

The Role of Non-governmental Organisations in Land Reform and Post-settlement support in the Albany district of the Eastern Cape: A case study of Masifunde

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ABSTRACT

The purpose of this study is to explore the role of NGOs in land reform and post-settlement support in the Albany district of the Eastern Cape using a qualitative case study of Masifunde. To discover this role, civil society, land beneficiaries, Department of Agriculture and Department of Rural Development and Land Reform were proved to have interwoven relationships. The interactions and relationships between these entities underpinned their perceptions of each other.

This study is set against the backdrop of a weakening land reform program due to frequent policy changes. Evidence presented showed how out of sync land reform is with its original mandate whilst civil society organisations have remained firmly rooted by theirs. The inability to have twin perspectives on this matter diverges the direction civil society and institutions involved in land reform take on. This separation in direction demonstrates the need for engagement between government and civil society in an attempt to assist in areas government is unable to reach or address.

This thesis contends that there is definitely a role that NGOs do play and need to take on when it is evident that relevant actors are unable to deliver. Themes emerging from interviews necessitate civil society and government departments to combine their resources so as to maximise the impact for desired outcomes. These are views of both civil society and government, demonstrating that NGOs indeed do play a role in land reform and post-settlement support and need to continuously do so in an attempt to cushion the blows of uneven implementation of land reform policies.

LIST OF ACRONYMS AND ABBREVIATIONS

- DRDLR -Department of Rural Development and Land Reform
- NGOs -Non- governmental organisations
- BRC -Border Rural Committee
- NLC -National Land Committee
- LPM -Landless People's Movement
- NCAR -National Committee Against Removals
- UDF - United Democratic Front
- UN -United Nations
- SLAG - Settlement Land Acquisition Grant
- LRAD - Land Redistribution for Agricultural Development
- PLAS - Proactive Land Acquisition Strategy
- ESTA - Extension of Security of Tenure
- GRC - Grahamstown Anti-Removals Committee
- RLCC - Regional Land Claims Commission
- DLA -Department of Land Affairs
- CBOs -Community Based Organisations
- LTA -Labour Tenants Act
- NP -National Party
- ECARP - East Cape Agricultural Research Project

TABLE OF CONTENTS

Abstract.....	i
List of Acronyms and Abbreviations.....	ii

An Introduction	1
1. Chapter 1: The Context of the Research.....	3
2. The goals of the research.....	6
3. History of Dispossession.....	8
Chapter 2: Civil Society	
2.1 Civil Society as a definition.....	11
2.1.2 Civil Society and Democracy.....	14
2.1.3 Civil Society and the State.....	14
2.2 Non-governmental Organisations (NGOs).....	17
2.2.1 Pluralist Perspective	18
2.2.2 Globalist Perspective.....	19
2.2.3 Realist Perspective.....	19
2.2.4 Representational Claim	22
2.2.5 Donors and Funding.....	22
2.2.6. Internal Conflicts.....	24
2.2.7 NGOs and Democratic Ideals.....	24
2.3 Autonomy and Independence from the State	25
Chapter 3: Land Reform	
3.1 Introduction.....	29
3.1.1 Settlement Land Acquisition Grant (SLAG)	29
3.1.2 Land Redistribution for Agricultural Development (LRAD).....	30
3.1.3 Proactive Land Acquisition Strategy (PLAS).....	30
3.2 Challenges of Land Reform Policies disguised by continuities of the past.....	31
3.2.1 Inequality and Conflict.....	31
3.2.2 Citizenship and Belonging.....	33
3.2.3 Problematic Constitution.....	33
3.2.4 Failure of ESTA.....	35

3.2.5 Restitution Financial Awards.....	37
3.2.6 Post-settlement Support.....	39
Chapter 4: History of National Land Committee and Border Rural Committee	
4.1 An Introduction.....	42
4.2 National Land Committee.....	42
4.3 Border Rural Committee.....	45
Chapter 5: Research Design and Methodology	
5.1 An Introduction.....	48
5.2 Population and Sampling.....	50
5.3 Data Collection.....	50
Chapter 6: Case Study on Masifunde	
6. Introduction.....	54
6.1 Donor/NGO nexus. Whose interests are at play?.....	54
6.2 Representational Claim.....	56
6.3 Race and Power relations.....	57
6.4 Land as livelihood hindered by Land Reform itself.....	59
6.5 Incongruent views on post-settlement support.....	60
6.6 Perceptions of actors involved in post-settlement support.....	61
6.7 Role played in post-settlement support by the three different actors.....	63
6.8 Masifunde's role in land reform and post-settlement support overall.....	65
Chapter 7: Conclusion and Recommendations.....	
7.2 Recommendations for future research.....	70

Introduction

The infamous Natives Land Act of 1913 established the reserves for the black population, restricting them to a minor percentage of the land. The result of this Act was the concentration of land in white ownership and unsurprisingly, the South African landscape has not changed much. Despite small successes this harsh reality demonstrates the ineffectiveness of the land reform process as a whole. Policies in this program have shifted a number of times in direction though still failing to change skewed ownership of land, therefore unable to address the core issue. Within its limited scope, non-governmental organisations as forming part of civil society are unable to change the policies themselves and cannot wait on government to one day realize their mismatch of policies with what should be addressing the land question. Therefore non-governmental organisations insert themselves in small cracks appearing in the inadequate policies, making small changes bit by bit. The power they possess is their link to the people on the ground who bear the brunt of being pushed aside whilst serve government serves to work in the interest of neo-liberal policies. In the same view as Holloway (2002) they are changing the world without taking power. Changing the worlds of the faceless population in small increments without seeking to take power but perhaps influence policy change.

The purpose of this study is to contribute to knowledge on land reform as a whole but more specifically the processes of the policies in land reform and how they impact on (or lack thereof) land claimants and beneficiaries. Consequently it provides an overview of problematic aspects of these policies or their implementation. The issue of ill-fitting and subsequently irrelevant policies resulting in disastrous and uneven outcomes is what necessitates non-governmental organisations to take part in processes of land reform such as post-settlement support. This is the motivation reinforcing the need to engage the non-governmental organisations and appropriate institutions. Through engagement, the deficit would be identified and addressed accordingly. By understanding the web of relations between the relevant two departments, Department of Agriculture and Department of Rural Development and Land Reform (DRDLR) with the non-governmental organisation allows for the organisation to position itself within the different functions, adopting its own mandate in an attempt to fill the gap identified. Overall, the aim is to isolate the insufficiencies of these policies and how non-governmental organisations as belonging in civil sphere take on the role of protector of the population involved in land reform.

In order to find out what is the role, if any and better understand the role of NGOs in land reform post-settlement support, this study will answer the following research questions:

- 1) What is the nature of the relationship between the Department of Agriculture and DRDLR with NGOs?
- 2) What are the perceptions of each other and to discover what informs these perceptions?
- 3) To explore to what extent can NGOs involve themselves in processes of land reform including post-settlement support.
- 4) What land reform practices enable or require NGOs to play a part? What needs are they attending to?

Chapter 1 is a discussion of the history of dispossession in South Africa in terms of land, it seeks to contextualize and provide background for unfolding research study. It provides an introductory explanation of the pillars found within land reform. Each pillar is explained along with its aims. Post- settlement is support is introduced and so are the challenges within the programme. Additionally, NGOs and civil society are briefly outlined. Motivation for this study is provided and so is a description of the goals of the research and how it will be undertaken.

Chapter 2 reviews prevailing literature on civil society by highlighting problematic definitions of civil society, especially across time and space. The tendency of equating civil society to democratic ideals is shown to be too simplistic and the need to define it within an African context is suggested. In terms of NGOs; the three perspectives are outlined and its position with regards to the state is discussed. Any influences experienced by the NGOs from the state and its constituents are provided. Ways in which the donor and NGO interact or relate are analysed thereby providing insight to the existing power relations.

In the following chapter; the reasons behind the creation of Land Reform is given. The three pillars found in the programme are explained including a detailed account of the Distribution policies. Within Land Reform; the problematic aspects are provided and shown to be legacies inherited from the previous government. Additionally, the processes within post-settlement and the actors involved are displayed to have contradictory views which makes the implementation of post-settlement support difficult.

Chapter 4 is an outline of the history of organisations (National Land Committee and Border Rural Committee) involved in land struggles in South Africa dating from forced removals in the 1980s to those in Johannesburg recently. The background information of each organisation shows the difficulty they find themselves in due to their relationships with various actors such as the state and constituents. Their relationships are presented as intricate which provides reason for the short life span of some of the organisations.

Chapter 5 is dedicated to research design & methodology where limitations, delimitations, significance of study, data collection methods and analysis are found. The study's philosophical foundation is explained and the usage of qualitative research methods is justified. In terms of data collection; the type of interviews and challenges experienced during are made known as well as any weaknesses and strengths of this study.

Chapter 6 reports on the findings. Results of the study are shown to be contrary to the literature used. The role played by Masifunde which would be wider is demonstrated to be impeded by existing challenges in the Land Reform programme. In order to achieve sustainable results it is shown that partnerships are required however, the entities are not doing so. Organisations just like Masifunde prove that they continuously play a role as they are able to engage with rural communities whilst capacitating land beneficiaries in ways which empowers them to better their livelihoods.

The final chapter draws together important results that the work Masifunde undertakes is largely affected by the incapability of relevant departments such as Department of Agriculture and DRDLR. It is a provision of recommendations for future research. This is inclusive of studies across two different time periods such as an in-depth comparative analysis that uses focus groups as forms of data collection.

CHAPTER 1

The context of the Research

South Africa is a country whose history in terms of land is defined by social injustice by dispossession. This dispossession happened through the alienation and marginalisation of black people from land. These were the processes under the previous government, pre-Apartheid and during. However, with the advent of democracy in 1994, the newly elected government sought to redress these past injustices. Redress which was stipulated later in the Bill of Rights found in the Constitution of the Republic of South Africa of 1996. Hence the introduction of the Land Reform Programme.

Land reform is therefore an attempt by the first democratically elected government to redress previous social injustices. The program is based on three separate but connected pillars: land restitution, land-tenure reform and land redistribution (Moseley & McCusker, 2008: 324). The first is concerned with compensation for land that was improperly seized; it covers forced removal which took place after 1913. Land-tenure is about tenure issues in communal areas including large parts of the former Bantustans whilst also seeking to protect the rights of tenants found on predominantly white owned farms. Lastly, redistribution is the transfer of land from white communities to black ones facilitated through a willing buyer-willing seller, market-based approach (Moseley & McCusker, 2008: 324). It provides the landless with land that is productive and residential (Kahn, 2007). However, masses of landless poor were and still are not benefitting from the land reform program. It “became evident in the late 1990s that the land redistribution program was plagued with problems of project collapse and idle land” (Aliber & Cousins; 2013:141).

In this research project, out of the three pillars of the land reform program, land redistribution is the focus. Jacobs, Lahiff & Hall (2003) in Jaricha (2013:82) state that land reform seeks to alter the racial pattern of land ownership and access to land in South Africa. Land reform has been through many stages since its inception. The first policy, the Settlement Land Acquisition Grant (SLAG) which was adopted from 1995 to 1999, was to enable poor households to purchase land through grants of R16 000. The high price of land, as compared to the grants, required groups to pool together their grants so as to afford the land. What this led to was overcrowding which made it difficult for the new owners of this land to forge livelihoods from it. As Hall (2004: 215) suggests, the acquisition of land was not linked to people generating livelihoods from it. In pursuit of a new direction which would establish

black commercial farmers rather than creating sustainable livelihoods through the sale of surplus produce on local markets, Land Redistribution for Agricultural Development (LRAD) was launched (Andrews, 2007:205). It was originally designed for those with capital to invest. This new policy was a response to the critiques of SLAG. The amounts beneficiaries had to contribute increased to R400 000 which meant an abandonment of the poor.

However, those with less capital were now able to “contribute in the form of sweat equity” to qualify (Hall, 2004:216).

The Proactive Land Acquisition Strategy (PLAS) was introduced in 2006. Its main objectives were to accelerate the delivery of land and give government more flexibility. It is to “enable provincial land reform offices to acquire land for which beneficiaries could be identified after the fact, most or all of whom would be allocated land on a lease-to-purchase basis” (Aliber et al, 2013:27). This is in the hopes of maximising productivity on the land after resettlement but what is problematic about this is that there is expectancy for the lessee to demonstrate production and flexibility within those three to five years which is limiting to the lessee.

Land redistribution beneficiaries, especially small scale, were and are in need of post-transfer support. This post-transfer support is defined as infrastructure, extension officers, access to input including credit and access to markets (Hall, 2004: 220). A proposed solution to this lack of support, was resorting to “expert knowledge” (Hebinck et al, 2011: 221). This “expert knowledge”, in the form of private consultants, have ended up playing central roles in the land reform projects as a whole, including the task of designing business plans for beneficiaries. This is seen, for example, in Limpopo province where there still exist continuities with the past and gaps between conceptualization and implementation are commonplace: “Implementation is constrained by excessive centralization, lack of community empowerment and overreliance on consultants” (Binswanger-Mkhize et al, 2009:208). This is despite the fact that the then Limpopo Department of Land Affairs (DLA) and now Department of Rural Development and Land Reform (DRDLR) has introduced officials to assist beneficiaries (Moseley& McCusker, 2008: 332). However, results are still uneven. Failed reform projects with the assistance of extension officers are not unheard of due to the complexity engendered by the constantly changing policies over the years (Cousins, 2013: 5). This is partly a result of unrealistic assumptions about the skills and expertise of government officials.

In addition, there was a failure from the then DLAs' side to effectively co-ordinate its programs with those of provincial departments of agriculture as well as other relevant ones such as human settlements or water affairs. Jacobs (2003) in Binswanger-Mkhize (2009: 209) mentions how there is a need to conceptualize land reform beyond the land transfer stage. Those responsible for land reform and state services to farmers are not in sync. Both departments, the Department of Land Affairs and the Department of Agriculture don't seem to have capacity, competence and will power to effectively drive the land reform program in a conclusive manner. In-fighting and finger pointing is not rare (Helliker& Murisa, 2011:64).

Lack of co-ordination between those meant to supply post-settlement support services and those responsible for land reform means that the Land Reform Program's progress is slow in meeting its objectives. The objectives are equity (in terms of land access and ownership) and efficiency with regards to improved land use whilst simultaneously contributing to the development of the rural economy (Binswanger-Mkhize 2009: 171). This slow implementation from the government has left many farmers or claimants struggling due to lack of information or simple awareness of existing policies that affect them. In order to address the problems outlined above, community, organisations such as the Border Rural Committee (BRC) and Masifunde Education and Development Project Trust, have developed relationships with claimant communities and are attempting to assist them to realise their constitutional rights in terms of land reform. These organisations work broadly within the civil society context whilst engaging with government as a means to compensate for the lack of impact caused by the problems outlined above. Masifunde in particular assists communities in the acquisition of land with the settlement of land restitution claims. Most importantly, they build alliances and partnerships with government and civil society organisations involved in land struggles for the advancement of the needs of the landless people and small-scale farmers, (Masifunde Education and Development Project Trust, 2014).

In order to discuss NGOs and their part in land reform, the concept of civil society needs to be briefly outlined. Civil society is defined by Hollands et al (1998:184), as those forms of society which constitute themselves between the private sphere and the state in order to represent special interests or opinions which are served inadequately or not at all by the public sphere. NGOs, an important part of civil society, refer to organisations which forge links between beneficiaries and often remote levels of government, donor and financial institutions (Helliker, 2013:318). In Binswanger-Mkhize et al (2009:185) it is shown that

there has been a major reduction in state services to farmers in the past two decades. Even when there are services supplied by the provincial government and a few non-NGOs, only a minority of projects are reached. A study conducted by Hall in the Eastern Cape found that out of nine LRAD projects, most had not been in contact with the DLA having since obtained land and only two out of that nine had received infrastructural grants whilst none had been given the service of an extension officer (in Binswanger-Mkhize, 2009: 185). Without the assistance of community organisations such as Masifunde or BRC, many of these claimant communities would be left to the slow, inefficient and bureaucratic bungling of state land reform institutions.

Six years ago Andrews (2007:218) stated that the existing land reform and related policies will not even meet their own targets, let alone address the legacy of apartheid and land hunger and extreme poverty. NGOs function in this context to assist in these targets being met. Whereas Andrews (2007) believes that an organised movement is needed to drive policy reformulation; I am of the view that this movement should also assist in the implementation of that policy. The assistance from this movement (which would be a group of NGOs) would also strengthen the voice of the rural poor so that they may clearly articulate their problems and challenges at local level and perhaps begin to pose alternative options for addressing the challenges that confront them. Hendricks and Ntsebeza (2011: 224) state that South African land reform is inordinately slow; there is very little concurrence on the reasons for this lack of progress or on mechanisms for speeding up the process. The policy itself is coherent but the way in which it has been implemented is inadequate, whilst others suggest that there exist structures and policy problems inhibiting objectives of land reform. I agree with Hendricks and Ntsebeza (2011: 225) that both policies and structures in place prevent the progress of this reform. This is where non-governmental organisations (NGOs) come in.

Motivation for this study is that an engagement between government and civil society needs to take place so as to assist in areas government is unable to reach or address. Moyo (1999) in Mngxitama (2006: 60) states that the involvement of NGOs in land issues in Southern Africa is limited. This thesis will contribute to the prevailing literature in filling in the gap where there is a need to explore why there has been a limitation and how these organisations can intervene after three failed policies.

The goals of the research

My main goal is to explore the role of the Masifunde non-governmental organisation in land reform and post-settlement support in the Albany district of the Eastern Cape.

Related sub-goals are:

- ☐ Exploring the nature of the relationship between civil society organisations such as Masifunde and the Department of Rural Development and Land Affairs;
- ☐ Exploring the perceptions of land reform claimants, Masifunde staff and the staff of the DRDLA with regard to the role of NGOs in the implementation of land reform in South Africa.

Field research will be conducted with DRDLA officials, Masifunde staff and land reform claimants working with Masifunde in the Albany District of the Eastern Cape. The proposed study will make use of qualitative research methods .Semi-structured in-depth interviews (Moseley& McCusker, 2008: 326) in one-on -one settings will be used to further understand the themes that arise.

The sampling frame (Babbie &Mouton, 2007: 199) would be claimants who have been assisted by NGOs, Masifunde staff and DRDLA officials in the Eastern Cape. In an attempt to ensure representation of my sample, the claimants will be chosen according to characteristics or variables that will result in stratification (Babbie &Mouton, 2007:206).The intended time line (Tracy, 2013:102) for this research is six months.

History of dispossession

The arrival of white settlers in the Cape resulted in the displacement of natives¹. The settling in of Jan van Riebeeck resulted in the Khoi being placed between the Salt River and the fresh river Liesbeek. Only those prepared to work for the settlers were allowed to remain (Platzky & Walker, 1985:71). The displacement of people took place again, three hundred years later, but on a larger scale and under different mechanisms.

From the era of van Riebeeck, the foundation was set for what would later be dispossession and displacement of the blacks by the whites. Gradually, with every act put into place the “blacks were displaced into ever smaller and poorer patches of land” (Platzky & Walker, 1985: 72). There was a need from the whites to sever ties with land that belonged to blacks. It is estimated that 3.5 million people were forcibly removed in South Africa during the 1950s and 1960s, not taking into account the unknown number of displacements from centuries ago (Platzky & Walker, 1985:9).

General Jan Smuts and the authorities felt the need to curb the productive farming rate of Africans. Africans residing on white farms with titles to private locations had small pieces of land which enabled some form of economic independence (Platzky & Walker, 1985:75). In 1894, the Glen Grey Act was made law. It established individual land holdings over communal land tenure and created a labour tax so as to force Xhosa men into employment on commercial farms or in industry. It operated on a basic premise: ‘one man one lot’ (Bundy, 1979: 135) in order to remove any hope of competition between white farmers and black locals. At the same time, according to Platzky and Walker (1985:76), it would limit the power of hereditary chiefs but also encourage the growth of a limited class of African smallholders. In essence, black land holders were being given a chance to become local producers. Failure to become such a producer would result in a labour tax by proletarianizing them; which was later dropped by 1905. This Act, according to Mnngxitama (2012: 8), was the main measure of dispossession prior to the Land Act of 1913. However, in Bundy (1979:133) there are reports that following the 1894 act, the Transkei showed distinct elements of success. After all, agriculture declined in the Transkei only after 1930. There were uneven results demonstrating

¹ Natives refers to black people prior to 1910 in South Africa. *Africans* and *Blacks* will be used interchangeably to refer to black people after 1910.

the differentiated impact the Glen Grey Act had on Africans. The Act made the distinction between successful black farmers and those less successful highly visible.

The 1913 Natives Land Act is seen to be the most important form of legislation that finally dispossessed black people of their land and cemented the establishment of the reserves. The only connection Africans would have with land would be through labour. Bundy (1979:240) notes how the motive behind the act was to reduce competition and argues, more specifically, that it sought to preserve an underdeveloped peasantry whose access to land would be confined while simultaneously preserving low-level peasant production. Within these separate land formations, poverty was rife. Accompanying social ills such as increase in crime, prostitution, malnutrition and infant death were widespread due to overcrowding and underdevelopment. All in all, people forced into the reserves also known as Bantustans (Nauta, 2004: 80) were struggling to work the already deteriorating land since all fully bodied individuals were contracted into employment. This in turn meant that it was the elderly and sick who were left with young children. The black people were taken off land belonging to them and turned into menial labourers. If one was not fit enough, one was forced to live in unbearable conditions.

In the 1930s and 1940s, another form of displacement known as ‘betterment planning’ was introduced. It further pushed the black majority into the smallest percentage of land. Under betterment, tribal areas were divided into residential and agricultural land, with people living further away from the fields. It was an attempt to control land usage and thus improve and rationalise reserve agriculture (Platzky & Walker, 1985; x). This, it seems, was highly questionable since squeezing the same piece of land to capacity would not simply yield better farming results. Firstly, the Africans were driven off their land, and now the little relationship they had with land was being tightly controlled and regulated.

So far, it can be said that these policies ensured segregation between the races. Under colonial administration it was referred to as segregation, however, in 1948 came the formalization of Apartheid. With the victory of the National Party in 1948, the party’s racist principle became more than that, it was put effectively into law. It was means to control and reduce the black threat in the industry and agriculture. Indeed, Bundy describes apartheid as a “mechanism specific to South Africa in [the] period of secondary industrialization, of maintaining a high rate of capitalist exploitation through a system which guarantees a cheap and controlled labour force, under circumstances in which the condition of reproduction (the distributive

African economy in the Reserves) of that labour force is disintegrating” (Bundy, 1979:227). Essentially, apartheid warranted the exponential growth of white capitalistic ventures in the country at the expense of the black nation. As the black population was moulded to generate and maintain production of these capitalistic projects, their lives as peasants or anything more than labourers were disqualified. As the second wave of industrialization increased, the disintegration of blacks as farmers took place.

Now that black people were foreigners in their own country (Nauta, 2004: 80), their links to land were easily ripped. Ownership comfortably in the concentrated hands of the whites is an issue that remains unattended, more so following the inauguration of the new democratic state. It is unacceptable that just over a century after the Land Act millions of black South Africans are landless.

Within the current South African political and economic landscape, there is an urgent need to address the legacies of laws and acts such as the 1913 Land Act. Laws which mostly affect the rural poor result in the landlessness of millions. The onus is on the state to redress the landlessness but with their poor performance thus far, it is up to civil society to step in.

CHAPTER 2

Civil Society

This chapter highlights the problems associated with definitions of civil society. It does so by demonstrating that civil society is relative to time and space. The constant association of civil society with democratic ideals is shown to be too narrow. This chapter also suggests the need to define civil society within an African context, free from international imports. Moving on to NGOs, the three NGO perspectives will be outlined. The representational claim will be discussed with reasons as to why it cannot be easily accepted. As such, the NGO position regarding the state will be analysed. The tug of war between the state and NGO constituents which influence the characteristics of the NGO will be discussed. Internal conflicts displaying power relations and NGO/donor nexus will also be provided.

Civil society as a notion is porous, it seeps into other spheres, making it more difficult to accurately define. It cannot be perceived in the same manner throughout different time periods, meaning that its parameters are subject to change. An example of this would be the different definitions or concepts of civil society within different states during colonialism and post-independence. This means, then, that notions of civil society vary and, as a result of time periods, are relative.

Lewis (2002) in Nauta (2004:5) argues that there is a need to focus both on structure and process when analysing civil society. This is a necessity, it seems, since civil society is mutable. Focusing both on structure and process, we are able to identify what constitutes civil society and for what reasons such phenomena might be said to contribute to our calling it such. The benefit of constructing or drawing up parameters to my conception of civil society is functional insofar as it helps determine who falls within or outside these borders. A particular make up of civil society would also determine how it relates to other institutions, i.e. the state and the market. The structural make up of civil society permits for the exclusion or inclusion of specific social groups through explicitly strategically drawn up processes. It being a social construct further permits its fluidity and shift in structure. Mamdani (1996) and Chatterjee (2001) both show similar processes of civil society in different countries and how limited its applicability is. Mamdani (1996), for instance, explains how civil society excluded

blacks in South Africa as it was a realm based on race and only found within urban areas. The mere construct of civil society ensured the black population fell outside its circumference. Civil society within this context is made up of citizens (in this instance, they were white) who could be said to be right-bearing citizens according to the state. Black people were subjects who were subject to traditional rule in the Bantustans. Similarly, for Chatterjee (2001), civil society was an exclusive domain reserved for the elite in India whilst the poor remained in another domain forced to negotiate, perform and demand their rights to be recognised. Both of these civil society structures guarantee the exclusion of at least one social group. But due to the dynamics of civil society, this structure changes and shifts. This is why civil society is not an ahistorical static concept according to Nauta (2004:51).

In post-colonial Africa where 'democracy' is practiced, the boundary lines of civil society have shifted significantly, allowing entry of a new social group. Civil society is no longer simply an exclusion based on race but, and so one ought to keep in mind that it is still an exclusive realm just with a different criteria. For both these thinkers, it is clear that civil society is a group of people who are considered citizens by the state whose rights are recognised. They need not perform or demonstrate for these rights to be awarded as opposed to those who find themselves on the outside of this domain known to be civil society.

In Steytler et al (1998: 121) civil society is defined as an *arena where manifold social movements and civic organisations from all classes attempt to constitute themselves in an ensemble of arrangements so that they can express themselves and advance their interests*. This then shows a clear shift from the civil society spoken about by Mamdani and Chatterjee which then some might argue still is based on exclusion. For Steytler et al (1998: 121) it is about movements and forms of organisations that need these formations to easily express their interests. Mamdani (1996) sees it as an exclusive domain from pre Apartheid to post-Apartheid with slight changes in appearance but still nonetheless exclusive. Whereas other scholars use it to define a space that is not the state or public sphere (Hollands & Ansell, 1998:184). It has to be used within specific context.

Mamdani (1996) speaks of the inapplicability of the notion of civil society, or rather, its limitation when looking at South Africa and most of the developing world. This limited applicability is also noted by Kasfir (1998: 17) where the notion of how civil society works in the Western democracies is being imported into Africa by scholars and donors. This poses a problem as the African context is being overlooked. In spite of the difference in context, a

continuation in the definition of civil society is found earlier, meditated by Marx in Melotti (1977:99). For Marx, civil society is seen as the only way through which the history of man may be understood. Broadly speaking, it is seen as the corporate bodies capable of freeing themselves, at least to some extent, from the dominant system. Civil society is also seen as capable of giving voice to an ideology of its own, which wishes to express the needs of a 'new' system. Marx was also of the belief that without this civil society, modernisation could not take place. This definition is similar to that of Steytler et al (1998: 121) written years later. We may assume these corporate bodies to be like the organisations and social movements, which both need to express concerns or interests. The difference, however, is that Marx argues that these bodies need to be apart from the dominant system whereas Steytler et al suggest that such a separation is not a pre-requisite. We may then take this understanding to be related to the African context.

Marx's definition gives the impression that civil society results in modernisation. Clearly this too is not the case in South Africa unless we consider the white privileged population as a part of society that was able to bring about modernization. This may be the case in infrastructure development –clinics and schools in both urban and rural areas – regardless of the difference in quality. The restriction in his concept of civil society is similar to the view that from civil society or through its actions, democracy is born. Going back to the South African case, according to Mamdani (1996) civil society was the exclusive domain reserved for the white population. Since it did not bring about or advocate for democracy, although certain pockets of society at large, organisations or groups such as the United Democratic Front (UDF), applied pressure to the state and other various organs. Fast forward a few decades, only then is Marx's idea of civil society fitting for South Africa.

This brings me to the discussion of democracy, since I argue that the association of civil society and democracy is too narrow and idealistic. Yet again, there has been an importation of how civil society should function from donors and scholars and this function is linked to the idea of democracy. It is noted in Kasfir (1994: 5) that the existence of an active civil society is crucial to the vitality of political democracy. The implication being that without civil society, democracy cannot be achieved, ultimately equating civil society to democracy. This is clearly a reductionist view both of civil society and democracy which is problematic especially for newly independent African states or plainly African states. In other words, with

the existence of civil society it will be assumed that democracy will be reached easily. Now, once democracy is obtained, civil society may become obsolete, since it will have achieved its aims. Not only is this a reductionist view but it is an assumed causal relationship between the two.

2.1.1 Civil Society and Democracy

The reductionist view of civil society to democracy makes civil society appear as a homogenous mass with no form of differentiation or any challenges when it comes to decision-making. There is an assumption that since civil society equates to democracy then organisations function within democratic ideals. Kasfir (1998: 13) demonstrates how naïve this idea is. It implies that the demands of the organisations constituents are being expressed, and so the democracy achieved as a result will be in the interests of those same constituents. Contrarily, he argues that the type of democracy will be a middle class one since that is what these organisations are made of. This view is unfortunately an import accompanying definitions of civil society and the perceived functions of it. Hence there is a need to define or analyse civil society within a specific African perspective, which is echoed by Fowler (2012: 20). A case can be made, says Fowler, for an African ‘exceptionalism’ that should be factored into both the theory and method of measuring civil society. Additionally, that was what Mamdani (1996) and Chatterjee (2001) argued that the European construct of civil society has limited applicability to Africa and most of the developing world.

Lastly, Hall (1995) too argues and finds it essential to stress that the “concept of civil society is not equivalent, as some would have it, to more familiar and valued notions.” He further adds that we expect democracy to be married to civil practices which is why we value it. This is also another example of romantic ideals linked to civil society and its practices. What is considered democratic to a particular group within society may not necessarily be so to another. Hall (1995) illustrates this point with ethnic cleansing practices which may have been decided through democratic processes. Of course, the act itself is not democratic. Again one can think of Chatterjee (2001) and Mamdani (1996) who meditate on the exclusive nature of civil society and how it excludes others while bringing about democratic ideals. Right now South Africa is considered a democratic state with an active civil sphere both in terms of organisations and Mamdani’s notion yet it too is restrictive to certain social groups who are not allowed or unable to benefit from these democratic ideals.

2.1.2 Civil Society and the State

Now, closely related to that democracy is the state. Civil society and the state must interact in some form or another in order for democracy to take off as suggested above by some scholars. Even for some like Kasfir (1998) and Hall (1995) who are not of this argument, at some point these two actors need to interact. The state and civil society cannot exist in isolation and independent of each other, which is why some may define civil society in relation to the state. In Kasfir (1998: 4) civil society is narrowly defined as including all kinds of public non-state activity, but only when the members of civil society are challenging the state. This is highly problematic if only because when we look at South Africa right now, we may ask, how many organisations fall outside the parameters of civil society? This definition is limited because it means it is the social space in which both dominated and dominant social groups oppose the state. It forcibly creates sharp divisions between the state and these social groups without taking in consideration the overlapping that may occur. Some individuals belonging to a dominant or dominated social group might be also found within state positions that would make it difficult for them to confront the state, which, according to this definition, is essential in order to be defined as civil society. Additionally, what does challenging the state mean? It could range from a protest or a petition to burning of state buildings. So, this notion of civil society should be broader, and instead of social groups that oppose the state, it should include those who interact and intersect with the state. This is known as the corporatist model of civil society which will be explained.

Furthermore, the overlapping of the state and the sphere of civil society is commonly overlooked as civil society is essentialised Kasfir (1998: 10). Civil society should actually be described as relative, as these two actors at some point must interact and intersect as mentioned previously. This relative autonomy is also mentioned by Hollands & Ansell (1998: 126). What this concept does is assume that if civil society organisations are not against or in confrontation with the state then they are not for any type of change that is in the interests of the constituents which they represent. If we agree then that civil society needs to be confrontational with the state, it is able to be defined as such. Their relations are not of equal capacity as, the state is both an actor and regulator of this relationship. So ultimately, their interactions are on the state's terms, and then from that it will decide whether to give in to these organisations' demands, Kasfir (1998: 135) "the state both frames civil society and occupies space within it". All in all, it is up to the state to recognise or acknowledge that any

form of civil society exists, for the domain known as civil society would not exist without any state as it would have no actor onto which to exert pressure.

Having said that the state and civil society are intertwined, the interwoven nature of their relationship brings us to outline civil society in a contrasting manner to the state. Despite the variations in the concept of what civil society is and the changes it may undergo, what remains constant is its contrast to the state. So with whatever notion of civil society, it is still pivotal to the state therefore hinging on the subject-object dichotomy mentioned in Helliker (2006: 69). In Hollands & Ansell (1998: 122) it is noted how there are two conceptions of the relationship civil society has with the state being corporatist and voluntary-pluralist. Voluntary-pluralist adopts an anti-statist position. In a South African context it is highly applicable as the organs of civil society, civil society as defined by Hollands & Ansell (1998: 121) were initially in conflict with the state during Apartheid and were clearly apart from the state. This, we may say, was in order to work towards the interests and demands of those they represent. Yet, post-Apartheid with a democratized state they are congruent with the state. They have been incorporated into decision-making although this is not the case at all times. The second position being corporatist is a description of what our civil society landscape looks like currently, where these civil society groups are incorporated into decision-making, as the name suggests.

In this corporatist model there is the hope, or rather the assumption, that the state is neutral in its decision-making or interactions, as a mediator in general. We are also unable to assume that these groups or sectors are democratic in their own meetings. I have already noted that civil society organisations do not necessarily contribute to a democratic state, and that they also are not necessarily democratic in character. It is expected of these sector to be wholly working in the interests of their constituents which we assume are consulted and engaged in a manner that is devoid of any hierarchy or discrimination. Within this whole, the state yet again is a player and regulator. This shows how powerful the state actually is. However, because it chooses to be in dialogue and recognise these sectors, we may mistakenly overlook this. It is linked to what was mentioned previously about the unfair leverage the state has over all these organs of civil society. Hollands & Ansell (1998: 128) mention that “those organs that are either marginal or out of favour with the state, can easily be excluded from the decision making process”, which suggests that in this model, the state gains social control in return for giving representation to such groups.

In Helliker (2006:81) it is noted that following a democratic transition, the strength of a civil society, and of NGOs in particular, lies not in opposing the state but co-operating with it. This is difficult to conceptualise since civil society is a player and regulator, and so the co-operation will not be genuine as it does not begin on equal footing; since the essence of civil society is its challenging and confronting nature. What then happens when working alongside the state? The incorporation of these organs into state departments inevitably makes them weaker. Civil society then is unable to hold the state accountable as it is itself complicit. Perhaps, in the South African context, once the state is democratized, the demands become less pressing since democracy has already been obtained. The state then seems to be interested in the concerns of these organisations and sectors. As said already, there is no equality at all in this so there is no possibility of it being a balance from the state's side which brings Gellner in Hall (1995: 15) to argue that the notion that groups should balance the state is subtly wrong.

Earlier on in this chapter, I began with the concept of civil society according to Stephan in Hollands & Ansell (1998: 121) based on a domain consisting of social movements that arrange themselves in order to make their interests count. How this concept differs, or rather what is omitted, is with whom it expresses itself or against and for whom do they arrange themselves. It is devoid of the state.

With the state not being able to be independent from civil society, it becomes impossible to define civil society without the state. This is why Stephan's notion of civil society is incomplete as it does not mention at all to whom the civil society demands would be expressed. Civil society may be acting as a buffer between the public sphere and state. A cushion, so to speak, onto which pressures from both sides maybe exerted. Additionally, civil society may be seen as the mediator between the spheres. It is as though civil society is the umpire on the playing field with the state and all those found within the public sphere are the players. Not all these entities participate on the field in the same might. Some are indeed more than passive than others. Whatever action they may choose goes through the umpire who will act on their behalf. These civil society structures include non-governmental organisations (NGOs).

2.2.1 Non-governmental Organisations (NGOs)

NGOs are defined by DeMars (2005:41) as firstly being in contrast to corporations and instead articulating and claiming to serve a broad, public purpose based on universal human (or species) rights and needs. Additionally, they are said to not be self-serving in aims and related values, improving circumstances and prospects of disadvantaged people who are unable to realise their potential or achieve their full rights in society (Nauta, 2004: 49). DeMars' (2005) basis for the contrast to corporations is that they are supposedly not in pursuit of private profit. The conclusion to that is narrow as it seems as though it has been forgotten that corporations themselves are made up of people. NGOs are no different. They may have a mission-statement which promises to serve communities on the basis of universal human rights, but do the opposite. The distinction between NGOs and corporations seems to be insignificant. If indeed, corporations are in pursuit of profit. What then of NGOs in pursuit of donor money and funding. Just as corporations are in need of profits which keep them functioning, NGOs require donor money to continue existing. In addition, Nauta (2004: 50) discusses the degree to which an organisation is value-driven. The more value-driven it is, the more selfless and less self-serving it is. What should be questioned is whose values are used as a measuring stick. What criteria is used to establish these values which would steer an organisation. These questions may at first seem insignificant but just the fact that it is driven by values prescribed by a certain actor from elsewhere is problematic. This would mean imposing one's values on whomever the NGO claims to serve selflessly.

Another definition of NGOs that also includes profit as a description, which has been noted problematic, is that of Hollands & Ansell (1998: 186). For them, "NGOs in addition to their non-profit character, are required to demonstrate their accountability to a genuine constituency". Hollands also adds that these constituencies are identified by some degree of need or marginalisation which the state cannot fully address. Apart from the supposed non-profit nature of these organisations, the definition is somewhat satisfactory. A more developed notion of NGOs is that by Helliker (2013: 318) which refers to non-membership intermediary NGOs. These forge links between the beneficiaries of their work, namely communities and community organisations, and the often remote levels of government, donor, and financial institutions. There are, then, three identifiable schools of NGOs, namely Pluralist, Globalist and Realist (Nauta, 2004: 36).

2.2.2 Pluralist Perspective

The first school in my view is too romantic of a notion. Here, NGOs are seen to be acting largely against government. This is where the representative claim stems from, because these NGOs are portrayed in the school as “servants of the poor in grassroots development, or prophetic voices of the voiceless lobbying governments and the UN, or transnational pilgrims in an emancipatory passage from oppressive rule to self-regulating community” (Nauta, 2004: 36). It implies that they tirelessly work on behalf of the people they represent and without their efforts, many would remain under oppressive rule since they, alone, would fail to articulate their demands and needs. What this type also does is steer clear of identifying issues with overlapping boundaries in terms of the identity of these organisations and against whom they are working, even if it is for instance, the government. It does not allow for blurred lines for these organisations, there is an assumption within a country or a specific society, the NGO is and will be in conflict with the state or other actors and there is no in-between.

2.2.3 Globalist Perspective

The second perspective is the globalist perspective. It views NGOs as passive channels through which ideals are carried. Here, NGOs are a mere extension of states, multinational corporations. This means that there is no difference between those which function solely for profit, and those which fail to fully address the needs of its people or those who supposedly work selflessly for their constituents. In Nauta (2004: 37) “globalism portrays NGOs as rather passively implementing and enforcing the global norms that emanate from UN organs and multilateral agreements”. What is shown also is that NGOs are in a way insignificant as they are unable to function on their own, relying on their own ideals whilst rejecting those brought on by other actors. In this view, NGOs influence or impact is also diminished because they are seen as passive and having no might with which to counter or genuinely act alongside their constituencies against the principles passed down by entities such as the UN. Nauta (2004: 38) states that the implication is that government and NGOs end up, together, constituting a kind of inchoate parliament. With this form of assembly, NGOs accountability may be questioned, especially when they are a channel through which to carry other ideals. NGOs in this view are not entirely compatible with the above definition by DeMars (2005) that is, the organisations being unlike firms, and functioning on the basis of human rights

while being value-driven. According to this school, the values that drive NGOs are ultimately those of organs such as the UN which again raises the issue of someone else's values being imposed on others. Finally, human rights have to be defined by these multinational corporations and states, not the NGOs themselves. The fact that those who represent and are represented are unable to qualify what human rights are, for example, is limiting – as the criteria would be suited to the interests and benefits of government representatives and institutions.

2.2.4 Realist Perspective

Similarly to globalism, realism is of the view that NGOs have an insignificant impact in society but for different reasons. For globalism this is due to international influence whilst for realists it is because they address issues that the state is not interested in. According to realism, NGOs cannot have the more power than the state. States are seen to be the most important actors on the world stage, DeMars (2005: 38). Ultimately, NGOs are rendered powerless when compared to states. If states are most important and have so much power then there would be no point in having NGOs since interaction with the state would not be an equal one, the state would always overshadow the NGO, the latter constantly surrendering itself.

Having discussed the three schools of NGOs, Helliker's (2013:318) definition is still fitting as there is no promise about the organisation working and serving anyone based on ideals or values that are prescribed by an institution or global force. Whereas DeMars' (2005) notion suggests that they are not self-serving and Nauta (2004) that they improve their constituents' circumstances. These are all ideal images drawn up of NGOs which overlook external influences and power relations. They need to take into account that these organisations, whilst serving the people, interact with other actors and therefore mould each other. Hearn (2007: 1101) touches on that, arguing that "NGOs, defined as intermediary organizations that are set up for public benefit, are just one set of actors within civil society" meaning that they do not exist in isolation whilst tirelessly working in the benefits of their constituents. One of the themes that arise when discussing NGOs is the representation claim the extent to which the claim true. Closely related to that is the issue of power relations within the organisation itself, and those with whom that it comes into. Finally, the controversy and ambiguity of their practice will also be discussed.

2.2.4 Representational Claim

The representational claim implies that the organisation knows better than the people it represents. That only through 'us' will 'you' be empowered, and that 'we' are the vehicle of change, therefore, you need us. Van Driel & van Haren (2003: 535) include the argument that NGOs are seen as suitable instruments for representing their interests due to the close relationship with the poor. What it additionally does is demonstrate that other actors such as the state and government are unable or rather choose not to represent the needs of these people. That is how these claims may clash with those of other actors. Representation means to speak on behalf of constituents or someone. It robs the one being represented of any agency. Due to this assumption of them not being able to speak for themselves, "The NGO acts not for itself, but to express the power of the grassroots against the elites, or to empower the grassroots" (Nauta, 2004: 25). This is ironically disempowering to those supposedly empowered through the expressions of NGOs. These NGOs are then synonymous with empowerment. Again this reiterates the insular conclusion that NGOs aim to selflessly serve others. Of course, this would mean representation as preferred by the representatives, i.e. the NGOs. When dealing with this representational claim, Holloway (2002) comes to mind. Holloway (2002) interestingly suggests that people ought to be proactive and not abdicate their agency. Instead they should act in whatever small but significant manner they can, since it is difficult to rely solely on third-party representation. Making it evident that he would be against the representational claim.

By looking at the different schools of NGOs, it is clear that this claim should not just be accepted without question. In Nauta (2004: 42) it is stated that each NGO asserts a representational claim to serve the needs and rights of a particular population. Who is to say that this population *is* the organisation's constituents? Through globalism, it is evident that NGOs may be insignificant when faced with global influences and therefore the claim to be representing a particular population holds no weight. Apart from being passive channels through which to carry global ideals, this representation may be manipulated in a way which benefits the institutions and government. Adding to that, having claimed to represent its people, the organisation may not even engage in activity which hopes to help realise potentials, since it is increasingly treated as businesses. In Uganda, for instance, it has become common to set up an NGO in order to make money (Hearn, 2007: 1102). How, then, is an organisation with the objective of generating income for its leaders genuinely fulfil its mandate. A director of a NGO in Uganda even admitted to first thinking of their own survival

and secondly about other people's survival (Hearn, 2007: 1103). This allows for the conclusion that any form of representation from that organisation would not necessarily be to empower its constituents.

McSweeney (2014:277) captures another danger of representation, "the NGOs set themselves the task of speaking on behalf of a constituency with the consequence that local communities in receipt of NGO 'help' are reduced to passive subjects rather than active agents". This is linked to what I earlier discussed, that the notion that empowerment is possible only through the involvement of an NGO is in itself disempowering. It implies that the constituents are only capable of always receiving, being dependent on the organisation for some form of change in their lives. A situation where they are subject to what the NGO offers them. Without the NGOs, it seems, they would be complacent and unable to articulate their needs or rights. So then representation maybe equated to passiveness.

Most literature on NGOs is positive and makes a compelling case that they are necessary to their constituents, improve said constituent's circumstance while working with a human rights and value-laden foundation. This is especially the case following the introduction of the neoliberal policies which have adverse effects for people of Africa or Latin-America and basically what would be described as the 'Third World' or 'developing World'. Policies such as structural adjustments, as well as ruthless African dictators, are some of the many 'horrors' that these parts of the world need to be saved from. Juxtaposed to this is the idea of NGOs and the recolonization of Africa. Fowler in Hearn (2007: 1100) even goes as far as describing it as the "scramble for Africa". In other words, the organisations rush to aid in the development of the continent, echoing the above notion of empowerment and lack of agency. It is a recolonization because as the settlers made Africa their home, bringing along their own ideology to which Africans had to adapt as it was more *civilized* or perhaps it made more sense to rather speak their language. So yet again, it makes sense to develop in a certain pathway which is dictated by them and obviously led by them. It is thinking that only through 'us' will 'you' ever be developed, and that 'we' are saving you from yourselves, just as the missionaries had thought centuries ago. There is also a scramble in finding official aid agencies to fund and work with (Hearn, 2007: 1100). Once Western funding has been secured, it is easier to penetrate the continent in terms of ideals. These NGOs are the vessels through which this takes place. So if the establishment of these organisations, or funding local ones, is a way in which to recolonize, the external forces control various forms of development. It then means NGO agency is done away with, which enables us to conclude

that independence does not exist. The countries, then, might as well not have been declared independent as they are still under the control of the Northern actors. How, then, can NGOs claim to be representatives of their constituents if they are the face of those that fund them? Petrus in DeMars (2005: 23) critiques the NGO bloom in that their net effect is actually to disempower the constituents they claim to serve. This then makes their practice controversial and ambiguous.

NGOs cannot be easily positioned as mere instruments of global donors as the paragraph above has suggested. It cannot also be assumed that they unproblematically support community organisation or rural movements in a democratic and progressive manner (Helliker, 2013: 318). There is debate as to whether NGOs are more loyal to the constituents which they claim to serve or to their donors. In whose interests do they actually work and how much of an influence do the donors play in the type of work they do?

2.2.6 Donors and Funding

What needs to be unpacked is the donor/NGO nexus. How what effect does the donor have on the NGO. What of strategies does it use to achieve its goals as a result? Or is the organisation open to its own decisions in terms of activities, with room for autonomy given by the donors. Gordon and Berkovitch (2006) argue that not only does the donor determine what type of work is done but it makes up its very essence, since it shapes and moulds NGO's critical perspective through funding. Funding is often used as that which determines what aspects of a government might be criticised. Meaning, then, that it is more accountable to the donors than its constituents as it is dependent on that external funding. This cancels out the previous notion of NGOs not being self-serving and working to help others realise since they tend to function like a corporate enterprise, always answering to stockholders (Gordon & Berkovitch, 2006: 2). This brings us back to the problematic point that they do not run like any profit driven organisation which many use to define what NGOs are. When dealing with NGOs, there is a tendency to view them, at face value, as separate entities (with donors on one side and activities and constituents on the other). They are treated as different and unrelated facets of the organisation whereas, in fact, they intersect and interpenetrate each other. What the constituents' desire cannot be fulfilled wholeheartedly as the organisation is told what to do by an external almost invisible actor. Whilst the donor does not design its aims according to the needs and rights needed by the particular population.

The relationship between the donor and the organisation is an unequal one where the organisation is subdued by the donor. Due to this restrained position, that the NGO finds itself being instrumental to the donor and its interests. DeMars (2005:44) states that the relationship between NGOs and their partners is not one of dependency but that the NGOs are in fact constituted by their partners. This is also mentioned by Helliker (2013: 318), that NGOs possibly become used as instruments of global donors. As the organisations are there as mechanism through which to advance the donors' interests, the interactions are then of unequal power relations, where dichotomies of North against the South, East versus West and Developed and underdeveloped may surface. These dichotomies, which frame the relationship and hence interactions, resemble which existed before, which is why authors such as Fowler in Hearn (2007) claim that the function of NGOs is the recolonization of Africa. This issue is also echoed by DeMars (2005:43) who mentions that international NGOs operate along a North-South axis whilst their headquarters are in the developed world, the capitalist democracies whose activities are to influence the Third world and former communist world. Here, the narrative of recolonization is framed in such a way that suggests that the NGOs are saving these worlds through democratic ideals, promoting knowledge and resources that will allow these populations to develop or flourish as prescribed by the First world. Ultimately, even the donor/NGO nexus demonstrates unequal power relations between Africa and the North or South.

2.2.7. Internal Conflicts

Colonization benefitted a few individuals, and that continues to be the case with the emergence of NGOs in Africa and elsewhere. There are actors involved in such organisations, not genuinely, but as a money-making scheme. The combination of constituents needing representation and individuals who view NGOs as a means of income results in the heterogeneous population. Due to global inequalities, NGOs can be seen as a space to which to escape. While the attempt is to redress, there exists inequalities within these organisations themselves. These organisations in fact replicate inequalities and undemocratic processes found in society. Sacouman (2012: 913) points out that unfairness of salaried workers of the NGO asserting authority and profiting over those who are doing majority of the work was tied to general inequality in life.

Additionally, these NGOs are run as businesses with the most powerful individual within a community or an educated non-local one is brought in to manage the organisation. Hearn

(2007: 1103), in an interview, discusses how NGOs are first a place of business, where they think of their own survival and then that of other's. DeMars (2005:44) notes how in parts of Africa during the 1990s, internationally funded NGOs became the single largest source of middle-class jobs at a time when government bureaucracies were downsizing. Not only are there heavily vested interests of a Northern donor that shape the NGO, but the NGO itself is led by people who are representative of that particular population but are merely part of NGOs as professionals.

This reality is a stark contrast to the intention of NGOs as they are defined in Sacouman (2012: 901) as “an independent voluntary association of people acting together on a continuous basis, for some common purpose, other than achieving government office, making money or illegal activities”. The first issue is that there is no common purpose as they are brought together for different reasons; constituents and its leaders. Different meanings are attached to the organisation but most importantly, with the constituents losing out the most because the notion is that the NGO provides “solace for those facing global inequalities” (Sacouman, 2012: 901) yet those very same inequalities such as non-democratic decision making, and differentiated treatment, are found within the organisation. Hearn (2007) demonstrated how NGOs in Uganda are spaces which entrepreneurs are tapping into meaning then there are no common purposes and it exists merely as an association.

2.2.8 NGOs and Democratic Ideals

The undemocratic element in NGOs remains a prominent feature because its many manifestations have been naturalised over time. They are expected to solve problems in a democratic manner yet the organisation itself is not democratic and is actually riddled with hierarchical relations through which inequality is manifested. So this is paradoxical, where it is functioning beyond its scope. This makes their practice controversial and ambiguous. We have established that they are unable to fully represent their constituents as they have different ideals, especially those of the donors and those of the people they claim to represent. On top of that, organisations more often than not, operate within vertical networks and not the horizontal ones as proposed by most literature.

Earlier on when dealing with civil society, the establishment of the narrow and restrictive perspective of equating and associating civil society with democracy was cleared. This is happening again where NGOs are presumed to be working within democratic lines. Contrastingly, inequality is ruled out because NGOs are painted as a safe haven against

inequalities, “For its proponents, NGOs promise to address today’s most pressing social problems in democratic and “practical” ways. From this perspective, it comes as little surprise that NGOs are often received so positively” (Sacouman, 2012: 901).

It is evident that a more realistic definition is needed. One that is not romantically drawn up and blind to social influences more specifically global ones. Additionally it should include that it attempts to selflessly work in interests of others and tries to do away with heterogeneous constituents who don’t have so much of purpose where entrepreneurs are entering this space for business purposes and others are seeking solace and reliant on it for some form of representation.

2.3 Autonomy and Independence from the state

NGOs are likened to colonial missions in Africa, their autonomy is, arguably, questionable – not only from their western donors but from the state within which they operate. A clear discussion on the relationship between the state and NGOs is necessary.

Previously when discussing civil society and its different relations with its varied actors, it was noted how they mould each other through each interaction. These interactions which are more frequent one would think, then demonstrate that civil society and the state and other actors cannot and do not exist in isolation. Their relations with each other is what defines them. Nauta (2004: 50) notes how although NGOs by definition are thought not to be part of the state, they are nevertheless meant to be part and parcel of the state because by doing so their relationship with the state is immediately constricted. This implies that neither state nor NGO is able to exist with each other. Of course, in rare cases, states may exist with a limited or no civil society or NGO present such as Somalia.

Due to the fact that state and NGOs infiltrate each other, and as a result influence each other, what should be questioned are the relationship dynamics between the two parties, because the Western donor funded NGOs may appear to be merely instrumental when intersecting with the state. Again, the “state and civil society are mutually constituted rather than separate, autonomous entities” McSweeney (2014:278). Here, hostility or perhaps productive partnerships with respects to service delivery, may arise. NGOs work to influence political, economic systems (Appel, 2010: 93) and from this, the state judges the influence an NGO has.

In some instances, the state's capacity is made to appear as weak, as Chevrier notes (2006: 342) in that development is possible only through NGOs. This immediately has a disabling effect on the idea of that specific state. This, coupled with the fear or scepticism of international donor interests, results in the state being suspiciousness of the NGO. Edwards and Hulme in McSweeney (2014: 277) argue that NGOs involved in service delivery risk undermining the capacity of the state.

It has been popularly noted that only democratic states are welcoming of NGOs or that they provide a more enabling environment for NGOs operate. What needs to be established is exactly what role the NGOs are able to play in these states. NGOs may take on the part of service delivery provider or that of advocacy. In with some cases the lines between advocacy and administration are blurred. It is no surprise, then, that Gramsci argues for NGOs to go back to their roots and become advocates and not service providers (McSweeney, 2014: 278) because by doing that they are clearly able to challenge things like capitalistic development which may be negatively impacting on their constituents than just demanding provision of basic services . This demanding of basic services on behalf of a community was discussed as disempowering because they are now merely passive recipients while NGOs carry out the work. The very nature of NGOs (being representative of its people) is in itself what allows it to intervene for provision of services while at the same time “lead[ing] to challenges of state authority” (Brinkeroff, 1999: 129).

Even in the form of partnerships and networks, NGOs may seem as limiting state capacity. These partnerships as defined by Brinkeroff (2002:21) as:

encompassing mutual influence, with a careful balance between synergy and respective autonomy, which incorporates mutual respect, equal participation in decision-making, mutual accountability and transparency are seen as beneficial as they are able to promote more responsive, transparent and accountable government.

The implication of this is that without partnerships, ultimately donor influence through the NGO, development would not be achieved in these states. According to Brinkeroff, (2002:20) not only is development only possible through partnerships but service provision are also only possible through such. In fact, partnerships are seen as the only appropriate approach. This demonstrates the point that the relations between NGOs and states vary from being conflictual to co-operational.

The state's choice to include NGOs as operational could mean that the state is absolving itself of its responsibilities (McSweeney, 2014: 277). Having said that, partnerships and links cannot be viewed as possibly challenging state authority but should also be seen as offering these positions to NGOs in efforts to seem more efficient. It is also a case of not seeking absolute power or either state or NGO. The involvement of NGOs are seen as a necessity as the assumption is that policies and strategies run by the state or government would be less likely to fail in their goals. As previously mentioned, they are portrayed as instrumental in identifying and realistically representing the actual needs of those they represent. However, daily practices of NGOs differ as they are influenced by a multitude of factors. The state would therefore offer these partnership positions to NGOs for these reasons.

This chapter has argued that the concept of civil society is relative, dependent on time and context. It has contextualised civil society as a space where groups and organisations are able to express themselves, whether aligned with the state or not. This is what the two models of civil society display. The notion of civil society being associated with democratic ideals was problematized due to its importation from the West. Therefore, the chapter highlighted the need to define civil society within the African context. The insignificance of the difference between NGOs and firms was also discussed. The representational claim of NGOs and the fact that they aim to *selflessly serve others* was shown to be unsatisfactory. Power relations found within the organisations themselves and between the donors was discussed. It proved that at times NGOs design their aims in accordance to the donors and not their constituents. The state and its interpenetrative relations makes it hard to hold accountable, more so when they are in a form of partnership. It results in the NGO adopting a middle of the road approach which is difficult, trying to hold the state accountable on behalf of its constituents whilst working with the state.

CHAPTER 3

Land Reform

In this chapter the reasons underpinning the creation of land reform are given first, followed by a brief explanation of the three pillars of the programme and a more detailed account of the three redistribution policies. The challenges present in the land reform programme are clear continuities inherited from the previous regime. These include the unrealistic expectations based on the Extension of Security of Tenure (ESTA) and its failure to prevent evictions, the problematic contradictory property clause in the constitution and the failure of restitution due to the increase in urban claims and tendency to favour the monetary compensation. Additionally, the notion of citizenship in restitution cases brings back decisions based on ethnicity, and further, the contradictory view of the departments involved in post- settlement with those of organisations are laid out.

To begin with, it must be noted that the foundation for the formal implementation of land reform was laid in 1991 with the “repeal of the 1913 Land Act and 1936 Land Acts together with the 1945 Group Areas Act” (Lestoalo and Thupana, 2013:300). The attitude with which these took place can be said to have pre-empted the land reform programme adopted three years later. This is not forgetting that the retraction of these acts does not miraculously do away with the immense economic disparities caused by these laws.

Land reform at the turn of democracy in 1994 was introduced as a means of restoring social injustices to the masses. Although its intentions and aims were to bring about justice, it has been plagued with many challenges. These challenges are inherited. Land reform is therefore an attempt by the first democratically elected government to redress previous social injustices. It seeks to alter the racial pattern of land ownership and access to land in South Africa (Jacobs et al, 2003) in Jaricha (2013:82). The programme is based on three separate but connected pillars: land restitution, land-tenure reform and land redistribution (Moseley& McCusker, 2008: 324). The first is concerned with reparations for land that was improperly seized; it covers forced removals which took place after 1913. Land tenure is about tenure issues in communal areas including large parts of the former Bantustans whilst also seeking

to protect the rights of tenants found on predominantly white owned farms. Lastly, redistribution is the transfer of land from white communities to black ones facilitated through a willing buyer-willing seller, market-based approach (Moseley & McCusker, 2008: 324). It provides the landless with land that is productive and residential (Kahn, 2007).

3.1.1 Settlement Land Acquisition Grant (SLAG)

Land redistribution has been through many stages since its inception. The first policy, Settlement Land Acquisition Grant (SLAG), which was adopted from 1995 to 1999, was to enable poor households to purchase land through grants of R16 000. The high price of land, as compared to the grants, required groups to pull together their grants so as to afford the land. What this led to was overcrowding, which made it difficult for the new owners of this land to forge livelihoods from it. As Hall (2004: 215) suggests, the acquisition of land was not linked to people generating livelihoods from it. It was the only model that even attempted to include the rural poor despite the disjuncture between acquiring the land and social implications thereafter. The intentions were good and aimed at the poor but the aftermath of different individuals on one piece of land were not thought of. In Hebinck and Cousins (2013: 49) it is said that the group would buy and jointly hold land under a formal title deed. This grouping of different people with different purposes would obviously be problematic, that is how conflict arose as there are competing ideas. With overcrowding being the primary issue, unemployment could not be tackled because it was difficult to get the beneficiaries to come to an agreement on who could be identified as a leader, or even just what crop to farm. These ended up taking precedence over employment creation and sustaining their own livelihoods.

3.1.2 Land Redistribution for Agricultural Development (LRAD)

The second model, Land Redistribution for Agricultural Development (LRAD), was a response to the wide criticism of the previous policy. Due to the high price of land, in the previous policy, groups had to be formed in order to afford the land. This shows that it was not in favour of the poor despite the term “Pro-poor”. Again, the following one was also not favourable, it “was originally designed for people with capital to invest, preferably those with agricultural diplomas” (Hall, 2004: 216). This statement on its own contradicts the aim of land reform. As stated by Jacobs et al in Jaricha (2013:82) it sought to alter the racial pattern of land ownership and access to land in South Africa. The fact that it was created with a specific type of group excludes the very people it is meant to cater for. If people were dispossessed and their ties with the land severed, at what point would they have been able to

attain those diplomas in a field such as agriculture which until that point in time was a foreign concept. The requirements of LRAD are too high a ceiling and cancel out any means of restoring social injustices. The commercial framework within which LRAD was created is an immediate fail for the landless in South Africa. If land reform was meant to be pro-poor, with an emphasis on development, and if it is meant to transform social and economic relations as noted by Hall (2004: 214), it is failed to launch. The only people benefitting from LRAD are those with capital, meaning that they are not landless or in need of their economic status being changed. It promised economic growth only for those who already have their bread buttered on both sides.

3.1.3 Proactive Land Acquisition Strategy (PLAS)

The Proactive Land Acquisition Strategy (PLAS) was introduced in 2006. Its main objectives were to accelerate the delivery of land and give government more flexibility. It is to “enable provincial land reform offices to acquire land for which beneficiaries could be identified after the fact, most or all of whom would be allocated land on a lease-to-purchase basis” (Aliber et al, 2013:27). According to Hebinck and Cousins (2013: 54) the PLAS programme has contributed the largest share of land acquired for distribution. Although it might have contributed the most, it still did not cater for those land reform was supposedly designed for-the rural poor. It is almost impossible to build economic growth and simultaneously create a significant class of commercial black farmers, yet that is what these policies have promised. After all the research, it still is not clear what happens to the farmer should they not make enough profit to purchase the land. Do they get the lease period extended or perhaps taken off the farm. There has not been a clear alternative that I have come across. It is my assumption that the farmer is returned to their previous place of residence. Proving yet again that it is a policy that is made appealable to already well off individuals because the individual would require a backup plan or alternative should the purchase option not work out.

3.2 Challenges of Land Reform Policies disguised by continuities of the past

Throughout the two policies, LRAD and PLAS, an overriding theme is the marginalisation of the poor. With PLAS, not only are there mentors that are white former commercial famers, but they are tasked with graduating black farmers from small-holdings to commercial farmers (Hebinck and Cousins, 2013:55). It would appear again that the programme needs to review its aims as it now seems to be interested in large-scale capitalist agriculture. This also has the implication that mechanisms used by the black smallholder farmers are not modern or

developed enough to yield produce, which is – in South Africa’s specific history – a highly problematic and a sensitive issue. It insinuates that yet again the African is unable to handle such responsibility or that they are in need of supervision. What it further does is strip the new farmers of any form of agency and coerces a relationship of dependency between them and the mentors or “strategic partners” (Hebinck and Cousins, 2013: 55). The fact that the mentor is involved and highly influences most decisions on the farm means that the land is still under the control of a white commercial farmer despite change of ownership in terms of leasing. Another aspect of this arrangement that I think was not fully considered is the social consequences or conflicts that may arise. It was thought to be ideal and it is highly romanticised with issues such as the mentor purposely sabotaging the farmer and recommending unfitting livestock, as mentioned by Mr Mbixane². This partnership is not ideal and according to Attfield et al (2004:417) one of the failures of land reform is that it is actually a source of inequality and conflict. Bearing in mind that Attfield et al (2004: 417) was writing two years prior to the launch of PLAS, the authors were still accurate in their arguments in terms of not being able to bring about justice or reconciliation. Having discussed the most recent but still ill-fitting policy, continuities from the Apartheid era which are the problems within land reform still emerge.

3.2.1 Inequality and Conflict

Still on the topic of land reform being a source of inequality and conflict as argued by Attfield et al (2004: 417), this too is a legacy of Apartheid. Due to forced removals of the black people, restitution is meant to be the cornerstone of land reform, meaning that the programme and policies in place are central to restoration. Even within its aims, there is the “redistribution of land to enable citizens to gain access to land on an equitable basis” (Attfield et al, 2004: 410). James (2013:32) states that restitution would restore property to those black titleholders who had original ownership of it. What was not included or made clear in this article is how problematic the notion of citizenship is whilst playing a role in the restitution portfolio. Furthermore, it was not clear who would count as a citizen or on what factors it is premised. The boundaries and parameters of citizenship today are still causing conflict and inequality within the black population, boundaries drawn up by the previous government. This demonstrates just one of the many legacies of the Apartheid regime preventing successful implementation of land reform which in the end is not functional for the people it is meant to be catering.

² Mr Mbixane. Committee’s Drift. December 2014

3.2.2 Citizenship and belonging

When attempting to restore land or property rights according to citizenship or belonging, it becomes problematic as it creates division among black people by marginalising others on the basis of what constitutes a citizen. The lines drawn up, limiting the definition of citizenship, are exclusive. In James (2013: 3) it is shown that citizenship is only experienced through interaction with others which would cement that identification. The fluidity of citizenship is overlooked when narrow and rigid bounds are used, thereafter these determining who has property or land rights. How people are affected is when there are modifications made along ethnic differentiations which are mechanisms used by the previous government, resulting in conflict amongst people claiming the land (conflict on the basis of marginalisation and exclusion of certain groups). So in the end, instead of bringing about restoration, there are rifts deepened which date back to the Apartheid-era. Such constructs bring about further challenges to the implementation of these policies.

3.2.3 Problematic Constitution

Another problematic aspect of land reform that serves as a big hindrance of fulfilling its aims is the constitution of 1996. In Hebinck and Cousins (2013: 48) it is noted that under discussion was the wording of a property clause that would protect existing property rights but at the same time allow for land reform. An attempt at this alone is nonsensical, it is impossible to do both, especially simultaneously. It is in fact paradoxical. One cannot say that they are going to give back land that was dispossessed from the original owners but at the same time promise to not take the very same land away from the people now living on that land. The final constitution which was adopted in 1996 states that “no one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property” (Ntsebeza, 2007: 117) with the next subsection noting that property may not be expropriated unless there is some form of compensation that is agreed upon by all parties involved with the inclusion of many factors. The first statement is crystal clear in that the white property owners will have their land indefinitely because no one will deprive them of land that initially does not belong to them. And, should there be any attempt at that, there is no law that permits deprivation of that property arbitrarily. The wording alone of *arbitrary* I find very thorny since the seriousness and sensitivity of the history of dispossession could never be haphazard or based on random chance. Any action taken towards this restructuring

should never be described as such, therefore any expropriation of property is just. Moving onto the second subsection, where the current property owners may not have their property expropriated unless there is compensation that is just and equitable, dependent on current use of that property and market value etc. What seems to be forgotten is that no such factors were taken into consideration when land was being snatched from the black population. No one asked questions about market value or current use of the land when people were forcibly removed. So when these factors are meant to be contemplated when property should be seized, it is difficult to grapple with. What also seems to act as a continuation of Apartheid is the guarantee of white privilege over rights belonging to the landless black population. This guarantee which is in the form of the clause is but written by individuals. The fact that the clause is still in existence is proof that it is beneficial for some individuals. Years after Apartheid was formally dismantled, interests of the white population are still a priority.

Additionally, it has not only failed the people but it is a replica of history where the majority of the population was moved to the smallest percentage with unfavourable conditions, and were facing measures that ensured the persistence of poverty. Working within bounds that are still more favourable for the minority owning land means that the approach adopted by programme “does not seek to break the power of the rural elites, instead it seeks to bribe them into participating in the land reform projects” (Mngxitama, 2001: 8). Yet again, reiterating the fact that it is not making use of the capability of eroding the “power of the dominant class in the rural society” Sobha in Mngxitama (2001: 7).

Glancing back at PLAS, this proves to be true because there are a number of white former commercial farmers being paid to assist emerging black farmers. It is complimentary for the white farmer as he is getting money, while rescuing the unknowledgeable black farmer who is working tirelessly to prove himself worthy of attaining land that once belonged to his forefathers. This arrangement places the black farmer at the mercy of the sometimes non-cooperative ‘mentor or strategic partner’ (Hebink and Cousins, 2013: 55) laying a foundation for unequal power relations already spoken of previously. So with such protective measures in place, land reform is continually failing to redress historical questions. It therefore unable to deal with poverty.

3.2.4 The Failures of ESTA

Tenure forms is one of the three pillars of the land reform programme. Under this tenure umbrella, there have been two laws established; Extension of Security of Tenure Act 62 of 1997 (ESTA) and the Land Reform (Labour Tenants) Act 2 of 1996 (LTA) Hall in Ntsebeza et al (2007: 95). These laws are there to protect farm workers and their dependents but fail to do so as they do not at all prevent evictions but provide guidelines to follow when doing so. More than a century ago, black farm labourers did not have secure tenure. Today, after the establishment of tenure reform which is meant to “legally secure the rights of people occupying and using land, balancing these equitably against the rights of owners” Hall in Ntsebeza (2007:95), they still lack that security. However according to Orton et al (2001: 473) ESTA has increased the tenure security rights of farm workers. She failed to further elaborate how this was done. An act that formalizes a process such as eviction is not protective in anyway, especially since it fails to account for female workers, who according to most farmers are not full-time employees requiring full-time packages or benefits. To support this, Naidoo (2011:94) adds that “Violations of rights of women, casuals and seasonal workers go undetected”. Furthermore, most women farm dwellers are not considered occupiers in their own right, but secondary occupiers whose tenure is contingent on the continued employment on the farm of their male partners (Hall et al, 2003: 12). Whether eviction has occurred within the legal route or not, it still dissolves the farm workers’ social realm which is central to all aspects their life. The act stipulates that alternative accommodation should be provided, yet the concept of accommodation is far too narrow. Alternative accommodation is defined as “safe and overall not less favourable than the occupiers’ previous situation with regard to the residential accommodation and land for agricultural use to them prior to eviction” (Roodt, 2007: 5). Accommodation in this act has been outlined merely as space with no relations to and within it. With relocation there would be disruption of other interconnecting aspects of their lives which all stem from the space within which they live. Already the implementation of ESTA is an issue since the onus is on the farmer to ensure that the guidelines are being followed. The rare implementation of the act fails to secure the maintenance of their livelihood as they knew it. Roodt (2007:12) concluded that when moved to urban townships, livelihood benefits are lost.

Furthermore, there is always a difference between design and reality. The tenure programme was designed to ‘protect’ tenure rights of those on the farm, yet the “unintended consequence of ESTA has been the eviction of potential beneficiaries” (Letsoalo and Thupana, 2013: 303).

Comparable to the land reform programme overall, it is most detrimental for those it was meant to restore justice. So in spite of the existence of ESTA, black farm labourers and dwellers on white commercial farms find themselves in the very same circumstance despite it being twenty years after Apartheid. These are some of the obstacles to the land reform programme. The inability of the new government to secure land tenure for farm labourers is a continuity of the past.

Letsoalo and Thupana (2013: 298) noted how the biggest challenges to these policies has nothing to do with pace but more so in content. Whilst formulating ESTA, the policy developers seemed to overlook consequences of the laws. There was no consideration for power relations between the farm worker and owner prior to the eviction and what would take place thereafter. Considering the existing power relations, it would be almost impossible for a farmer along with their dependents to demand evictions within the legal framework. Du Toit (2013: 19) states that these approaches are riddled with unrealistic expectations especially in a capacity-strapped state. It is unrealistic that an illiterate farm worker who has not been exposed to ESTA must now demand the acknowledgement of their constitutional right. Furthermore, the programme is unable to monitor all farms ensuring that the workers and dependents are evicted within the ESTA framework.

It seems that the current government is continually failing to break free from structures put in place by the previous regime. Failure to do so results in the implementation of ineffective land reform policies or purely the lack of action in their implementation due to a shortage of capacity. With evidence from above, it can be said that all provisions put in place at the turn of democracy ensured no change in socio-economic standing of most whites in agriculture such as the strategic mentor arrangement, inadequate ESTA and property clause in the constitution. As long as there are unseen holds which mould these transformative policies, there is no such thing as redressing historical question of dispossession which has resulted in a “situation of poverty being a black and primarily a rural problem” (Mngxitama, 2001:3). The structural hold of the past systems dating back from the colonial era such as the lack of secure tenure experienced by African farm labourers in 1920 to the consolidation of land ownership by white commercial farmers today is the reason Mamdani (1996: 8) maintains firmly that South Africa is still in a colonial period as there are structures still in place, carried over from previous eras into the current one. Even when it may seem as though some progressive moves are made by the post-Apartheid government, these moves are made within the colonial strongholds.

3.2.5 Restitution Financial Awards

Praising the efforts of the land reform programme in addressing the historical question becomes difficult and complex. Within the restitution leg of the programme, a decision was made to have financial rewards as one of its means of reparations (Atuahene, 2011:968). These reparations would only be considered for those who were dispossessed after June 1913, this itself is highly limiting as laws passed in 1894 called the Glen Grey Act (Bundy, 1979:135) already ensured the severing of ties between land and the black nation.

Additionally, according to Mngxitama (2001:5), “the Glen Grey Act was to set the stage for later land and labour practices by settler governments”. Due to decades of poverty and landlessness, there is no possibility of catching up and being on the same footing as whites. An NGO director expressed that “financial compensation will not transform levels of poverty and land ownership” (Atuahene, 2011:972). No amount of money can equate to what would have been their lives had there not been that annihilation of life as they knew it. I find that the monetary value as a means of redress is insulting because even Minkley & Westaway (2008: 105) note that the restitution process is meant to provide a measure of justice. There can never be a price attached to justice, period. Additionally, Atuahene’s (2011: 956) choice of words seem insufficient in actually capturing the repercussions of all those years of dispossession. She describes the erosion of land rights requiring a remedy. This connotes an illness or bug that requires a concoction or potion to settle, which is how the programme policies have been treated; as some tonic with overnight results.

Land reform is about generating and sustaining a livelihood yet those seeking reparations are directed to processes that are not at all sustainable, such as financial compensation, so as to avoid “valuations which are therefore cheaper and faster to deliver” (Rugege, 2004:7). Purchasing a taxi does not improve standards of living. How would one maintain this if the family is poor beforehand? The vehicle would not make everyday costs more tolerable as servicing the taxi is costly and those funds would actually be a setback. For those reasons, I am in agreement with Atuahene who, in her study on urban claimants in Gauteng and Western Cape, concludes that “financial awards did not have a sustainable economic benefit for claimants” (Atuahene, 2011: 972). The slight differences the compensations made cannot be disqualified, but they remain minor.

According to a Regional Land Claims Commission (RLCC) official in Atuahene (2011:970), the claimants lack the rationality and civilization to put the small reward to good use. Such

bigotry by departmental officials is highly problematic, especially when they are the ones who are meant to help the claimants. What has changed with this thinking is that it no longer stems from white people but now from black people who clearly do not consider themselves part of the group that is unable to rationalise due to the fact that they are not poor or in need of land. This brings up the issue of black versus white, along with the many stereotypes attached to the black man's thinking. The whole arrangement of encouraging claimants to settle for financial rewards is like looking into the past, when black people were driven off their land. It comes across as though the government is paying the claimants to keep quiet, literally shoving money into their mouths whilst the current white owners of that land live comfortably undisturbed. Which is why Lestoalo and Thupana (2013: 300) would argue that manoeuvres of the Apartheid government are present in every aspect of South Africa's land reform programmes.

In Hall et al (2003:5) it is noted that the restitution programme has had a major achievement due to its large number of claims settled. Despite the high number of claims settled, the claims do not translate into an increase in black ownership of land. This is why Hall's claim itself is refutable. The processes of restitution have been easily dichotomized, in the sense that what was lost can simply be replaced with another. Once the loss has been restored, then restitution is considered successful which is why Hall et al (2003:5) would describe a quantified estimate of claims settled as commendable. Walker in Hall (2014:8) is cited as observing that there is a master narrative of loss and restoration in public discussion, which is correct. There is a simplistic view that once the claimants have land everything such as land ownership will be balanced. It is not taking into consideration the social phase thereafter. Just as in the case of ESTA where the evictor is required to provide alternative accommodation, relocating the evictee does not restore what was lost which is more than just accommodation. In both cases, land or space is reduced to material conditions. Apart from restoring land, one of the forms of restitution reparations are financial awards which seem to be more popular amongst the urban claimants. It results in the core land issue not being addressed which is the skewed nature of land ownership (Sibanda, 2007:2) as there are no transfers of land taking place. In Rugege (2004:7) it is reported that the CRLR argued that many in urban areas insisted on monetary compensation rather than land due to poverty. But then, what of those in rural areas. What justification will be provided for them? Even when land is restored, it is not a means to an end as it isolates the social sphere as earlier discussed. The focus on the material question of restoring land or granting cash (Hall, 2014:10) makes it evident that land

reform works, in terms, for the current land owner. The state has at times needed to negotiate or even offer alternative reparation due to the increased price of land demanded by the landowner (Hall, 2003:10). To meet departmental deadlines, the quicker option being financial rewards, is chosen over the other three options. Having said that, restitution has not made so much progress for it to be a major achievement as more than 60% of urban claimants opted for financial compensation whilst a disappointing 46% settled with land (Rugege, 2004:6) meaning that both rural and urban remain more or less unchanged in terms of transfer of land. To deal with the isolation of land, external to social relations thereafter, it is suggested that other options be provided such as agricultural college bursaries (CDE, 2008:5) by having a combined private and public task team deal with the claims. The alternative option provided deals more with what would be termed post-settlement support.

3.2.6 Post-settlement Support

Post-settlement support is an integral part in ensuring successful implementation of Land reform. Land reform was introduced to alleviate poverty and address the land question in terms of land ownership. Successful implementation of the reform programme would result in the beneficiary or claimant now able to generate and sustain livelihoods while land is largely under ownership of blacks. Aftercare (as it is also known) does assist, but it does not guarantee that the beneficiary is able to get the most out of the newly acquired land, such as making a life from land and dealing with poverty. The fact that poverty eradication was included in the programmes and aims means that the new farmers are not required to farm commercially on a large scale, but are expected to be subsistent farmers. However, there is a disconnection within this programme which further depicts its problematic and unrealistic policy content.

The split has to do with the shift that took place, which is not in sync with land reform objectives. There has been a move within the programme from poor and landless to one aimed at creating a new class of commercial farmers. It has been made clear by the type of post-settlement support given to farmers, which promotes farming on a larger scale than they are used to.

Contrastingly, organisations such as Masifunde advocate for sustainable farming. There exists a binary between the types of production promoted by departments such as the Department of Agriculture/Department of Rural Development/ Land Reform and those of the organisations. The farmers are provided with chemicals such as pesticides and inputs that

drive massive production while on the other side of the spectrum, organisations supply workshops on agro-ecology. Kahn (2007:23) small-scale farming is the way forward but, unfortunately, this ideal has not been realised as yet.

Post-settlement defined according to Hall (2004: 220) is infrastructure, extension officers, access to input including credit and access to markets. Those are the more tangible ones and geared towards the commercial model of farming whereas there exists other forms, such as expertise knowledge (project management) and social ones such as conflict solution (Anseeuw & Mathebula, 2008:13). Both these types of support would be necessary on a former commercial farm, especially if it was subdivided and accommodating a number of families in which project management and dispute resolution would be used. With application of this support wholly, land reform in terms of land transfer will succeed, and issues of poverty and employment creation which then would be addressed by sustainable living. Hebincks & Cousins (2013:19) the irrelevance of post-settlement support, in some cases, which therefore fails to deliver relevant knowledge and information. There is incongruity between the realities of beneficiaries and the supposed idea of what successful agriculture is. What should be pointed out is that not all commercial business models define real agriculture and should not rule out small scale farming. There is unrealistic expectation for new landowners to perform on the same level as previous owners which results in the projects being up scaled to maintain the same production as predecessors, Hebinck & Cousins (2013:77). This demonstrates the move from catering for the poor to placing state's interests above those of beneficiaries, for whom land reform is. The maintenance and priority of capitalistic production is not at all in line with sustainable livelihoods which is the approach land reform is premised on.

It has been problematized that the large scale commercial farming model is promoted when it's known to be ill fitting especially when addressing poverty and unemployment. The formerly landless whom were unable to sustain themselves, are now expected to generate produce on large scale. Even when beneficiaries attempt to farm intensively as told by consultants, the benefits are minimal in terms of poverty alleviation.

Overall it can be said that land reform has been experiencing more problems than successes. What makes these problems even more difficult to tackle is that they are legacies inherited by the present government and provide frameworks in which these policies are meant to function. Unless the content of this programme is totally overhauled, perhaps it could at least

serve one of its aims such as attempting to alleviate poverty, which is linked to access to land. This could result in sustaining livelihoods but, only with sufficient post-settlement support. Transfer of land alone into black ownership will not eradicate poverty and inequality. The intricacies involved are highly underplayed, with that the policies thought to be unproblematically implemented. Until that happens, the interests of the white elite will always be protected as the forerunners of today's government ensured so, while the majority of South Africa slumbers in a colonial style bed remaining untransformed despite change in government, failing the many landless black South Africans.

This chapter has been a discussion of the unrealistic ESTA expectations by its creators and therefore failing to protect those for whom it was created. The constitutional property clause which continues to prove problematic was presented. Additionally, how the restitution portfolio brings back notions of citizenship and how at times is the basis of decision-making. Furthermore, the departments involved in post-settlement support and their contradictory views to those of the organisations they work with were displayed.

CHAPTER 4

History of the National Land Committee and Border Rural Committee

This chapter provides an outline of the organisations that played a central role in the land sector in South Africa from the forced removals in the 1980s to the Bredell removals recently in Johannesburg. An outline of these organisations underpins any challenges Masifunde as an organisation in land may face in terms of identity which forms the basis of the relationships with other role players, from the state to constituents. It also allows for an assessment of their impact in the land reform landscape which is pivotal in exploring the role of NGOs in land reform.

A skeletal background of each organisation is provided. Further, the struggles they find themselves in due to their interwoven relationship with different various actors demonstrates their complexities. These intricacies in identity and diversity at times prove to be their demise.

Moyo is cited in Mnxgitama (2005: 34) NGOs in Southern Africa have limited involvement in, and impact on, land reforms in terms of promoting greater land redistribution to the poor and disadvantaged groups, or in protecting and defending their land rights. This can be truly said about the actions of the National Land Committee (NLC) during the transition period to democracy. What could be questionable is whether this view is applicable to recently formed NGOs or if it refers only to those who have stepped in from the previous regime into the current democratic one.

4.1 National Land Committee

The NLC, formed with opposing strands within it, was the only “segment of civil society with a national presence struggling for land ownership patterns to change” Mnxgitama (2006:45). Today the NLC is just a memory. Due to its multi layered identity formed by its diverse members, it felt the need to fulfil various objectives, at times conflicting.

As some point, the NLC was seen as powerful by being the only organisation struggling for the change in land ownership patterns as noted above. It had a network with almost a representative in each province (Mnxgitama, 2006:45). It should also be commended for

publicising the atrocities and suffering of landless people as a result of forced removals. In spite of this, it was terminated in 2006, (Amanor& Moyo, 2008:47) due to its multi layered identity.

Initially known as National Committee Against Removals (NCAR), NLC was formed during the height of forced removals and evictions in the 80s as did many other organisations emerging at this time. At this point the land question was of highest priority as forced removals continued to be the establishment and maintenance of Apartheid in South Africa (Platzky & Walker, 1985:7). It is recorded that from 1960 to mid-1983 an outstanding 3.5 million people were relocated, taking note that this excludes those affected by influx control in urban areas. Influx control is the network of legislation and regulations which controls African access to the urban-industrial centres situated in what was claimed to be white South Africa (Platzky & Walker, 1985: 32). Apart from tearing African social ties; what effect these Apartheid mechanisms had was the creation of farm dweller identity. This implication of Apartheid is not isolated, but is the most pivotal one as it secured the African as an appendage for the production and maintenance of white capitalism in the country. This definition or new identity in which they were coerced, allowed for the “blacks to be defined outside of civil society” Mngxitama (2005: 8) according to Mamdani’s (1996) definition. Due to this forged identity South Africans formed then, many today find themselves landless and living in poverty.

The involvement of the NLC spans from the forced removals in the 80s to the fighting for pro-poor land reform programmes in South Africa during the early 2000s. Their involvement included campaigning, informing the world of the landless’ sufferings which resulted in the detaining of many, including harassment of fieldworkers (Platzky & Walker, 1985: 15). Despite such treatment from the Apartheid government, the staff were able to act as a watchdog on “human rights abuses related to forced removals” (Mngxitama, 2005: 12). I find the origins of NLC rather contradictory because it was driven by white liberals with their welfarist concerns yet with no clear emancipatory project. Which is perhaps why Mngxitama (2005) found the committee to be filled with patronising elements which he extended to say are representative of racist lexicons. In his view; the fact that it was driven by whites is problematic. This would have to be my interpretation as he goes on to say that “the possessive, my people” is part of a racist lexicon used by settler farmers. Yes, it is true the latter made use of those terms but to say that it is part of a possessive discourse is taking it too far. The white counterparts who form part of the organisation are showing some form of

belonging. Apart from the symbolic protests (which will be discussed shortly) this is not at all paternalistic. He may as well argue that white people in the United Democratic Front (UDF) are not allowed to put up the clenched fist sign of *Amandla*.

The only justification Mngxitama (2005) has in saying that there are paternalistic and perhaps patronising elements is with regard to land occupations. Land occupations demonstrated the strain between the two different strands spoken of in previous paragraphs. The NLC was not knowing whether to sit waiting for the democratic state to embrace it with open arms or not wait for any inclusion in the coming democracy and take back what is theirs (land); regardless. The presumption here is that the latter was the dominant strand as evidence shows that later, almost all activists were swallowed up by government departments. The paternalistic theme here would be that the white liberals, viewing the constituents as belonging to them, or under their guidance should not seek to do something so preposterous or out of bounds (drawn up by them) such as occupying land that once belonged to them.

Furthermore, what may also come across as patronising is its rejection of breaking structures and opting to work within the existing ones. Mngxitama (2005: 11) notes how the main issue was that it could not conceive the destruction of South African civilisation, it hoped for integration of the excluded without fundamentally changing the order of things. NLC only saw it fit to partake in symbolic protests, i.e. land occupations just as a means to get a point across. Engagement in metaphorical protests lightens the demands the landless seek. There is nothing symbolic about taking action, meaning the performance of occupying was to advance agendas; not meaning to disrupt existing structures if everything is meant to be representative of something else. The choice to rather straddle both positions with landless people and waiting on for democratic ideals from the new government makes it evident that it was torn between what can be described as ‘radical’ action and possible change in the system in terms of policy. NLC is noted to be part of those that argued against the protection of the property bill in the Bill of Rights which would actually ensure that historic land theft would be legitimised by the new constitution (Mngxitama; 2005: 20) yet it still seemed not to know which relationship to nurture most; landless or new government.

The slow build up to the demise of the NLC may be attributed to its ‘on the fence’ position, between the people it claimed to support and represent and those it sought to impress. This indecisiveness is alarming as this is the very same organisation that promoted and was in the stern belief that pressure from below is the most effective mechanism to galvanise more

effective state action on land (Amanor & Moyo, 2008: 47). They propagate one thing and do another. If mobilisation from below is what is best, then it should make logical sense that white liberalists *cannot fully understand the plight of the landless, they can only empathise*. This is linked to Mngxitama's argument that within the organisation were racist lexicons. I am not entirely in agreement with this as there is only a correlation between the liberalists' race and the position and words such as 'my people' there is no causal relationship. Mngxitama might be adamant about this argument because, placed within South African historical context, it might appear to be problematic.

The inability of organisations to serve its people would bring them to say that NGO's must just give them information and funds but should not speak for them as they will do that themselves (Mngxitama, 2005: 26). As seen with the NLC, the only doubt that supports the inability to serve its people is its relationships with government. Having any form of ties with government raises complexities. The case of NLC problematizes any relationship or partnership, depending on what the argument is, with government. In a description of civil society, organisations with a focus on land NGO sector, Amanor & Moyo (2008: 50) point out that NGOs face serious identity and strategy dilemmas as they are meant to support positive aspects of government's land programme but on the other hand, they remain sensitive and responsive to a constituency of rural poor. This is highly difficult to maintain simultaneously. They are expected to fulfil two competing objectives. It was common, just after the turn of democracy, for organisations and government to be in 'partnerships', which I am not in agreement with. A partnership is based on equal footing, with the attempt of balance between two actors involved. So it cannot be called a partnership with the state if work is being divested onto the NGO and at the same time have to promise to work in the interests of people who are holding the state accountable to deliver on its promises. That is why the NLC, after a seemingly happy relationship, opted for a "critical relationship" (Mngxitama, 2005: 27) with the state as the partnership had resulted in "patching holes left by government neglect" (Mngxitama, 2005: 34).

4.2 Landless Peoples' Movement (LPM)

The formation of Landless Peoples' Movement (LPM) cannot be discussed separately from the National Land Committee due to it birthing the movement. The organisation incorporated and dealt with farm workers, labour tenants, and the unemployed in urban and peri-urban areas (Kahn, 2007:8). With the NLC slowly fading, LPM emerged to be the most visible rural

social movement (Amaron & Moyo, 2008: 50) as did the NLC earlier. Although having been a product of the NLC, compared to the committee, LPM was more radical. Some might argue that it is due to its being a movement rather than an organisation. I am not disputing that possibility, but it is credited to the fact that the NLC was now splitting with no specific direction. NLC's presence in defending residents facing immediate threat of forced removal in 2001 and 2002 portrays the somewhat radical nature of the movement (Greenberg, 2004: 18), this radicalism is also what sparked the division between LPM and other NGOs. Their differing views on how to act towards the government, where NLC affiliates who were against the struggles of the LPM, which were seen to be increasingly confrontational (Helliker, 2013:320). According to the LPM, "redistribution from below through mass occupations would be necessary to ensure the transfer of land" (Greenberg, 2004: 19), something the NLC advocated or pretended to advocate.

The short life span of the LPM was a result of its radical nature. Its radicalness is central to its demise. Its radicalness intersecting with other factors such as the shift and change of time into democracy proved to be problematic. Additionally, the concern of autonomy from the NLC arose as it struggled to keep the LPM subdued which boils down to the issue of identity. Greenberg (2004:21) notes how the NLC reasserted its control over the movement in an attempt to protect the integrity of the state. Basically the LPM failed to maintain its relevance in the political landscape with the transition or rather it was unable to find a niche in which to slot itself. It was conflicted as to what direction to take. Sarte is cited in Greenberg (2004:22) that once an immediate purpose has been achieved a group of individuals usually disintegrates making it evident that the transition challenged the position of the movement. Overall, with the change into democracy, the radicals within the LPM failed to survive whilst the balance were absorbed into government networks.

4.3. Border Rural Committee (BRC)

Border Rural Committee (BRC) originally known as Grahamstown Anti-Removals Committee (GRC), organised by students, also emerged as an affiliate of the then NCAR. With the change in name, was the change and redirection in vision and role to play in the Eastern Cape. This organisation mobilizes rural communities by assisting them to lobby for access to land and resources (BRC, 1999:7). Strategies used by BRC to carry out their work

is through “research, advocacy, information dissemination, development facilitation, institution building and networking & brokering” (BRC, 1999:8). In 2002, BRC formed a social movement called *Vulamasango Singene* (let us in). This was an agricultural betterment restitution campaign in response to the government’s exclusion of the betterment restitution from the land restitution programme. Betterment planning was introduced in an attempt to control land usage in African reserves (Platzky & Walker, 1985:45). The government at that time was squeezing the most they could out of the land to accommodate more people. BRC, then, was aiming to ensure that government addresses the legacy of betterment. Following negotiations with BRC, a task team was set up that recommended the cabinet permit for a six-month window to lodge claims for betterment restitution (Vulamasango Singene, 2004:3).

During the 1980s, the biggest demon to face was Apartheid, but with the demise of the regime, its legacies are the ones being challenged by the community based organisations (CBOs) as NGOs are working with government. As Amanor & Moyo (2008:50) observe that with the end of Apartheid, civil society [as defined by Steytler et al (1998:121)] pressures have lost the zeal that drove them in the 1980. Additionally, NGOs are seen to be anti- land reform, which is preposterous. The only reason that could possibly explain this thought is their reluctance to attempt transforming systems through persistent applied pressure and prefer to tip toe within those same structures until their efforts are acknowledged. Furthermore, their persistence on maintaining a ‘neutral’ position is made difficult by the fact that most of their former activists now fill up the government offices. Contrastingly, the Department of Land Affairs (DLA) blamed many of the initial failures on the involvements of NGOs (Nauta, 2004: 223) without providing any reasoning. A possible reason would be that the NGO influenced the department to agree and approve almost impossible promises in land reform, whilst pleasing its constituents and placing the department under great pressure.

With such intricacies, the future of NGOs in the land sector and the role they will play is highly questionable. The fact that the constituents these organisations claim to represent are insatiable and seek more effective form of action and organisation with the governmental departments which are not welcome to interventions from the organisations, NGOs are slowly going to find themselves with no niche to slot themselves. This is not forgetting the repression faced by the organisations from the state and the watering down of their structures through market-based neoliberal policies. As civil society organisations continuously sell

their souls to “corporate capital and the state” (Amaron & Moyo, 2008: 188), the voice of the landless poor will slowly dwindle through further marginalisation.

In this short section, two main organisations’ were discussed. The section showed the complex issue of identity and competing internal and external interests in these organisations. Murky and complex identity made so by their racial makeup which consequently influenced the type of work they did such as protests they partook in. As a result, their positioning was questionable, whether they remained neutral or attempted to break the existing structures. The downfall being attributed to its identity and strategy dilemmas.

CHAPTER 5

Research design and Methodology

In this section, the philosophical foundation of the study is briefly outlined, followed by the justification for the usage of qualitative research methods and the type of interviews used for data collection. Challenges experienced during data collection are made known and any weaknesses and strengths this study may have were highlighted.

This study is rooted in the interpretivist paradigm which suggests that reality can be constructed and interpreted differently due to it being relative to time, place and interpreter (Whisker, 2001:124). It is based on Dilthey's (1911/1977) thesis that human discourse cannot be analysed with methods of natural and physical sciences (Miles & Huberman, 1994:8) which is true in this case as roles and interactions of the social actors involved in land reform are unmeasurable in physics and cannot be quantified. It is for these cases where there will be interpretation of meanings made by both the social actors and by the researcher. Methods of dialectical hermeneutics will be of use to emphasize both the subjective meanings for individual actors and the social structures which condition and enable such meanings (Darke et al, 1998:277).

The adoption of qualitative research is an attempt to capture data on the perceptions of local actors from the inside, also known as *verstehen*, a process of empathetic understanding (Miles & Huberman, 1994: 6). As suggested in the thesis title; exploring the role of Masifunde in land reform and post-settlement support; qualitative research is used for exploratory studies leading into more structured study that would examine causal processes at the level of the intentional, self-directing and knowledgeable actors (Hakim, 1987: 26). Additionally, the concerns of qualitative researchers is the process rather than outcomes and products, which is why it was the chosen research design (Creswell, 1994: 145).

Procedures used were semi-structured, in-depth interviews which are defined as (Whisker 2001: 168) as a series of set questions to be asked with space for some divergence, with the interviewer then returning to the structured interview questions; supplemented by non-participative observation. Hakim (1987:26) supports this, "the most common method used is the in-depth interview". Since the researcher in qualitative research is the main measurement

device in the study as a result of very little standardised instrumentation (Miles & Huberman, 1994: 7) all interviews were audio taped.

Analysing and interpreting data from qualitative research involves “identifying the principal emergent ideas in each piece of transcribed data” (Davies, 2007: 193). By repeatedly reading data themes, patterns emerged which may be recorded through the use of coding. Creswell (1994:154) describes these categories and codes as forming the basis for the emerging story to be told by the qualitative researcher. There exist various processes, but this aforementioned is one I made use of. One of the limitations of qualitative data is noted by Miles & Huberman, (1994:8) as involving problematic processing of field notes as the researcher generates data only as one treated as writable/readable or audible in my case. I can relate to that as I was reliant on the tape recorder and did not supplement it with writing field notes subsequently only audible data was analysed. Strengths of qualitative data is its richness and potential for revealing complexity nested in real context (Miles & Huberman, 1994:10). Regarding the thesis title, exploring the role of Masifunde involves analysing multi-layered intersecting interactions with between various actors which in itself is intricate to provide a holistic understanding of this role.

Because I was analysing an organisation, a case study was an appropriate qualitative research model. Wisker (2001:190) points this out, that as a method, a case study offers opportunities to fully explore in-depth situations, individuals, events, groups or organisations. The type of case study used is the descriptive, which may be exploratory or illustrative ‘portraits’ of social entities or patterns thought to be typical, representative or average (Hakim, 1987: 61) which in this case is applicable. Due to the fact that case studies are typically based on two or more methods of data collection (Hakim, 1987: 63) methods used were in-depth semi-structured open-ended interviews, and non-participative observation and documentary analysis.

Limitations and Delimitations

Restrictive considerations for a research study establishes the boundaries, exceptions, reservations and qualifications inherit in every study (Creswell, 1994:110). Delimitations in this study is the specific focus on NGO being Masifunde in Grahamstown as oppose to attempting to explore the role of all NGOs in the province or country.

A limitation is the inclusion of Department of agriculture and Department of Rural Development and Land Reform (DRDLR) in this exploration of one actor because it is

qualitative research which makes use of interpretations and seeking themes. It might have the unintended consequence of raising unrelated interpretations.

The significance of this research study is its usefulness in directing policy-makers in leading to an even bigger study. It would assist policy developers with regards to the successes and failures of the current policies in land reform and how to involve assistance from NGOs.

Additionally it would improve the practice of departments and institutions involved in the land reform process as it has exposed their operations with other actors such as NGOs and beneficiaries.

5.1 Population and Sampling

Population for this study was made up of Masifunde staff, officials from Department of Agriculture and Department of Rural Development as well as land claimants and beneficiaries. According to Wisker (2001: 138) a sample is a selected and chosen group upon which to carry out research and my chosen participants totalled to eight. They consisted of two Masifunde staff, one official from each department as well as three claimants and one beneficiary. My preferred method of research was one on one interviews and as a non-participant observer on one occasion.

5.3 Data Collection

Department of Agriculture- Grahamstown

In order to find out the role NGOs play in post-settlement, I had to first explore what the department of agriculture does to assist beneficiaries after acquiring land. Assistance is in the form of irrigation equipment and supplying of seeds, additionally what other institutions do they work with in order to deliver these. What formed the crux of these interviews was whether they have any partnership or seek any with existing NGOs. This would help identify what, according to the department, they are unable to provide, such that they need assistance from an NGO. The procedure for the data collection was a one on one interview which was

audio taped. I was unable to combine different forms of collection such as direct observation due to the participant's work commitments.

Department of Rural Development and Land Reform- Port Elizabeth

I managed to contact officials that work mostly in the field, officials that meet with newly placed farmers under the PLAS policy. The data recording procedure consisted of observations and one on one interviews. These officials are the mediators, mode of communication between the department and the farmers. They deal with issues such livestock theft and checking if fencing is appropriate for that specific livestock. I managed to tag along to these visits but they did not prove so helpful in questioning how much of NGOs involvement is required because these farmers were well off enough to make their own purchases then require re-imbursements from the department. From these visits what I could deduce are the challenges faced by the farmers and the snail pace from the department in responding to their requests in that they end up paying for costs themselves. Additionally, work done by the officials was demonstrated but notably that not all farmers require the same type of post-settlement support which is given by different departments. The work done by Department of Agriculture and Rural Development is different with regards to the calibre of farmers; agriculture works with mainly groups whilst rural development with single ones.

The questions asked were intended to explore the relations between civil society and these two departments, which is why I took part in field observation with one of the officials. I had to see what their perceptions of each other are, especially with the inclusion of NGOs. It was also an attempt to capture the process of acquiring land and the problems experienced thereafter.

Masifunde Education and Development Project Trust

This proved to be the most difficult to do, getting to speak to the director. Almost no one can get passed the secretary. All I was given were the same office numbers, that she would later answer and inform me the director is busy. This was after numerous failed attempts at camping in the reception area. I was only able to interview two employees from the organisation. They were very helpful but unfortunately felt unequipped to answer certain questions about the organisation, especially when it came to donors and funding. Getting access to them was also challenging because none of the employees are at work at the same

time as there seems to be very informal workplace structures. Prior to approaching the organisation, I had to rely on the brochure which only provides a skeletal outline of the areas they assist in. Another challenge I encountered was the fact that I was not at all times taken seriously, I was being promised the organisation's annual report which I am still yet to receive. According to the employees, the report would substitute as an interview.

The interviews were semi-structured. They consisted of open-ended questions that could also be easily directed so as to be focused. The basis for my questions were formed by the organisation's pamphlets and documents, which allowed me to ask further on their goals and areas in which they assist in. Consulting these would be considered document analysis (Davies, 2007: 185). The interviews were conducted in their offices. The only question the employees were hesitant about was the funding, thereafter, they all suggested I ask the seemingly mythical director.

Claimants and Beneficiaries

One of the most daunting tasks was getting access to land claimants or beneficiaries. Through help of one of the employees, I was able to come into contact with a claimant who was also a community leader and later opened up channels for me to interview other claimants. This too proved to be difficult, as I initially had to contact them via cell phone which brought about language barrier issues or demonstrated as technological challenge for the more aged contacts. I was also told numerous times to call at later stages, at times meaning 3 weeks later due to weddings and December festivities.

Carrying out the interviews was not easy as I would have to repeat my questions at most times using both English and pieces of Zulu in order to get as close to the Xhosa language as I could. Their responses were limited as they assured me they do not mind speaking English yet I could sense discomfort. Ultimately, they too spoke in two languages; briefly in English then elaborating in Xhosa. Which resulted in them rushing through the answers so as to get through it quicker. These interviews were also one on one.

The participants were asked questions from how they acquired the land, to the procedure, at what stage did Masifunde get involved and what exactly did they provide. Challenges that the claimants and beneficiaries might have experienced with the two departments were also of interest to me as it would show where the departments were lacking and perhaps where the

NGOs could slot themselves in. This is necessary as a qualitative researcher, the interest and focus is in experiences, processes and participants' perceptions (Creswell, 1994: 162).

This research adhered to Rhodes University's policy on ethical guidelines. The ethics codes were revealed to the participants prior to the research, ensuring informed consent. Permission was received from participants to record the interviews also prior to conducting the research.

This chapter has outlined the qualitative research methodologies used in this study. A qualitative approach predicated an interpretivist perspective framing this research was explained and justified. My interview procedures were discussed, including reasons for chosen methods. Delimitations, limitations and significance were noted so as to show the narrowed scope, and in what areas this research will contribute. Other methods used were spoken of in the qualitative data analysis section together with their strengths and weaknesses. The chosen population from which I sampled was outlined, any challenges experienced in terms of access and interview sessions were made aware to the reader.

CHAPTER 6

Case study

Masifunde as an affiliate of the Education and Development Project Trust is a non-governmental organisation based in Grahamstown, Eastern Cape. It operates in the Ndlambe and Ngqushwa Municipal areas as well. Founded in 1983 by community activists, lawyers and freedom fighters, its work centred on education, such as providing tutoring, bursaries for secondary and tertiary students and adult literacy. Ten years after its birth, Masifunde geared towards another direction of project delivery from the welfarist approach. This approach is more people-centred and aims at fostering empowerment. Project delivery approach is underpinned by the belief that the poor and disadvantaged are their own agents of development.

To date, the organisation has worked with small-scale farmers, women and youth and the unemployed in the peri-urban and rural communities of the Eastern Cape. Their focus areas are land access, land use and management, local government and service delivery.

The purpose of this study is to explore the role of Masifunde non-government organisation in land reform and post-settlement support in the Albany District of the Eastern Cape. More specifically, it looks at the nature of the relationship between civil society organisations such as Masifunde and the Department of Agriculture and Department of Rural Development and Land Reform. The perceptions of land reform claimants, Masifunde staff and the relevant departmental staff towards each other were explored, with regard to the role of NGOs in the implementation of land reform. This section also seeks to further understand if the engagement between government and civil society groups like Masifunde are a means to assist in areas government is unable to reach or address.

6.1 Donor/NGO nexus. Whose interests are at play?

There seems to exist a tug of war between the interests of NGOs and those of donors. Due to that fact that the donor funds the organisations' activities it is said that the donor then dictates which interests the NGO should address. Gordon & Berkovitch (2006: 2) argue that the donor does more than determine what type of work is done, but it shapes and moulds their critical

perspective, meaning that it makes up its essence. This argument implies that donors are the core of these organisations, with the organisation revolving around the donor. In addition to that, as mentioned in chapter 2, NGOs function similarly to profit driven organisations, meaning that the organisations will work in the interests of the donor regardless of the interests of the constituents. My findings were contrary to that. According to both respondents working at Masifunde, the various donors do not influence their work. If anything, it was implied that the donors are subordinate to the organisation and its objectives. Due to the fact that there are various donors, they all interact differently with the organisation. In my results, opposing the literature that suggests that an organisation dictates its own activities then interested donors may come forward. Furthermore, it was said by Reggie Waldick³ that partnerships are developed with these donors so they would understand the context of their work.

So it's not funders saying what must be done, it is us that say this is what we wanna do. They will say okay let's not do it this way but that way. Then we agree on that. There are funders that make suggestions on to improve programs. Sometimes we listen and incorporate, sometimes we say it's not realistic.

Masifunde's relationships with donors then refutes De Mars (2005) and Helliker (2013). Firstly, De Mars (2005:44) states that the relationship between NGOs and their partners is not one of independency but the NGOs are constituted by their partners. Concurring with that; Helliker (2013:318) suggests that they could possibly be used as instruments of global donors. If then, Masifunde is not running similarly to a profit-driven organisation, can it be said that it is so well established that it is not in need of donors that will influence their work therefore not finding themselves accountable to any donor?

The idea of a partnership between the donor and NGO should not be taken without question. Partnerships do not mean equality among those involved. Although the staff may maintain that through these partnerships an understanding is created where power is balanced. The results paint partnerships in a positive light and in this instance Brinkeroff's definition is applicable; "it incorporates mutual respect, equal participation in decision-making, mutual accountability and transparency" Brinkeroff (2002:21). In this regard partnerships are used to safeguard against any of the actors from assuming absolute power or subordinating the other. Therefore; it has proven that Masifunde, contrary to literature used in previous chapters, is in fact open to its own decisions in terms of activities with room for autonomy given by donors.

³ Reggie Waldick. Local government and rural governance officer. Masifunde Building. December 2014

The organisation is free from influence by donors making their objectives impenetrable. Another staff member reiterates that they as an organisation do not bow down to anyone or change the nature of their work. They take the money and do what they do. They do not compromise their principles or policies because of donors. Lack of agency from donors is not an issue and there is no sense of dependency from the NGO.

6.2 Representational Claim

Closely related to the contest of interests is the representational claim. It also ties in with agency and dependency. It centres on the notion that the organisation is the vehicle of change for those it claims to represent. Van Driel & Van Haren (2003:535) argue that NGOs are seen as suitable instruments for representing their interests due to the close relationship with the poor. This theme was visible in the results not only from one group but across the board from beneficiaries, Masifunde staff and Department of agriculture staff. As a whole, participants felt it necessary that someone else or another entity speak on behalf of those unable to voice their concerns or that they were the vehicle of change that communities needed. It is highly problematic that representation is secured only through being spoken for.

Moreover, being spoken for is disempowering. Should the organisation cease to exist, the people it previously represented are left stranded. It robs them of any form of agency as they are dependent on the organisation to voice their concerns or present their interests to relevant parties. In the case of Masifunde, apart from requiring resources such as legal aid, beneficiaries now await advice from staff members. It makes one believe that without employees of such organisations they are unable to make decisions as they are doubtful of their own knowledge. Thinking like the beneficiaries; extension officers imply that this supposed closeness to the poor with organisations is required so as to better articulate their needs on the farm. Zama Zikhali, an extension officer from the Department of Agriculture mentions how the Eastern Cape Agricultural Research Project (ECARP) is better equipped at representing people as they speak their *language*. This closeness between ECARP and beneficiaries placed a higher regard for the organisation over government institutions as these institutions are further from the people. It is all rooted in the idea that a more intimate relationship between NGOs and constituents is the most suitable for representing them.

Within this representational claim is the idea that change is possible only through NGOs. So, apart from the supposed close-knit relationship NGOs might have with the poor, through the knowledge possessed by NGOs, those in need are saved. It paints an image of the NGO as the

great messiah to rescue the distraught communities. Representation has been described as a necessity by the participants and apart from robbing constituents of agency; it actually left them as passive subjects rather than active agents as they are always receiving ‘help’ (McSweeney, 2014:277). It reduces them to constantly being recipients of change. To counter McSweeney’s argument, Nauta (2004:25) claims that an NGO does not act for itself but to empower the grassroots, expressing the power of the grassroots against the elites. Thus meaning that Nauta (2004) and Van Driel & Van Haren (2005) are blind to the possible influences from donors in ensuring that representation of a specific population is organic and free from external factors which, according to Masifunde staff, does not apply to their organisation. Not only do they have an understanding with donors, but they empower grassroots against the elites in terms of equipping them with legal aid so as to be represented in court against the farm owners or providing and facilitating workshops that educate them in managing their financials or coming up with business plans.

6.3 Race and Power relations

One of the many challenges plaguing land reform is its policies moulded by Apartheid. It is basically stuck in the past, failing to identify issues that are problematic due to South Africa’s past. Currently within land reform, there are strategic partners (Hebinck and Cousins, 2013:55) known as mentors. New farmers are offered mentorship as a means of financial and technical support which is meant to empower farmers as Mfundo Sodela⁴ from DRDLR explains. In my findings a pattern that emerged was the insistence of not wanting a white mentor. A farmer; Mr Mbixane who currently has a white mentor felt that his business ventures are not successful as the mentor is sabotaging him – all of this is based on his race.

He is playing games with me telling me to buy old cattle from his friends knowing very well the cattle are old, all in efforts to embarrass me and help his friends financially. (Mr Mbixane)

Mr Mbixane does not dispute that he is need of this support but maintains that there is no sane white man who will whole-heartedly assist a black man run his own farm as they are not used to it. In this case it is not only a race issue but it is intertwined with power relations. Once race and power intersect, it results in conflict and inequality which is a continuation of the country’s history. Which is why Attfield et al (2004:277) maintains that one of land reform’s many failures is that it is a source of inequality and conflict. Another participant;

⁴ Mfundo Sodela. Officer in Recapitalisation and Development Unit under DRDLR. Grahamstown. December 2014

Kholeka⁵ who although is still in need of mentorship refuses any white mentor. Mbixane concurs that white mentors are not good. When asked to elaborate stated that they are not good to black people.

The refusal of white mentors is not only raising issues of power and inequality but brings up issues of conflict. Amongst group beneficiaries, the biggest problem is the lack of leadership as identified by an extension officer; Gcobani Nontwana which is resolved by having a white mentor. In essence the solution to conflict on the farm is a white mentor, meaning that his presence will not empower the farmers but actually strip them off of any agency they would have had. Gcobani Nontwana⁶ states:

A challenge is leadership, our (black) people still need to be treated as employers other than employers. If you get a white guy to manage them [cause they need to be managed, cause it's the leadership that is the problem] they will wake up at 3 or 4 o'clock to do that perfectly. But when it's them leading themselves, they just don't cause there is no leader.

The implication of these arrangements were not considered; a group of black farmers under the guidance and leadership of a white mentor with the aim of making more money is something that has happened for decades now. Government institutions seem to be blind to the racial implication because according to their perspective it is more beneficial for the farmers as it will yield more productivity. It insinuates that whiteness is equated to efficiency and blackness with the lack thereof. Leadership, loosely outlined, is the ability to influence each other in order to reach organisational or common goals (David, 2014:2). This is with the assumption that those led have common goals with the leader. In South Africa's context this cannot be so, which is made evident with Mr Mbixane's case. The fact that a white mentor and black farmer are working together on one project does mean that they will have a shared vision. Due to the narrow view of this policy, it is failing to live up to its design. The distinction between intention and reality is being demonstrated. It was designed with the intention to fulfil a specific purpose but is failing to do so because in reality it is perpetuating the past. The continuation of the past brings Mnxgitama (2001:8) to argue that the approach does not seek to break the power of the rural elites, instead it seeks to bribe them into participating in the land reform projects. The participants' preference for having a black mentor is also itself constricting. They are reducing the criteria of this mentorship programme to race. Similarly to government officials from Department of Agriculture; participants

⁵ Kholeka Ziqula. Secretary of Tyelera Farmers Committee. Masifunde Building. December 2014

⁶ Gcobani Nontwana. Extension Officer. Department of Agriculture. December 2014.

equate a black mentor with an ideal relationship. Whether that black mentor is equipped to support them in a way to best increase productivity through the support seems to be of concern to them.

6.4 Land as livelihood hindered by Land Reform itself

The land reform programme is rooted in the Sustainable Livelihoods Approach (SLA) and additionally, it was introduced as a commitment to overcoming rural poverty according to Bernstein (1998:7). SLA is regarded as the operational vehicle of human development (Morse & McNamara, 2013:24) which is why it is the framework encompassing land reform as it is founded on the efforts of eliminating poverty and the encouragement of economic growth which benefits the poor. This approach aims to enlarge people's choices through development that will provide access to resources needed for a decent standard of living (Morse & McNamara, 2013: 25). According to Mngxitama (2001:7) land reform is meant to use its capabilities to erode the power of the dominant class in rural society, which it is failing to do. The foundation of land reform in SLA is based on the assumption that once the dominant class' presence is done away with in rural society, it will immediately translate into the poor having access to development that provides them with resources that will improve their standard of living. This resource is land accompanied by skills and knowledge on how to best use it. In spite of this; land is not bettering the lives of the poor or placing people at the centre of development as the priority concern. What surfaced during my findings was that land is failing to sustain livelihoods despite participants acknowledging that it is meant to do so. Hindrances to fulfilling its mandate were all pointed to be protective measures for the white previous farm owner or policies seeing black farmers as unfit to farm successfully without the aid of a white mentor. Ways in which land reform is preventing this realisation is firstly by the DRDLR taking too long to review invoices and claiming to be unable to reimburse Mr Mbixane due to the high price of some of the items which were purchased under the supervision of the white mentor hired by the DRDLR. This delay is preventing him from making full use of the land. As stipulated by SLA, one of the resources to improve the standard of living is acquiring relevant knowledge, but according to DRDLR, he does not possess it hence the introduction of a mentor. Yet, the mentor is purposely providing irrelevant knowledge. Similarly, due to the property clause acting as a protective measure, it protects interests of the previous owners at the expense of the claimants. As a result of the

long legal battle with the owners, beneficiaries are unable to make use of the land accordingly. This is supplemented by the fact that on one of the farms transferred, there are farmworkers left behind who are also awaiting the outcome of the other farms, resulting in theft of livestock among the beneficiaries and claimants.

6.5 Incongruent views of Masifunde and Department of Agriculture

Despite having worked together on the same projects, the organisation and government department do not see eye to eye on one important and central issue: the type of farming that should be carried out by farmers. The organisation firmly believes in ancient ways of farming as described by Siyabonga Masinda:⁷

We teach them about the ancient ways of farming, how to take care of their plants

As opposed to Zama Zikhali:

Promoting massive food production meaning you must apply fertilizer or chemicals so that food will be produced in abundance. But then when it comes to them, they wanna go organic so when you go the farms, which it cannot be practiced with massive production only smaller scale whereas we are encouraging bigger scale.

Zama Zikhali⁸ points out that the work they do is to encourage farming on a larger scale. Hebinck et al (2011:229) mentions that the ongoing debate between the large and small scale farming does not affect experts as the preferred model remains to be large scale and at the same time the only experience these experts have is with the large scale extensive agriculture. This juxtaposition of food security and commercial farming, frames the type of support they then give to beneficiaries. Masifunde provides beneficiaries with training in agro-ecology but they are supplied with infrastructural developments such as tractors, from the department. Reggie from Masifunde explains how there is need for alternative farming methods as the conventional one is problematic in terms of soil erosion.

These conflicting perspectives on farming surface their yet again divergent practises within the land reform processes. According to Reggie who works in local and rural governance issues at Masifunde, if a beneficiary wanted land but not for profit-making reasons, the state's

⁷ Siyabonga Masinda. Land Claims Officer at Masifunde. Masifunde Building. December 2014

⁸ Zama Zikhali. Agricultural Development Technician/Extension officer at Department of Agriculture. Department of Agriculture, Grahamstown.

response would be one of outright rejection. Due to the fact that PLAS is profit-driven, intensive commercial farming is a requirement. He further points out that the focus on profit does not address the land question as the land will remain in possession of the state should the beneficiary fail to produce satisfactory results. On the contrary, extension officer Zama is of the belief that PLAS is the best policy so far as it forces beneficiaries to see that farming is a business. O’Laughlin et al (2013:13) notes that the existing gap between the conceptions of land that the ownership of land will lead to a major improvement in the lives of the rural and within the same breathe, that the country has enough land and water resources to sustain rural livelihoods. Masifunde staff seem to attach different meaning to the concept of land, meanings of belonging and sustaining oneself. They reiterate that land reform or rather the outcome of giving land back should be to feed families and communities which is an extreme opposite to the extension officer’s business orientated views. A view that may seemingly come across as typical of civil society organisations is that of Siyabonga’s, on land reform; that land should be taken back by any means necessary without any compensation.

6.6 Perceptions of actors involved in post-settlement support

Above it was shown how different the understandings of the organisation and departments are. Due to the polar views, this frames their perceptions of each other. When working together, their methods will be determined by their worldviews. There is an air of hostility towards Masifunde and other organisations in general from the departments. Masifunde, then, is of the view that the departments especially DRDLR is ill equipped in carrying out tasks that Masifunde are able to undertake timeously. By the same token, the agricultural department too perceives the DRDLR not to be working as efficiently as it should. More so when it comes to handling land claims. This is supported by Reggie’s statement in that DRDLR is slow in delivery after it took 4 to 5 months to assist a group of beneficiaries to draw up a business plan, which the organisation ended up undertaking itself. Another incident is when the agricultural extension officer was not pleased that the DRDLR sent claimants, during the farm evaluation process, back and forth between the two departments only to settle other beneficiaries on the same piece of land without informing the Department of Agriculture. The lack of communication brought up by the participants makes evident the non-alignment between state institutions involved in land reform processes founded in the absence of coordination between the different spheres of government (Hall et al, 2003:33).

Interpreted from the extension officer's interview is that the organisations are condescending towards the Department of Agriculture which results in their reluctance to work together on the same projects. He claims that NGOs think that they know it all and actually prefer to work in isolation. Zama Zikhali:

We used to attend workshops (with ECARP) but then there are some politics between some organisations. Or perhaps they prefer working in isolation and thinking that the skill that they have is better than that of other organisations.

Furthermore, organisations being told that they are too radical means that their practices are not in line with those of the departments. The only actor that had an overall positive attitude towards other actors was DRDLR official responsible for the mentorship programme. Already part of a multi stake holder framework, which does not include Masifunde, he felt that there is no department that is able to work alone let alone without the expertise from agriculture and water affairs. He might be of this opinion because they really need the assistance as made evident by Masifunde and Department of Agriculture staff. The aid from different actors proves to be beneficial, as stated by Lahiff (2003). Lahiff (2003: 43) is of the view that effective NGOs, with a clear vision of land reform, can intervene with various structures and at various points in the process to maintain momentum. Also, the maturation of land reform policy has been accelerated by the partnerships between government and NGOs which adds much-needed capacity to embattled state agencies such as the DRDLR.

Perceptions of actors reinforce their relationships and interactions. The departments, especially DRDLA are seen not to be delivering accordingly by Masifunde which is why they are in dire need of their involvement. As mentioned above, the departments' outlook is that Masifunde is too radical. Masifunde thinks they are better-equipped than the Department of agriculture but with the same breath say that it's good that they (NGOs) are able to identify other needs people may have in aftercare (post-settlement). Reggie maintains,

(DRDLR) took 4 -5 months for a business plan. So it shows how slow things are happening in government, so we need to build one (relationship) to enhance our resources to come together so that these limited resources will be maximised in terms of impact for participants that they are working with.

The reason for the proposed combination of resources is that departments have been unable to support communities to meet their desired outcomes on their own. The grouping of resources is a necessity in order to realise more achievements within land reform as it is not only problematic for beneficiaries but also constrains the organisation's role in assisting with

the processes. The coming together of all actors involved would be the resolution to the weak link between consultants, professionals, managers, planners, field staff, technicians and local residents who often function with a high degree of independence from one another, and their interactions involve negotiation and a diversity of interests (Hart, 2012:564). Lahiff (2003:9) is also of the same mind that there is a need to involve multiple role-players in provision of services to beneficiaries, in order to achieve maximum improvement in the lives of beneficiaries following settlement of claims. This was a pattern surfacing from the actors regardless of Zama Zikhali's hesitation in working with other actors.

6.7 Role played in post-settlement support by the three different actors

The biggest challenge facing redistribution in the Eastern Cape includes ensuring that beneficiaries obtain the support necessary to enable them to secure a livelihood (Lahiff, 2003: 27). This concern places the issue of post-settlement support in a central position. The way in which post-settlement support is carried out hinges on the manner in which it is framed. The varying post-settlement views emerged during my findings. An illustration of the variation is evident in land reform literature as well. On the one hand, Hart (2012:563) lists "lack of money and equipment; lack of skills (both technical and managerial); lack of settlement support; lack of legal structures" as the usual suspects resulting in the failure of land reform. This list seems to be an expansion of post-settlement support itself. On the other hand Hall (2004:220) defines it as infrastructure, extension officers, access to input including credit and access to markets. In addition to that, Anseeuw & Mathebula (2008:13) emphasise expertise knowledge (project management) and a more social one as conflict solution. As there exists disparities between these outlines of post-settlement support, it was so for my participants. It is then necessary to define post-settlement support according to each of these actors. Their descriptions of what it entails are not far from identical, with the exception of Masifunde staff. Their type of support would differ slightly due to their firm belief in land for feeding families read against the departments' belief in land for generating business. The aftercare given by the Department of Agriculture involves evaluating the existing infrastructure for the type of enterprise that might be undertaken as well as providing training geared towards the specific enterprise. In addition, the care involves supply input and infrastructural development such as tractors, as well as regular monitoring. The official from DRDLR

accounts for this support to be empowering farmers through financial support which includes technical aspect, all falling within the mentorship programme. Alike for Masifunde, post-settlement support entails ensuring beneficiaries have a business or farm plan, and are part of a mentoring programme by linking them to relevant institutions. The ongoing support they give is introducing to and continually training them in agro-ecological methods and raising awareness on government policies that affect them. An example of this was their involvement in spreading awareness on the implication of the traditional courts bill which further concentrated power in hands of the traditional leaders in terms of land allocation. Its discriminatory elements especially towards women were raised.

According to the beneficiaries, post-settlement support differs slightly. Their differing notion would affect whom they view to be more involved in assisting them with aftercare between the three actors. Post-settlement support signifies guidance and some form of leadership. As Kholeka stated,

Resources, money, one cannot work without money. Workshop, training, knowledge and monitoring. They should give us a mentor.

They were in need of support in the form of resources, money, skills and knowledge but most importantly, monitoring through mentorship. This is in addition to being provided with a tractor, land, livestock and know-how from the municipality, DRDLR and Department of Agriculture, University of Fort Hare and Masifunde respectively.

Both Department of Agriculture and Masifunde also engage in conflict resolution on farms between beneficiaries. The extension officer even went to call themselves agricultural social workers. In addition to resolving disputes, Masifunde provides access to resources beneficiaries would not be exposed to if it were not for their involvement. Access to lawyers, as in the case of a group of claimants who have only received 5 out of the 33 farms for which they applied. Capacity building is another important aspect as it empowers the people, which forms part of their mandate. How this is done is by teaching them to manage their own books, use the land productively and be able to document their crops. Then making it clear that Masifunde's methods of post-settlement support reinforce their argument for small scale farming for ones needs and not for profit.

6.8 Masifunde's Role in land reform and post-settlement support overall

Despite having played a role in applying pressure for land reform after Apartheid, many NGOs have lost much of their unique standing (Lahiff, 2003:45). Additionally, now that land reform was introduced, its failures were attributed to lack of post-settlement support, lack of money and equipment and lack of appropriate legal structures (Hart, 2012:563). Masifunde attempts to combat the deficiencies existing in the land reform programme by providing workshops on alternative farming methods and by supplying know-how (land use and awareness). However, empowerment in their own way is still limited. They do provide a link with relevant institutions, however, what takes place thereafter is beyond their control. Beneficiaries are equipped with skills and knowledge to work their farms appropriately to them which is in this case small-scale farming. What help is it if claimants are occupying and making use of land that is not in their ownership. There are instances of crime on the farms as a result of slow pace of handing over land. As an organisation it is unable to resolve this as it is government that should be accountable for this occurrence. Ultimately, title deeds, proof of true ownership is dependent on the DRDLR. Subsequently, as much assistance Masifunde may provide, its effectiveness tends to be diminished by the bottleneck of the departments involved. Low levels of post-settlement include inappropriate planning by officials and consultants (O'laughlin, 2012:9), these are restrictions stemming from the departments affecting the organisation's impact. Scope within which to work is further made difficult by issues such as beneficiaries in need of mentorship more than ten years after having occupied the land. In the event that the organisation should intervene, the onus is on the relevant department and not Masifunde to guarantee this. In spite of the small space within which it is forced to operate (due to unequal 'powers'), the organisation's efforts may be commended.

Additionally, other factors affecting the impact of their role are policy changes within land reform, as observed by Reggie Waldick.

Biggest mistake is that one minister comes in with a new policy as if it's not the same political party. "Use it or lose it", JZ (Jacob Zuma) kicked her out then he brought in Gugi (Gugile Nkwinti) who introduced PLAS. That is the general problem, there is no consistency. Can't just change cause need to see if it's working or not. 5 years is not enough to see if it's working or not, must be 10- 15 years to say it's working or not. Like they did with OBE in education.

An illustration of this is the shift from LRAD to PLAS. Unlike PLAS, LRAD resulted in land ownership despite profitability and was more open to large group applications. Within the new approach, their efforts might prove futile in the long run, especially since the organisation is not in favour of large-scale farming, and the policy doesn't immediately translate into change of ownership.

Assessing the role played by Masifunde as an NGO can be said to centre on sustainability and partnerships. As previously mentioned, land reform rooted in SLA means that successful transfer of land is meant to improve the standards of living in a sustainable manner. It may be said then that sustainability is a measure of success for land reform. Van Haren & Van Driel (2003:535) state that civil society has been attributed with a critical role of involving citizens in development having an indication that without their active involvement and participation of civil society, policies and strategies are likely to fail in their objectives. Adams (2001:1) is of the same mind that NGOs have accepted being the biggest contributors to the development process by government and official agencies. The equating of civil society's involvement with success is unsubstantiated. Therefore it can be said that in order to explore the role of an NGO, what needs to be assessed is its impact which again is pivotal to sustainability, sustainability of the project.

The difficulty in assessing the impact NGOs have within a community is the lack of measurements or standards. What entails the impact of the effectiveness of a project within a specified community apart from reaching its objectives are questions that need to be asked. Simply meeting objectives does not translate in the true effectiveness and sustainability of a project because it cannot be assumed that NGOs only engage in projects with sustainable effects. In Sarriot et al (2004: 9) sustainability is what makes a project truly effective but what becomes problematic is the NGO outlining how or in what ways to ensure the work they are carrying out is sustainable. Additionally, assessing the impact the NGO has within a community is also problematic. Impact assessment should not be confused with project evaluation which is the description of activities carried out rather than any analysis of the relevance of what had been done (Adams, 2001: 2). Capacity building is seen to ensure the result of sustainability, which I am in agreement with due to the fact that the individual is given the capabilities to sustain the outcomes of the project long after the organisation has left or withdrawn their assistance. However, capacity building does not equip NGOs to assess impact. Sustainability is when helping a community and being able to help address other concerns apart from the ones currently working on.

Kruse et al (1997) cited in Adams (2001:2) is of the view that there is a lack of firm and reliable evidence on the impact of NGO development projects and programs. While this may be partially true, what is not taken into consideration is the impact within the community which I have already mentioned cannot be quantified or circumscribed. The only manner in which to assess impact in my understanding is to compare the standard of living of the community prior to the project and thereafter. This would be an indication of the relevance of work done. With that said, it is challenging to assess what an impact Masifunde has had and continually has within the communities it works. The projects it works on according to the SLA are meant to be sustainable as they are designed to improve their livelihoods. However the existing challenges in land reform program impede what would be an even wider impact of the organisation. Sarriot et al (2004:10) argues that improving sustainability is a critical determinate of true impact. Furthermore, in order to achieve sustainable results working through partnerships and capacity –building is a requirement. Two of my respondents, Reggie and Siyabonga spoke of partnerships in order to better reach their desired outcomes and mentioned how the organisation works to build capabilities within rural societies. These responses are not in correlation with Sarriot’s (2004) argument on partnerships and capacity building. According to this previously mentioned author, sustainability has been reduced and viewed in a linear manner. It is outlined as an outcome requiring specific inputs. In reality, issues of post-settlement support demonstrate that this simplistic view of sustainability is invalid. Including Sarriot’s (2004) sustainability notion equating to true impact has implications for Masifunde as an organisation. It suggests that the work Masifunde carries out should be sustainable and by virtue have a real impact for the communities. This is due to the fact that they are in partnerships and engage in capacity building. However, studies show that land beneficiaries experience numerous problems such as accessing services such as credit, training , extension advice, transport and ploughing services and access to input and produce markets (Hall, 2004; Wegerif, 2004). Keeping that in mind, these are the obstacles to sustainable results and therefore would direct in the conclusion of the organisation not having any true impact according to Sarriot’s (2004) outline.

Supplementary to the narrow criteria with which to judge or determine impact, is the widely accepted view of civil society as a black box requiring inputs with specific outputs (Van Haren & Van Driel, 2005: 531). Civil society is associated with ideal partnerships which in line with Sarriot et al (2004) would translate into sustainable projects. Brinkeroff (1999: 142) is of the same mind with the argument that state-civil society networks can facilitate

increased citizen participation in public affairs, empowerment of local groups to take charge of their livelihoods.

Civil society groups are met with high and often unrealistic expectations. In entering partnerships they are exposing themselves to unequal power relations in interacting with specific actors such as governmental departments; which I argued earlier in the second chapter to not be based on equality. Then the organisations are meant to transparently work in the interests of those they claim to represent, forgetting that they are open to influential external factors. Additionally, their work is now being met with sustainability and impact measures. Organisations such as Masifunde continuously play a role, a significant role at that, for land beneficiaries and claimants. The impact they have had cannot be calculated in terms of anyone's definition and outlines of sustainability and impact which is why I have chosen to explore their role within land reform processes. With the inclusion of partnerships or not, they are able to engage with rural communities in ways they know best. In spite of setbacks in the form of post-settlement support their work aims to capacitate land beneficiaries which empowers them to better their livelihoods.

CHAPTER 7

Conclusion and Recommendations

The main goal is to explore the role of the Masifunde non-governmental organisation in land reform and post-settlement support in the Albany district of the Eastern Cape.

Related sub-goals are:

- I. Exploring the nature of the relationship between civil society organisations such as Masifunde and the Department of Rural Development and Land Affairs;
- II. Exploring the perceptions of land reform claimants, Masifunde staff and the staff of the DRDLA with regard to the role of NGOs in the implementation of land reform in South Africa.

Moyo (1999) in Mngxitama (2006:60) points out that the involvement of NGOs in land issues in Southern Africa is limited. This is a generalisation, with minimal applicability. It fails to further explicate what involvement entails, is it a riot or assistance? Additionally, the scope of land issues varies widely. Moyo's statement needs to be looked at within a specific context. Narrowing down the scope from Southern to South Africa, he is correct in saying so, however influential factors such as the organisation's relationship with the state and in this case, the history of NGOs within the land sector. This thesis unravelled the above statement. How much existing space is available for involvement of NGOs? Historically, involvement was increasingly limited yet its presence was visible. Currently with less repressive methods, their involvement seems to have waned. However, Masifunde demonstrates that NGOs actually are actively involved in land issues in various ways such as advocacy, capacity-building for rural people and actively protesting alongside disgruntled rural land claimants. Having said that, the work they do or wish to undertake is largely affected by the incapability of relevant departments such as the Department of Agriculture and DRDLR.

Gummeson (1991) in Miles & Huberman (1994:80) reports that managers and consultants often rely on qualitative studies. With land reform being such a pressing issue since its inception since 1994, the reality is that it will continually undergo changes. This study has identified challenges that land claimants and beneficiaries face in the process of land acquisition and post-transfer, therefore it is able to contribute to the already existing

literature. In terms of development and change, the evidence of this research shows that a larger-scale study spanning across time and space may be necessary in order to be more general, as this one is too specific. Forming part of the recommendations is the idea that relevant departments and institutions may foster permanent equal partnerships, not where NGOs patch up gaps left behind by the government. What that would be required is for the NGOs to situate themselves, not as an entity claiming to represent the people, yet be held accountable when government fails to deliver as the landless are increasingly getting frustrated with being spoken for, resulting in misrepresentation.

7.2 Recommendations for future research

Future studies may focus on uncovering the extent to which Masifunde has capacity in assisting in land reform as they could be restricted by their budget. In-depth research should also be conducted on perceptions of actors involved in the land reform process and perhaps in a comparative analysis between successful and unsuccessful projects. There has been abundant research done on the failure of land reform policies and the reasons behind this failure. What could be more useful is to understand what informs the policy formulation during policy changes, to prevent further ineffective policies in future. What would prove to be of interest and at the same time contribute to civil society literature is an understanding or analysis of relationships and interactions of NGOs, social movements and grass movements found in the land sector, separate from external actors like the state and the public. This would unveil a glimpse into what seems to be glossed over the romanticized notion of NGO relations with one another. The last recommendation is for a more in-depth comparative analysis over longer period making use of more data collection methods like focus groups looking at the role of NGOs, to take into account variables that inhibit or enhance their role. What actors, if any restrict or expand their role over two different time periods.

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