interested in doing so. They did from time to time participate in exchanges where they could exchange a portion of their crops for other goods, mainly for other types of food. However, this tradition was not extended after the relocation. Even before the relocation, the food crops were only supporting parts of their subsistence requirements. It did however make them more financially independent. Today the farm dwellers are inevitably less dependent on the land as a basis for their existence, and this is experienced as a loss.

### **6.3.2 Values and meanings associated with cattle**

Prior to the removal, the livelihood of all the farm dwellers was based largely on the production of natural resources. They had very little external input into this system, the main contributing factor being pensions that they received from the government. It appears that few or none of the farm dwellers had actually been working for Adriaan prior to the removal. While they had worked for the previous owner of the land – Adriaan had brought the farms fairly recently – they were not paid in cash.

Cattle were an important part of their livelihood opportunities, and the possession of cattle was very important for all the farm dwellers who were interviewed. All of them had owned a substantial number of cattle prior to the removal. When they spoke about the relocation, cattle would always occupy a central role. Stories about ‘the past’ when they lived on the farms were also stories of a time rich in cattle. It was remembered as a time when there was no limit as to how many cattle they could have. Cattle essentially served them in the same manner as savings in the bank serve urban people. In harder times, they would sell off or slaughter a cow to stretch their food or earn a few rands. Having cattle also gave them a higher social status and contributed towards their subsistence.

Today, they have less cattle than they used to. After the relocation, none of the farm dwellers had enough land to support a large herd of cattle. Further, all of them reported that the farmer had confiscated their cattle during the prolonged dispute prior to the removal. In addition, farm dwellers from the Mbekizweni community mentioned that they have lost cattle to predators. They live adjacent to the Thaka Zulu game park, and they claim that jackals from the reserve sometimes break out and kill their livestock.

There was a strong perception among the farm dwellers that everyone had had the right to access grazing land on the farm. They had little sympathy for the farm owner who claimed that the farm dwellers' cattle had exceeded the carrying capacity of the land. To the farm dwellers, grazing regulations made little sense because the cattle are such an important component of their household wealth. They utilise their cattle for many different purposes; to pay lobola, as offerings in religious rituals and as back-up resources to draw on in difficult times. The cattle are also a social resource. It is expected that the farm dwellers help each other out in difficult times by donating or borrowing cattle. The cattle are a visible wealth, and it is thus evident who can afford to give one or two individuals away. The cattle are a determinant for the farm dweller's social status and are perceived as long-term security. The social etiquette dictates that a man with many cattle has a moral responsibility to help another man in need. The security that a large herd of cattle brings about thus becomes a social security that the whole farm dweller community can draw on.

Thus a larger herd of cattle signified a greater ability to pay bride wealth and the opportunity to help more people. When asked the question 'what does the good life mean to you?' many of the farm dwellers would answer that 'the good life' meant having lots of cattle. They explained that having lots of cattle gave them a sense of security in their everyday life. It also meant that they always had available cattle to offer their ancestors through rituals that they performed regularly. Performing these rituals further increased their security as it influenced the spirits of their ancestors to extend their protection over the living (Respondent B, 04.06.2009, Respondent J, 05.06.2009).

The loss of cattle is therefore a significant impact of the removal, and forms an important part of the experience of losing access to the farm.

### **6.3.3 Values and meanings associated with the ‘magical landscape’**

During the interviews with the farm dwellers it became clear that what might be termed the spiritual or ‘magical’ landscape was a strong feature in their lives. They explained that the landscape did not only belong to them, but it belonged to their ancestors as well (Respondent H, 10.03.2009). Even though the ancestors are dead, in a sense they are still living. Their presence is felt by the farm dwellers, and for them taking care of their ancestors is an important part of everyday life. The farm dwellers believe that the continued well-being of their ancestors is crucial for a good harvest, for a happy family life and success in all matters (Respondent D, 04.06.2009). There is thus a direct link from the well-being of the ancestors to the well-being of the farm dwellers. If the ancestors are not happy, this will affect their living relatives. The farm dwellers therefore feel a moral obligation to nurture the relationship with their ancestors as this will affect themselves, their family and by extension the whole community.

The well-being of the ancestors depends on the farm dwellers bringing them offerings and conducting rituals and ceremonies to please them. These ceremonies must be conducted at particular places, and through the rituals these places become filled with meaning. These events have created meaningful places through generations, and are good examples of how the area has been filled with meanings and values. It is also an example of how the landscape is perceived as something more than just its visible components.

Prior to the removal, and still today, the farm dwellers were attached to the landscape in both a physical and a psychological manner. The landscape was a part of their culture and played an important role in their cultural life. They explained this fact in a way that resonates with the insights of the humanistic geographer Tuan (1977). The farm dwellers are not simply biological human beings who happen to live at a random place. They are cultural beings who link their existence and humanity to their living place. Without this cultural and physical background, their roles and persons would be drastically altered. As the spiritual

landscape is such an important part of their culture, the removal from this landscape also affects the farm dwellers in a psychological way.

The ancestors and the farm dwellers had a reciprocal relationship. The farm dwellers were expected to spend time and resources to nurture the relationship. In return, the ancestors were expected to help their living relatives in their daily struggles. The ancestors are very much present in the lives of the farm dwellers, and this is a major factor which contributes to the attachment that the farm dwellers have to their land. The connection they have to their land is strong: through their ancestors the farm dwellers have become a part of the land, as much as the land has become a part of them. The ancestors are rooted in this particular plot of land (the farm), something which has had implications for the emotional connectedness and the feeling of attachment to the land.

The 'magical' landscape is a combined product of the cultural and the natural landscape. It represents a reciprocity between the two, where the farm dwellers have made an impact on the environment at the same time as the landscape has affected their cultural behaviour. During the interviews, one of the farm dwellers said that the landscape surrounding them had its own soul and its own life (Respondent N, 07.06.2009). Therefore they had to treat it with respect. There was a reciprocal relationship between the farm dwellers and the magical landscape. They had lived *within* the magical landscape rather than being an outsider looking in.

After the relocation the farm dwellers were worried that the history of their ancestors would vanish, and tried to ponder what implications this would have for their lives. Despite their best efforts, they were not met with any understanding on this issue. The landowner disputed their rights to visit their ancestors' burial sites on the farm. At the time of the interviews, the group living on Chief Zondo's land had no access to the graves at all. This was probably a result of the bad relationship they developed with the landowner during the settlement. The Mbekizweni group on the other hand, were allowed to visit the graves. However, they had to make arrangements with the landowner beforehand, and they were not able to conduct rituals that were of longer than one day's duration.

Importantly, none of the members of the two groups was allowed to be buried next to their ancestors in the farm (now game reserve). Especially the older farm dwellers voiced their concern over this. It was of great importance for their after-life that they were buried next to their ancestors. Thus, the relocation did not only remove the farm dwellers from what they perceived to be their land. It took the land away from their family as a whole; past, present and future generations.

#### **6.3.4 Values and meanings associated with the home place**

The relationship between people and places is hard to see and describe, but numerous clues emerged from the interviews and are discussed here. When asked whether they considered their new dwelling as 'home', the farm dwellers all answered that their home was on the farm. All the respondents were asked this question, and they all said much the same thing. That was where they grew up; it was the place they had memories from. It was the place where their families had lived through generations.

They also considered their home on the farm as extending to the grazing land and the bushes where they collected various resources. This coincides with Tuan's (1977) notion that 'homeland' comprises, in part, an area where people create their livelihood. It was however interesting to observe that the two groups had different relationships to their new home place. The Mbekizweni group seemed better adjusted to their new place and had realised that they needed to make it their home. While they would argue that the farm would always be their home, they would also call their new place their home (Respondents A, B & C, 04.06.2009). When confronted with this apparent contradiction, they said that this (the new place) is their home now. They had to work with what they got and try to forget their home on the farm and make a new life for themselves.

The old home had now become a symbolical home which represented stability and belonging. On the other hand, their new home had become a practical home. It was where they lived and it needed to fulfil their physical requirements. They were trying to get used to it, and at the same time trying to become attached to it. While they did not harbour the same feelings towards their new home as they did towards their original home, they

suspected that with the passage of time eventually they would develop a stronger emotional bond towards it.

Both of the communities expressed a sense of pride when they were talking about their old homes. One of the farm dwellers explained how they had maintained the house through the seasons and years (Respondent M, 07.06.2009). The family did not have carpeting on the floor, so she used cow dung to polish them. During this interview this respondent expressed the importance of her intervention in managing the family's private sphere. For her, this continuous intervention made the house a part of who she perceived herself to be. Her ties to her home place, the landscape and the land had been built up through years of hard work. She felt at home there because she and her family had created it. Through their activities they had ascribed values and meanings to the home. They did not have to be grateful to anyone.

This woman was part of the group that were relocated to Chief Zondo's land. She explained that she had no feelings of ownership of the house she now lived in. They were given the house by Chief Zondo, and thus had to be grateful and loyal to him in return. In the meantime she found the knowledge that her old home was being erased very hard to bear. The place where she had so much history and memories did not exist anymore. The grass that the cattle previously had grazed down was now growing, concealing the traces that someone once used to live there.

Although at the time of the interviews, the two communities had been living in their new homes for seven years, it became clear that this was not enough time to form a strong attachment towards it. The meanings and values that they had assigned towards their old home had developed over generations. However the Mbekizweni community realised that it would be possible to become attached to their new home, over time. This notion influenced their attitude towards their home and contributed to them accepting that this was where they now lived. This was also made easier as they now owned their own land and thus had the opportunity to plan their future living in the same place. They were now in the process of 'living the place in'.

The Zondo group on the other hand had a more difficult time accepting their new home. They moved to a place that was already 'lived in' by others. They experienced that their home was already occupied by another social community who had a shared feeling of identity from which they were excluded.

### **6.3.5 Reflection on the values and meanings associated with the landscape**

As shown above, there are many dimensions to the landscape that cumulatively create the attachment farm dwellers have to the land where they live. When questioning them about how long they had lived on the farm, many answered that 'we have always lived here' (Respondent B, 04.06.2009, Respondent G, 15.01.2010). Accordingly, they found it to be a grave injustice to have to leave the land of their forefathers. They referred to the farm as their home, and had differing approaches to the creation of new places after the relocation.

The one group, which received title deeds to the land where they moved, were more accepting of the situation. They realised that they had to create a new home, even though they would have preferred to stay behind. However, they still had a greater feeling of powerlessness in the new place. This might be a result of the process they had been through. During the relocation process they had approached several institutions to get advice as to what their rights and options were. What they experienced was a bureaucracy that they did not understand, closed doors and a general lack of understanding.

In this analysis, a useful distinction to make is that between objective knowledge of a place and intimate knowledge of a place. In this example, the farm dwellers clearly have an intimate knowledge of the land. They are drawing on themselves and the environment to create and develop place attachment. The majority of the other actors are on the other hand 'outsiders', who merely observe the land and look at its economic potential. Their experience of the land and the landscape is shallower and their relationship with the land more superficial.

Prior to colonial settlement in Natal, the land was never bought or sold, but rather it was allocated for use. There is still a marked difference in the approach that the farm dwellers

have towards the land and that of the land owner and the various spheres of government. Today, the dominant approach towards land is one of private property and real estate. The capitalistic world view has redefined land in a power political perspective. The view of land as something collective and cultural has become the minority approach, and is categorised by the modern world as 'backward'. This implies that the farm dwellers and the power elite actually inhabit different landscapes, and will therefore value the landscapes differently. The farm dwellers found that they received little sympathy for their attachment to the land. It did not fit into the 'common sense' view of the land, and was not taken into consideration in the whole relocation process.

For both of the farm dweller communities, the landscape had many different meanings. In addition to the 'magical' landscape discussed above, it represented grazing land, a place for the collection of fuel wood, a place for the collection of herbs and berries, a place for the collection of building materials. The farm dwellers used the area to collect materials to build houses and kraals, they used a nearby water hole to collect water and they were able to obtain some cash through the sale of food crops, cattle and natural products which they collected in the area. The women in particular spent time walking through the landscape in search of firewood and other products. They were intimately familiar with the landscape where they lived, something which contributed to their strong attachment to the land.

### **6.3.6 Values and meanings associated with the new place**

After the relocation the farm dwellers had no option but to try to settle down in their new home. At first they experienced an 'out of place' feeling. They did not feel a connection with the new place. They had no memories that connected them to the environment and did not have a sense of belonging. This feeling was especially evident within the community who were relocated to Chief Zondo's land. They were settled within an already existing community and had a strong feeling of being 'out of place' (Respondents E, F & G, 15.01.2010). The community who already lived there had knowledge of the established 'codes' and practices, which the newcomers lacked. One of the relocated farm dwellers said that in the beginning it was difficult to understand these practices. For example he did not understand the distribution of the grazing land (Respondent K, 05.06.2009). There were

strict rules developed by Chief Zondo regarding who was allowed to graze how many cattle. Until they figured out how these rules worked, they felt totally out of place; like strangers in a new land. After a while they did develop an understanding of how things worked in their new place, but by this time it seems they had acquired a negative place attachment.

While the Mbekizweni community were discussing how they could make the best out of their new situation, the Zondo community never mentioned this. They were adamant that they were not going to stay there.

It became clear that the Zondo community did not feel at home after the relocation. One of the things that were most difficult for them was the lack of place attachment. They wanted to live where their ancestors lived and where they had their history. One of the farm dwellers said that it was very hard living in someone else's history (Respondent E, 15.01.2010). The place where they lived now was full of memories and histories, but they were not his. The people who already lived there would tell him about happenings that had occurred in the past. They would recall memories and show him where their ancestors were buried. But they were not his ancestors, and he felt he was trespassing. The more he learnt about the land, the less he realized he knew, and he was left with a feeling that he did not belong there.

The Mbekizweni community also experienced an 'out of place' feeling when they first moved to their new home. However, it seems that it was easier to develop a connection to the land because it was theirs. They did not have to share it with anyone else, and there was no-one who lived there when they came. They did not feel as closely connected to the place as they did to their old home, but they were in the process of developing a new place identity. One of these farm dwellers said that in the beginning she just wanted to go home, but that she was getting used to living here (Respondent D, 04.06.2009). At first it was difficult because she did not know the place. She did not know where to collect fuel wood and she did not know the landscape. However, she had been wandering around trying to make sense of the landscape. Even though there were not as many natural resources around for her to utilize, she now knew where to find the ones that were available. She had developed a map of the

area inside her head. It was still not as detailed as the one she had of her old home, but it was growing day by day.

Another farm dweller from the Mbekizweni community agreed that his map of the place was improving. He said that he was obtaining a better understanding of the environment and landscape surrounding him. There was however an aspect which he would never come to know. The fact that he had no ancestors around meant that he would never have a history here (Respondent B, 04-06.2009). But as the family continued to live there, he speculated, maybe his children and grand-children would eventually come to look at this place as their proper home. He said it would be different for the children who were born there. They would grow up there and know nothing of the old home. He himself was already around 50 years old. It was too late for him; Adriaan's farm would always be his home. In his words, he did not only have memories from his old home, now he also had memories *of* the memories. The old home was his reference point, it signified familiarity and safety. In his new home, although he was getting to know it better, he was an outsider.

#### **6.4 Conclusion**

This chapter has presented the results of the interviews conducted with the farm dwellers. Its focus was on, firstly, the socio-economic impacts of the relocation, and secondly, on trying to understand the more complex emotional relationships that the farm dwellers had both with their original land and with their new places. With regard to attitudes towards the new place, significant differences were observable between the two groups of farm dwellers. The Mbekizweni group seemed to have accepted their current situation. They would still have preferred to live at their old home, but realized that it was not the way things had worked out. The Mbekizweni community was therefore trying to convert their new land into a home.

The Zondo community had not accepted their situation and was still dreaming of moving back to the farm (now a game park). They felt rootless in their new 'home'. A contributing factor to their uneasiness was that they had to share their land with another community.

They did not receive title deeds to their land which may also be a reason why the feeling of ownership was absent.

## **Chapter 7 – Conclusion**

### **7.1 Introduction**

This thesis set out with the overall aim of investigating the impact on farm dwellers of relocation from privately owned farmland due to the development of a game farming enterprise. The overall aim was elaborated in the form of four objectives. The first was to investigate how the process of farm dweller relocation due to the game farming enterprise had actually occurred, with a particular focus on the actions of the various role players (farmers, state, NGO's). The second was to assess the state's ability to protect the farm dwellers in this instance. The third objective was to investigate how farm dwellers attribute value and meaning to the land where they lived, and how the relocation has affected their sense of place. The fourth objective was to assess the socio-economic impacts of the relocation for the affected farm dwellers. Each of these objectives will be briefly revisited in this concluding chapter.

### **7.2 Main Findings**

#### **7.2.1 The Nature of the Process of Relocation**

The full story of the relocation is given in Chapter 5 and will not be repeated here. However, the main points are extracted from the analysis in order to comment on the process of relocation.

The farm dwellers were relocated from the farms on which they lived in order to make way for a private game park. The study revealed that the farm dwellers had not been adequately informed about their situation. They were confused about their rights, and had no clear image of their rights in this situation. They did not understand the proceedings of the court, and they ended up with a lawyer who was not seriously invested in the case. The farm dwellers had also developed a bad relationship with the farm owner, Adriaan. During the mediation between the farm dwellers, the DLA and Adriaan, Adriaan acted to deliberately erode the livelihood of the farm dwellers through intimidation and the impounding of their cattle. Together with what the farm dwellers experienced as a confusing and frustrating

mediation process, Adriaan's actions and those of both legal representatives appeared to make it difficult for the farm dwellers to exercise agency.

On the one hand they experienced their lives on the farm as increasingly difficult to bear due to the conflict with Adriaan. They were therefore eager to reach a conclusion of the land dispute. On the other hand, they experienced a feeling of powerlessness through the whole process. Their lawyer, who was supposed to keep them informed about the proceedings and explain their rights, turned out to be a hindrance rather than a help. He was not consistent in his recommendations to the farm dwellers, and would go from advising them on a relocation option to telling them that they did not have any rights at all. In other words he assigned them the role of being 'out of place'. This did not provide the farm dwellers with a feeling that the mediation was being done on a fair and equal basis. Rather, they were left with a feeling that the farm owner's interests were being prioritized at the cost of their own well being. In the end, the modern capitalist world dictated the outcome. The temptation of obtaining economic benefits from a private game park far outweighed the continuation of the farm dwellers' lifestyle, which was not even considered. The farm dwellers thus went from living in a marginal landscape to occupying an even more marginal place in South African society.

This thesis has highlighted the confusing and unorganized nature of the process of relocation. The main parties involved in the process were the farm dwellers and their lawyer, the farm owner and his lawyer, and the DLA. When the process started, in 1997, the initial disputes were related to the status of the farm dwellers. The farm owner refused to acknowledge their status as labour tenants. It took several years for this issue to be settled, something which impacted on the slow pace of the process. The defining feature of the whole process was the bickering between the parties. The two lawyers and the DLA could not establish a constructive dialogue. A lot of time, which otherwise could have been used to inform the farm dwellers about their case, was completely wasted by accusations going back and forth between the lawyers and the DLA. The farm dweller's low status in the social hierarchy prevented them from being heard and taken seriously. Through negotiations an outcome was reached, but one that the farm dwellers were not happy about.

### **7.2.2 The State as a Protector?**

The DLA was appointed to mediate between the land owner and the farm dwellers after Adriaan decided he wanted to evict the people who lived on his farms. The DLA was mainly speaking to the two parties' lawyers, as the relationship between the farm owner and the farm dwellers had turned sour. The DLA was supposed to be an unbiased 'middle man' who could help the parties reach an agreement within the law. However, it soon became clear that the farm dwellers' lawyer did a poor job trying to protect their rights. He did not make it clear to them what their rights were, and he also failed to defend their wish of remaining on the farms. The DLA knew that the farm dwellers did not get the help that they required, but they did not do anything constructive about this. Even though ESTA was drafted with the intention of providing farm dwellers with security of tenure, the DLA did not follow through to put meaning behind the words.

Obviously, the farm dwellers were the weakest part in this case. They stated their reluctance to relocate, but were not taken seriously. If the DLA had taken the time to listen to the farm dwellers and to question them about their attachment to their land the outcome of the case might have been different. The fact that they did not try hard enough to gain insight into the farm dwellers' attachment to their land resulted in their inability to evaluate the value that the place held for the farm dwellers. Ultimately it resulted in the relocation of the farm dwellers and their dissatisfaction of the outcome. The new land legislation designed to protect farm dwellers, did not act to prevent the removal – indeed, the landowner was able to use the legislation to gain an outcome favorable to himself. The painful conclusion has to be reached here that the state failed to protect the farm dwellers' rights.

### **7.2.3 The Land as a Container of Values and Meanings**

The thesis found that the farm dwellers had strong place attachments to their original home place. Their attachment is not something which can be measured or quantified, and it is hard to describe. This is because their attachment incorporates a psychological aspect of their bond to their land. The attachment has roots in their gardening activities, their relationship with their ancestors and their ownership of cattle. It has roots in their experience of their land that has developed over generations. Their attachment to this land is intricately

connected to their growing up at the place and to the wish to be buried at that same place. The land is a source of food, it is the container of a way of life, and it is the home of their ancestors. The values and meanings that the farm dwellers attach to their land are multi-faceted and complex, so that it is necessary to look at all the pieces in a holistic manner. The farm dwellers have an intimate relationship to their land; in Tuan's words it constitutes "... a psychological need, a social prerequisite, and even a spiritual attribute" (Tuan 1977:58).

This thesis found that the farm dwellers have given meaning to their land through their activities and their living in the place. They have used their experiences, values and emotions to transform the farmland into place (see Tilley, 1994). The farm owner on the other hand does not have a long history on the land and has not developed the same attachment to it. Adriaan saw the development potential of the land, and thus viewed the landscape as a source of potential wealth within a capitalist framework (see Winchester et al., 2003). The farm dwellers on the other hand saw the landscape as place. For them, this land – the particular farms on which they lived – could not just be easily substituted for any other piece of land.

There is a fundamental contradiction here between the imperatives of a capitalist market system, and the life worlds of farm dwellers. In South Africa's ongoing conflicts about land, development and social justice, it is important that perspectives of the disempowered also form part of the debate. At present, the lived experience of people like the farm dwellers interviewed for this thesis, are not part of the equation.

#### **7.2.4 The Socio-Economic Impacts of Relocation**

In the first part of Chapter 6, Cernea's (1997) 'risk and reconstruction model for resettling displaced populations' was used to evaluate the material impacts that the relocation caused. Cernea (1997) identified eight impoverishment risks that any relocated population is at risk of experiencing. These risks include: landlessness, joblessness, homelessness, marginalization, increased morbidity and mortality, food insecurity, loss of access to common property, and social disarticulation. This thesis has used Cernea's framework to explore the realities of the relocation on the two farm dweller communities identified by the

authorities in the process of the removal. The study revealed that the farm dwellers had received insufficient funds and assistance in their task of re-establishing a home off Adriaan's land. The results of the interviews showed that although none of the farm dwellers has become completely landless, they have less land at their disposal after the relocation than before. The outcomes were different for different groups of farm dwellers. The 'Mbekizweni group' was given title deeds to their new plot of land. This gave them a stronger feeling of ownership to the new land compared with what the 'Zondo group' experienced. The Zondo group was relocated in the middle of an already occupied area where land is already a marginal asset, and placed under the power of a chief whom they do not know. While the Mbekizweni group seems to have received the best deal out of the two, both communities are still struggling with the consequences that the shortage of land is causing. The loss of cattle was a crucial aspect of the removals which appears to have been underestimated by all negotiating parties.

In both of the two communities joblessness is rife and their status as marginalized groups has not changed. While none of them are homeless at the moment, there was a period between their relocation and the rebuilding of their new houses when homelessness occurred. The availability of food has decreased, something which might well lead to increased morbidity and mortality. Overall, too many of Cernea's impoverishment risks have taken place. This could have been avoided.

### **7.3 Implications of the Findings**

Farm dwellers constitute one of the most marginalized groups in South Africa. The introduction of South Africa's land reform legislation, in particular the introduction of ESTA, was intended to empower this group and provide them with security of tenure. This thesis has shown that while the intentions of land reform legislation were good, the reality is that ESTA does not fulfill its promises. In the Thaka Zulu case it came down to a trade-off between the farm dwellers' security of tenure and the game farm's prospect of economic benefit to the landowner. As a marginalized group, the farm dwellers did not have the resources that were needed to defend themselves. They did not have an insight into the legislation that should have ensured their rights, and therefore had no opportunity to judge

their options realistically in order to obtain the best possible outcome in the situation. The more palatable options were thus taken away from them, and the outcome of the case was that they became even more marginalized than they were before the relocation. Most importantly, the bureaucratic process that eventually led to their relocation did not take account of their psychological attachment to their land. This thesis has made it clear that the complex place geographies of people like these farm dwellers need to be given greater attention in relocation processes. The farm dwellers did not only lose a physical tract of land: in the process of relocation, and the loss of the land to which their identities were tied, they lost part of themselves.

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Letter from Adriaan's lawyer to the farm dweller's lawyer and to the DLA, 28.07.2000

Letter from the farm dweller's lawyer to Adriaan's lawyer and to the DLA, 04.12.1997

Letter from the farm dweller's lawyer to Adriaan's lawyer and to the DLA, 20.02.1998

Letter from the farm dweller's lawyer to the DLA, 16.03.1998

## **Interviews**

Interview with Riaz Dawjee: 08.03.1999, 23.04.2010

Interview with Lisa del Grande: 23.10.2009

### Mbekizweni community

Respondent A: 04.06.2009

Respondent B: 04.06.2009

Respondent C: 04.06.2009

Respondent D: 04.06.2009

### Chief Zondo community

Respondent E: 15.01.2010

Respondent F: 15.01.2010

Respondent G: 15.01.2010

Respondent H: 10.03.2009

Respondent I: 10.03.2009

Respondent J: 05.06.2009

Respondent K: 05.06.2009

Respondent L: 06.06.2009

Respondent M: 07.06.2009

Respondent N: 07.06.2009

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