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Abstract

This dissertation tests the claim made by a large membership-based organisation that it is a social movement. The organisation, Vulamasango Singene (VS) operates across the rural areas of large parts of the Eastern Cape Province. It has, for twenty years, advocated for the re-opening of land restitution claims for a specific category of forced removal known as “betterment”.

This study provides an analysis of an organisation that has yet to achieve its objective in spite of sufficient financial resources, logistical and strategic support, numeric strength and the legal clarity of its demand. The research is situated within the framework of social movement theory.

The study examined the origins, institutional infrastructure, demographic make-up, activities and culture of VS. These were analysed against four components that are identified in the literature as key characteristics of a social movement. These are: (i) informal networks (as opposed to structured and managed engagements); (ii) a plurality of actors (as opposed to a homogenous grouping); (iii) mobilising around issues of conflict; and (iv) sharing common beliefs and demonstrating solidarity.

Data were gathered through an archival study and field research. Semi-structured interviews were carried out with a sample of VS’s leadership, and staff of the non-governmental organisation in which VS originated, as well as expert informants in the land reform arena.

The findings with respect to each of the criteria were: (i) VS’s structure was rigid and internal communication was largely formal. (ii) There was almost no demographic or political diversity within VS. (iii) VS had, in the past, mobilised around issues of conflict, but there had been no mobilisation for ten years. (iv) While there was some evidence of sharing common beliefs and demonstrating solidarity, this was limited.

The conclusion reached was that VS is not a social movement. This does not imply that VS is not an important democratic or representative organisation. It does, however, provide a theoretical position from which VS, and other organisations, can direct further action.

The study touched on the relationship between northern donors, local professional NGOs and grassroots organisations in South Africa. Interactions among these institutions impact on the way that

organisations and social movements develop. Comparisons with other similar organisations were made and similarities and differences were highlighted. It was suggested that, because of the importance of the issue, further research in this regard is necessary.

Acronyms

AFRA	Association for Rural Advancement
AGS	Africa Groups of Sweden
AGM	Annual General Meeting
ANC	African National Congress
BRC	Border Rural Committee
CALUSA	Cala University Students' Association
CLS	Centre for Law and Society
COPE	Congress of the People
COSATU	Congress of South African Trade Unions
CPA	Communal Property Association
CRLR	Commission for the Restitution of Land Rights
EC	Eastern Cape
FHISER	Fort Hare's Institute for Social and Economic Research
FSPI	Federation of Indonesian Peasant Unions
ILRIG	International Labour Research and Information Group
LAMOSASA	Land Access Movement of South Africa
MEC	Member of the Executive Council
MST	Movimento dos Trabalhadores Rurais Sem Terra (Landless Workers Movement)
NCAR	National Committee Against Removals
NCOP	National Council of Provinces
NLC	National Land Committee
NGO	Non-Governmental Organisation
RDI	Rural Development Initiative
RLCC	Regional Land Claims Commission
RSA	Republic of South Africa
SACP	South African Communist Party
SANCO	South African National Civics Organisation

TCOE	Trust for Community Outreach and Education
TRALSO	Transkei Land Services Organisation
TRepC	Transitional Representative Council
UDM	United Democratic Movement
VS	Vulamasango Singene
WASP	Workers and Socialist Party
WOW	War on Want
WSU	Walter Sisulu University

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Chapter 1

Introduction

Vulamasango Singene (VS) is a membership-based organisation said to represent over 40 000 people resident mainly in the former homeland areas of the Eastern Cape. Established in 2002, VS sought to mobilise rural people in the former Ciskei and Transkei. Its aim was to pressurise government to re-open the land claims process for a special category of forced removal (ironically named “betterment”) that had been erroneously excluded during the implementation of the Restitution of Land Rights Act (Vulamasango Singene, 2015: 2). VS has its origins in a campaign that was the project of a land sector non-governmental organisation (NGO), the Border Rural Committee (BRC).

In spite of the political and social importance of the Vulamasango Singene campaign, it seems to have largely escaped academic attention. There has, to date, been no attempt to write up a full history of the campaign, nor has there been an academic assessment of its political strategy and tactics. These are, however, issues for other disciplines. For the sociologist, Vulamasango Singene provides a convenient case study of a social movement.

In its own documentation, VS claims to be a social movement; this is an important point. A social movement has political legitimacy and, by its very nature, the power to effect change in a way that a NGO, for example, does not (VS, 2011b: 4). “Becoming a social movement” was, according to the former chairperson of VS, a conscious decision (Soka, Interview, 2019).

The following question arises: Is VS, indeed, a social movement? This is the question that is at the heart of this study.

VS’s status as a social movement might have been discussed informally within the land reform sector in South Africa, but has not, to date, been questioned either by VS itself or by its partner organisations (BRC and the German donor agency that funds VS’s operations). The question is important because its answer may contribute to understanding why, twenty years down the line, the very clear and legally-unambiguous campaign demand has not been met. It also has the potential to contribute to our understanding of social movements in South Africa more broadly. Related to the latter point, a tangential but important question arose when the researcher looked at comparable social movements internationally and within South Africa: why has there not been a successful rural social movement

in South Africa to date? (Even if it *is* a social movement, VS cannot be said to be successful). Reasons for this, as offered in the literature, are noted.

In 1992, the Italian sociologist, Mario Diani, urged his colleagues in the discipline not to neglect the theoretical defining of social movements in favour of other factors that may seem more instructive. For example, the conditions that give rise to social movements, or the differences between different types of social movements. Definitions are “the cornerstone of any theorising,” he posited, stating that, without them, examination of a subject risks being flawed (Diani, 1992: 2).

Diani identified three components to social movements: “(1) networks of relations between a plurality of actors; (2) collective identity; (3) conflictual issues” (Diani, 1992: 17). Together with his colleague, Donatella della Porta, Diani went on to amend this in 1999, stating that the authors “consider social movements – and in particular their political component – as (1) informal networks, based on (2) shared beliefs and solidarity, which mobilize about (3) conflictual issues, through (4) the frequent use of various forms of protest” (Della Porta & Diani, 1999: 16). Alternative definitions have been suggested; for example, including “some degree of continuity” as a component (Snow & Soule, 2010: 6).

The researcher selected an amalgam of Della Porta and Diani’s key components of a social movement against which to test the structure and actions of VS. The four components selected were:

- (i) informal networks (as opposed to structured and managed engagements);
- (ii) a plurality of actors (as opposed to a homogenous grouping);
- (iii) mobilising around issues of conflict; and
- (iv) sharing common beliefs and demonstrating solidarity.

The research was carried out by conducting a detailed archival review of BRC and VS’s documentation, which informed the field research which followed. Questions, to be conducted in semi-structured interviews, were designed to elicit information that would enable the researcher to evaluate VS in terms of the four areas listed above. Current and former staff of BRC and the leadership of VS, as well as a range of other stakeholder organisations, were interviewed. The latter were drawn from non-governmental organisations in the land sector and a former donor partner of BRC.

With respect to (i) informal networks (as opposed to structured and managed engagements), it was found that the mobilisation work was carried out in a deliberate and systematic way by BRC. With few exceptions, BRC directed and organised meetings of the leadership at district and provincial level. Furthermore, the interaction that took place amongst VS activists happened largely at these highly regulated meetings. It was concluded that VS does not meet the criterion of “informal networks”.

With respect to (ii) a plurality of actors, the evidence showed that the membership of VS is made up of a homogenous interest group. The research found no evidence of demographic or political diversity within the ranks of VS. Attempts to include other civil society organisations in partnership with VS were not successful. It was found that that VS does not meet the criterion of “a plurality of actors”.

The section dealing with (iii) mobilising around issues of conflict, found that VS’s relationship with the state vacillated between contest and co-operation. VS partially meets this criterion; it has mobilised around issues of conflict in the past, but it has not done so for more than ten years. It may, however, do so in the future.

The component relating to (iv) sharing common beliefs and demonstrating solidarity found that VS had a distinct identity in the communities where it has organised. An examination of the culture of the organisation, however, found limited evidence of creativity in the form of art or song that is expected in a social movement. The responses to questions relating to solidarity were mixed; there was some evidence of this, but also strong views that it is lacking. The researcher concluded that there was insufficient demonstration of the sharing of common beliefs and solidarity to enable it to meet this criterion.

On balance, therefore, it was concluded that VS is not a social movement. The researcher points out that this finding does not imply that VS is not an important democratic institution. It certainly is, but its structure is that of a membership-based civil society organisation, rather than a social movement as defined. The researcher suggests that this conclusion has the potential to contribute to the understanding of rural society and social change, pointing to ways that a theoretical understanding of structures enables appropriate decisions to be taken by change agents and the organisations that support them. Further similar studies of comparable organisations would have to be undertaken, however, if a firm conclusion is to be drawn.

This document is structured as follows:

Chapter 2 (Methodology) details the way in which the study was conducted. It describes the basis on which the researcher decided on a research methodology. It then covers the approach taken; first, by undertaking a detailed archival review of the documentation made available by VS and BRC, and reading the key literature pertinent to the study. The desktop exercise gave a good sense of subject, enabling the researcher to design the field research and write up the history of VS that followed. Chapter 2 explains how the field research was implemented and how unforeseen issues were dealt with. The method for the transcription and analysis of the field interviews, as well as the academic rationale for the method, is described.

Chapter 3 (Social movements: definitions and concepts) provides the theoretical framework within which the research is situated. The literature relating to social movements is discussed and the development of the theory relating to the subject is covered. Particular attention is given to the definition of a social movement, as well as to the different key features of a social movement that are suggested by scholars.

Chapter 4 (Context of the research) has a number of sub-sections. (i) In order to understand the campaign for betterment restitution, one has to be informed regarding the forced removals that took place under betterment planning. Furthermore, an understanding of the legislation relating to land restitution in South Africa is required. Importantly, the reader needs to be aware that most people who had a land claim relating to a betterment removal did not submit a claim. The reasons for this are explained, and the resulting injustice noted. (ii) An overview of VS's programme of action is given. This is expanded in Chapter 5 (History). (iii) Consideration is given to two rural social movements - one international (La Via Campesina) and one South African (the Landless People's Movement) - as well as a comparable successful South African organisation (the Treatment Action Campaign).

A full and detailed history of VS is given in Chapter 5. This enables the researcher to evaluate VS against the four components of a social movement identified in Chapter 3. The detailed analysis is given in Chapter 6 (Is VS a social movement?). Chapter 7 draws the threads of the analysis together and presents the arguments reached in the analysis chapter in a cogent manner, to reach a final conclusion.

Chapter 2

Methodology

2.1 Introduction

This chapter outlines the methodological approaches to the research. In order to do so, it first considers the philosophical paradigm within which the research is located. It then describes the work which was planned in two parts: beginning with a desktop review of documentation pertaining to VS and then, the execution of qualitative field research. The chapter explains how research participants were selected and why the question schedules were structured in the way they were. The field research revealed additional questions. The chapter describes how this occurred and what steps were taken to address the questions. The methodology used to analyse the data that emanated from the research is detailed and refers to academic literature where appropriate.

2.2 Epistemology, ontology and research method

When considering a research paradigm, the primary decision facing the scholar is whether to use a qualitative or quantitative approach, or a combination of the two. Krauss (2005: 761) argues that the scholar should focus, first, on the objectives of the research, rather than “a commitment to a particular paradigm”. In this way, an appropriate methodology (or perhaps more than one), will emerge.

As will be shown in the chapters that follow, the study looks at the actions and motivations of the people who are at the centre of VS. The way that they understand and communicate their experiences – in other words, how they make meaning – is fundamental to answering the research question. The epistemological position of the study is, therefore, interpretivist (Bryman & Bell, 2015: 286).

A quantitative study, for example, in the form of a survey where the respondents are asked to indicate on a scale how strongly they agree with a statement, would require “preconceived ‘variables’” and would therefore impose the researcher’s meaning on the question (Willig, 2013: 50-51).

Krauss (2005: 759) notes that “ultimately, the heart of the quantitative-qualitative ‘debate’ is philosophical, not methodological”. The research that follows is an analysis of the social properties

of an organisation. These are, of course, not independent of the people that create them. The ontological position of the study is, therefore, constructivist (Bryman & Bell, 2015: 286).

The epistemological and ontological positions that are noted above are features of a qualitative research paradigm (Braun & Clark, 2013). Once the philosophical positions had been established, what remained was to consider which research methods should be used.

The researcher was given access to the full and complete archive of documentation pertaining to VS. The archive included internal and external reports; minutes of meetings; correspondence; memoranda, and photographs. The archive had not been subject to academic scrutiny for the previous ten years. Thus, the opportunity that presented itself led the researcher to consider the documentary research method. Ahmed (2010) notes that this method entails more than simply reading text. Importantly, documentary research is a reflexive process in which the researcher is required to read and analyse text in its social context. The value of documentary research, as well as its efficiency (Mogalakwe, 2010: 222), led to its employment in this study.

Documentary research alone, however, could not provide the data that the study required. Krauss (2005: 764) notes that

...face-to-face interaction is the fullest condition of participating in the mind of another human being, understanding not only their words but the meanings of those words as understood and used by the individual.

Given the importance of 'meaning' to the subject of this study, face-to-face interviews were conducted with the research participants.

The methods described above combine to meet Yin's "two-fold, technical definition" of a case study. Firstly, it is "an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident." The methods are guided by theoretical propositions and work to manage many "variables of interest", drawing on different forms of data that triangulate to give one result (2009: 18).

Yin (2009: 32) urges researchers to define the "unit of analysis" ahead of a study, noting that it is not as obvious as it might seem. In this investigation, the actions of a broad collection of people are

examined, all of whom fall under the title “Vulamasango Singene”. These include the progenitors of the original campaign for betterment restitution (employed by BRC), the rank-and-file members of what became the registered organisation Vulamasango Singene, as well as the leadership of the organisation. For this reason, it can be argued that Vulamasango Singene, broadly, is the case that is studied. It is a single unit within its context. Yin refers to such a case study as “Type 1 - holistic” (2009: 46).

2.3 Documentary research

The researcher was given access to all of VS’s files, as well as those of BRC. The framework for the documentary review was provided, initially by BRC’s six-monthly reports. At the end of 2015, BRC ceased collating these over-arching organisational reports. Therefore, for 2016 to 2019, internal organisational documentation and donor contract reports were used. While these give the facts pertaining to events and actions, they do not provide the context of the work, nor do they reflect on the outcomes in quite the same way as the overarching BRC reports did. The six-monthly reports gave insight into the analysis (and, at times, the emotions) that informed decisions.

Once the framework was in place, the review was supplemented by data sourced from other documentation in the BRC and VS files. This included strategic and operational plans; internal reports and donor reports; discussion documents; correspondence; programme evaluations; propaganda (pamphlets and information brochures), and minutes of meetings. From all of these documents, and drawing on the 2009 PhD thesis of Ashley Westaway, a narrative history of VS was drafted.

As Corbin and Strauss note (2015: 60), descriptions are not objective. While the researcher’s aim was to set out a chronological account of all key events that took place relating to the formation and actions of VS, it is acknowledged that the writer’s particular interest — social movements — is likely to have influenced what was included and excluded from the narrative.

2.4 Field research

Writing up the history of VS gave the researcher clear pointers regarding the way that the field research should be approached. Notes were made wherever the documentation spoke directly to the four areas of enquiry relating to the definition of a social movement, as defined in the literature and

referred to in the introductory chapter, above. It was evident that the leaders of VS should be the main focus of the field research. They, and the staff of BRC, were the main actors in the story and should be the key informants.

In planning the research, consideration was given to surveying ordinary 'rank and file' members of VS. Given that there are approximately 40 000 VS members spread across a wide geographic area, the number that would have to be surveyed in order to obtain a representative sample, weighed against the quality of the information that was likely to emanate. This fact led to the conclusion that it was not a viable course of action.

Instead, the research focused on the highest structure of VS, the Provincial Committee. There are twenty-seven members of this Committee, drawn from all thirteen districts. Thirty-seven percent of them were interviewed to ensure that the views that were recorded were representative and valid. The interviewees were randomly selected by the VS Co-ordinator. Interviews took place in East London; Mdantsane; Berlin; King William's Town; Middledrift; Butterworth, and Mthatha.

BRC has eight members of staff. Again, a thirty-seven percent sample was selected. In the case of BRC however, the selection was not random. The three people interviewed all have expert knowledge pertaining to VS. They were: Phumeza Grootboom, Bonani Loliwe and Charmaine Cockcroft.

Grootboom and Loliwe were involved in BRC's early work relating to betterment restitution, and Grootboom is now the Managing Director of BRC. Loliwe was a BRC Programme Officer at the time of the interviews, but had been seconded by BRC to VS to work almost exclusively, with that organisation. In addition to the historical perspective that each of these staff members would bring, given that they are both still closely involved in the work of VS, they would be able to give valuable insight into the current context, strategies and activities of VS.

Charmaine Cockcroft was BRC's Finance Manager. She was selected for interview because she had managed VS's finances for nine years and was able to give information regarding income from VS's members. As part of BRC's management team, she assisted in managing the implementation of VS's last two contracts with its donor partner, MISEREOR. In addition, she had been involved in training young VS activists. All three BRC staff members were interviewed in East London.

Ashley Westaway was BRC's Managing Director from 1997 to 2009. His strong views on the injustice of betterment removals were formed while conducting field work in the former Ciskei, for his Master's degree. Within a year of joining BRC, he had gently nudged the organisation in the direction of betterment restitution. His doctoral thesis examines the "production of historical truth", looking at domination and resistance as it relates to land restitution. The first one-third of VS's life span is examined as part of his research (Westaway, 2009). Westaway was an expert informant, interviewed in Makhanda.

The fourteen people mentioned above are considered the key expert informants for the research. They were interviewed, one-on-one, in July and August 2019.

In addition to the primary pool of research participants comprising people who were, or are, directly involved in the work of VS, the research sought an outside perspective. There are five important organisations in the agrarian reform arena in the eastern part of the province: Ntinga Ntaba kaNdoda; Cala University Students' Association (CALUSA); East Cape Agricultural Research Project (ECARP); Zingisa Education Project, and Ilizwe lama Fama. The researcher managed to secure interviews with four activists from three of the five organisations. Two people from Zingisa Education Project and one from Ilizwe lama Fama were interviewed together, in a group setting, in Berlin, near King William's Town. The director of the ECARP was interviewed in Makhanda. Both interviews took place in August 2019. The interviews were designed to find out how VS is viewed by other players in the land and agrarian reform sector in the area where it operates.

If the views of the 'external' land sector informants had differed markedly from those of the BRC and VS interviewees, the researcher would have sought interviews with representatives of the other two organisations. However, there was no material divergence of opinion between the research participants from other organisations and those of BRC and VS.

During his interview, the VS Co-ordinator pointed out that the issue of NGO/social movement relationships was one of particular interest to donors in the development sector in South Africa. He suggested that, if possible, a view from this sector be sought. The researcher agreed that although this had not been part of the original research design, a perspective from the donor community would add richness to the research. To this end, Dean van Rooy was contacted; she was formerly the Managing Director of the Southern Cape Land Committee (a National Land Committee affiliate). For the past

ten years she has been the Regional Co-ordinator of the Africa Groups of Sweden (AGS). Van Rooy was interviewed in Johannesburg in September 2019.

In all cases but one, the interviews were audio-recorded. In the instance where the interview was not audio-recorded, notes from the interview were later emailed to the research participant, who verified that her views had been accurately captured in the notes.

At the commencement of each interview, the researcher gave an indication of the expected duration of the interview and ascertained that the length of time was acceptable to the research participant. The researcher then gave a comprehensive overview of the research project, as well as the interviewer and interviewee's respective roles in the research project. The researcher explained that the interviewee could choose not to answer specific questions, or to withdraw from the interview process at any point. The researcher gave verbal assurance of the fact that the interviewee's identity would not be revealed if that is their wish, and explained the way that the results of the research would be disseminated on completion of the research project. The interviewee was then invited to ask any questions that she or he might have had. Once the researcher had answered these to the participant's satisfaction, the participant was asked to verbally indicate his or her agreement to proceed. In order to make the process as unthreatening as possible, the researcher did not ask for a consent form to be signed. In all cases, the participants verbally agreed to proceed. The researcher asked the participant if they would like their responses to remain anonymous in the final paper, or if they may be quoted by name. All but one of the research participants indicated that they were willing to be quoted; her anonymity was respected. The researcher then asked if the participant consented to the interview being audio recorded. All the participants gave their consent. The researcher then proceeded to record the interview. At the start of each recording, the researcher asked the participant to confirm that informed consent had been obtained for the interview and for the recording. The confirmation by the research participant is part of the audio recording.

All of the questions in the interviews were semi-structured, but open-ended in each of the four areas of inquiry. This process of interviewing, as described by Earl Babbie and Johann Mouton (2001: 289), allowed participants to respond in an undirected manner.

Attention will now be given to the research questions.

In order to assess “actor plurality”, VS leaders were asked to describe their early involvement and how they understood VS to have originated. The responses to these questions enabled the researcher to analyse the relationship between BRC and VS, from the perspective of the VS leaders. This information could then be compared with the information drawn from early BRC reports.

Information pertaining to the formality (or otherwise) of VS networks was examined through a series of questions relating to meetings and internal communication. The VS leaders were asked how often the various organisational structures of VS meet, and how the meetings are convened. Leaders were asked questions relating to the setting of meeting agendas and whether or not VS leaders ever convened meetings independently of BRC. The VS research participants were asked how, and how often, they communicate with one another.

The extent to which VS members “share common beliefs and demonstrate solidarity” was examined by asking questions that would reveal whether or not VS leaders and (by extension), members have an identity as members of a social movement. This was done by asking questions relating to the creative culture of VS. Questions were asked regarding the production of campaign material (such as, placards, banners and posters), to establish how these originate. VS leaders were asked to share their knowledge of the way that VS songs are composed. Furthermore, the VS leaders were asked if they are identified, primarily, as representing VS, or whether their other affiliations are foremost in the minds of their fellow villagers. The interview schedule for VS leaders is attached as Appendix 1.

The questions for BRC staff (see Appendix 2), followed the same structure as those for VS leaders, but were asked from the NGO perspective. The questions for the actors in other land reform organisations were slightly different, however. They included the identity-revealing questions relating to a creative culture, but they also included questions that would indicate how VS is viewed by other organisations in the Eastern Cape agrarian reform sector. Research participants were asked to assess VS’s strategies and tactics. They were also asked whether or not they consider VS to be a representative voice of the rural people of the Eastern Cape. In this way, the researcher was able to gather information that would show how VS’s identity is perceived by those outside of the organisation. The interview schedule for other land activists is attached as Appendix 3.

The social movement criterion relating to “mobilising around issues of conflict” was not covered in any of the interviews. It was, instead, investigated through an examination of VS and BRC

documentation. Decisions to organise or suspend programmes of mass action, as well as the tone of reports, flyers and correspondence were studied.

2.5 Transcription and analysis

The interviews were transcribed in full, by the researcher herself. The transcribing process was the first step in engaging with the research material in a detailed way as a complete body of work.

The transcriptions and notes were summarised. Themes were drawn out using the method of coding and interpretation suggested by Creswell, drawing on the work of Tesch (2014: 198). The Tesch “Eight Step Method” involved, in this case, constructing a large text-table. This comprised a row for each interviewee, and columns for each sub-category of the areas of inquiry. The table was populated with the responses of the interviewees in the appropriate cell. Areas of agreement were colour-coded in the sub-categories, as were instances where opinion differed. This method of coding allowed for the arguments to be presented visually. These threads were then drawn together, or separated, by the researcher, in a process of creating meaning. This was a form of “diagramming” adapted from the method proposed by Straus and Corbin (2015: 123). The visual representation of the data facilitated the drawing out of meaning from the full body of the interviews. These threads of meaning were then noted and analysed.

The data processing revealed two new lines of inquiry relating to informal communication within VS, and issues of diversity within the organisation, respectively.

Several research participants indicated that the VS Facebook page was used by VS leaders as a medium of informal communication. A detailed study of the page was then undertaken.

Every post made on the page, from the day it was created at the end of August 2011 to the beginning of September 2019, was scrutinised. The researcher made notes regarding who authored each post and who commented on it. Of interest was the extent to which BRC drove the process, and whether other NGOs or stakeholders participated, compared to the extent that VS leaders did the same.

Babbie and Mouton suggest the “collapsing” of research categories to facilitate the reading of data (2001: 428). For the purposes of the research, authorship of both the posts and comments were divided into two categories: “BRC and other stakeholders” and “VS”. The former comprised BRC staff, one

government official who used the page to communicate with VS leaders, and activists from other organisations. “VS” included VS leaders and ordinary members. By the time this exercise was undertaken, the researcher had completed the desktop review and was familiar with the names of all the main actors in VS and in the organisations with which it interacted. The names of 100% of those who posted on the page could be assigned to a category. The names of almost all those commenting on posts could also be categorised. Where the name of the person commenting was not recognised by the researcher, it was assumed that the author was an ordinary VS member. The comment was therefore attributed to VS. The numbers of posts and comments in each category were plotted on graphs so that trends over the eight years could be identified. From this, the author was able to analyse the use of the page for informal communication by VS leaders and members.

Given the level of support enjoyed by the ruling political party in VS areas, it was to be expected that many VS leaders are also members, or indeed leaders, of organisations allied to the African National Congress (ANC). During the interview process however, the extent of this association became clear. Spontaneous statements were made regarding “our party” and the office that some VS leaders held in it. A number of research participants made identity-indicating cultural statements that linked directly to the ANC or allied organisations. These related to colours, songs, and language. Moreover, one of the interviewees suggested that, in the early years, VS leaders seemed to use campaign meetings as an opportunity to also meet to discuss factional ANC issues. After the interviews were complete, the researcher asked the VS Co-ordinator for data regarding the political affiliation of VS leaders, as well as the levels of involvement in other political organisations in each case. This information was provided for every member of the VS Provincial Committee since it was first convened. The length of service on the PC for each was also provided by the VS co-ordinator. This information was interrogated from different perspectives and analysed.

2.6 Conclusion

In this chapter, it can be seen how a deep and detailed review of documents in the VS and BRC archive allowed the researcher to develop a framework for the work that was to follow. These documents informed the context for the research, and guided further reading regarding the research question.

The researcher accounted for her decisions regarding who to interview and what questions to ask. Arguments were presented regarding the expansion of the initial research plan; that is, the decision to add a research participant from a sector not initially considered, and an examination of the political and social profiles of VS leaders, as well as a detailed study of VS's social media presence. The researcher described how she was able to adapt a system of coding to allow for the effective analysis of the data that emanated from the field interviews. The methodology that was employed enabled the researcher to examine the research question from multiple angles. In the chapter that follows, the researcher situates the research within the context that was revealed through the archival review, further reading, and the field interviews.

Chapter 3

Social movements: definitions and concepts

In the previous chapter, the methodology employed by the researcher was described in detail. The initial archival review described above gave insight into the context of the research. It directed the reading that informed this contextual chapter, and guided field interviews to complement this. The key question that the researcher seeks to answer relates to VS's status as social movement. In order to analyse this effectively, it is necessary to consider social movement theory in some detail. This chapter considers the development of social movement theory as a discipline within sociology. It examines the main schools of thought that have emerged over the past six decades and considers the key characteristics of social movements described by scholars in the respective schools. This enables the researcher to settle on the criteria to use when reflecting on whether or not VS is, in fact, a social movement.

Social movement theory has its roots in the work of Gustav Le Bon who, in the late nineteenth century, examined the way crowds behave. In his 1895 work, *The Crowd: A Study of the Popular Mind*, Le Bon described the creation of collective identity through spontaneous gatherings of people (Eyerman & Jamison, 1991: 13). Le Bon's 'notorious' view of the crowd as "irrational, irresponsible and credulous" resonated with Sigmund Freud, writing a few decades later, whose view of the contagion-effect of crowd behaviour as primitive, was influential at the time (Parkin-Gounelas, 2012: 7-8).

Theory relating to social movements developed considerably during the middle of the last century. Most of the seminal work in this regard was written during this period and remains relevant today, having been developed and expanded in the last decades of the twentieth century. In the late 1990s, Donatella della Porta and Mario Diani identified four perspectives dominating the study of social movements: collective behaviour; resource mobilisation; political process; and new social movements (1999: 3). Noting that there are overlaps and borrowings between these perspectives, Della Porta and Diani argue that they are not real “schools”, but are rather, a reflection of the theoretical questions that are asked in each case. A brief consideration is given of each of these.

When social movement scholars speak of collective behaviour, they do not simply consider actions taken as a group, with a shared objective. Neil Smelser explained that “it is uninstitutionalized action taken in the name of... a belief that constitutes an episode of collective behaviour” (1964: 117). The work of scholars identified as part of the ‘Chicago school’ was developed from the 1920s onwards until it could be summarised by stating that the “collective behaviour was in fact defined as behaviour concerned with *change*” (Della Porta & Diani, 1999:5). The extent to which social transformation is a goal is a critical defining feature of social movements, and is discussed further when considering the criteria for categorising an organisation as a social movement.

Resource mobilisation theory looks at the way that “human, financial and other resources” are mobilised in pursuit of a collective goal. The “other resources” include support and solidarity, networks and even values (West, 2013: 164-165). Given that “other resources” is a broad and loose category, Charles Perrow suggests that it can cover almost anything and, as a result, did. A second, narrower version of resource mobilisation theory, expressed by Zald and McCarthy in the 1970s, de-emphasises the role of ideology and borrows from the language of economics in favour of inputs and outputs of available resources (1979: 199-202). Importantly, resource mobilisation theory emphasised the rationality of collective action, pointing to the ways in which the cost and potential benefit of action are considered and strategies are adapted accordingly (Jenkins, 1983: 528).

McAdam, Tarrow and Tilly critique resource mobilisation theory, suggesting that it “downplay(s) the contingency, emotionality... and interactive character of movement politics”. Instead, they describe political opportunity theory which credits the enabling political dynamics at play within environments, for the rise of social movements. As the authors point out however, the distinctions

between resource mobilisation theory and political opportunity theory relate to emphasis; the two are not mutually exclusive (2001: 15-16). Goodwin and Jasper explain that because grievances are often directed at the state (relating to demands for change), the level of oppression in a country can be a catalyst for the emergence of a social movement, or it can be a constraint to mobilisation (2003: 257). McAdam *et al.* (2001: 41) note that mobilisation occurs through an episode of contention. In other words, a trigger, and “space” provide the opportunity. Tarrow summarises the opportunity variables described by his peers as follows: “the degree of openness or of closure of the polity...; the stability or instability of political alignments...; the presence or absence of allies and support groups...; divisions within the elite or its tolerance for protest...; and the policy-making capacity of the government” (1988: 429).

Mary Bernstein (2003: 235) opines that resource mobilisation and political opportunity theorists failed to appreciate the importance of identity as a driving force behind movement formation. (In this sense, identity is fundamental to the formation of a movement, as well as being created through the collective action.) The “new social movements” are described as those who do not seek economic gain for their participants, but focus on cultural issues. Kriesi (1989: 1079-1080) notes that the green movement, the anti-nuclear movement and the women’s movement, are examples of new social movements, and that their participants are generally drawn from the middle class.

Della Porta and Diani note that there have been general geographic differences between the four perspectives described above. In the US, movements tended to become “pragmatic” and restructure as “interest groups”. In Europe, by contrast, movements had a “strong countercultural character” and were more ideological in nature. Collective behaviour, resource mobilisation and political process lenses are considered “American”, while new social movements are considered “European” (1999: 2-3).

The perspectives described above are ways in which scholars have looked at and understood social movements. They do not adequately answer the question, “What is a social movement?” This question is central to the line of inquiry undertaken in this study. For this reason, consideration is given to the key characteristics of social movements as defined by scholars over the past seventy years.

Anthony Oberschall describes social movements as “large-scale, collective efforts to bring about or resist changes that bear on the lives of many” (1993:2). This is not a definition, but a useful starting point. Snow and Soule offer the following:

Social movements are collectivities acting with some degree of organization and continuity, partly outside institutional or organizational channels, for the purpose of challenging extant systems of authority, or resisting change in such systems, in the organization, society, culture or world system in which they are embedded (2010: 6-7).

Snow and Soule’s definition, which is built on definitions suggested by other scholars, includes five key features. There is general agreement in the academe regarding the features, but one of the issues around which debate occurs relates to durability. Eyerman and Jamison emphasise the temporary nature of a successful social movement, arguing that the longer a social movement exists, the more it tends to lose momentum and the less influential it is (1991: 4). They stress that in order to “read” social movements cognitively, one must appreciate that social movements *move* (Ibid: 59-60). Tarrow, on the other hand, draws a distinction between “generalised turbulence” and “sustained collective action”, suggesting that the latter defines a social movement (1994: 5-6).

In addition, Eyerman and Jamison proposed that a social movement is a “source of creativity” with respect to its identities and ideas (1991: 124). This finds agreement with Tarrow: “attempts at symbolic mobilization accompany every modern movement” (1994: 118). Jasper explains that “naming” is an important part of this process – not just sloganeering, but also the coining of new terms to describe concepts such as “speciesism” or “black power” (2007: 11). The importance of song as a means of mobilising and uniting people in a movement is generally accepted. According to Jasper, “singing and dancing contribute to the euphoric moods that rituals, at their most successful, create,” affirming identity and belief (1997: 194).

Mario Diani is Professor of Sociology at the University of Trento in Italy. He has published extensively on social movement theory since the 1980s and has contributed to the development of the field. In his influential paper, *The Concept of Social Movements*, Diani includes four key criteria in his definition of a social movement: “(i) networks of informal interactions between (ii) a plurality of individuals, groups and/or organizations, (iii) engaged in political or cultural conflicts, (iv) on the basis of shared collective identities” (2011: 1). These four criteria provide a simple framework against which to assess whether or not an organisation is a social movement.

Closer to home in terms of content, Sam Moyo and Paris Yeros have defined the key features of a “new rural social movement”. The authors aver that the semi-proletariat must form the ‘core social base’ of a new rural movement if it is to effect real change. The power of rural social movements comprising the semi-proletariat is emphasised; such movements have important political transformational potential, nationally and internationally (2005: 6). The key features of such movements are that they (i) comprise small-scale farmers drawn from both rural and urban areas (the latter would include the unemployed); (ii) its leadership is made up of ‘peasant intellectuals’, rather than people who are university educated; (iii) they engage in direct action in different spaces, but primarily “on the land”; (iv) they are “anti-political” and independent of political parties, but are allied with them, as well as with organised labour and other social formations; (v) “their ideologies tend to fuse Marxian and ethnic/racial political languages and are increasingly gender and ecologically sensitive”; and (vi) they are international in their outlook. The authors note that the features described might be considered “an ideal” by social movements and are not necessarily “embodied” by the movements themselves (2005: 44-45). The key features of a new rural social movement, as defined by Moyo and Yeros are interesting, but the fact that the features are not necessarily represented in movements in reality, make them less useful as an academic tool for evaluation.

This chapter has described the development of social movement theory, and given an indication of the characteristics of a social movement in a way that will guide the research. It has not considered the national or international context of the organisation that forms the focus of this study. Eyerman and Jamison encourage the social movements’ scholar to pay attention to these contexts, and to study social movements comparatively, noting that new social movements “evolved differently in different national settings” and that this had an impact on “their very identity as social movements” (1991: 154). This challenge is taken up in the next chapter, where attention is given to rural social movements and the Treatment Action Campaign. The chapter that follows looks at the context of the research in terms of the events and legislation that led to the formation of VS, as well as giving the reader a “broad brush-strokes” overview of VS itself, so that the reader can proceed to the section on comparable organisations from an informed position.

Chapter 4

Context of the research

4.1 Introduction

This chapter of the thesis is structured as follows: firstly, an overview of the circumstances that necessitated the formation of VS is given. The regulations pertaining to “betterment planning”, and the forced removals that were a consequence of this policy, are detailed. The provisions of the Restitution of Land Rights Act (Act 1 of 1994) are given, explaining why only a very small percentage of potential betterment claimants submitted restitution claims by the 1998 deadline. This is followed by a brief outline of VS’s launch and progress. A full and detailed history of VS is supplied in Chapter 5, but a preliminary overview of VS is necessary to enable a meaningful reading of the information pertaining to comparable organisations that is included in this chapter. A study of this nature would be incomplete without reflecting on VS within the context of rural social movements internationally, and in South Africa, specifically. The researcher contrasts VS’s features with those of comparable organisations and highlights points of interest that will inform the investigation.

4.2 Betterment removals and the land restitution programme

From the mid-1930s to the late 1980s a particular form of spatial planning was implemented in the former homelands of South Africa. These areas were over-stocked and over-grazed, due to the impact of the 1913 Natives Land Act which required that black South Africans occupy approximately 7% of the country’s land (Hall, 2014). The planning was motivated by environmental concerns relating to soil erosion and degradation. Regulations were promulgated in terms of the Native Trust and Land Act of 1936 (Act No. 18 of 1936) that declared particular locales as being subject to “betterment” (De Wet, 1995: 86). In terms of the regulations, land use plans were drawn up that demarcated land for residential, grazing and arable use. Key to the implementation of these plans was that they usually required that residents of the area move from their scattered homesteads into the area demarcated as residential (McAllister, 1991: 116). As Chris de Wet notes, the military capacity of the state to enforce the removals that were required in order to implement betterment planning was essential to their execution (1995: 199).

It is ironic that the planning regime was named “betterment” because these removals, which took place in the Eastern Cape mainly in the 1950s and 1960s, had a devastating effect on rural society. According to the seminal work on forced removals, Laurine Platzky and Cherryl Walker’s *The Surplus People*, betterment “forcibly removed more people in more places with greater social consequences and provoking more resistance than any other category of forced removal in South Africa” (1985: 110).

The “social consequences” referred to by Platzky and Walker included the destruction of homesteads, the culling of livestock and the loss of crops. The social fabric of rural South Africa was rent apart by the implementation of betterment, as those impacted lost their means of livelihood and were forced into an alien way of life in more densely populated spaces (McAllister, 1991: 117). Critically, in spite of its breadth and horrific impact, betterment removals are not widely understood or appreciated. This is possibly because often (and certainly almost always in the Eastern Cape), they did not involve the moving of large groups of people from one place to another a great distance away (which one could call a “classic” forced removal). Instead, people were moved a short distance, within the same locale, into a village (Westaway, 2009: 135).

During the claiming period that ended on 31 December 1998, the Commission for the Restitution of Land Rights (CRLR) asserted that betterment removals did not meet the criteria, as prescribed by the Restitution of Land Rights Act (Act No. 22 of 1994). Section 2 of this Act, headed “Entitlement to restitution”, reads as follows

- (1) A person shall be entitled to restitution of a right in land if –
 - (a) he or she is a person dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices; or
 - (b) it is a deceased estate dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices; or
 - (c) he or she is the direct descendant of a person referred to in paragraph (a) who has died without lodging a claim and has no ascendant who –
 - (i) is a direct descendant of a person referred to in paragraph (a); and
 - (ii) has lodged a claim for the restitution of a right in land; or
 - (d) it is a community or part of a community dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices; and
 - (e) the claim for such restitution is lodged not later than 31 December 1998 (RSA, 1994: 6).

Sub-section 2 of Section 2 the Restitution of Land Rights Act lays out the conditions under which a person is not entitled to restitution, even if they meet the criteria in Section 2.1. These relate to having

received compensation, or some other form of consideration, that was “just and equitable” (RSA, 1994: 7). This is not relevant to the denial of restitution to betterment communities, who were denied restitution on the grounds that they did not meet the criteria in Section 1 (Westaway, 2009: 148).

The legislation was worded in such a way that restitution for betterment removals could be “read into” it. The CRLR, however, decided to “read it out”. Westaway (2009: 148) points out that the Green Paper policy document on land, published by the government in early 1996, influenced the CRLR’s narrow interpretation of the Restitution Act. The Green Paper stated that betterment removals did not fall under Section 1 of the Act and those who suffered as a result of the implementation of betterment, should seek relief through other government programmes.

Although the betterment regulations were not explicitly racial in the way that they were proclaimed, all the victims of betterment removals were black (Loliwe, 2019b). In spite of this, during the claiming period that ended on 31 December 1998, the CRLR asserted that betterment removals were not racial in their implementation. The CRLR also pointed to the fact that those who had been removed under betterment regulations had not, in fact, lost land. For these reasons, betterment areas were not targeted for government “stake your claim” information campaigns regarding land restitution. Furthermore, in many cases, those seeking to submit betterment claims were turned away from the offices of the CRLR by officials who indicated that betterment claims did not meet the criteria of the Act (Westaway, 2009: 80 and 220).

Subsequent to the 1998 deadline for the submission of claims, the CRLR conceded that betterment did, indeed, meet the criteria for restitution. In addition to the fact that betterment met the criterion relating to race, it acknowledged that betterment resulted in the loss of a right in land, if not land itself, and that this was what the Act required. The Commission then proceeded to process the applications of those betterment communities that had lodged claims (Westaway, 2009: 220). For the vast majority of potential betterment claimants, who had missed the deadline for the lodging of claims, the Commission’s policy turnaround was cold comfort; it was too late and they were denied restitution. This injustice led to the launch of the VS campaign in 2002.

4.3 VS: the campaign for betterment restitution

For twelve years, VS advocated the re-opening of land claims for the victims of betterment removals. The extensive campaign included mass action (rallies, pickets and marches), litigation and bilateral negotiations with government (Vulamasango Singene, 2015: 2).

Vulamasango Singene claimed victory in mid-2014 when the Restitution of Land Rights Amendment Act (Act No. 15 of 2014) was passed. An amendment allowed a five-year period, ending in mid-2019, during which land claims could again be submitted. Betterment claims were expressly permitted. This would be of enormous importance to the Eastern Cape Province: the value of the land rights dispossessed through betterment in the Eastern Cape was estimated at R12 billion (Helliker, 2011: 58). The payment of even a quarter of this amount in compensation to successful claimants would be a considerable economic injection into South Africa's poorest province.

From late 2014 onwards, VS embarked on an intensive information dissemination programme, informing betterment communities of their right to claim restitution, but this was short-lived. The Amendment Act was challenged in the Constitutional Court on the grounds of, *inter alia*, insufficient public consultation. In July 2016, a Constitutional Court judgment put the brakes on new land claims, suspending them while giving Parliament eighteen months to remedy flaws in its public participation process (Vulamasango Singene, 2017:1). Parliament failed to meet this deadline and, in November 2018, it applied to the Constitutional Court for an extension until the end of March 2019, indicating that it intended to re-enact the Bill before then. In March 2019, the amendment that allowed for the processing of post-2016 claims was rescinded by the Court (Constitutional Court judgment, 2019: 38). This setback for victims of betterment dispossession did not spark a resurgence of active mobilisation for VS. VS continued to contest the matter through the courts, rather than by taking to the streets or campaigning in other mass-based ways. In 2022, betterment communities and VS approached the Land Claims Court with an application to have the suspension of the processing of betterment claims lodged between 2014 and 2016 lifted, and a three-year period in which betterment claims that had not been lodged could be submitted. At the time of writing (early October 2022), judgment is pending (Loliwe, 2022).

In its literature, VS refers to itself as a social movement, pointing to its 40 000-plus members and its ability to mobilise thousands of people at short notice. The extent to which VS is, indeed, a social

movement has not been subject to academic scrutiny. VS grew out of a project of an East London-based non-governmental organisation, the Border Rural Committee (BRC). Although VS has its own financial and human resources, BRC has provided VS with considerable strategic and logistical support. The relationship between NGOs and social movements has been questioned by academics and activists alike. Helliker, for example, expressly includes the BRC-VS relationship when he states that “the question of dependency between these NGOs and movements remains a critical issue” (2013: 324). The research examines this relationship in order to test VS’s claim to be a social movement, seeking to answer the question: “Vulamasango Singene: a genuine social movement or an NGO-driven interest group?”

4.4 Rural social movements: La Via Campesina and the Landless People’s Movement

Reflecting on rural social movements globally and in South Africa provides a backdrop against which to consider not only the characteristics, but also the effectiveness of VS as a social movement. The largest rural social movement in the world is the transnational organisation, La Via Campesina. La Via Campesina grew out of peasant struggles in South America and became a global network of grassroots organisations in the early 1990s. A decade later it was the leading voice on international agro-ecological and food sovereignty issues. La Via Campesina is fiercely independent; it is not aligned to any government, political party, religious organisation nor NGO. Some of its member organisations, however, do have such associations (Martinez-Torres & Rosset, 2010: 149-150).

VS is not a La Via Campesina affiliate, but it developed in the way that many La Via Campesina member organisations did, with the support of an NGO.

Saturnino Borrás Jr has written on La Via Campesina in the light of “movement-NGO solidarity” (2008: 204). Borrás describes the tensions that often colour the relationships between NGOs and movements, particularly regarding the latter’s loss of “voice” to the former, and the “waste” of money “setting up... organisations and paying salaries” (2008: 207). He illustrates this by referring to the umbrella body of land sector NGOs in South Africa, the National Land Committee (NLC), and the LPM, which he describes as “a high profile La Via Campesina member” (2008: 208).

Four organisations opposing apartheid-era forced removals formed the National Committee Against Removals (NCAR) in 1985. This organisation evolved into a national network of NGOs, itself an

NGO, the NLC, which had ten affiliates spread across the country. BRC was one of two Eastern Cape affiliates of the NLC. Former NLC employee, and later vocal critic of the NLC, Andile Mngxitama notes that the “network became the only segment of civil society with a national presence struggling for land ownership patterns to change” and “with its ‘welfarist’, liberal tradition, had come to occupy a centre stage around the struggle for land” (2006: 45).

Mngxitama (2006: 47) tells of two “traditions” within the NLC, one liberal (as described above), and the other more radical. The contentious issues were land invasions (the extent to which they should be condoned or supported) and attitudes towards the incoming democratic government. The differences between the two traditions would ultimately be the NLC’s undoing. There was, however, consensus regarding initial support for the Landless People’s Movement (LPM), even if the reasons for doing so were different in different “camps” in the network.

It is useful to describe these in some detail because of the similar issues that arose in the BRC/VS relationship:

The reasons behind this support [for the formation of the LPM] varied from a desire by activists working in the NGOs to support an independent and radical grassroots movement of the landless, to a technocratic calculation that a national grassroots organisation aligned with a national NGO structure would have more influence (Greenberg, 2004: 17).

Stephen Greenberg (2004: 16) notes that the LPM formed in 2001, was a “clearly distinct but highly dependent grassroots umbrella.” It is this dependence described by Greenberg that is explored in the VS-BRC relationship. The tension between the need for logistical and financial support that movements seek from NGOs and their expression of an autonomous voice, is one that is examined by Borrás (2008) and will be considered in the VS context.

La Via Campesina was supported by donor agencies (described as “radical church-based NGOs” by Borrás, 2008: 205), including VS’s donor partner, MISEREOR. The LPM also, was supported by donors, primarily the British agency, War on Want (WOW). By 2004, the LPM was dependent on WOW. Mngxitama (2006: 47) criticises the “arrogance” of WOW in directing the LPM to register as an NGO and thereby bureaucratise its structure.

The overlap between the NLC and LPM is illustrated by the following quotation from Deborah James, Professor of Anthropology at the London School of Economics:

It is difficult to disentangle the intellectually derived inspiration of the LPM's university-educated patron in the NGO sector, Andile Mngxitama, from the more grounded motivations of the movement's humbler rank and file. As in the case of many social movement leaders and their followers, the two had formed each other in a series of reciprocal interactions (James, 2007: 151).

Mngxitama was an employee of the NLC but was considered a *de facto* leader of the LPM.

The NLC was beset by internal problems following the World Summit on Sustainable Development (WSSD) in Johannesburg in 2002. The Director of the NLC was accused by its Board of, *inter alia*, failing to discipline Mngxitama for his public support for land invasions and was dismissed in July 2003 (James, 2007: 220). Mngxitama, himself, suggests that the NLC suffered from an erosion of power following the LPM's independent show of strength and media attention at the WSSD (2006: 67). In 2003, four affiliates left the NLC and by 2005, the network was limping (Samayende & Arenstein, 2005). Borras states simply, "the NLC collapsed, and soon after that the LPM imploded" (2008: 205).

The LPM emerged in the context of the failure of land reform in South Africa. Stephen Greenberg notes that the insecurity of tenure and lack of access to land in their own right, experienced by most South Africans created the conditions where, even though people primarily identified in different ways (for example linguistically and politically), they were able to identify also as "landless". Andile Mngxitama explains landlessness as an identity in the following way:

'(L)andlessness' is an elastic category. From the rights-based point of view, the concept is historically focused: it is restricted to particular dates, is focused on the past – it distorts history. But from our point of view, it is able to go backwards and forwards in time. Landlessness can come to mean something new – someone who doesn't have a job, for example. It allows people who do not have a historical link to the land to be defined as 'landless' – because they want to establish a new link to the land (James, 2007: 254).

The manner in which the LPM was formed, with the support of a well-resourced NGO, echoes that of other rural movement-NGO relationships. The Movimento dos Trabalhadores Rurais Sem Terra (the Brazilian Landless Workers' Movement, MST) and the Federation of Indonesian Peasant Unions (FSPI) had similar assistance from NGOs (Borras, 2008: 2005).

The LPM's status as an important national, rural social movement in South Africa is generally accepted in the literature. Marcelo C. Rosa of the University of Brasilia questioned this, however, in a paper that was presented to a seminar hosted by the University of Cape Town's Centre for African

Studies, “Reflections on South Africa’s Agrarian Questions After 20 Years of Democracy”, in 2014. Rosa reported that he had travelled across South Africa with a group of activists from the MST, accompanied by two LPM leaders, for a month in 2005. He reported that he was able to find identifiable LPM membership only in three provinces. He was not able to find evidence of a national organisation, nor of a mass movement:

...there is a strong desire in South Africa for a movement ‘from the bottom up.’ Consequently, there is a desire for such actions to emerge nationally from actual rural or landless people (Rosa, 2014: 15).

He goes on to state that his analysis “effectively demonstrated that this specific kind of mobilisation has not occurred” (Rosa, 2014: 15).

Ben Cousins, too, questions the social movement credentials of the LPM:

...the LPM even in its heyday in 2002 exhibited few of the key features of the new rural movements identified by Moyo and Yeros... and was very far from being the nucleus of post-apartheid oppositional politics (2006: 585).

4.5 Treatment Action Campaign

In situating VS within the social movement context in South Africa, it is instructive to consider the case of the Treatment Action Campaign (TAC). The TAC is widely considered a successful social movement, prompting Friedman and Mottiar to ask in 2005, “Is TAC a model for other social movements?” (512). A closer look at the TAC is warranted, not only because it is South African and successful, but also because of the parallels between the TAC and VS. First, the TAC’s relationship with the state is expressed as one of “cooperation and conflict” (536), which could also describe VS-state relations. Second, the TAC has been described as a hybrid, combining elements of a formal institution and a social movement (Mottiar & Lodge, 2017: 114). It is possible that VS shares this feature with the TAC.

The TAC was launched in 1998, four years before VS. It mobilised effectively for anti-retroviral treatment for HIV-positive people in SA (Treatment Action Campaign, <https://www.tac.org.za/our-history/>). In 2002, the Constitutional Court found in favour of the TAC and its co-respondents and upheld the judgment of the court a quo, ordering the state to provide treatment that would prevent the transfer of HIV to babies at the time of their birth (Constitutional Court judgment, 2002). This victory

was the beginning of a campaign to secure the rollout of antiretroviral treatment more broadly. Opposing what was termed “AIDS denialism” (Heywood, 2015: 319), the TAC campaigned against misinformation and stigma, and in favour of state-funded treatment. This work extended to advocating for changes to patent law preventing the provision of affordable drugs and highlighting failures in the public health system in South Africa (for example, the ‘brain drain’ of health professionals from the country, hospital food shortages, the working conditions of community health care workers and the under-resourcing of clinics). In spite of a severe funding crisis in 2014 that threatened to close the organisation, the TAC has managed to survive. It currently claims 8 000 members in 182 branches (Treatment Action Campaign, <https://www.tac.org.za/our-history/>).

According to Fareed Abdullah, the current chairperson of the TAC Board, the TAC has been credited with “measurably” saving millions of lives in South African through its HIV/AIDS treatment work. The TAC played an important grassroots educational role during the Covid-19 pandemic, encouraging people to vaccinate against the virus. It continues to advocate the right to access to healthcare for all (Pikoli, 2022). The TAC’s influence is international; according to Nauta (2011), the “cross-fertilisation” of global struggles is critical and the TAC’s work against the impact of drugs patents on the poor contributed to the signing of the Doha Declaration in 2001. In terms of this declaration, trade-related aspects of intellectual property rights (TRIPS) were amended, so that medicines can be produced affordably in a time of crisis (Nauta, 2011: 152).

For the purposes of this research, it is important to look at the institutional structure of the TAC. Friedman and Mottiar (2005) paid close attention to this, examining the way that the TAC formed, and how it mobilised people on the issue of access to treatment. Friedman and Mottiar invoke Sidney Tarrow’s “political opportunity theory”, referred to above, and explain that the advent of democracy in South Africa created an environment for mobilisation that would not have existed previously (2005: 532). In terms of South Africa’s 1996 Constitution, “everyone has the right to have access to: (a) health care services, including reproductive health care” (SA Constitution, Section 27). The Constitution goes on to place an obligation on the state to progressively realise this right. Drawing its authority from the Constitution (in other words, grounding its mission in basic human rights), the TAC not only has the political space, but also a moral licence, to organise.

Mark Heywood described the structure of the TAC in 2009. He emphasised that the TAC is a member- and volunteer-driven organisation, “recruiting its volunteers primarily from the urban and rural poor”

(31). There were branches (comprising volunteers and supporters) across the country, which met monthly, as well as provincial structures in six provinces. The National Executive Committee co-ordinated activities and advocacy across the country. In addition to the membership structures of the TAC, the organisation forged effective alliances with other groupings, such as trade unions. Heywood points out that, given COSATU's alliance with the ruling party, this relationship was "not easy". The TAC had to put in considerable effort to make it work (for example, by producing literature for shop stewards to assist them to answer difficult questions from their members) (2015: 320).

The TAC chose not to rely solely on the legal rights enshrined in the Constitution and advocate (or litigate) at a high level for their realisation. Instead, the TAC consciously built the capacity of those most vulnerable to the ravages of the HIV/AIDS pandemic – the poor – to take forward these struggles themselves. This very basic educational and organising work protected the TAC from the problems often associated with a professionalised, intellectual campaign (2009: 17). That is not to say that the TAC does not use all the weapons in the activist's arsenal: in addition to the Constitutional Court case referred to above, it has engaged in litigation in at least four other instances. Litigation was always supported by mass action (pickets and marches), as well as engagement with the public and the state through the media (Heywood, 2009: 22).

The TAC "professionalised" relatively fast, employing more than 100 full-time staff members by 2008 (Heywood, 2009: 31). Following a severe funding crisis in 2014 (Treatment Action Campaign, 2022), the organisation stabilised and, more than two decades after its founding, the TAC continues to engage in creative campaign tactics. In June 2021, TAC members protested outside the office of the Premier of Gauteng for two days, sleeping outside in the cold of winter at the height of a wave of Covid-19, and bearing a coffin to symbolise the deaths that had come to pass due to the failures of the provincial Department of Health (Pikoli, 2022). Although the organisation now has approximately 20% of the membership that it had at its height in 2003/4 (Heywood, 2015: 325), it remains vibrant and relevant.

4.6 Conclusion

This chapter has accomplished three things. First, it has provided an outline of the historical events that led to the dispossession of land rights experienced by the subjects of this study, followed by their exclusion from the land restitution process. Second, it has given a brief overview of VS to enable an

informed reading of the information pertaining to other organisations. Third, in order to be able to make useful comparisons, the chapter provides an overview of land rights movements, both international and South African. It also looks at one other comparable, successful South African social movement. In addition, the chapter provides essential background information for the ‘History’ chapter that follows, as well as for the analysis in Chapter 6.

Chapter 5

A History of Vulamasango Singene

5.1 Introduction

This chapter provides a history of VS, from its earliest conception, to the first week of October 2022. It begins with a description of the “content” of the campaign, situated in the context of politics in South Africa, and in land restitution, specifically, in sub-sections titled “Betterment and restitution” and “The Cata and Keiskammahoek claims”. The narrative detailing the activities and motivations of the campaign actors from 2002 to 2022 are divided into sub-sections. The phases of VS’s history are not easily grouped, but an attempt is made to make the twenty-year history more digestible. Most of VS’s internal institutional issues are separated out, for the sake of readability, and are narrated at the end of this section. Because of the importance of BRC to VS, where the former’s institutional issues have impacted the latter, these are also described. The history is important, not simply for the record, but also because it provides the context against which the field research and analysis take place.

5.2 Betterment and restitution

The origins of the campaign for betterment restitution, which in time became Vulamasango Singene, can be traced to a Border Rural Committee internal conference held in April 1997. The minutes of the meeting indicate that responsibility was given to a project officer to draft a paper “outlining options” regarding betterment (BRC, 1997a: 6). By the end of 1997, BRC had agreed that it should develop policy recommendations that specifically relate to restitution for communities who were forcibly removed under betterment regulations (BRC, 1997b: 6).

During the first six months of 1998, BRC met with the Transitional Representative Council (TRepC) in Keiskammahoek to discuss with it BRC's intention to work with a local betterment community. South Africa's democratic dispensation was a mere four years old at this point. Local government structures were populated with former anti-apartheid activists who were committed to the transformation of the policy environment. The TRepC indicated its support for BRC's planned work in the area. This work included deciding on a betterment community as a case study and deciding whether or not to apply directly to the Land Claims Court for a ruling on the matter of betterment restitution (BRC, 1998a: 17). The verbal support given by the TRepC was the beginning of a relationship between BRC and state structures that would be characterised, over the next twenty years, by both co-operation and opposition. This relationship is examined in detail in the analysis chapter, in the section relating to conflict.

5.3 The Cata and Keiskammahoek betterment claims

The community of Cata, near the town of Keiskammahoek, was selected. The results of BRC's preliminary research, undertaken in July 1998, led it to conclude that betterment removals did, indeed, meet the criteria of the Restitution of Land Rights Act and that a test case should be prepared for the Land Claims Court (BRC, 1998b: 19).

The next two years saw BRC engage in intensive work relating to the Cata case. Papers were filed in the Land Claims Court in December 1998 (BRC, 1998b: 22), but BRC and the community were persuaded, by the state, to the negotiation table. The Minister for Land Affairs insisted that the Cata claim should be resolved in a way that would be compatible with proposed policy for the future settling of betterment claims. Crucially, this policy would apply only to those betterment claims that had been lodged before the December 1998 deadline. BRC agreed to this because, even though its longer-term aim was to show unjust treatment by the state of betterment communities as described in Chapter 4, and ultimately enable them to be restituted for the forced removal, in the shorter-term its commitment was to secure a favourable settlement for the people of Cata. The matter was finally settled, out of court, in October 2000. The settlement established that the forced removals that took place in terms of betterment policy met the criteria of the Restitution of Land Rights Act; victims of such removals should therefore be restituted in terms of that legislation (Westaway, 2009: 220).

Once Cata was settled, BRC set about entrenching the precedent. It did this by working towards the settlement of the land claims of nine other Keiskammahoek villages that had been removed under betterment. The organisation committed its own resources to doing the work of the Land Claims Commission; tracing the descendants of the head of every household that qualified for restitution; and facilitating the signing of documents by 1 500 people that granted power of attorney to a representative to settle the claim on behalf of the family. This was an enormous task, but necessary, so that the organisation would be in a position to pursue its longer-term advocacy goal relating to betterment restitution (BRC, 2002a: 11).

The settlement agreements for the nine other Keiskammahoek villages were signed on 16 June 2002. Phumeza Grootboom (2019), the present Director of BRC, explained that this made the precedent set by the Cata settlement “irreversible” and created the political space for the campaign for betterment restitution to begin. It can be said, therefore, that the signing of the Keiskammahoek settlements contributed to providing the political opportunity, as defined by social movement theorists and discussed in Chapter 3 above, for the emergence of a social movement. Although VS was a campaign at this stage, not a social movement, the opportunity as defined by McAdam, Tarrow and Tilly (2001, 15-16) is clear.

The campaign was initiated hours after the signing of the Keiskammahoek settlement agreements. It was launched with a press statement, released by BRC and the Eastern Cape Provincial Council of Churches (ECPCC). The fact that almost all communities who had been subjected to betterment removals had not submitted claims, which had now been shown to qualify for restitution, led the two organisations to call on government to allow a six-month period during which betterment claims could be lodged (BRC, 2002a: 14-15). The reason that betterment communities had not claimed is explained in detail in Chapter 4, above.

5.4 Vulamasango Singene 2002 to 2005: VS as a project of BRC

Although the campaign was launched on the day that the Keiskammahoek settlement agreements were signed, and VS therefore claims the date as its own launch date, it was not the beginning of any kind of organisation. Ashley Westaway, the Managing Director of BRC at the time, is clear on this point, noting that “at that stage – April/May 2002 – it did not consider a campaign revolving around mobilization; its thinking and planning were limited to technical lobbying” (Westaway, 2019: 221).

In other words, he means that there were no plans to rally masses of people into an organisation that would bring pressure to bear on the state. Instead, change would be affected through targeted actions by a small group of people led by BRC.

BRC had initially expected that the campaign would be won through legal action. It made intuitive sense to BRC's management at the time; the government had erred in the way that it had implemented its own legislation, and the courts could force it to remedy this. The legal experts that BRC consulted however, indicated that, because the prejudice suffered by betterment claimants was in policy rather than in law, the case would not succeed. For the next six years, the campaign's focus would be on political work only, and not on seeking a legal resolution to the matter (Westaway, 2009: 221).

In order to provide the factual evidence that would strengthen the campaign, BRC commissioned the Fort Hare Institute for Social and Economic Research (FHISER) to conduct research into the implementation of betterment planning in the Eastern Cape. Beginning with the Middledrift district in the former Ciskei, Professor Gary Minkley, the head of FHISER, painstakingly trawled through the archives and collated the data that would show the extent of the dispossession (BRC, 2002b: 13).

The results of the Middledrift research showed widespread removals under betterment, with not a single land claim lodged. BRC described these results as "startling", having estimated that 10% of those eligible would have submitted claims (BRC, 2002b: 14). BRC was in a position, by the end of 2002, to begin intensive lobbying. In order to bolster its lobbying, BRC began to mobilise people on the ground.

From March to May 2003, more than 2 000 people from more than thirty villages attended meetings convened by BRC in the Middledrift area. The meetings aimed to inform people about the restitution process to date, share and corroborate the results of the research and, importantly, discuss "the role that the communities could play in the advocacy process" (BRC, 2003a: 11).

Jongile Kosi of Middledrift remembered BRC's mobilisation drive well:

And we heard that people from East London are just going all over Middledrift, mobilising the people who were removed forcibly by the 'trust'. So, they started at Mfiki Location, just up there [points in the direction of the village]. Ja, those people were removed. Now they ask for Lower Regu Location, where I live. And then, it was on a Sunday. It was Fanelwa [Mhaga] and... Zanele Semane [both BRC staff members].

They introduced us, why are they here and they want people who had been removed to form a committee of six people... The hall was full of people. More than hundred people were there... And then I was selected to be one of the committee. They wanted six people. I was one of those people. And then they took our names and then they left. After they left, they told us that there will be meetings at East London where we will discuss, deeply, about this. Okay, we agree with them (Interview, 2019).

BRC's report to the end of June 2003 indicates that 3000 people from Middledrift had signed declarations pertaining to their dispossession. The idea was that the signing of forms would be the catalyst for discussion at household level, thereby ensuring that the campaign was deeply entrenched in the community. They would also be used to petition the Minister for progress relating to betterment restitution (Westaway, 2009: 222). The BRC report for the period states that: "In the long term, communities indicated that they will participate in mass democratic action should this be necessary" (2003a: 11). Clearly, mobilisation had begun, but VS remained a project of BRC.

While the mobilisation work was underway, BRC was lobbying different spheres of government, seeking support for the campaign demand. In early 2003, it looked as though this would be forthcoming. Meetings with local, provincial and national government seemed promising (BRC, 2003a: 14-15). Furthermore, BRC began to attempt to draw in campaign partners from civil society. This is discussed in the analysis chapter, below, under the discussion relating to "a plurality of actors".

At the end of July 2003, at a leadership training meeting of villagers from Middledrift, the campaign slogan "Vulamasango Singene" was selected from suggestions that had been fielded at community meetings during the previous month. BRC organised for a graphic designer to develop a logo. The easily-identifiable key (to unlock the door to restitution) was selected by BRC (2003b: 10).

While mobilisation work on the ground in Middledrift continued, BRC attempted to engage with national government regarding its intentions relating to betterment restitution. Meetings were held with the Director General of Land Affairs and the Chief Land Claims Commissioner in September 2003, who were reluctant to make firm statements in this regard. The government officials did, however, indicate that the Minister, Thoko Didiza, was committed to finding a solution to the issue, possibly through Clause 6(2)(b) of the Restitution of Land Rights Act, which allows for "alternative relief" where people do not qualify for restitution in terms of the Act. The "Eastern Cape group" (i.e. BRC and Middledrift community leaders) indicated that they were open to this, as long as the

restitution was “rights-based”. By this, it was meant that there should be a direct relationship between what was lost and the “relief” offered (BRC, 2003b: 13).

A meeting with the Minister did not take place in October 2003, as promised by the Director General. The newly-named VS resolved to flex its mass-based muscle in the form of public protest in November. BRC commissioned the making of a VS banner and procured 5 000 t-shirts for people to wear at the event (BRC, 2003b: 10). The meeting with the Minister finally took place in Cape Town, in early November. At this meeting, the Minister acknowledged the prejudice suffered by those with betterment claims, during the lodgement phase (Westaway, 2009: 223).

As a result of the meeting with the Minister, a six-person negotiating Task Team was set up in November 2003. Half of the team members were drawn from government (the Chief and Regional Land Claims Commissioners, plus one other official), and half from civil society. Because government had entered into negotiations with VS, the planned mass action was suspended. VS, at this stage, was still very much a project of BRC. The reports referred to in the next section describe BRC activities almost exclusively, even though VS leaders were involved.

The Task Team met twice in late November. At these meetings, the campaign team (i.e. VS and BRC) agreed that BRC should (a) extend its research into betterment dispossession to the rest of the province; (b) make an estimation of the value of the loss; and (c) assist the Chief Land Claims Commissioner to draft memoranda in this regard. The understanding was that one of the memoranda would be tabled by the Minister, at Cabinet before year end. BRC’s work was completed timeously and forwarded to the Minister. The value of the loss was estimated at R12.8 billion (BRC, 2003b: 14). The memorandum reflected agreements reached at the Task Team. These included a provision for a six-month window period, during which betterment claims could be submitted. This should take place “as early as possible and feasible in 2004” (Westaway, 2009: 225).

Given the extent of the progress made in the last two months of 2003, the deafening silence from the Minister’s office that followed was not expected. In January 2004, an ultimatum was sent, indicating that unless there was a satisfactory response to the memorandum, by the Minister, VS would embark on mass action. Preparations for this intensified, with mobilising meetings taking place in every village in the Middledrift area. BRC and VS engaged extensively with the press during this period and the matter received good coverage, particularly in the print media, in the first quarter of 2004.

More than three thousand people attended the village meetings where referendums on whether or not to embark on mass action were held. More than 99% of people voted in favour of mass action, and less than 1%, against, which clearly alarmed the government. Its response, and the subsequent postponement of the mass action, is covered by the analysis chapter, below, where attention is given to the issue of conflict. Here, it suffices to record that following the advice from “friends within the ANC”, the campaigners “strategically” decided to postpone the mass action until after the general election scheduled for April of that year (BRC, 2004a: 10).

The campaigners’ strategic postponement of mass action was rewarded with the scheduling of a Task Team meeting on 1 April, at which the Minister apologised for the delays in the signing of the Cabinet memorandum. The memorandum supporting the agreements reached by the Task Team, was eventually signed on 20 April. BRC described the signing as a “milestone” (BRC, 2004a: 11) and again, there was an air of optimism regarding the likelihood of a satisfactory resolution to the matter. BRC did not however, assume that this would definitely be the case; it intensified its mobilisation efforts on behalf of VS, seeking to shore up popular support that could exert pressure on the state (BRC, 2004a: 12).

A rally, attended by almost 4 000 VS members, was eventually held in Middledrift in November 2004. In BRC’s assessment, the event was successful, particularly in that the African National Congress (ANC) gave public support for the campaign demand for first time. BRC also notes, however, that because of “an uninterested programme director and fairly dull speeches”, the event was lifeless (BRC, 2004b: 11).

Jongile Kosi became animated however, when remembering the rally:

BRC were at the stadium, just around about here, over that side of the prison. People were there, wearing those shirts. Buses were organised by Nomonde. We were contacting with phones, “Where are you, Kosi? Where are you? I’m here. I’m here. People were waiting for the bus and only came here”... The late Mongezi told me, “Kosi, you are going to speak, here, so I started the history of Vulamasango Singene. “People”, I start by saying, “thank you very much for giving me this opportunity. We were told to go to the mines... We left our children and wives here. We went there to Johannesburg. By that time, the white people, at our homes, here, people were removed, forcibly. We were given three months to remove all your things and the livestock was reduced. Cattles were to be two. Sheep, four. Goats, four. Pig stock, only two. Everything... now I lived with my grandmother. I was 27 / 28 years at that time (Interview, 2019).

Research into betterment dispossession by FHISER continued and in August 2004, results for the King William's Town district were available. BRC tried to use this information to secure meetings with local government officials from the area but was unsuccessful. Although the campaign leadership managed to meet with the Eastern Cape Premier, Nosimo Balindlela, and the Member of the Executive Council (MEC) for Land Affairs, Max Mamase, their response to the campaign issue was tepid (BRC, 2004b: 13).

BRC continued to mobilise on the ground, unsure of how many people/villages/districts needed to be organised into VS in order to create a “critical mass” that would ensure campaign victory but confident that eventually, this number would be reached (Westaway, 2009: 229). In 2005, education and mobilisation work began in the King William's Town, Sterkspruit and Intsika Yethu districts. Three new field workers were employed by BRC to facilitate this work. It was carried out in partnership with the Herschel Advice Office in Sterkspruit, and with the support of the ANC in Intsika Yethu (BRC, 2005a: 12-18).

Nomgcobo Somdyaka's account of BRC's mobilisation in the area echoed that of Jongile Kosi's in Middledrift, above:

After they [BRC] visited all the locations, all the villages around Cofimvaba, then there was a meeting of all committees that were elected in those village meetings. Then, when they arrived there, so they told us that there should be a District Committee. So I was elected from the District Committee.

It was very easy to mobilise people because most of the villages around Cofimvaba, they didn't lodge claims. And what was amazing was that people have got a lot of history about... how they were removed from their places, from their old places. So it was easy, so everybody wanted to be part of the meeting and everybody wanted to share his or her story about he or she was removed from the old places (Interview, 2019).

At the Task Team meeting in May 2005, the new Director General for Land Affairs, former BRC staff member Glen Thomas, expressed concern regarding the fact that the value of the loss given in the 2004 Cabinet memorandum was too rough an estimate. BRC agreed to lead a civil society effort to secure more precise data (BRC, 2005a: 7).

Mass action took place in King William's Town in September 2005. BRC attributed the “very constructive” atmosphere at the Task Team meeting later that month to this show of strength by VS members (BRC, 2005b: 5). Agreement was reached on a procedure for the submission of claims that

would see the processing and finalisation of claims handled by the Department of Land Affairs, not the Land Claims Commission. VS had no objection to this, as long as its demand that claims be “rights based” (as expressed by VS in its first meeting with Minister Didiza in 2003). This progress at the negotiation table led VS to declare a moratorium on mass action, a fact that was reported to the Task Team at its next meeting (BRC, 2005b: 7). There were, however, concerns voiced by VS and tabled at the Task Team meeting in November of that year, that the proposed redress programme had a distinctive redistribution feel to it, rather than the rights-based restitution that VS sought. In spite of this, VS engaged in good faith. It helped to design user-friendly application forms for the Department. BRC led a process of co-ordinating research that would give an estimated “quantum” with respect to the value of betterment dispossession (BRC, 2005b: 4-7).

FHISER delivered its research findings on the Peddie district in early 2005. It was agreed that because of its historical demarcation, for campaign purposes Peddie would be incorporated under the King William's Town district (BRC, 2005a: 10). Mobilisation work in Peddie began towards the middle of the year, using ANC structures and with the assistance of a local NGO, Zingisa Education Project (Loliwe, 2019).

By this stage, the campaign was being rolled out in phases, and methodology documents were drafted for each phase. These step-by-step guides were drafted by BRC to allow for VS mobilisation to take place by organisations that, in some senses, could be considered sub-contractors. In this way, it was hoped that VS could be extended beyond the limits of BRC’s geographic reach. Phase 1 was the initial research and engagement phase, culminating in the election of a committee at village level (BRC, 2005c: 14). A village committee was part of the structure of VS and not BRC. Phase 2 commenced with the election of a District Committee (again, a VS structure) and included education work, such as community ‘speak out’ sessions. The intention was that it should conclude with District-level mass action (this seldom happened, however) (BRC, 2005d: 11). Although VS, as an organisation, was being built, there was limited involvement by VS members in the mobilisation drive. It was carried out by BRC fieldworkers and partner organisations who had been formally engaged by BRC.

There was, by the end of 2005, a need for a third phase so that interest in the campaign did not wane. BRC, in consultation with VS leaders, attempted to use a visual art project to do this. It was not, however, successful (BRC, 2006b: 15). This is examined in the analysis chapter, in the discussion relating to “identity”, below.

5.5 Vulamasango Singene 2006 to 2007: Expansion, consolidation and negotiations

VS's focus in 2006 was on building the "critical mass" referred to above. Phase 1 mobilisation work was carried out in the Mnquma district, covering eighty-eight of the Nqamakwe and Butterworth villages. With the assistance of the local advice office, thirty-four villages near Lady Frere in the Emalahleni district were signed up. By the end of the year, villages in the Cala, Hewu, Peddie and Fort Beaufort areas were also mobilised, bringing the total number of villages with elected VS committees to 432 (BRC, 2006b: 7-15).

It was deemed appropriate at this point, to set up a provincial structure of VS leaders. BRC's motivation for, and role in, setting up this structure is discussed in the analysis chapter below. The first Provincial Committee meeting took place over two days in January 2006, convened by BRC (BRC, 2006b: 16).

BRC described the July 2006 Task Team meeting as "characterised by misunderstandings and terse exchanges" (2006b: 17). BRC and its partner, the Mthatha-based Transkei Land Services Organisation (TRALSO), were asked to provide more information on betterment dispossession in the east of the province. This work was completed in time for the September Task Team meeting, the atmosphere of which was noticeably more collegial than that of the previous meeting. BRC and TRALSO's work was accepted, and it was agreed that this information could be extrapolated to reach a new "quantum". At the November Task Team meeting, BRC and TRALSO tabled their results, which recommended that the original quantum of R12.9 billion be considered the upper limit, and that a new figure of R8.3 billion (based on revised, lower, estimates of the number of households dispossessed through betterment in the east of the province) be considered the minimum quantum. This was accepted by the government representatives on the Team and plans were put in place for the drafting of the necessary government memoranda. There was a request from the government representatives, that betterment dispossession in Umzimkhulu, in what is now the Province of KwaZulu-Natal, also be included in the documentation (BRC, 2006b: 17-19).

In 2007 an NGO, Isinamva, was engaged to roll out VS Phase 1 mobilisation in the Mount Frere district. This expanded the campaign's reach by 89 villages. Together with the work carried out in Mhlontlo, by the end of that year VS had organised elections in more than 700 villages. Over 73 000 declaration forms had been filed. At the time, VS considered that those who had submitted declaration

forms were “members” of the campaign (Westaway, 2009: 249). The expansion work ceased at the end of 2007. BRC reported that:

The expansion of the community base of the campaign has been successfully completed, through one of the most ambitious and wide-ranging mobilisation drives undertaken in post-apartheid rural South Africa (BRC, 2007b: 11).

The approximately 700 villages in thirteen districts that were organised at that point make up VS as it is in 2022. From 2008 onward, VS’s mobilisation work focused on consolidation and education.

It is useful, at this juncture, to include a statement from Westaway, which describes the BRC/VS relationship in 2007:

With the escalation in information and organizing work, BRC decided to structure the campaign under provincial and district committees. It resulted in a hierarchical organogram; although not explicitly reflected on the organogram, BRC remained entrenched at its pinnacle, as the ultimate decision-maker about campaign strategy (Westaway, 2009: 254).

The evidence presented below will show that this situation remained unchanged for more than a decade, even after the registration of VS as a separate organisation.

Part of the consolidation work included the piloting of a new strategy known as the “People’s Advocacy Project” (BRC, 2007b: 12). The conceptualisation of this, and the implementation of a pilot, are examined in the section dealing with conflict in the analysis chapter, below.

5.6 Vulamasango Singene 2008 to 2011: Litigation and ‘bad faith’ negotiation

In June 2008, at a meeting with Minister Didiza, the campaign leadership agreed to her proposal that the matter of betterment redress be finalised through the courts. This was an about-turn and unexpected, even though other government officials had previously, verbally, indicated that it might be a solution (BRC, 2008a: 10). Until this point, all work had been done with a view to the matter being tabled (via the necessary memoranda) at Cabinet, so that a political solution could be found. In spite of this, VS agreed to co-operate; the campaign and government would approach the court together and ask for a declaratory order. The state would cover all the costs involved in this, including the cost of legal representation for civil society. A month later, counsel was appointed for the campaign (BRC, 2008b: 12). After this promising development, the matter began to drag. Government officials did not make themselves available for the giving of evidence that was required

to draft the legal papers. Papers were finally filed however, at the Land Claims Court in August 2009 (BRC, 2009b: 7). In September, the Regional Land Claims Commissioner informed VS that the new Minister for Land Affairs (Gugile Nkwinti had taken over from Lulu Xingwana in April) preferred an out-of-court solution and would be tabling the matter before Cabinet. At the Task Team meeting in October, the Minister, who was present, proposed that legislation be drafted to allow for a general re-opening of land claims (BRC, 2009b: 8). VS indicated its dissatisfaction with the government's backtracking on the issue and opposed the proposal. The Minister left the meeting without discussing the matter, leaving Director-General, Tozie Gwanya to conclude the meeting. Gwanya took the opportunity to launch a scathing attack on the legal process. The campaign leadership insisted that the meeting be terminated at this point (BRC, 2009b: 8).

Thozama Qayi remembered the incident:

Zimbini started the song, “kungawo amandla avala ebantwini esoda singqine ngawo” [which means, “it is with the power from the people that we will testify”] (Interview, 2019).

This engagement led VS to conclude that the government was negotiating in bad faith. The moratorium on mass action (that had been in place since November 2005) was lifted and plans were made for a march in East London, in early 2010 (BRC, 2009b: 8). The march took place on 10 March 2010, with over 5 000 VS members participating (BRC, 2010a: 9). Two days before the march, a court date was announced. The Land Claims Court sat in East London in April 2010 to hear the matter. VS members filled the gallery and picketed outside the court, hopeful of a positive outcome. The matter was, however, postponed (BRC, 2010a: 11).

The new Minister, in the interim, continued to indicate a preference for a political solution. VS was informed that a Green Paper and a cabinet memorandum were being drafted. VS gave input on the latter, but indicated its commitment to the legal process, stressing that the two were not mutually exclusive (BRC, 2010a: 11).

Several months after this engagement, the situation changed radically for VS. Its counsel informed the organisation that the state had filed notice to oppose. This took VS completely by surprise (BRC, 2010b: 11). The former Minister had publicly stated that the state would not oppose VS in the matter. On the strength of this understanding, VS had shared its papers with the state's counsel. VS was now in a very weak legal position. Furthermore, it felt betrayed by the government. VS propaganda,

drafted at this time and published in full in the BRC six-monthly report for the period, expresses this in language that indicates that it is in clear conflict with the state:

...over the past seven or so years, the successive Ministers have punted administrative/ executive, judicial and then legislative solutions to the problem of prejudice that all of them supposedly acknowledged. **However, none of them have (sic) shown any commitment to actually looking for, never mind forging a solution.** This evidence supports one of the placard messages communicated in a recent march, namely “Thoko Didiza, Lulu Xingwana, now Nkwinti: 7 years of lies” (BRC, 2010b: 17-18).

The year 2010 was altogether very difficult for VS. In September 2009, BRC’s Managing Director, Ashley Westaway, had tendered his resignation from the position. He would continue to have a close association with BRC, in a different capacity for some years thereafter, but a new Managing Director had to be recruited. The new incumbent, who commenced duties on 1 February 2010, had a management style very different from the participatory approach to decision-making that was fundamental to BRC’s organisational culture. It was clear to BRC’s senior staff that the mismatch was serious and BRC’s Board of Directors was informed. BRC’s Board went through a process of consultation with senior BRC staff, and with labour law experts, as well as with the incumbent himself. Following this, the new Managing Director’s appointment was not confirmed after his six-month probationary period was completed at the end of July 2010. This was challenged through the Commission for Conciliation, Mediation and Arbitration (CCMA), who ruled in favour of the applicant. These events were unsettling and stressful for BRC, as were the interim arrangements that the Board was required to put in place, while another new Managing Director was recruited. This had a knock-on effect on VS (Loliwe, 2019c).

The BRC management issues were minor however, when compared to the impact on BRC and VS of the loss of BRC’s Senior Programme Officer responsible for the campaign, Mongezi Nkota. Nkota fell ill shortly after the mass action in March 2010. He soldiered on for several months, but was unable to work from May onwards and finally died in September (Loliwe, 2019c).

In spite of these events, BRC was determined to support VS in what it saw as a critical juncture, and it continued to do so. The researcher observed a change in the documentation however, from 2010 onwards. The voice of VS came through more clearly in BRC reports, as reflected in the text below. The change of staffing at BRC might have been a factor. The formal registration of VS as a separate organisation could also have contributed to a shift in the way that the two organisations perceived

themselves and each other. In terms of programmatic work however, BRC's involvement in VS remained "at the pinnacle" of VS, as described by Westaway (2009: 254), above.

At the Provincial Committee meeting in October 2010, it was agreed that radical action was needed. It was decided that a cadre of VS activists should be workshopped and deployed across VS districts to engage with membership regarding the latest developments. The result of this decision saw an extraordinary agitation effort. The thirteen VS activists were given short-term employment contracts. They then conducted an astonishing 173 village meetings, attended by more than 7 000 people, across VS's districts, all during the period 1 to 30 November 2010. The propaganda referred to above was circulated in isiXhosa at these events (BRC, 2010b: 11-16).

One might expect that the intervention at the end of 2011 would result in an upsurge in VS activity on the ground but it did not. Reports for early 2011 describe fairly pedestrian training work, carried out in terms of VS's contract with its German donor partner, MISEREOR, and a focus on institutional issues, such as the VS company's first financial audit (BRC, 2011a). A letter to the Minister was however, drafted, registering VS's serious objection to the current state of affairs. While the letter assured the Minister of VS's commitment to finding a solution in a constructive manner, the tone of the letter was confrontational (VS, 2011a). It is discussed in more detail in the section pertaining to conflict, in the analysis chapter below.

There was no reply to the correspondence. VS met with its lawyer, Wesley Pretorius, who informed the organisation that the state, who had appointed him to represent VS in court, and from whom he took his instruction, had directed him to cease all legal processes until the political processes were finalised (BRC, 2011a). VS was thwarted and consequently unable to move.

A full year after VS had been informed that a Green Paper and cabinet memorandum were in the offing, the long-anticipated announcement was made. In May 2011, the Minister stated publicly, at a conference in Pretoria attended by BRC and VS that "the issue of re-opening was being considered by Cabinet and would be presented to Parliament in the near future" (BRC, 2011a: 8). Any hopes for a resolution in "the near future", however, were dashed when the government's Green Paper on Land Reform was finally published four months later, in September 2011. The document did not address restitution at all (Department of Land Affairs, 2011). BRC's report for the end of that period expressed outrage:

The fact that restitution was not included is an insult to Vulamasango Singene and an indication of the dishonesty of the state with respect to its dealings with the organisation (BRC, 2011b: 10).

A Green Paper is where the state first lays out its policy intentions for public discussion. It seemed callous, at the time, that a Green Paper on Land Reform would be silent on restitution. It could be, however, that the issue of restitution was still contested at Cabinet level and because the Green Paper could not be delayed any longer, the only option was to remove any mention of land restitution from the document.

VS wrote to the Minister on 12 September 2011. The letter gives a summary of the ‘run around’ given to VS by various Ministers for Land Reform over the previous seven years. It notes the glaring omission with respect to betterment in the Green Paper. The letter goes on to say:

We feel that we have, again, been duped into inaction. We would be failing the approximately 950 000 people in the Eastern Cape who suffered enormous injustice at the hands of the apartheid government as a result of betterment removals if we allowed this situation to continue.

We demand that you account to the electorate that put its faith in you and that you make a public statement that outlines very clearly:

- 1) the process that will be followed to ensure redress for the victims of betterment removals (if you address other categories of restitution at the same time, so be it, but the demand of this organisation is that betterment be addressed); and
- 2) the time frames that will be followed in this regard (VS, 2011b: 1).

There was no reply to this correspondence either, nor to the letter that VS’s lawyer wrote to the Commissioner, seeking direction now that the Green Paper had been published (BRC, 2011b: 11). (In theory, this ‘conclusion’ to a political process should have resulted in an expiry of the moratorium on legal action to which he had been subjected).

5.7 Vulamasango Singene 2012 to 2016: Progress

Given the lack of response by the state to VS’s correspondence in late 2011, plans were made to engage, again, in mass action. This was, however, on a much more modest scale. Approximately 1 000 people marched from the stadium in Bhisho to the State House on 20 March 2012. A memorandum, demanding specific action by various provincial government agencies, on the issue of

betterment restitution, was handed over to a member of the provincial legislature (BRC, 2012a: 8-10).

Much of 2012 was dedicated to internal training processes and to responding to the Traditional Courts Bill (BRC, 2012a: 11-12 and 2012b: 10). The Bill, first mooted in 2008, and then withdrawn after an outcry from civil society, had been re-introduced largely unchanged (RSA, 2012). If passed, the Bill would have had a profoundly negative impact on the rights of rural people, particularly women. VS ensured that its district-level leadership was familiar with the content of the Bill, and able to argue articulately against its most problematic clauses. Five district committees sent written comments on the Bill to the National Council of Provinces and VS members were very vocal in the public hearings that were held on the Bill around the province in April. In these meetings, VS leaders were often pitted in debate against members of the Congress of Traditional Leaders. In spite of the latter's greater numbers, and the fact that government officials were often biased in the way that they chaired the hearings, VS was able to make important contributions (BRC, 2012a: 11-12 and 2012b: 10).

In September, two VS leaders travelled to Cape Town, where they addressed a Parliamentary committee on the Bill. Nosinodi Mtiya, a member of the VS Provincial Committee, was quoted in the influential online daily newspaper, *Daily Maverick* (BRC, 2012b: 9). In its mobilisation around the Traditional Courts Bill, which is reported by BRC under the heading "Solidarity work" in its six-monthly reports, VS worked closely with the Centre for Law and Society (CLS) at the University of Cape Town. Academics at CLS had recognised the potential harm that an enactment of the Bill would cause, and also the importance of a coherent, progressive civil society response to it. CLS organised training on the Bill, and brought together land reform NGOS and community-based organisations to discuss the issues and develop a programme of action (BRC, 2012a: 10). This is a very important point because alliances were forged around the Bill with these 'sister' organisations. These organisations would, a few years later, engage in legal action that would directly impact on VS, without consulting it.

There had been rumours during the latter half of 2012 that a policy announcement on land restitution was imminent. After more than ten years, and several disappointments, VS's leadership was reluctant to believe rumours. The announcement by South Africa's president, which came as part of the "January Eighth" statement in early 2013, was therefore a very welcome surprise. In the statement, in his capacity as leader of the ANC, President Zuma said that the government would

...re-open the lodgement date for claims and provide for the exception to the 1913 cut-off date to accommodate historical landmarks, heritage sites and descendants of the Khoi and San who lost their land long before 1913. These amendments to our laws will take effect this year (BRC, 2013a: 7).

VS received the news with “cautious optimism” (VS, 2013: 1) and drafted a press release indicating that while it “does not object to a broad re-opening of restitution claims, there is a clear demand, which has been communicated to the government, that betterment claims be prioritised” (VS, 2013: 12).

A bill to amend the Restitution Act was published for public comment in May 2013 (RSA, 2013). There is no copy of a VS response to this Bill in its archive, although it reported to MISEREOR at the end of 2013 that it had made a written submission (VS, 2013: 2). It is possible that District Committees sent their own, individual, comments (as they did on the Traditional Courts Bill), but there are no copies of these, either, in the VS archive. VS members attended public hearings on the Bill in June (BRC, 2013c: 1).

A second bill was published in September (RSA, 2013b). VS had, had wind of opposition to the Bill from its allies in civil society, but the full extent of this was made clear at a workshop attended by VS in Johannesburg in October. The workshop was convened by CLS’s Rural Women’s Action Research Programme. It was attended by a range of organisations that largely overlapped with those that VS had worked with on the Traditional Courts Bill the previous year. CLS had identified what it considered serious problems with the Bill (VS, 2013: 2) and VS and BRC responded to each of these in turn. A summary of the issues, and the VS/BRC response, was given in VS’s report to its donor partner in November. It is worth noting the key concerns here because of the importance that they would have in future events.

The first concern was that there had been insufficient consultation with rural people on the Bill. This meant that there would be widespread ignorance regarding re-opening, and the Bill would not meet its stated aim of ensuring that those who qualify would, indeed, submit claims. VS agreed that while this might be generally true, VS had been consulting widely regarding the re-opening of restitution claims for a long time. In the Eastern Cape, therefore, ignorance would not be an issue. Furthermore, national information dissemination drives could address this (VS, 2013: 2).

Another concern related to the fact that there were, at the time, over 20 000 restitution claims that had not been settled. CLS's view was that there should be a provision in the Amendment Act for 'ring-fencing' and the prioritisation of these claims. VS did not object to this, but insisted that because of the prejudice suffered during the first round of claims, betterment claims should be included in the 'ring-fenced' claims as though they had been submitted before the 1998 deadline (VS, 2013: 3).

There were a number of other concerns, but on these issues, CLS and VS were of one mind. The most important of these related to the apparent 'cosying up' of the state to traditional leadership. Government had, for some time, been bolstering traditional leadership at the expense of democratically-elected structures in rural areas, (the Traditional Courts Bill, referred to above, is an example of this). There was a fear that re-opening would see traditional leaders flocking to submit claims. In theory, they would be doing this on behalf of their communities, but the "serious implications for democracy, as well as in terms of natural justice" were noted. While VS shared this concern, it was of the view that one should not be moved to deny the right of restitution to citizens in case it was abused by some quarters. Rather, mechanisms should be put in place to prevent the abuse. There was a strongly held view by some of the organisations at the workshop that the Bill should be scrapped and a new bill drafted (VS, 2013: 2-3).

BRC and VS made a joint written submission on the second version of the Bill. In the document, dated 1 November 2013, they "strongly support" the re-opening of restitution claims. Again, the call to prioritise betterment claims, because of the prejudice suffered during the lodgement period ending December 1998, is made (BRC and VS, 2013: 1).

VS's Nomgcobo Somdyala and BRC's Phumeza Grootboom addressed the public hearing on the Bill in Parliament in January 2014 (BRC, 2014a: 8). The National Assembly passed the Bill at the end of February and it was then tabled at the National Council of Provinces (NCOP). The NCOP required that there be further public consultation on the Bill. VS members attended and addressed hearings in Mdantsane, Queenstown and Mthatha. The general view articulated at the hearings, by VS members and the others, was in support of the Bill. The NCOP passed the Bill at the end of March (BRC, 2014a: 8).

"Victory at last!" was blazoned on the cover of BRC's six-monthly report for the period ended June 2014. The first words of the report read as follows:

As the cover page of this report attests – VS achieved victory at the very close of this reporting period. The President signed the Restitution of Land Rights Amendment into law on 30 June 2014. The legislation re-opens the restitution claims process that closed on 31 December 1998 and gives claimants five years, to 30 June 2019, to lodge land claims (BRC, 2014a: 7).

This milestone is not covered in any of VS's own reports, falling as it did after the close of one contract with MISEREOR and before the start of the next.

The official launch of the re-opening of land claims was held in East London on 14 August 2014. An elderly VS member, Ms Nongenile Adonis of Nqamakwe, was the first to submit a claim. The issue received good coverage in the press. The Minister for Rural Development and Land Reform, Gugile Nkwinti, who ceremonially accepted her claim, acknowledged VS's role in the re-opening of restitution. VS's chairperson, Vukile Njoli, is reported as having assured the Minister of VS's co-operation going forward, and of VS's withdrawal from the legal process (Nini & Feketha, 2014). (As explained above, papers had been lodged, once more, in mid-2012 following the Green Paper's silence on restitution. There had, however, been no further legal action because of the President's statement in January 2013 and the progress that was made in the following eighteen months. Technically however, VS was still in the process of suing the state at the time of the first new land claim).

VS turned its attention to assisting its members to submit claims. It worked with BRC and Keiskammahoek-based community organisation, Ntinga Ntaba kaNdoda, to draft a detailed 'how to' manual on the claiming process. Twenty-four thousand copies of a simple leaflet, with information in the vernacular, were produced. The flyers explained, briefly, who had a right to claim, and urged those who qualified to submit claims at their local Land Claims Commission office. VS volunteers were trained and intensive workshopping commenced at district level. VS leaders distributed leaflets in villages across the VS districts. Those that were trained assisted communities to submit their claims (BRC, 2015a: 8).

Things were not smooth sailing for VS in 2015. In March, papers were filed in the Constitutional Court, challenging the Amendment Act on, *inter alia*, procedural grounds. The applicant in the case was the Land Access Movement of South Africa (LAMOSA), supported by the Association for Rural Advancement (AFRA), Nkuzi Development Association and three Communal Property Associations (CPAs). The first three applicants in the case were considered 'sister' organisations and allies of VS. VS had campaigned, with them, against the Traditional Courts Bill. While VS knew of the concerns

that these organisations had with the re-opening of restitution claims, the filing of papers took VS by surprise. LAMOSAs and the other applicants had not had the courtesy to inform VS of their intention, let alone engage with the organisation formally, around the matter beyond the discussion that had taken place at the CLS workshop in October 2013 (BRC, 2015a: 10).

The state was now required to defend its public participation processes. BRC reported that “it cannot support any move to have the amendment set aside. VS and BRC will consider being ‘a party’ to the constitutional court case.” (BRC, 2015a: 10). All information held by VS regarding consultations on re-opening was forwarded to the state’s advocate. VS was now an ally of the state (BRC, 2015a: 10).

The notes prepared for BRC’s quarterly internal planning and reporting conference in April 2016 show that VS had entered into discussions with the Land Claims Commission regarding ways in which betterment claims could be dealt with, should the Amendment Act be declared invalid. Consideration was being given to seeking a Constitutional Court ruling (in a separate process from the LAMOSAs case) that would see betterment claims processed as though they had been submitted before 1998 (BRC, 2016c: 2).

VS’s problems were not limited to attempts to have the Amendment Act struck down. There were a number of challenges at community level. In late 2014, information reached the VS provincial leadership that in Cofimvaba, misinformation was being spread about VS by a councillor and headman. Communities were urged not to accept VS assistance in the submission of their claims (BRC, 2014b: 9). Traditional leaders, generally, were asserting their authority in ways that VS members found problematic. VS members in Hewu, Mount Frere and King William's Town requested assistance from the provincial structure to oppose this growing influence (BRC, 2015b: 11-12). In spite of this, at the VS AGM in 2016, it was agreed that the organisation should recognise that traditional leadership does have a role to play in rural areas, and that VS leaders should engage with traditional leaders so that this sector could be more informed and able to play as constructive a role as possible (BRC, 2016b: 4).

5.8 Vulamasango Singene 2016 to 2022: The issues play out in court

At the end of July 2016, the Constitutional Court handed down judgment in the LAMOSAs case. It found in favour of the applicants, ruling that the Amendment Act was invalid. In terms of the

judgment, claims submitted during the period of the Amendment Act's life, i.e. between the date of assent by the President on 30 June 2014 and the date of the judgment on 28 July 2016, should not be processed beyond acceptance and the issuing of a receipt. The judgment anticipated that Parliament might, in future, re-enact an amendment to the Restitution of Land Rights Act that addressed the failings of the Amendment Act that it had just struck down. If Parliament had not done so by the end of July 2018, the Chief Land Claims Commissioner should, within two months, approach the Constitutional Court for an order regarding the processing of the claims that had been submitted during the 2014 to 2016 period (Constitutional Court judgment, 2016: 3-4).

According to Loliwe, almost all VS villages lodged during that period. There might have been a small percentage that did not, but these would have been where VS organisation was weak and information has not been forthcoming from these areas for this very reason. Data regarding lodgement are difficult to analyse, due to the Land Claims Commission's "Administrative Area" approach. This methodology extended the boundary of a claim during its processing to include neighbouring villages that were not originally part of the claim when it was submitted. In this way, the betterment claims of some villages, that did not submit claims before the 1998 deadline, were processed (Loliwe, 2019c).

The VS response to the striking down of the Amendment Act was to engage legalistically. Three weeks after the judgment was handed down, VS leaders met with the organisation's attorney, Wesley Pretorius. Pretorius's information was that the state's advocate did not intend to appeal. The matter was closed; thus, restitution was closed. The VS co-ordinator reported, at the BRC internal conference at the beginning of October 2016, "Therefore, VS's lawyers are not serving the organisation's interests" (BRC, 2016c: 3).

The notes for the BRC internal conference at the end of December do not report any action with respect to challenging the judgment; VS seemed to be reeling. Much of the report for the last quarter of 2016 relates to engagements with VS's donor partner, MISEREOR (BRC, 2016d: 3). MISEREOR was not satisfied with VS's performance. The human resource challenges experienced by VS were noted, but it was pointed out that VS leaders had not stepped up and taken control of their organisation. (The institutional history of VS, including staffing, is covered at the end of this chapter). Because the German government is a MISEREOR back-donor, its systems are relatively inflexible. VS's focus in late 2016 was on trying to re-align its donor contract objectives with the radically

changed contextual circumstances; this is understandable. VS's proposal to MISEREOR was written after the re-opening of restitution claims was effected in 2014. The objectives related to encouraging qualifying communities to submit land claims and supporting the resolution of those claims. Now that restitution claims were again, closed, the contract objectives needed to change to allow VS to engage in lobbying and legal work with the aim of 're-re-opening'. The MISEREOR Desk Officer was willing to assist in this regard, but progress was slow (BRC, 2016d: 3).

In mid-January 2017, a full five months after the first post-judgment meeting with Pretorius, BRC's Managing Director wrote to him, "on behalf of one of your clients, Vulamasango Singene", requesting a strategising meeting (BRC, 2017a: 1). There are no minutes from the meeting, if it took place, in the BRC or VS files. The notes from BRC's internal quarterly conference held at the end of the first quarter of 2017 do not mention a meeting. There are, however, plans noted for the second quarter that include engaging with the Commission and the Department on "how to deal with the crisis of the Constitutional Court judgment". The plans go on to suggest that this could include legal action and "mass organising" (BRC, 2017b: 2). At the end of May, the VS Board passed a resolution that terminated, with immediate effect, the engagement of Wesley Pretorius and Associates as the legal representatives of Vulamasango Singene. A mandate was given to two VS Board members to engage alternative representation (BRC, 2017b: 1).

By the end of September 2017, VS had still not managed to have a constructive meeting with the Commission, which seemed to be having internal challenges of its own. The former Regional Land Claims Commissioner, Zukile Pityi, had recently been redeployed to the Provincial Shared Service Centres. Zama Memela was 'acting' in the position of Regional Commissioner. In the interim, VS leaders continued to communicate with the membership, keeping them up to date with issues, such as the Traditional and Khoi-San Leadership Bill (like the Traditional Courts Bill, this proposed legislation would increase the powers of traditional leaders in the former homelands) (BRC, 2017c).

Given the fact that the state was dragging its feet, a legal challenge seemed the best option for VS. At the end of September 2017, the VS leadership met with representatives of its closest civil society allies, namely BRC, Ntinga Ntaba kaNdoda, CALUSA, the South African National Civics Organisation (SANCO) and the nine Keiskammahoek land restitution villages. At the meeting, it was agreed that "the court case, where VS sues the Department for the prejudice suffered in the application of the Restitution Act, should be revived". VS's report to MISEREOR for this period notes, with

dissatisfaction, the fact that the state had not drawn on VS in its response to the LAMOS case. Furthermore, it had not asked VS to be *amicus curiae* in another key land reform case in 2016 (VS, 2017b).

The organisation struggled however, to find suitable legal representation. VS's particular issue was legally unusual; there was not a large pool of expertise to draw on (BRC, 2017c). While the VS reports are silent on the matter, there must have been discussions with the Commission in this regard. The notes for BRC's internal conference in December 2017 state that Sokutu Attorneys had been selected to represent VS because they were the only firm, "on the list" provided by the state, with land reform experience. The report notes that by the end of November, VS had submitted all the documentation required to enable the appointment of the firm, in terms of the state's procedures (BRC, 2017d). While the report does not explicitly state this, one can deduce that the state had undertaken to cover VS's costs in a legal suit.

At the end of 2017, VS leaders went through a strategic planning process, facilitated by Mazibuko Jara of Ntinga Ntaba kaNdoda. During a two-day workshop, the leaders reflected on the history of the campaign and, in the light of the current political context, discussed the work that VS should be engaged in, going forward. The strategy document that was the result of this process notes that "at the last VS Congress there was a shift – 'let us build co-ops to counter tendering and capitalism' " (Jara, 2017: 1).

The language is that of the workshop facilitator - the meeting that is referred to is a VS Annual General Meeting (AGM), not a "congress". Nevertheless, the document itself captures an important change that reflects discussions that had been taking place amongst VS leaders for a number of years; that VS needed to move beyond land restitution in order to remain relevant. It does, however, note that a key objective for VS in 2018 should be the "fast-tracking" of land claims. This is mentioned before objectives relating to the "re-re-opening" of lodgement because, one can assume, it was considered most important to VS. The period before the up-coming general election in 2019 was seen as an opportune time in which to make demands with respect to the settlement of outstanding claims. The document notes that "mass action and mobilisation will be key to pressurising and being heard" (Jara, 2017: 4). Thereafter, the document states that a litigation strategy should be employed to address the striking down of the Amendment Act, and points to other issues requiring VS action, including co-operatives and training. The latter was seen as "vital in engaging traditional leaders

through the VS village committees and for challenging unaccountable administration and continuing to push for the democratisation of communal land” (Jara, 2017:4). The report flags VS’s relationship with the state as an issue requiring further discussion, noting that the options “passive” versus “critical” need to be worked through in more detail. This is an indication that VS’s ambivalent stance vis-a-vis the state (i.e. the fact that it is ostensibly oppositional, but in practice is very supportive and accommodating) was recognised in the meeting as problematic and requiring further discussion.

VS reports that in March 2018, it met with the Regional Land Claims Commission (RLCC) to discuss ways in which the two entities could co-operate. The Commission was required to draft a document indicating how it intended to expedite the finalisation of claims that had been lodged before the December 1998 deadline. The report indicates that VS intended to be of assistance in this regard, but does not explain how. Interestingly, the report goes on to note, “the Chief Director of Land Claims will work to repair the relationship between VS members and the junior RLCC staff on issues related to claims” (VS, 2018a: 1). There are no further details in any BRC or VS reports on this issue.

There are indications that at this stage, VS was hopeful that a Private Member’s Bill, introduced in the House of Assembly in August 2017, might “re-re-open” land claims (VS, 2018b: 1). The Bill, introduced by an Eastern Cape-born ANC Member of Parliament, Phumzile Mnguni, aimed to open a five-year period during which land claims could, again, be lodged (RSA, 2017). The Director of Land Tenure and Administration in the Department of Rural Development and Land Reform, Thami Mdontswa, attended a meeting of VS leaders in East London at the end of May 2018. Mdontswa, a long-time ally of VS, advised its leaders not to rely on Mnguni’s Bill, but rather to press ahead with a legal challenge (VS, 2018b: 1). VS took this advice.

There were public hearings on the new Amendment Bill in mid-2018. VS members attended the hearings, and were vocal in their support of the Bill, but the main outcome for VS from the hearings was that a number of VS leaders managed to speak, face-to-face, with the Department officials who were there. The Department had not responded to correspondence sent previously. A meeting with the Department’s legal team was scheduled (VS, 2018b:1) and, after a number of postponements, it finally took place at the end of August. The VS co-ordinator met with the Acting Regional Land Claims Commissioner and the National Director of the Department’s legal unit, Isaac Peter and several options were discussed. Mr Peter’s view was that a claim for damages from individuals would not succeed. He suggested that VS approach the Constitutional Court, jointly with the Chief Land

Claims Commissioner, for an order (as allowed-for by the judgment in the 2016 LAMOSA case), that would instruct the Commission to process the betterment claims that were submitted between 2014 and 2016. He indicated that the state would cover VS's legal costs in this regard (VS, 2018c: 1).

The VS Provincial Committee endorsed this approach at its meeting a month later, and resolved to get the required powers of attorney signed by claimants that would enable VS to legally represent them (VS, 2018c: 1). This was no simple task and it had to be done within three days in order to meet the deadline set by the Constitutional Court in the LAMOSA judgment. VS leaders went 'all out', however, and the documentation was delivered (Loliwe, 2019b).

Legal processes took a somewhat different turn when, in early November, the Speaker of Parliament approached the Constitutional Court to ask for an extension to the two years that the 2016 judgment had given it, to remedy the flaws in its public participation processes. The two years had expired but, in its papers, the Speaker indicated that Parliament would be able to address the defects if given an extension of eight months to the end of March 2019. LAMOSA and its partners in the original case, opposed the application, whereas VS's leaders expressed support for the application. VS argued that if Parliament failed to enact a new amendment to the Act, the Constitutional Court should order that a claims lodgement window of three years be opened; three years being the difference between the five years that the 2014 Amendment Act had allowed and the two years during which claims were accepted, before the Amendment Act was declared invalid. Furthermore, VS argued that "old" (pre-1998) and "new" (2014 to 2016) claims should be processed concurrently. Where there were conflicting claims, these could be dealt with on a case-by-case basis (VS, 2019a).

In its close-of-contract report to its donor partner, drafted in early 2019 for the period 2015 to 2018, VS noted that even if the Constitutional Court were to agree to the extension, it was unlikely that Parliament would manage to meet the new deadline. VS described a number of other scenarios, all of which would necessitate its approaching the Constitutional Court (VS, 2019a).

Judgment was handed down in March 2019. Parliament's application for an extension was dismissed (Constitutional Court judgment, 2019: 3). LAMOSA's counter application that the Commission be prohibited from processing claims submitted between 2014 and 2016, was upheld. The judgment stated that these interdicted claims could only be processed if Parliament passed legislation allowing for this or, if the claims lodged before the 1998 deadline had all been settled, or if the Land Claims

Court granted permission to the Commission to begin processing interdicted claims. The Land Claims Court could grant such permission in response to an application by an interested party. The permission could relate to all of South Africa, or a part of the country. The processing could relate to part of the process, or to all of it (Constitutional Court judgment, 2019: 3-5).

During the second quarter of 2019, VS met with Sokutu Attorneys to discuss approaching the Land Claims Court for an order, as envisaged by the recent Constitutional Court judgment. A letter was written to the Chief Land Claims Commissioner, Nomfundo Gobodo, requesting that the state cover the cost of VS's representation in the proceedings. This was reported at BRC's internal conference in early July 2019 (BRC, 2019: 11-12). The organisation's plans for the third and fourth quarters of 2019 did not however, mention plans for legal work. From this, one can assume that the Commission had not yet responded (BRC, 2019: 15, 24-25).

The state did, finally, approve a request in terms of S29(4) of the Land Claims Act in September 2020. This provided for R2 million in legal support for applicants wishing to approach the Land Claims Court following the 2019 Constitutional Court judgment. The applicants, represented by an advocate instructed by Sokutu Attorneys, approached the court seeking two orders:

- (1) that the suspension of the processing of claims submitted between 2014 and 2016 be lifted;
- (2) that a three-year window of opportunity be granted to those betterment claimants who had not submitted claims before the 1998 deadline, nor during the 2014 to 2016 period. (As in the previous argument, three years was the difference between the five years that the 2014 Amendment Act had allowed, and the two years during which claims were accepted before the Amendment Act was declared invalid) (Loliwe, 2022).

The first two applicants in the matter were affected communities in the former Transkei. VS was the third applicant. The matter was heard on 18 August 2022 and, at the time of writing (early October 2022), judgment has not been handed down. The VS Co-ordinator reported that he is "cautiously optimistic" of victory, particularly with respect to the first order sought (Loliwe, 2022). There is, however, concern regarding the Land Claims Commission's indication that it requires R8 billion to undertake the research that would enable the settlement of betterment claims. VS has made it clear that it opposes the use of state resources for what it considers unnecessary research that would simply enrich service providers. VS informed the court that it had submitted its database of 2014 to 2016 claims to the Land Claims Commission. Restitution payments made in terms of that database would

cost a fraction of the R8 billion that the state claimed was necessary for research. Furthermore, it was argued that it was not correct to be making budgetary arguments ahead of the court's ruling on the legal merits of the case (Loliwe, 2022).

This brings the 'history' of VS up to date with respect to the betterment restitution campaign. There is still no justice for the people in 700 villages across the Eastern Cape who suffered trauma and economic ruin with the implementation of betterment removals. Those who submitted claims in the 2014 to 2016 period still have had their claims 'frozen' until the pre-1998 claims are settled, or until Parliament passes legislation, or the Land Claims Court makes a ruling that would change this situation.

This case study has not yet given attention to institutional issues relating to VS. As explained in the opening paragraph, these were set aside to enable the content narrative to flow more readably. The institutional issues are important, however, and warrant consideration. The following section will tell the VS story from the perspective of its structures and human resources.

5.9 Vulamasango Singene: Institutional issues

The genesis of the political structures of VS (approximately 700 village committees, thirteen district committees and the Provincial Committee) of VS are described above. When the Provincial Committee was established in early 2006, the organisation did not have a constitution. It would not have had legal standing as a Voluntary Association in South African law. BRC's report for the period mentions that terms of reference were adopted (2006a: 15), but there is no copy of this in VS's archive.

In 2008, BRC began to discuss whether it would be advantageous for the campaign if VS were a separate legal entity, independent of BRC. There were arguments put forward that public perceptions of VS as an NGO project were harming the campaign's credibility. In an information brochure, under a section headed "Why VS changed from a campaign into social movement", the document explains that it needed to be independent of BRC in order to "realise the full organisational potential of the mass-based nature of the campaign" (VS, 2011b: 4). Furthermore, it argued, once the campaign objective was achieved, VS would need to engage in development work. This is because the settlement of betterment land claims would be an economic boost to the Eastern Cape. A strong

grassroots organisation, with a democratic ethos and transformative agenda, would be needed to ensure that the developmental potential of the resource-flows into the area was maximised (VS, 2011b: 5).

It is not clear why VS needed to separate institutionally from BRC in order to achieve the second objective. It is possible that the two ideas (becoming independent for the sake of credibility and expanding VS from a single-issue campaign into development work), were on the table at the same time, and it was convenient to link them.

VS was registered as a Section 21 (non-profit) company on 23 June 2009. Two months later, a funding proposal, drafted by BRC in the name of VS, was submitted to the German donor agency, MISEREOR. The proposal had two main activity sets, “organisation building” and “capacity building”. The first related to the design and implementation of internal systems (for membership, governance, planning and reporting), and for the establishment of an office. The second activity set provided for the training of VS leadership in “at least three districts”. The political work of VS would continue to be covered by BRC’s donors (VS, 2009: 10-11).

In January 2010, an agreement between VS and MISEREOR was signed. The contract was for R2.7 million over three years. The training work was planned and rolled out in partnership with the Cape Town based NGO, International Labour Research and Information Group (ILRIG). It was considered successful (BRC, 2010a and 2010b). The organisational development and office infrastructure work were not as easily implemented.

The first staff members employed by VS were two university students who were engaged, part-time as membership data capturers in late 2010. The Provincial Committee wanted to recruit a co-ordinator from its own ranks. This is understandable because a VS member (particularly someone in a leadership position), could be relied upon to have the motivation to grow the organisation. They would also have institutional memory to draw on in the way that they sought to develop VS. There was however, no one available in VS with the required skills and experience. Those that could have filled the position were already employed and earning more than VS could afford to pay (VS, 2017).

As the end of VS’s three-year contract approached, and an appointment had not been made, a compromise was suggested to the Provincial Committee. Instead of a co-ordinator, VS should employ

two administrators from the ranks of the organisation. The two would “shadow” the BRC Programme Officer responsible for VS and would report to BRC’s Managing Director. Agreement was reached and consequently, Vuyiswa Hlomendlini and Phineas Nongqoto were each offered a three-month contract from mid-August 2013 (BRC, 2013b). The hope was that, with on-the-job experience, one or both would be able to take on more responsibility in future (VS, 2014).

VS’s contract with MISEREOR was extended to the end of April 2014. The two staff members’ contracts were similarly extended, but they were both let go when it finally terminated. The planned building of the capacities of the two staff members was not considered sufficiently successful. VS stated that while the commitment of the two activists was unquestioned, and progress had been made, “the base from which the on-the-job training started was too low to bring them to the necessary level” (VS, 2014: 3).

A new VS proposal had been drafted by BRC and submitted in August 2013, but MISEREOR raised serious questions about VS’s relationship with BRC and the ‘due diligence’ process that was implemented by MISEREOR was rigorous. In correspondence dated 28 April 2014, the new MISEREOR Desk Officer for South Africa, Klaus Piepel, asked for a “comprehensive description illustrating how the activities of Vulamasango Singene are embedded in the overall structure of BRC”. The letter also indicated a need for a “clear picture about the current financial situation of VS and BRC”. It asked for BRC’s narrative (activity) and financial reports for 2012 and 2013 (MISEREOR, 2014).

BRC drafted a comprehensive response (in the name of VS’s secretary) to these questions, making a strong case for BRC’s past close relationship with VS, but indicating that BRC’s support for VS was declining, and may well cease:

BRC has committed itself to supporting VS, albeit on a declining scale, and with ever-reducing resources, only until the end of its current strategic cycle, which ends at the end of 2015. BRC will, in the next six to nine months, be drafting a new strategic plan for the period 2016 to 2021. It would not be proper to predict the outcome of this planning process, but it is possible that the membership of BRC will decide on a strategic shift away from support to VS (VS, 2014: 4).

As it turned out, BRC’s strategic plan for the next period did explicitly provide for on-going support of VS (BRC, 2016c).

It took over a year of discussion and motivation before MISEREOR was satisfied. A new three-year contract, worth just over R3 million, was signed at the beginning of August 2015. Nomgcobo Makhamandela, an activist from Keiskammahoek, with experience of funded organisations, was appointed as the co-ordinator. She resigned after only three months, saying that her personal circumstances meant that she could not continue. The position was advertised twice before Fundiswa Ndlela was appointed in June 2016. Ndlela resigned suddenly and without explanation in April 2017. Given that that there was only just over a year of its funding contract left, VS chose not to attempt to recruit another co-ordinator. BRC's Bonani Loliwe was seconded to the position (VS, 2019a).

VS's human resource problems, as well as the challenging political situation created by the moratorium on the lodging and processing of land claims imposed by the Constitutional Court judgment referred to above, meant that VS was unable to implement its MISEREOR contract satisfactorily. The VS contract was extended by six months to the end of 2018 to allow more time to complete the amended programme. VS's internal evaluation of the contract shows that a number of key objectives were met, and that the capacity building work carried out under the MISEREOR contract had a positive impact (VS, 2019b).

For all of 2019, VS had no funding beyond the meagre donations that less than 1% of its members make on an annual basis. BRC too, did not have funding for VS work. This made mobilising around the issue of land restitution very difficult. VS was not, however, dormant. BRC's Board agreed, in December 2018, to fund a capacity-building project for VS, funded from BRC's revenue reserve (BRC, 2018a, 2018b). With this support, VS focused on training a new cadre of activists that it hopes will take up the struggle in the future. In November 2019, VS engaged negotiations relating to a new funding contract with MISEREOR. Indications were positive that agreement would be reached. MISEREOR was adamant, however, that the 'apron-strings' must be cut; i.e. a contract would succeed only if VS is not supported by BRC in any way whatsoever (Cockcroft, 2019b).

5.10 Conclusion

In this chapter, the pre-history and history of VS were presented. Activities relating to the way the campaign was planned and implemented were described, as were reactions to events as they unfolded. The chapter covered motivation for the campaign, and its structure and management, as well as the implementation of its programme of action. The actions that facilitated and hindered progress were

highlighted. The following chapter draws on the account given above, and the results of the interviews conducted with research participants, to analyse VS in terms of the criteria for social movements.

Chapter 6

Is VS a social movement?

6.1 Introduction

In Chapter 3 (Context of the Research), reference was made to the definition of a social movement as identified by the Italian social movements theorist, Mario Diani. In order to be able to answer the key question of this study (“Is VS a social movement?”), Chapter 6 will draw on the history of the organisation given in the previous chapter, and the results of the primary field research conducted, as part of this study. This chapter is structured to address sub-questions, guided by Diani’s (2011: 1) definition of a social movement, referred to in Chapter 3:

- (a) What role has BRC played vis-à-vis VS? (This seeks to interrogate the degree to which VS comprises informal networks, rather than structured and managed engagements).
- (b) Who are the main actors in VS? (This will assess VS against Diani’s criterion relating to actor plurality)
- (c) Did, and does, VS mobilise around issues of conflict?
- (d) To what extent do the leaders of VS share common beliefs and demonstrate solidarity? (The creative culture and identity of the organisation will be examined in this regard).

Before concluding the chapter, comments will be made regarding the similarities and differences between VS and the other organisations that were discussed in Chapter 4 (i.e. La Via Campesina, the Landless People’s Movement, and the Treatment Action Campaign). These points do not thread easily through this analysis chapter, and are better treated separately from the “testing against criteria” sub-sections.

6.2 Informal networks versus structured and managed engagements

Diani stresses the importance of the informality of coordination in social movements.

Social movements are collective actors in which coordination takes place through informal networks between formally independent actors, who all identify nonetheless – if with variable intensity – with a common cause. They are contrasted to coalitions, organizations, and communities that are driven by different logics of action (2011: 226).

In order to assess the level of informality in VS's coordination, the research followed two lines of enquiry: (a) The role that BRC has played (and continues to play) in the initiation, structuring and implementation of VS's work; and (b) the way that VS leaders engage with one another.

There is agreement between the reports of BRC and VS, on the one hand, and the responses of the research participants, on the other: BRC was fundamentally instrumental in the establishment of VS. The narrative reports of BRC, covering the early days of what was known, at the time, as the “betterment restitution project” describe, in detail, the way that BRC went about mobilising people in targeted rural areas. The work was conceptualised by BRC's then-Managing Director, Ashley Westaway. Westaway's intellectual support in this work was provided largely by Professor Gary Minkley of the University of Fort Hare (Westaway, 2019). The work was carried out by BRC field staff, managed directly by Westaway.

There was a systematic approach to the mobilisation work: (1) BRC commissioned the University of Fort Hare's Institute for Social and Economic Research (FHISER) to carry out research, in historical archives, to identify the areas where betterment removals took place. As much information as possible would be gleaned through this process. (2) The research would be consolidated by field work that corroborated (or disproved) the information drawn from historical sources. A form would be completed by a BRC field worker for each village, indicating whether or not there was physical evidence of a betterment removal; that is to say, ruins of scattered homesteads on the landscape. Local people would be interviewed regarding their memory (or the oral tradition) of a removal. This, too, would be noted on the BRC report form. (3) If the field worker was of the opinion that there was clear evidence of a betterment removal, they would facilitate the election of a “Village Committee”. This committee was, initially, a structure that would facilitate communication with potential restitution beneficiaries regarding campaign progress.

In order to document the personal testimony from those who had experienced the removal, a structured programme of ‘speak outs’ was implemented across the mobilised villages. During this process, those who had experienced the removal, gave an account of the removal. This early mobilisation work, too, was organised from the BRC office. Westaway (2019) explained that, at BRC

...things get programmatised, always... (T)he idea was that you do the research, you get the objective truth down, and then you go and engage communities and try and layer that with personal testimony, personal experience.

As explained in the ‘history’ chapter, above, step-by-step guides were produced, explaining exactly how to go about the mobilisation work, allowing for “quality control” of the process. The Phase 1 guide ran to three editions, as BRC “tweaked” and improved on the methodology. The guides are mentioned here as an example of the very structured approach employed in the building of VS. BRC’s report at the end of 2006 is revealing, in the way that it describes the “expansion techniques” that were used:

We have piloted/ used at least three expansion techniques:

- (1) BRC assuming full responsibility for the work, with municipal support;
- (2) BRC entering into a contract with a CBO/ NGO to implement the ‘phase 1’ work (i.e. community engagement, filling testimonial forms, speak-out);
- (3) BRC offering support to a municipality to implement the phase 1 work (2006b: 21).

It can be seen that at no stage is the mobilisation carried out by members of VS voluntarily. The report does not reflect any tendency by VS members to drive mobilisation processes themselves.

The “programmatised” work included the bolstering of the VS institutional structure. This was described by Westaway (Interview, 2019) as “pragmatic”. BRC’s programme officer responsible for VS, Bonani Loliwe (Interview, 2019), concurred and went further, when speaking about the establishment of District Committees, to say:

But not in a very democratic way, let me put it in that way, in the sense that we simply said, “two, two, two, two” [people from each village]. And there was no election on the District level. It was certain individuals that said, ‘so-and-so can come’.

There is general agreement amongst the leadership of VS that there was no organic groundswell of activism around the issue of betterment restitution: BRC did the mobilising. The following is a selection of quotations from the VS leaders interviewed:

You touch a critical point, because I always said to the people we were nothing (without) BRC. Yes, because we (were) not knowing that we can go there and claim... So, in short, if BRC didn’t come to us, I don’t think the VS was formed (Patiswa Dali, 2019).

BRC, I may say, BRC mobilised people (Thozama Qayi, 2019).

The BRC came to us, and told us, our minds applied now to what BRC has told us. We were so excited (Jongile Kosi, 2019).

BRC Finance Manager, Charmaine Cockcroft (Interview, 2019), agrees:

Completely. BRC ran the programmes; BRC did the training; BRC did the mobilisation. At one stage we used to phone each person individually and say, “This is the meeting, this is the meeting”.

When asked if, without an external intervention, people would have eventually mobilised themselves concerning the issue of betterment restitution, all the informants indicated that it was unlikely. Bonani Loliwe (Interview, 2019) states that this relates to a lack of information. In this view, he is supported by Nomgcobo Somdyala (Interview, 2019). In Loliwe’s opinion however, VS’s constituency also lacked the capacity to organise themselves. He associates this with low levels of education.

It has been shown that VS’s origins were in a formal programme that was designed and implemented by an NGO. The NGO recruited people to the organisation that was to become VS, and facilitated the setting up of structures (committees at different levels), that would allow for communication and further programme roll-out. The structures comprised committees at village and district level and after four years, in 2006, a committee at provincial level was set up. The Provincial Committee was a formalisation and expansion of the group of VS leaders who was serving on the Minister’s negotiating Task Team. Westaway explained that BRC’s thinking was:

...simply that, because of the scale that it had got to, it’s inappropriate for BRC to kind of be representing people in this manner. People should represent themselves. And so, get them to a point where they can do that, institutionally and in terms of skills (Interview, 2019).

The research examined the role of the NGO in the functioning of those structures. Again, there was little divergence of opinion. As a rule, all meetings of District Committees and the Provincial Committee were organised from the VS/BRC office in East London. It could be argued that at some points, the programme of meetings was arranged by VS because, for a number of years, VS technically had its own office. The office, however, was located in the BRC building and the VS staff members accounted, operationally, to BRC staff. BRC essentially managed the VS office and drove its programme of work. Although members of the Provincial Committee expressed pride in having their own office, it was acknowledged that in spite of this, VS’s work, both in terms of content and logistics, was planned and driven by BRC.

Except for one meeting of ‘the top five’ of the VS Provincial Committee in 2018, all meetings of the VS leadership at provincial level, had been organised by “the office” (i.e. by BRC), since the Provincial Committee was set up.

The situation with the District Committees was similar. Given that there were approximately four district meetings per year in each of the thirteen districts, it can be estimated that, over the course of ten years (from 2007 to 2017), there would have been approximately 500 District Committee meetings across the province, organised by BRC. Vukile Njoli indicated that in King William’s Town in the early days, some District Committee meetings were organised locally, without BRC assistance.

There is also evidence of similar independent organising in Sterkspruit. This is, however, very much against the norm for VS. Meetings were organised in the “programmatised” way described by Westaway, above, that was typical of BRC work. District Committee meetings were planned and “rolled out” across the province, all following the same agenda. Patisa Dali (Interview, 2019) of Qumbu’s description of how District Committee meetings were organised is typical. She would receive a date for a meeting from the office and be informed of how many people should attend. She would then arrange the venue and call the meeting attendees. She emphasised the reliance on donor funding for the reimbursement of transport expenses.

I only link with that programme, because our people are so spoilt; I can say that, because they... always have no money, you know. So if you can say ‘let’s meet’ and then discuss these things... in Qumbu, in the centre, they said ‘we’ve got no money.’

There is no question that VS meetings were, and to date are, organised in a centralised and structured way. It is also clear that most VS discussion takes place in a formal meeting situation, face-to-face, following an agreed-upon agenda. In addition, the research probed the extent to which there was additional, less formal, communication between the VS leaders. Responses to this line of questioning were more varied. Of the nine VS leaders (Interviews, 2019) who responded to the question regarding informal communication, three people said that they did not chat informally with anybody at all, outside of a meeting situation. Four said that they chat with others, but to a limited extent (with one or two people, only, who are their friends). Only two of the nine VS leaders indicated that they converse regularly with other people on the Provincial Committee. Interestingly, one of the people who indicated that they did not chat informally with other leaders on the Provincial Committee was its chairperson. This fact was raised by one of the other VS leaders who indicated that they tried and

failed, many times, to reach him on the telephone. The chairperson acknowledged that this is the case, explaining that they were not comfortable with communication technology (Njoli, Interview, 2019).

A number of respondents indicated that social media (particularly Facebook and WhatsApp) are used to communicate informally. An analysis of the VS Facebook page indicates that this is not where such discussion takes place. The page was set up in August 2011 by a BRC staff member. Of the 40 000 purported members of VS, only 68 (less than 0.2%) follow the page. Over the eight years from the launch of the page to mid-September 2019, there were 138 posts. Of these, 77% were made by staff members of BRC and other NGOs. Only 33% of all posts to the page were made by VS members. More than half of all posts were made in two years (2013 and 2014) in the run-up to, and following, the amendment to Restitution of Land Rights Act that re-opened the claims process.

Most of the comments on posts are by VS members, rather than other BRC staff or the staff of other organisations. The level of commenting is, however, low, with an average of two VS members commenting on each post.

It is possible that Facebook discussion happens on the private pages of VS members, rather than on the organisation's official page. The researcher was, however, unable to verify this.

Although there is informal communication between the leaders of VS, only one of those interviewed (Soka, 2019) was of the view that there is a balance between informal and formal communication. The other eight people (Interviews, 2019) indicated that most of the contact that takes place between leaders of VS happens in the formal meeting situation. There was agreement that the meetings are managed and structured.

There was discussion at the beginning of this section regarding BRC's role in the initialisation of VS. BRC supported VS through its early years and, in 2009, assisted the organisation to register as a separate legal entity. Funds were raised for "building the capacity" of VS leaders and to set up a VS office. The first of two three-year contracts that were entered into between VS and MISEREOR (the development arm of the Catholic Church in Germany), focused on the training of VS leaders across a series of subjects, ranging from negotiation skills to globalisation. There was budgetary provision for rent, communications infrastructure, and furniture. There was a modest budget allowing for the employment of a co-ordinator and administrator.

This contract was implemented with a great deal of support from BRC. The VS Provincial Committee mandated BRC to manage its staff on its behalf. The VS office was a room rented from BRC, which made sense for several reasons, including the fact that the VS staff members were managed by BRC. It was also the most economical way of setting up an office; renting in the open market would have been much more expensive. VS did not have the capacity to manage the funding itself; therefore, BRC's Finance Manager controlled the finances.

This blurring of lines between BRC and VS continued for the following ten years. As described in the 'history' chapter, above, VS's donor partner interrogated the relationship at length before awarding the second contract in 2015. VS is, again, in November 2019, discussing a new contract with MISEREOR. The issue of the relationship between BRC and VS is, this time, not negotiable. The MISEREOR project officer has indicated that he would only support a proposal from VS that reflected absolutely no ties between it and BRC; that BRC should not manage VS's funds, nor should it be influencing its strategy (Cockcroft, 2019b). It is not clear what motivates this very firm stance by MISEREOR. One can conjecture that there is concern that BRC's influence restricts VS's attempts to become truly independent.

There would be grounds for this concern considering the responses to the question, "If BRC were to close its doors, what would happen to VS?" As explained under "Methodology" above, the question was included from the eighth interviewee onwards, after the sixth and seventh both spontaneously offered an opinion on the reliance on BRC by VS. Every respondent who offered an opinion indicated that VS would cease to exist without BRC's assistance. The reasons varied from "a lack of financial strength" (Njoli, 2019); to "laziness to fundraise" (Soka, 2019), to a lack of experience in the day-to-day management of VS activities (Loliwe, 2019a). Loliwe put a rider to his response however, indicating that the Mount Frere district would probably continue to function.

The issue of the relationship between NGOs and 'social movements' (their constituency) is a contentious one. In the contextual chapter, above, there is an examination of this, particularly with respect to the National Land Committee and the Landless People's Movement. Mosse and Nagappan note that "Donor-funded development NGOs are sometimes portrayed as co-opting, privatizing or depoliticizing citizen action or social movements. This much is implied by the term 'NGOization'." (2021: 134). The dependence of social movements on their 'parent' NGO is often a source of conflict. BRC and VS's reports reflect a relationship that differs from the norm.

In November 2010, BRC and VS were invited to a meeting, convened by the Trust for Community Outreach and Education (TCOE) in Cape Town, the theme of which was “Role of NGOs in supporting popular organisations and social movements - what lessons for us?” Participating organisations were asked to prepare a presentation on their experiences. The questions that TCOE asked the organisations to address in their presentations gives an indication of the issues that NGOs and social movements were grappling with at the time. These included the following:

- Does the organization have a relationship or partnership with (an) NGO/s? How would you characterize the role of the NGO? What have been the strengths/difficulties in the relationship?
- What is the organization’s view on the difference between a popular organization/movement and an NGO? How is this demonstrated in practice?
- What mechanisms and strategies have been put in place to ensure autonomy of the popular organization (from government/NGOs/donor community, etc.)? (TCOE, 2010: 1)

The notes prepared for the BRC/VS presentation do not describe any of the tensions that the questions seek to examine. Instead, a close and constructive working relationship is depicted:

Vulamasango Singene has a very close relationship with the Border Rural Committee. It provides administrative back-up (it manages our expenditure, for example) and it provides strategic guidance. The relationship has worked well. We are in the beginning stages of our independence and we are currently rolling out a comprehensive capacity building programme across the province (VS, 2010: 4).

VS had been a legally independent organisation for eighteen months at the time of the meeting. In response to the last question posed, its presentation described the training programme that was being implemented at the time, noting that “(t)he intention is that Vulamasango Singene will stand on its own in two years or so” (VS, 2010: 4).

More than ten years down the line, this hope had still not been realised. The reasons for this are beyond the scope of this research. The intimacy of BRC’s relationship with VS however, and the directive role that the NGO has been able to play as a result, are not in question.

6.3 A plurality of actors

Diani (1992: 9) notes that, “The boundaries of a social movement network are defined by the specific collective identity shared by the actors involved in the interaction”. In other words, identity and

plurality are closely linked because there needs to be a variety of actors if a new identity is to be forged through participating in a social movement.

The 40 000 members of VS all have a direct interest in the issue of restitution for victims of betterment removals. They were either directly affected themselves, or members of their family were affected. In the Eastern Cape, betterment took place in the areas that would later be incorporated into the 'homelands' of Transkei and Ciskei. From this, one can deduce that the VS membership is drawn from a particular demographic: black, rural people. There will be some, but limited, class distinction within that demographic.

One informant indicated that the membership of VS is politically diverse. He pointed out that VS was often asked to mediate intra-community conflict because

...it is considered more neutral because VS consists of more political parties. Because there will be an EFF there, there will be a DA there. Because those people are the beneficiaries (Mawethu Mkunqwana, Interview, 2019).

This is an interesting comment to make because the Eastern Cape is largely ANC-supporting. In the last general election, 69% of the vote in the Eastern Cape went to the ANC; 15% to the Democratic Alliance (DA); 8% to the Economic Freedom Fighters (EFF), and 2% to the United Democratic Movement (UDM) (Independent Electoral Commission, 2019). No other party gained a seat in Parliament. The DA's support is strongest in the western part of the province. In the areas where VS organises, in the central and eastern parts of the province, the ANC's political domination is almost complete.

It is possible that there is a perception, by people on the ground, that VS is party-politically neutral. It seems unlikely to the researcher, however. A close examination of the composition of the Provincial Committee, over the years, shows that it is drawn, almost exclusively, from the ranks of the Tripartite Alliance of the ANC, the South African Communist Party (SACP), and the Congress of South African Trade Unions (COSATU).

Information provided by Loliwe regarding the composition of the Provincial Committee between 2006 and 2019 revealed the following: Forty-three people served on the Committee during this period. Of these, forty are currently members of the Tripartite Alliance. One member, who was a member of the ANC and SACP has moved more to the left and joined the Workers and Socialist Party (WASP).

One is a member of the UDM. The affiliation of the other is not known. Detail is given in Table 1 below.

Table 1: VS Provincial leadership political affiliation

Tripartite Alliance		41
ANC	29	
ANC, formerly Congress of the People (COPE)	1	
ANC and SACP	3	
ANC and SANCO	3	
ANC and SANCO and SACP	3	
SANCO, NUM, SACP	1	
Formerly ANC and SACP, now WASP	1	
Other		2
UDM	1	
Unknown or unaligned	1	
Total		43

Except for one UDM member, and one person whose affiliation was not known by the VS organiser (both of whom served only from 2009 to 2011), every person on the Provincial Committee is, or has been, affiliated with the Tripartite Alliance. Vukile Njoli (Interview, 2019) pointed out that this association is reflected in the colours of VS, red, yellow and black. These are the colours of the SACP and COSATU, and partly of the ANC.

The language used by VS leaders, also, reflects their links with the Alliance. For example, Somdyala referred to the “Top Five” VS leaders; the most influential grouping of the ANC is known as the “Top Six”. Njoli referred to the Provincial Committee as the “PEC”, the name of the ANC structure at provincial level.

The VS Provincial Committee members are well known in their communities. It is unlikely that the political affiliation of Committee members would be unknown at community level. A close look at the forty-one Alliance-affiliated leaders reveals the following, as illustrated by Table 2 below.

Only three are described as “ordinary members of the ANC”.

Twenty-one are prominent members of the community, described as “community leader”, “business leader” or “professional”. Of these twenty-one, four are retired school principals. One person is a headman.

Sixteen people hold elected office or are employed by the ANC. Five serve on ward committees, six are local government councillors and two are constituency office employees. Three of the sixteen hold high-level political office. One is a former mayor who is now a member of the Provincial Legislature; another is a Speaker in local government, and the third is a portfolio head in local government.

Table 2: Profile of VS Leaders that are (or have been) affiliated with the Tripartite Alliance

Ordinary ANC member	Prominent in the community			ANC office bearer or employee			
	Community or business leader, teacher, nurse	Former school principal	Head- man	Ward comm- ittee	Coun- cillor	Constituency office employee	High political office
	17	4	1	5	6	2	3
3	22			16			

It has been shown that there is almost no political party diversity amongst the leadership of VS. The leadership is drawn from the same section of society: Alliance-supporting small business owners or state employees. Given the voting patterns in the Eastern Cape, it is clear that the political affiliation of the leadership reflects that of ordinary citizens in the province. Although VS organises in areas of the province that are Sotho-speaking, this is limited. According to Vuyiswa Hlomendlini (2019), a VS leader in Sterkspruit, meetings in that district are conducted in a mix of isiXhosa and Sotho. Her home language, however, is isiXhosa. In fact, every member of the Provincial Committee, past and present, has isiXhosa as their home language.

According to Loliwe, 100% of the grassroots membership of VS is drawn from people who were affected by betterment removals. In other words, VS’s members are black people who live in, or have close family living in, rural areas of the province.

The researcher has been hard-pressed to find evidence of demographic or political diversity in VS. Even within the ‘broad church’ of the ANC, it appears that the leadership of VS is drawn from the same faction. According to Westaway (2019), VS provided a convenient opportunity for ANC leaders from across the central, eastern and northern parts of the province to meet. He conjectures that they were concerned about issues at national level, and being able to meet face-to-face, with the cost of their transport and accommodation borne by BRC’s (and later, VS’s) donors, allowed them to discuss these in a way that would otherwise not have been possible.

It is worth noting, too, that BRC itself had a “political culture” that was “closely associated with the Congress movement from the late 1980s onwards” (Westaway, 2009: 218). The “Congress movement” represented the politics of the ANC and what would become the Tripartite Alliance.

There were concerted efforts, particularly in the early years of organising, to ensure that other organisations were involved in the campaign. BRC’s six-monthly reports give attention to describing this in some detail. There is comment, on an on-going basis, on the wooing of, and levels of commitment displayed by, various organisations. The Eastern Cape Provincial Council of Churches (ECPCC) was, with BRC, a campaign initiator, co-signing the press statement that launched the campaign in mid-2002. The first six-monthly report of 2003 notes that ECPCC “re-affirmed its commitment” and the Eastern Cape NGO Coalition (ECNGOC) “agreed to be a full campaign partner”. Positive engagements with other land sector NGOs (Nkuzi Development Association; The Rural Action Committee in Mpumalanga, and The Rural Action Committee in North-West Province) led the report to conclude that “BRC has effectively built up a coalition of respected and credible civil society partners in the Eastern Cape” (BRC, 2003a: 14). This was clearly an exaggeration; it had two campaign partners in the province and it had had conversations with other organisations around the country.

The campaign partners blew hot and cold over the years. The second report of 2003 notes that the ECPCC was not displaying the same level of dedication as ECNGOC. There was a short-lived burst of activity by ECPCC, under new leadership at the end of 2006 but thereafter, the involvement of the Council of Churches dissipated. ECNGOC worked intensively with VS from 2003 to 2006 (BRC, 2003b).

The Herschel Advice Office, CALUSA, TRALSO and Isinamva (based in Mount Frere), were engaged to assist with mobilisation work. Terms of reference were signed in each case and the respective organisations were remunerated for their work. There is no doubt that these organisations supported the campaign demand. They were, however, primarily service providers, not campaign partners.

From 2007 to 2009, renewed energy was directed at securing commitment to the campaign demand from the Tripartite Alliance at different levels, rather than on civil society more broadly. It was not however, successful. Attempts to secure the express support of the ANC failed. Vukile Njoli explained it thus:

When we were mobilising the masses, we used to hold the demonstrations, carrying petitions and everything. VS was mostly supported by COSATU and South African Communist Party. It was very difficult to get the ANC [to support the campaign] and I understood that because the ANC is the ruling party. Some of them were afraid to come to the front and oppose themselves. At the provincial level, we were together with Comrade Makupula, the former provincial secretary and with the old man, Mr Makalima, who has just passed away. They compromised, in fact, they strategised. Comrade Makupula represented the South African Communist Party and then both, mind, both are communists. The old man, Mfengu Makalima, represented the ANC because all members of the South African Communist Party are members of the ANC, but not all members of the ANC are members of the Communist Party. Dual membership, you see. So, nothing could stop us because the rallies were represented (Vukile Njoli, Interview, 2019).

The SACP's involvement waned. At the end of 2009, BRC reported that VS's strategy regarding mobilising organisational support for the campaign would change and that the focus would return to civil society organisations that had no links to government (BRC, 2009b: 8).

Recognising that the campaign would benefit from genuine solidarity action, attempts were made to build connections with grass-roots structures in urban areas in Cape Town. Many people living in these areas call the Eastern Cape "home" and their families had been affected by betterment removals. In late 2009, BRC met with leaders of the Joe Slovo informal settlement in Cape Town who expressed a willingness to forge close links with VS. In 2010, a group of VS Provincial Committee members visited Cape Town. They met activists from the Informal Settlement Network (an affiliate of Shack-dwellers International) in Nyanga. The meeting was positive, with undertakings on both sides to support the other's struggles. VS leaders met, also, on the same trip, with leaders of Sikhula Sonke, a trade union with close links to Women on Farms Project, a land sector NGO. Again, discussions seemed constructive (BRC, 2010b: 7). There are, however, no reports in either the BRC or VS archive

describing subsequent solidarity action. It can be concluded that attempts by VS to build urban-rural solidarity were not successful.

6.4 Mobilising around issues of conflict

There is general agreement in the academe that conflict is a “distinctive” and defining “feature of a social movement” (Diani, 1992: 10). There are different approaches to conflict theory (Oberschall, 1993: 40), but for the purposes of this study, the conflict is understood as described by Della Porta and Diani (1999: 15):

By conflict we mean an oppositional relationship between actors who seek control of the same stake... it is necessary that interaction should lead, on the part of the actors involved, to negative claims, or demands which, if realized, would damage the interests of the other actors.

In the case of VS, the ‘stake’ is restitution for losses incurred through the implementation of betterment planning. The actors are those who suffered the loss, on the one hand, and the state, on the other. The damage to the interests of the others is the monetary value of the combined restitution claims, which would be drawn from South Africa’s fiscus.

It could be argued that VS’s *raison d’être* is rooted in conflict. It mobilised around the injustice of betterment removals’ exclusion from the land restitution process. The removals themselves were a social violence meted out to rural people. The campaign for betterment redress was, and is, a challenge to authority. On the surface, these facts might lead one to conclude that VS meets the “issues of conflict” criterion and the matter requires no further investigation.

The researcher found, however, that this issue overlapped significantly with the investigation into questions of identity and plurality, and thus warrants a full discussion. This section examines VS’s conflictual and co-operative approaches, as reflected in its history, and as described by the research participants. In so doing, it contributes to the sociological analysis of VS.

The campaign for betterment restitution’s first action was a press statement, released by BRC and ECPC. The two organisations called on government to allow a six-month period during which betterment claims could be lodged (BRC, 2002a: 14-15). It was a challenge to authority, but was not essentially conflictual. Westaway (2019) explains that, initially, the idea had not been to build a social

movement. He stresses that it was a campaign, and that BRC had expected to win the campaign on the basis of fact (simply by proving that an error had been made).

In less than a year, this had changed. There were plans for mass action as early as 2003, but these were put on hold when the Minister indicated a willingness to negotiate. A negotiation ‘Task Team’ was set up in late 2003. In early 2004, the Minister was given an ultimatum: respond to the cabinet memorandum that had been drafted through the negotiation process, or face mass action. When there was no response, planning for a rally in Middledrift commenced in earnest and there was extensive coverage of the issue in the press. BRC reported that the response of the ANC “inside and outside of government” was “aggressive”. The local municipality withdrew the permission that it had given for the use of the stadium for the event and sent delegations, together with people from the RLCC, to Middledrift to engage with local people in an attempt to persuade them not to support the planned mass action (BRC, 2004a: 8). Westaway (2019) remembers this clearly; “(T)he ANC went ballistic. Ballistic.” The leadership of the campaign was strategic in its approach as the rally was postponed until after the general election in April. BRC reported later that:

One of the main lessons that we learnt from the furore in the run-up to the April elections is that mass-based community mobilisation is difficult to kick-start (let alone sustain) without the support of the Alliance (BRC, 2004b: 7).

This was a curious situation to be in: in order to mobilise opposition to government policy, one needed the support of the governing party on the ground. This somewhat schizophrenic state of affairs was to plague VS for the next fifteen years. It has, however, been able to make progress within this environment because of the composition of the campaign leadership, as described above, as almost exclusively ANC-aligned personalities, prominent in their communities.

The organisation has been, by turns, co-operative and confrontational in its approaches. The following table details Vulamasango Singene’s public demonstrations over the years. The information is extracted from BRC six-monthly narrative reports for the appropriate period of the action.

Table 3: Public demonstrations

Date	Event	Approximate Attendance	Comments
17 Nov 2004	Rally in Middledrift	3 900	This was held after strategically postponing a rally scheduled for April. At the event, the ANC publicly declared its support for the campaign for the first time.
27 Sep 2005	March in King William's Town	6 000	The Task Team meeting the next day made progress, agreeing that a betterment redress programme should be institutionalised. The campaign's programme of mass action was suspended as a result.
10 Mar 2010	March in East London	4 000	This march took place a year after it was first mooted. (Again a political decision was taken, in 2009, to suspend mass action ahead of a general election.) The focus in 2008 and 2009 had been on the legal process. By the end of 2009, however, the campaign leadership concluded that pressure needed to be put on the government, which it believed had been negotiating in bad faith (BRC, 2010a: 9-10).
20 Mar 2012	March in Bhisho	1 000	This event aimed to pressurise the provincial government to take up the matter of betterment redress more rigorously with their national colleagues (BRC, 2012a: 8-10).

There has been no public demonstration, organised by VS in support of its central campaign demand, in the ten-and-a-half years since March 2012.

As part of an external evaluation of BRC's work, commissioned by one of its core donors, Hivos, the consultant Lynette Maart interviewed key government officials about the campaign in mid-2007. The interviewees were the Chief Lands Claims Commissioner, Tozie Gwanya, and the Regional Land Claims Commissioner, Linda Faleni. The evaluation report states that:

BRC has been accused of initially taking an oppositional stance by government. Some officials said that the timing of the marches was not good but conceded that the mass action raised awareness about people's support for the campaign and forced the parties back to the negotiating table. The success of the recent task team work, and the mentoring role BRC took in assisting with some of the tasks associated with the task team, have helped BRC to be seen as an organisation with which it is possible to work co-operatively for a common purpose (Nyoni *et al.*, 2007: 15).

The underscored emphasis in the quotation above is that of the authors of the evaluation.

The evaluation was of BRC, and the report therefore, focused on BRC as an organisation, rather than on VS. The two were so closely linked that it is argued that the comment on BRC is also a comment on VS.

It should be noted that while the public demonstrations intended, and indeed succeeded, to put pressure on government with respect to the campaign demand, they were not aggressive, nor overtly confrontational. Loliwe (Interview, 2019) stresses the role of BRC in this, pointing out that VS activists were trained to comply with the law, and that this has entered the organisation's culture:

Even when it marches, it's always been very peaceful, less radical than others. Even now, when they are involved in other mass actions, of other organisations, they always keep that peace. (They)... were trained to comply..., you know, this number of marshals and so on... It's a disciplined kind of a movement.

The culture of co-operation is reflected in the way that VS twice postponed mass action so as to avoid antagonising the ANC ahead of general elections, and twice suspended mass action in recognition of progress made at the negotiation table. The first suspension lasted six months, from mid-2003 to early-2004. The second lasted for over four years, from October 2005 to the end of 2009. During the second suspension, VS continued to hold public events, but they were explicitly not 'mass action'.

Table 4: Public events during suspensions of mass action

Date	Event	Estimated attendance	Comment
27 Oct 2005	Public meeting in Sterkspruit	600	This was billed as a "mass educational event".
3 Dec 2005	Concert in Cofimvaba	5 200	This event had a celebratory atmosphere. The well-known musician, Thandiswa Mazwai, performed.

The second suspension period saw the campaign employ two strategies that were clearly co-operative in nature. The first related to the way VS conducted itself in the agreed-upon court processes. The second was known as the 'People's Advocacy Campaign'.

The extent to which VS co-operated with the government has been shown in the description of its engagement in the Task Team in the 'history of VS' section above. Negotiations were, by turns, tense and cordial. In its engagement with the state in an attempt to find a solution to the problem of betterment redress, there were three particular ways in which VS co-operated with the government. The first was relatively simple: it made input into the way that the envisaged betterment redress programme would be implemented. This input was at a level of detail which included the content and layout of the application forms that would be completed by claimant communities. The second was complex: it took responsibility for undertaking the research that would result in a quantum; in other words, the value of the dispossession that would have to be restituted. It is easy to understand why VS co-operated in these ways. It would be in its members' interests to have a claim form that was logical and clear. The quantum was necessary to ensure that the betterment restitution process proceeded. If it were left to government to do the research, it might have resulted in delays.

The third area of co-operation however, is one in which VS demonstrated a level of trust in government that was unusual. In 2008, after years of negotiating a process that would involve Cabinet and a legislative process, the Minister requested that the potential beneficiaries of betterments claims take the matter to court. She indicated that the state would pay for VS's legal counsel, and that state employees would be instructed to make time available, so that the necessary evidence could be collated. She stressed that this would be prioritised, and papers should be lodged within six months. The court system is adversarial in nature and requires an applicant and a respondent. VS would be the former, and the state, the latter. There was however, a clear understanding that the state would not oppose the application. For this reason, the applicant took the very unusual step of sharing its papers with the respondent. As described in the description of VS's history, above, the state reneged on its undertaking not to oppose the application and, in late 2010, filed a motion to do so. The sharing of papers was, perhaps, the best example of the lengths that VS would go to in its co-operation with the state on the matter of betterment redress.

Feeling betrayed, the organisation took a more adversarial position in the period immediately after this, organising rallying community meetings in its strongholds and publishing an emotive pamphlet which was distributed across the province in November 2010. The pamphlet, titled "Calling the Membership of VS to Action", was distributed at public meetings across the VS Districts. Under a heading, "Facing the Painful Facts", VS describes the run-around that it had been given by successive Ministers of Land Reform, concluding that there was no commitment by government, to resolving

the issue. Under a heading “Drawing Unavoidable Conclusions”, the pamphlet calls on the membership of VS to “organise and mobilise” in support of the campaign demand. The unwritten subtext of the pamphlet was that the time had come to oppose the reneging government who had treated VS with the utmost disrespect.

The pamphlet was published in the vernacular, isiXhosa, and 24 000 copies were distributed at public meetings attended by over 7 000 people in November 2010. This pamphlet, and the agitating role that it sought to play at the community meetings where it was distributed, are the clearest evidence of VS mobilising around an issue of conflict.

This activity was followed by a letter to Minister Nkwinti, from VS, in January 2011, which captures the outrage felt by the leadership. The letter begins bluntly: “Dear Mr Nkwinti. Re: Betterment Redress. Please take careful note of the following:”

This is followed by three numbered paragraphs. The first is a request from the VS Provincial Committee for an “urgent update” on the Cabinet memorandum process. The second demands clarity regarding the state’s position regarding the legal process:

2. We also request that the task team set for this purpose holds a meeting to inform us clearly about the position of state to oppose the matter in court. We have sat in meetings where it was clearly agreed that the state would not oppose Vulamasango Singene in court. The state’s about-turn in this regard, after we shared our legal papers with the state’s legal team, is seen as not acting in good faith. On the contrary, state has tricked the rural poor and the committed leadership of the campaign. We demand a full explanation.

The underscored emphasis is that of the letter’s author. The third paragraph contains a threat:

3. The handling of the matter is disappointing and can have serious consequences. I must inform you that that various strategies are being considered, not ruling out the possible boycott of local government elections later this year. Note, Minister, this is not what we as Vulamasango Singene condone or support (VS, 2011a: 1).

Again, the underscored emphasis is that of the letter’s author, not the researcher.

The letter is clearly confrontational. The threat of a local government election boycott, although tempered with the statement “this is not what we as VS condone or support”, was serious.

Following the publication of the Green Paper on Land Reform in September 2011, which contained no reference at all to restitution, let alone betterment, another emotive letter to the Minister was written by VS. It was copied to President Zuma.

Minister, you will understand that our patience has been tested. The communities in the Eastern Cape that were affected by betterment... are discussing and gearing up for a rolling mass action in all corners of the province. We will not rest until this matter is resolved. This, Minister, is not an empty threat as we have in past waited for a political solution and the people will now use their power.

... The ANC government has to come clear as to whether or not land reform is for the landless and people who lost land through racial practices. We demand that the government responds or faces the consequences of its indecisive style of leadership (VS, 2011b: 1).

This tone of the letter was again, confrontational. The threats of “rolling mass action” were not, however, made good. There was no adversarial activity by VS members at all in 2011. In fact, VS’s only public ‘protest’ that year was in support of the state: A group of anti-development community members from the Keiskammahoeek restitution villages had taken legal action against the government. They argued that the processes that led to the signing of the restitution settlement agreements were unsound. The group was attempting to have the portion of the settlement monies that had been pooled for development, i.e. the other 50% of the 50:50 model, released to them. VS picketed in support of the state, seeking to defend the principle of developmental land restitution (BRC, 2011b).

VS direct action picked up, briefly, with the march in Bhisho in 2012, but fell again thereafter, with VS activity focused on educating its members about the Traditional Courts Bill and attending public meetings on the Bill. As noted above, there has been no public protest by VS, on the issue of betterment restitution, since then.

It is argued here that President Zuma’s public statement in January 2013, that the government intended to re-open land claims, permanently ended VS’s conflictual relationship, as much as it had one, with the state. Essentially, the state had acceded to the campaign demand, and there was no longer any need to oppose it. Events since then have seen VS effectively side with the government on the issue, and VS’s conflictual (perhaps ‘defensive’ would be a better term) relations are with the academics and other members of civil society who successfully opposed re-opening. This conflict is not a mobilising issue, however, and is not regarded as material for the purposes of social movement theory. Instead, further attention will be given to clear mobilisation efforts, particularly as they related to the “People’s Advocacy Project”.

The co-operation around the “People’s Advocacy” public meeting at Qamata in September 2007 was extraordinary. The “People’s Advocacy Project” was designed in an attempt to encourage momentum

in the campaign: if control of campaign events were devolved to the local level, human resource capacity constraints would be eased, and more events could take place. The Qamata meeting was the pilot and saw the establishment of ward 'fora', comprising representatives from political structures and VS. The fora organised the event, which took the form of a public meeting, where ordinary people could engage with the government. The meeting was well-organised. It was attended by 500 people and was addressed by a range of speakers, including the Regional Land Claims Commissioner. The pilot was, however, deemed unsuccessful. According to the BRC report following the event, "it ended up institutionalising links between campaign structures and ANC branches, rather than facilitating local action conceptualised and taken spontaneously. Neither did the process unfold quickly – the pilot lasted six months before it yielded an action." Thereafter, the strategy was abandoned (BRC, 2007b: 14).

The Qamata meeting is mentioned here because of the way it reflects the nature of VS. Where the hope was that the People's Advocacy Project would ignite a spark at community level, leading to fevered activity across the province, it did the opposite. The co-operative, ANC-loyalist nature of VS emerged. This loyalty was evident, even before the campaign was formally launched, in the way that the leadership of the Cata community was initially opposed to taking the government to court with respect to its betterment claim. As Westaway noted, "the leadership did not want to be seen to be in conflict with the ANC government" (2009: 185).

In many respects, the result of the People's Advocacy Project pilot should have been expected. The state might have been the target of the campaign but in rural areas, the state and the ANC are one. Moreover, in small towns, there is very little human resource capacity outside of the ANC. In 2006, when VS was attempting to use local NGOs and advice offices to mobilise around the issue of betterment and set up VS Committees in villages and at District level, it ran into trouble in Cala. The ANC constituency office became the administrative centre of the campaign in that area, with use of the telephone, fax machine and photocopier of the local municipality. This kind of co-operation is indicative of the way that VS has engaged with the state since its inception (BRC, 2006a: 12).

Lali Naidoo (Interview, 2019) of the East Cape Agricultural Research Project (ECARP)'s assessment of VS is that while it might be a social movement of sorts, "it is not radical or transformative. Rather, it seeks to make gains for its constituency within the *status quo*." She suggested that it is possible that the background of its leadership gives it this character. Her impression of the organisation is that it is

led mostly, by government employees. Naidoo's view is that people from this sector "are unlikely to be seeking major shifts in society or mobilising for alternatives that are disruptive". This would suggest that the organisation is viewed by external actors in the land reform sector as conflict-averse, even as it engages in protest action.

At this point, it is worth noting that there is a view in the literature that a social movement is, in the words of Cyrus Zirakzadeh, "a group of people who consciously attempt to build a radically new social order" (1997: 4). In other words, if there is no clear ideological motivation which aims to significantly change power relations, the group is not a social movement. Having a far-reaching transformative agenda is not, however, selected as a criterion for consideration in this study.

The need to examine its stance in relation to the state is echoed in the strategy document coming out of the workshop with VS leaders in November 2017. The document poses the question "critical or passive?" in this regard. It noted that this issue requires further discussion (Jara, 2017).

Because of the important role that BRC had in the genesis, strategies and activities of VS, it would be remiss not to comment also, on the organisational culture of BRC with respect to conflict and resistance. In his assessment of the way that BRC engaged with the state during the negotiations that led to the settlement of the Cata land claim, Westaway (Interview, 2019) noted that:

BRC positioned itself in a pragmatic, fairly neutral manner in relation to the regime. Not surprisingly therefore, BRC did not adopt a critical stance in relation to some of its basic notions...

He continues to say, however, that BRC "positioned itself on the side of resistance" (2009: 202). Westaway is referring, in this instance, to the production of historical truth, and BRC's location in relation to the dominant narrative. The statement could be extended however, to BRC's place in politics more broadly: pragmatic, but in firmly in the corner of those with the least power in society.

6.5 Sharing common beliefs and demonstrating solidarity

The issue of conflict overlaps with that of 'common beliefs', solidarity and identity because, essentially, in a social movement, mobilising around a conflictual issue creates a sense of belonging, and a group identity flows from this.

Diani points out that collective identity relates both to the way that actors are viewed by those outside of the group, and to the way that members of the group define themselves (1992: 8). Questions relating to these two perspectives were asked of the research participants, both directly and indirectly.

6.5.1 Community perception of leadership

The Provincial Committee members were asked how they think they are viewed by the local population in the areas where they live. Given that members of the VS Provincial Committee often hold party-political office, or are known in other capacities (for example, as business leaders), the question sought to examine the extent to which this has limited the development of a distinct VS identity in the eyes of the general public. In response to the question, “Are you known as a VS person in your community?”, all the Provincial Committee members answered in the affirmative. Jongile Kosi of Middledrift, who has not been active in the VS leadership for some years, indicated that in spite of this, he is still strongly associated with VS by members of his community. All but one of the VS leaders that were interviewed indicated that their personal association with VS was primary in nature and clear. This was evident in the following interviews (2019), when they were going about their day-to-day business:

VS has an identity in Qumbu. When you go (to the) Spar, they say ‘Hullo! VS!’ (Patiswa Dali, Interview, 2019).

Some of them... the old ones, they think that they own Vulamasango. They are Vulamasango! Even, when they see me, they see Vulamasango (Thobeka Mayekiso, Interview, 2019).

In a number of cases, VS leaders indicated that this was problematic for them, given the fact that the campaign demand had not been met:

Whenever they see me, they would ask, ‘Man, when are we going to get paid?’ you know. Often asked for an update (Christopher Soka, Interview, 2019).

There are times when you can hear the people say, “Yoh, huh-uh, this thing of yours, it’s not happening” (Thozama Qayi, Interview, 2019).

The quotations from the field research reflected above, raise questions relating to whether or not community members, who are rank-and-file members of VS, identify *themselves* as part of a movement. Thobeka Mayekiso seemed to think so (“the old ones, they think that they own Vulamasango. They are Vulamasango!”), but Thozama Qayi’s comment, “this thing of yours” (notably not “this thing of ours”) seems to imply otherwise.

Thozama Qayi was the only one of the leaders interviewed who indicated that people in her community do not see her as primarily being associated with VS. This is because she has been involved in many different development initiatives in the area. She did note however, that VS is well known in her area, Cala. Given that she is not primarily identified as being a VS, is particularly interesting given that the issue of betterment restitution is seen as hers.

Nomgcobo Somdyala (Interview, 2019) reported that while VS members understand the role and nature of VS, other people in the community more broadly, do not. She indicated that non-VS members tend to confuse VS leaders with the Land Claims Commission. For this reason, at community meetings dealing with the claims process, she takes time to explain what VS is. Somdyala ascribes the erroneous assumption to the fact that the RLCC has not visited the area in question. VS, therefore, disseminates information that should be disseminated by government.

It is not clear how the general public is disaggregated from VS membership at community meetings. It is possible that membership of VS has become age-related; older people were recruited as VS members ten or twelve years ago, but younger family members are now attending VS meetings relating to land claims.

In early 2019, a programme was designed with the aim of training a new cadre of activists and future VS leaders. Twenty young people from VS areas, aged between 18 and 33, were identified. BRC’s Charmaine Cockcroft participated in the first workshop. Cockcroft reported that while the workshop participants were very keen to be involved, none of them had a grasp of VS’s history or objectives and had to be educated in this regard. This indicates that the culture of VS is not being transferred informally within families, or even at community level.

6.5.2 A creative culture

The fact of the leadership being readily, and strongly identified with VS is not, however, sufficient evidence of a rank and file identity. The respondents found questions concerning this issue difficult to answer. This is understandable; one cannot know how another individual identifies. The questions that probed this were answered in different ways.

One VS leader, Thobeka Mayekiso, suggested that the fact that VS members carry their membership cards in their wallets is an indication of their identifying with the organisation. BRC's Managing Director, Phumeza Grootboom (Interview, 2019) concurred: "Sometimes that's how you identify yourself, through your t-shirt and your membership card." He questioned the extent to which VS members truly identify with the organisation however, stating that if one identified with an organisation, one would contribute to it financially. This is an issue that is analysed further, below (Interview, 2019).

Noloyiso Ntloko, on the other hand, did not put much store on the membership cards: "They got them, but I don't know if they kept them because I don't even know my own."

There is no question that the membership cards were popular in the early days of VS. The cards were professionally laid out and personalised, for each member, depicting their name, village and membership number. Christopher Soka remembers that they often ran out, implying that there was disappointment on the part of those people at a community meeting whose card had not yet been delivered.

As mentioned above, t-shirts, too, were considered important. Westaway (Interview, 2019), however, questioned the links between this and identity:

I think the t-shirts were a big thing. The t-shirts and a nice, simple logo. I think there would have been a fair amount of brand ownership. I think that if you had to scratch beneath the surface, like 'What does it mean?', maybe you'd get less.

Loliwe agreed, but he drew attention to the fact that while people clearly loved the t-shirts, which were bright yellow, and worn with pride, no member of VS has taken the initiative to produce a new set. The t-shirts that were distributed between 2005 and 2010 have faded to a cream colour, now, and are threadbare; they are no longer worn. VS members are no longer visible as such, when they attend

events. Originally, the VS t-shirts were fully funded and distributed to members for free. Loliwe noted that in other organisations, members are willing to purchase the apparel that will identify them with their organisation. He went as far as to say, “Nobody talks about VS t-shirts” because “VS people do not think about it”.

The membership cards and the t-shirts were key products that assisted in VS’s membership drive. Given that people have not moved to re-produce the t-shirts leads one to question whether they were simply an inducement to sign up, rather than a reflection of identity. Grootboom (Interview, 2019) sums this up succinctly:

The question of identity becomes difficult because you can’t really understand: is this person part of this because there’s a t-shirt, or sees herself or himself as part of Vulamasango, as a member of Vulamasango, as a person who wants to drive the campaign, is interested in the whole question of winning the campaign, the understanding of why am I here, and therefore, what is expected.

It is worth noting at this point that the LPM sold membership cards and t-shirts as a fund-raising and mobilisation initiative. There was also a desire to create strata to differentiate between card-carrying members and sympathisers. The ‘package’ was inexpensive at ZAR 24.00. It was, however, unsuccessful with respect to both of its objectives. The income received in each case often did not cover the expense related to the sale (Rosa, 2004: 7). Rosa notes that the red LPM t-shirts were important signifiers and, when participating in negotiations with farmers to prevent eviction of farm-dwellers, they were worn “to appear trustworthy” (Rosa, 2004: 11).

The identity-making, creative culture of a network of people is considered an important part of what distinguishes it as a movement. The research examined this aspect of VS by questioning the way that campaign materials are produced, the content of songs that are sung at VS events, and artworks that the organisation has created.

Not only are witty, colourful placards visually appealing and more likely to be circulated on social media, but they express an engagement with the protest that binds members together. The creative process itself serves a social objective.

A set of durable placards were made for the 2005 march in King William's Town. The slogans were professionally printed on lightweight plastic. The following photograph shows a section of the crowd at the march, carrying these placards.



Figure 1: Placards at the VS march, King William's Town, 2005 (picture by BRC)

Hand-made placards are not evident in reports of this event. Loliwe indicated that the placards were professionally produced in order to ensure that they were visible. He remembers discussions at the time, where the illegibility of placards at the mass action events of other organisations was criticised. The aim of having professionally-produced placards was not, therefore, to control the message that members put out, but to ensure that the message was clearly understood by the public in general, and the media and government in particular.

The wording on the placards is almost business-like (see Table 5, below). Of the seven placards produced, four reflect statements of fact and three reflect demands (the right to claim, to the realisation of constitutional rights, and fairness).

Table 5: Placards produced ahead of the 2005 King William's Town march

<i>Wording on placard</i>	<i>English translation, if necessary</i>
We were prejudiced	N/A
Sonke singamaxhoba e-trust	We are all victims of betterment removals
Sanyashelwa amalungelo	Our rights were undermined
Asixhamlanga kwinkqubo yembuyekezo	We did not benefit from the compensation programme
We demand fairness	N/A
Sifuna ilungelo lokubanga umhlaba	We want the right to claim the land
Sinyanzelisa amalungelo ethu akumgaqo siseko	We demand our constitutional rights

<i>Wording on placard</i>	<i>English translation, if necessary</i>
Aliphumi liyatshona. Sithi kwanele	It is not the beginning, but the end. We say it is enough
Sisengamakhoba emfuduko. Phantsi nge-convenors ze-task team!	We are still the victims of removal. Down with the task team convenors!
Sidiniwe kukulinda. Phantsi nge-zithembiso ezibubuxoki!	We are tired of waiting. Down with promises that are lies
Anyhashelwani amalungelo wethu ngurhulumente	Why is government violating our rights
Asoyikinto ngamalungelo ethu	We fear nothing about our rights
Nihlekisa ngathi. Nisazi xaku-votwa kuphela	We are made jokes. You only know us when its voting time
Thoko Didiza, Lulu Xingwana now Nkwinti: 7 years of lies	N/A
2010: Year of action	N/A
We demand the political support of the ANC-led provincial government	N/A

The tone of the second set of placards is clearly different. There is now a polemical quality to them. Looking at the photograph of the second march, however, the ‘new’ placards are greatly outnumbered by the ‘old’ ones. Clearly, a much smaller number of the second set of placards were produced.

Both of the BRC staff members that were interviewed, Loliwe and Grootboom, commented on BRC’s role in the making of the placards. When asked about a creative culture in VS, Grootboom mentioned the placards as an example of VS’s weakness in this area: “We had to assist them to phrase, or to write, their placards.... so I wouldn’t say it [a creative culture] is very strong.”

There were different responses from the ten VS leaders who were interviewed regarding who took responsibility for the wording on the placards. Three of the VS leaders were unequivocal: the slogans on the placards were authored by the members of VS. Three were clear in their crediting of BRC with the authorship. Two indicated that both VS and BRC were involved in coming up with slogans. Two did not know.

Table 7: Views on the origin of placard slogans

	<i>(A) The wording came from VS members</i>	<i>(B) The wording came from BRC</i>	<i>The answer is a combination of (A) and (B)</i>	<i>Did not know</i>	<i>Was not asked</i>	<i>Total</i>
VS leadership	3	3	2	2	0	10
BRC staff	0	0	2	0	1	3
Total	3	3	4	2	1	13

BRC staff explained that the views of Provincial Committee members were solicited. These slogans were then edited and refined by BRC staff.

It is interesting that a significant proportion of the VS leaders interviewed thought that BRC was entirely responsible for composing the slogans. When asked if he had been involved in brainstorming the content of the placards, the current chairperson of VS, Christopher Soka, said

You know that those guys [BRC programme officers] used to do everything for us and then report to us, we have done this and this and this. How it emanated, I wouldn't know, honestly.

The issue of VS's reliance on BRC is discussed elsewhere.

None of the VS leaders mentioned art when asked about creativity in the organisation. There were, however, a number of paintings produced. Several hang in the community-owned museum in the village of Cata, near Keiskammahoek. The balance of the paintings hang in BRC's offices in East London. The only research participant to mention them was Westaway, who had (during his tenure as Managing Director of BRC), been the initiator of the project that produced the pieces.

In 2005, links were made with the Fine Art Department at the Walter Sisulu University (WSU) in East London. BRC commissioned a member of that department to implement a "reflection and visioning" art project with young people in target areas. The initiative was formal in the way that it was structured. The project was conceptualised by BRC and written into the Phase 3 methodology for the betterment restitution campaign. The aim was to increase the active involvement of young people at community level, and to retain interest in the campaign where initial mobilisation and consolidation work was complete.

BRC produced flyers advertising the initiative. These had both the BRC and VS logos on them. The flyer indicated that the project would give an opportunity for young people to work with an artist from WSU to produce sculpture or paintings that reflected life before the forced removal, as well as a vision of the future (BRC, 2006c). The project was implemented in twelve villages in Middledrift and a series of paintings was produced. These were framed and exhibited in East London. The opening of the exhibition was covered by the local newspaper and served as a useful opportunity to publicise the campaign.

BRC's report for the second half of 2006 indicated that the pilot had been completed, but that the project would not be rolled out to other areas. One reason for this was the high cost of implementation. The second was what the BRC report termed the apparent "heavy hand" of the project officer from WSU in the content and style of the paintings. The paintings were all very much alike, leading to the conclusion that his facilitation style was directive (BRC, 2006b: 15). From this, one can deduce that the visual art produced through the implementation of the campaign was not a reflection of a creative culture within VS.

In response to questions relating to the song culture of VS, its leadership all indicated that songs were composed, spontaneously, by VS members. It was reported that there was no discussion around the lyrics of VS songs, and certainly no song-writing workshop. A talented person would begin to sing and others around that person would pick it up and the song would develop from there.

When questioned further about the lyrics of VS songs, it became clear that almost all of the songs had their origins in the anti-apartheid struggle or the church. Thozama Qayi explained that "it is a song that is used be sung in church. But you can hear now, when we are singing that song while we are in the campaign, this song is not for church only."

When asked how VS songs were composed, Thobeka Mayekiso (Interview, 2019) said

Before 1994, we used to recruit the ANC people. So, even in our schools we have that toyi-toyi when we are not satisfied about something. So, we hear those songs... in high school, there are old guys that are coming from mines. And the old sisters, they are coming from emizin' yabo [their homesteads], uyabon [do you see]? So, siyasfunda kabantu sasdala [we were taught by the older people]. So we know all these songs.

Clearly Mayekiso was referring to struggle songs that pre-dated VS, rather than VS-specific songs.

Nomgcobo Somdyaka asserted that there was a new song for every march. This may be so, but it appears that it was not a completely new song; it was a re-purposed old song. BRC's Grootboom confirmed this, as did the Zingisa Education Project's Joe Nkopo: "You would also expect songs that mainly talk about the issue, that are also educating. You don't find that. They [VS members] would, of course, sing freedom songs, generally."

The VS song mentioned most often by the research participants was one known as "Fanewe Vala". It is broadly considered to be the VS anthem. The chorus is "Thoko Didiza, ufanewe vala. Hey wen' ufanewe vala. Vula masango. Vula" [Thoko Didiza, it is like you have closed. Hey you, it is like you have closed. Open the door. Open]. Because it is addressed to whoever the cabinet minister is at the time, the name at the beginning would change. The melody is distinctive and stirring. According to Patiswa Dali, it was composed by a District Committee member in King William's Town. Loliwe, however, reported that it is an adaptation of a song that is sung at rugby matches in rural areas.

Nkopo (Interview, 2019) commented on the lack of creativity within VS, but links it to a broader deficiency in civil society in this regard.

If you look at what is happening now, there is weakness around that, in general, on the issue of creativity or arts. For instance, I'm also reflecting back to the 1970s when we were involved in the struggle. We used graffiti a lot, as part of educating people and so forth. We used very simple slogans that attracts the heart of the people. That was also missing at that time [VS mobilisation]. They have used songs, of course, fairly to attract people. But, in general... there wasn't much creativity.

Even relating to song, there does not seem to be the level of creativity seen in the TAC, which is suggested as a comparable organisation. Borrowing from Robins (2008: 140), ethnomusicologist Gavin Walker has referred to the TAC's work "at the level of body, subjectivity and identity", linking this to the very effective use of song by the TAC.

TAC facilitates the process of meaning making and cultivation of human dignity for those facing social exclusion, dehumanisation, and the prospect of bodily degradation and death, and this is often achieved through the performing arts (2018: 187).

Westaway's views regarding the VS logo and an awareness of brand ownership are noted above. Loliwe's comments in this regard confirm that the ownership of the VS 'brand' is strong. He recounted an instance of an unrelated group of people in Mthatha attempting to use the VS name and logo. The local VS leaders were very firm in their interactions with these people, threatening to call

the police if they did not desist. Loliwe said that there is a clear sense of “don’t touch the key” [the VS logo].

6.5.3 Other issues that demonstrate shared beliefs and solidarity

The extent to which there are shared beliefs amongst the VS members is difficult to establish. It has been shown above, under the discussion relating to actor plurality, that VS members share political beliefs; they are almost exclusively ANC-supporting. They also have a shared interest, in that they are potential beneficiaries of restitution if the campaign demand succeeds. This was clearly an inducement to joining the campaign for betterment restitution. Whether or not the members identify as part of a movement is not as obvious.

There are two developments that enable one to examine the link between betterment restitution and VS membership. The first is that several villages that were originally excluded from restitution after the 1998 submission deadline, have had their claims settled through the “Administrative Area” methodology (described above). For these people, the demand for an opportunity to lodge claims is not personally relevant. For many, their issue relates only to the state’s failure to make final payment where settlement agreements have been signed. For some, the matter is closed; their claims have been settled and payment has been received.

The second development is that VS’s scope has broadened. In its latest strategic plan, the organisation puts emphasis on service delivery and local economic development. A number of VS leaders indicated that this was necessary for two reasons. First, VS needed to ensure that it continues to be relevant in the post-restitution period.

I think that you’ll remember that the core business of VS was the land restitution. And the question that was in our minds was ‘what if government pays the claims, then that will mean the death of VS’. So we must develop the strategy how do we sustain VS. That is where this thing, because even if you are a member of VS, service delivery affects you! Paid or not paid, service delivery affects you! (Nomgcobo Somdyala, Interview, 2019).

As Somdyala points out, service delivery is an important issue. VS’s constituency is those who live in the poorest parts of a very poor province. These communities have not benefitted from democracy in the way that urban areas have. Since 1994, the state has failed to develop and implement a coherent rural development strategy and, as a result, the rural areas of the Eastern Cape are languishing in

abject poverty. Local government, particularly in the eastern parts of the province, is very weak. As a result, there is inadequate delivery of basic services in these areas. VS leaders were passionate in their response to questions relating to the broadening of the organisation's strategy, pointing to unemployment and poverty in their areas, which often lead to violent crime (Interview, 2019).

Nosinodi Mtiya indicated that VS has a role to play, in relation to the youth in particular, that will "keep them [the youth] busy", suggesting that it is a lack of purpose that leads to despair, as well as a dysfunctional society. In addition to that, income generation is essential in areas where there is little formal employment and no meaningful intervention by the state to address development (Interview, 2019).

Vukile Njoli (Interview, 2019) said that this broadening of scope had its origins in a discussion that took place at the organisation's Annual General Meeting (AGM) at Cata in September 2013. At that meeting, it was agreed that at least one co-operative project should be set up in each VS district. The rationale behind this related to the fact that the Land Claims Commission was pushing strongly for a 100% financial compensation package for each beneficiary family. The so-called 50/50 model (where half of the compensation is paid out to the beneficiary family, and half is pooled for development projects), seemed increasingly unlikely to be accepted by the state. VS leaders concurred with the research that indicated that land restitution monies were spent by beneficiaries to address immediate and pressing needs, and were not invested in ways that would secure a future income. VS had always lobbied for the implementation of the 50/50 model because it wanted to see the long-term developmental impact of land restitution in the Eastern Cape, as well as compensation for the injustice and brutality of the forced removal. (In fact, the idea of expanding VS's focus beyond land restitution predated the 2013 AGM by a number of years. A VS information brochure drafted in April 2011 gives this as one of the reasons that "VS changed from a campaign into a social movement" in 2009 (VS, 2011: 4). This is discussed in the 'history' section, above.)

All of the VS leaders interviewed indicated that, during Phase 1 of the campaign, it was very easy to mobilise people and recruit them to VS. This is because, at the time, the injustice of being left out of the land restitution programme was felt keenly, and the potential benefit of restitution was very attractive. It would, however, be reasonable to assume that if being part of VS relates to more than being paid out for the losses incurred through the forced removal, levels of membership and activity

would not be affected by the pay out of a restitution award. Responses to enquiries in this regard were slightly contradictory, however.

Thozama Qayi (Interview, 2019) indicated that, during her recent three-week sojourn in Cala, not a single person asked her about VS or for an update on the land claim. “Now they are so quiet,” she said, suggesting that people have largely given up on the issue and are, in essence, demobilised. Mawethu Mkunqwana (Interview, 2019) said that “people are beginning to lose hope because this is going slowly.” In his view, however, people will remain mobilised until the campaign demand is met. He goes further to say that he thinks that the broadening of VS focus to service delivery and local economic development will result in the organisation remaining relevant until there is meaningful economic transformation.

Mkunqwana’s views are perhaps an expression of hope, rather than an opinion based on current experience. Loliwe (Interview, 2019a) pointed out, however, that there is organisational life where pay-outs have taken place. He called attention to the Middledrift area, where twelve of twenty-eight villages have been paid. People from the twelve ‘paid out’ villages continue to attend meetings, and make a contribution to the discussions. He ascribes this to the fact that people are interested in development processes. He credits VS with the fact that many people at District level now hold political office.

Trainings have taken others into a kind of a leadership pool.... You find many VS people, now, are Ward Committee members. For they are vocal, and they can link development with land, you see. For instance, if you go to your Qumbu, Mount Frere, your VS district members are also elected in other areas of society.

This statement, however, speaks of the trained leadership of an area, not the ordinary membership. Even Loliwe concedes that

To some, to be a VS member, it’s your ticket to restitution fund. And I think 80% of the members, including some of the leadership at provincial level, when they see Vulamasango, they see Vulamasango as the only way that they can use to get restitution.

Loliwe goes further to say

Even though there are those that are advancing a new programme at Vulamasango [broadening the scope to address service delivery and local economic development], which in actual fact, is a BRC-sponsored idea as well, what you find out (is that) very few people really feel that VS should be in that space of local government, challenging local government, because they see Vulamasango as only a restitution tool.

Other Provincial Committee members, in addition to Qayi above, reported that interest in VS wanes where pay-outs have taken place. Patisa Dali attests to this, as does Vukile Njoli.

Njoli was particularly clear about this, linking the lack of interest after pay-out to the decision to broaden the scope of VS's work:

Let me be frank. Those who are expecting to get money are strong. But after receiving money, that is the problem of VS, they tend to dwindle. That is why we decided... to discuss the development, I mean the move from after compensation.

This is confirmed by the report of a strategic planning session held with VS leaders in November 2017. The notes from the "strengths, weaknesses, opportunities and threats" analysis at the workshop state, under the "weaknesses" column, that "villages that settle restitution claims withdraw from VS" (Jara, 2017: 3).

On balance, it appears that seeking restitution was the main motivator for ordinary people to sign up and, in cases where restitution has been paid, there is less interest in, or identification with, VS. This fact does not, however, clarify whether or not ordinary members identified, in the pre-payment days, with VS in the way that would meet the "identity" criterion described by social movement theorists.

Grootboom points to the issue of the lack of payment of membership fees as an indication of non-identifying: "If you identify yourself with an organisation, and you value that organisation, then the question of supporting it financially becomes easy". Grootboom raises this because, although there was agreement at the VS AGM seven years ago, that a R10 per annum membership fee should be levied, payment has been very slow. The resolution was not actioned for a number of years. In the four years since concerted efforts to facilitate the payment of membership fees have been made, approximately R6 000 has been received from members. If there are, indeed, 40 000 members of VS, and they had each paid R40 (R10 per annum for four years), income from membership fees for the period would be R1.6 million. In other words, membership fees are less than 0.4% of what they should be. BRC's Finance Manager indicated that in her discussions with VS members regarding fees, there was no unwillingness to pay. On the contrary, members would have been willing to pay more than R10 per annum, which is a very low subscription even for those who are struggling, financially. (The ANC annual membership fee is double that). In her opinion, the problem lay with VS's internal systems. BRC attempted to assist VS to set up a system that would allow for cash deposits in its bank

account without attracting an unreasonable transaction fee. With the move to a cashless society, banks levy punitive charges on cash deposits. BRC's six-monthly report for January to June 2016 notes that "a fee as high as R3.50 would be charged on a R10 cash deposit. BRC is currently assisting VS to negotiate a 'nil charge' on cash deposits."

This matter was not resolved satisfactorily, and District Committee members collected cash payments from members. These were deposited once ten or twenty people had paid. (The transaction fee on a higher-value deposit is proportionally less than that on a R10 deposit).

Admittedly, the system for the payment of fees was not ideal, but the Finance Manager's view that this was the reason for non-payment is not in accord with those of Provincial Committee members who commented on the subject. Noloyiso Ntloko and Patisa Dali both said that members were reluctant to pay annually because they felt that they should have received their compensation by now. This leads one to conclude that members in these areas saw the paying a VS membership fee as an investment towards an outcome, which has not been achieved. Further payments would, therefore, be throwing good money after bad.

During the course of the research, it became clear that the registration of Vulamasango Singene as a Section 21 (not-for-profit) company in June 2009 was seen as a watershed moment by a number of the Provincial Committee members. It transpired that the commonly-held view was that VS "became a social movement" at this point. Christopher Soka, Chairperson of the VS Provincial Committee at the time said that: "[VS] became a social movement in 2009...it was registered then and it became a social movement."

This perspective is easy to understand. Until then, VS had been structured as a project of BRC. Funding for the campaign was raised by BRC, in BRC's name. BRC managed the funds and accounted to the donors. Registration of VS as an independent organisation could be seen as an important institutional development. Thobeka Mayekiso, in her interview (2019), said "We are the baby of BRC". It is natural that a developing organisation, such as VS would want to find its feet and become independent of its 'parent'. Soka (Interview, 2019), again:

We wanted, now, to test and practice the freedom of being... independent. And then, all what we were trying, we were trying to be independent of BRC... And it was also a wish of BRC that we could stand on our own.

At the end of 2008, BRC (2008: 11) reported that

...discussions have started within BRC about the possibility and appropriateness of setting up the campaign as a distinct legal entity, independent of BRC. This process will be taken forward in 2009.

At the time of writing the report, discussions must have been advanced because VS was registered as a company, in terms of South Africa's stringent companies legislation, within six months. Its report for the following period noted that BRC's aim was to "facilitate the emergence of an effective mass-based civic organisation that represents the rural people of the province" (BRC, 2009a: 7). The report goes on to state that the campaign should be "transformed into an independent organisation" (ibid). In order to achieve this, BRC's auditors had recommended a registration in terms of Section 21 of the Companies Act.

The link between the discrete legal structure and VS "becoming a social movement" were made, too, by BRC in a funding proposal to the Africa Groups of Sweden (AGS) in 2010. The proposal was for a small grant that would enable VS leaders to visit social movements in Cape Town. The proposal was made by BRC because it was an AGS partner organisation. Accessing an additional small grant would be relatively easy, given that the institutional relationship was already extant. In the background to the proposal, BRC notes that

...unlike the campaign, BRC is not a mass-based organisation. This reality undermined the capacity of BRC to successfully champion the campaign. It meant that it has been possible for government to deploy all manner of delaying tactics. By converting the campaign into a legally-constituted structure, the leadership has created a credible campaign organisation. The fact that this organisation will recruit the full membership of the campaign, implies that it will not only be credible, but also powerful (BRC, 2010c: 3).

There is no question that there was a genuine desire by BRC, to see VS develop as an independent organisation; Westaway and Grootboom confirm this. The legal form that this would take was discussed internally at BRC. Thus, BRC tabled a motion at a Provincial Committee meeting in January 2009, relating to the registration of VS as a Section 21 company; this was endorsed. When asked for his recollection of this decision, BRC's former Managing Director said:

The Section 21 thing, in my understanding, related simply to interactions with donors, and MISEREOR specifically, not wanting anymore to fund BRC, but wanting to fund VS. And it could only fund it if it was formally constituted (Interview, 2019).

The wording of BRC's report (BRC, 2009a: 8) for the period is interesting: "the leadership expressed overwhelming support for the idea to convert the campaign into a formally constituted social

movement”. There seemed to be an understanding that registering VS in terms of the Companies Act, and encouraging it to develop institutional infrastructure independent of BRC, would ‘convert’ the campaign into a social movement.

The Companies Act, 2008 (Act No. 71 of 2008) runs to 197 pages. It provides for non-profit companies, but it does so in a manner that is consistent with the requirements that face companies listed on the stock exchange. The legislation is detailed, particular and, by its very nature, conservative. Therefore, one might think that registering in terms of the Companies Act would be the antithesis of the beginning of a social movement.

6.6 Comments relating to comparable organisations

The similarities between the Landless People’s Movement - National Land Committee (LPM-NLC) and VS-BRC relationships are clear to see. In both instances, the well-resourced NGO gave essential strategic and logistical support to the grassroots organisation. The intellectual dependence by the grassroots organisation on staff from the NGO in both cases, is apparent. The LPM became legally registered and bureaucratised in order to access donor funding, as did VS.

There are, however, key differences. BRC was not on the brink of imploding due to internal tensions relating to its relationship with VS. In fact, the researcher found no evidence of tension within BRC relating to VS at all. Mngxitama’s (2006: 63-64) hard-hitting statements where he discusses “options” for the NLC are worth examining in some detail. He offers three options for the NLC-LPM relationship: (i) that the NLC could continue as an advocacy network, separate from real struggle. (ii) Alternatively, it could increasingly become a ‘front’ for the movement or, (iii) more radically, it could submit itself to the movement and cease to exist.

The second option has in some ways been tried and yielded mixed results. On the one hand, the internal struggles threatened the very possibility of effective resource mobilization through ‘fronting’ and distribution of the same towards supporting the landless formations. A related problem is the entrenchment of paternalistic relations between the resource holder and the landless; but, more importantly, the NGOization influence is greater, when the landless movement has come to see its ‘independence’ from the NLC increasingly as a matter of directly dealing with donors, with little or no attempt at articulating autonomy in terms of their own resources, politics and struggle. Incidentally, this is a view supported by some land activists, who posit the NGO ‘influence’ as a bigger problem than donor, or so-called partner funding. This tendency of independence from NGOs but dependence on donors came out in the [LPM] focus group discussions (Mngxitama, 2006: 64).

BRC's lack of political legitimacy was a motivation for making the distinction between the two organisations clearer, but at no point was BRC accused of using VS as a 'front', either for political clout or for tapping into resources. The "NGOization" referred to by Mngxitama however, is very evident. Pushed by its European funder, VS registered as a Section 21 Company in 2009. Ten years later, the same funder later insisted that VS become completely independent of BRC. As a result, the BRC programme officer responsible for VS was retrenched and employed by VS (Cockcroft, interview, 2019). Given that VS has been unable to raise funds from its membership as planned, and is wholly dependent on donor funding, it could be argued that VS is now an NGO itself, with a large membership base.

Comparisons with the Treatment Action Campaign (TAC) also, reveal similarities and differences. First, there is much in common regarding their structures. Friedman and Mottiar (2005: 515) note that the TAC

...is in many ways a conventional membership organisation, although important aspects of its internal structure are unconventional. Thus there seems no clear-cut distinction between members—who usually do not pay dues but do fill in membership forms, allowing TAC membership to be quantified—and “supporters,” “volunteers,” or “activists.”

Barring the fact that VS does not have “supporters” (only members), all of the points relating to membership and structure hold true for VS.

Second, both organisations frame their campaigns in terms of rights. The TAC refers to the right to health, enshrined in Section 27 of South Africa's Constitution. VS draws its authority from the rights conferred by the Restitution of Land Rights Act, in terms of which its members ought to have been restituted for their losses. These provide the “political opportunity structure” described by Sidney Tarrow (1994: 85) and referred to in the “definitions and concepts” discussion in Chapter 3, above.

Third, the TAC's relationship with the government and ANC are similar to that of VS. Like VS, the membership of the TAC is dominated by ANC members. Friedman and Mottiar (2005: 522) quote Mark Heywood, then Treasurer of the TAC as saying that the TAC is “neither anti-government nor anti-ANC. It is prepared to oppose both fiercely but... if there is a party composed of the poor, it is the ANC.” Friedman and Mottiar (2005: 522) go on to say

despite its independence and diversity, TAC has a political identity which ensures a relationship with the government and ANC unlike that of most social movements.

In this respect, then, VS is also “unlike most social movements”. In his definition of political opportunity structure, Tarrow notes that

The most salient changes in opportunity structure are: the opening up of access to participation, shifts in ruling alignments, the availability of influential allies and cleavages within and among elites (1994: 85).

It is argued that the relationships between the ruling party and the TAC and VS fall under the “the availability of influential allies”. This and “the opening up of access to participation” which the advent of democracy brought in 1994, provided political opportunity for both organisations.

The fourth similarity is linked to the point above: both organisations have, by turns, co-operated with the state and mobilised opposition to it. Both have used mass marches and litigation as tools of contestation, and both have worked with the state, assisting it where they can, to achieve common objectives. Friedman and Mottiar (2005: 522) suggest that

TAC’s mode of engagement with government, in which cooperation and conflict are, in a sense, deeply intertwined, is not simply a strategy born of convenience. It also reflects an approach which recognises that democratic governments, while they enjoy access to power which could be used against the grassroots, are also elected by the majority of voters and so cannot simply be dismissed as ‘enemies of the people.’

This could equally be said of VS.

Finally, a similarity is that members of TAC and VS both appear to be motivated by interest, rather than identity. Friedman and Mottiar (2005: 523) state that

...the main reason for participating in TAC remains interest rather than identity: people join because they wish to see people living with HIV and AIDS receive treatment, whether they do so because they need the medication or identify with others who do.

Analogous with the demobilisation effect of a land restitution pay-out, membership of the TAC has fallen dramatically since publicly-funded anti-retroviral treatment has become available.

A key difference seems to be the fact that the TAC did not, and does not, have links to a ‘parent-type’ NGO. Although it has its origins in a small group of intellectual left-wing activists, these key people managed to build a cadre of activists that were able to mobilise very effectively in the poorest communities across South Africa (Grebe, 2011: 853-854). In this sense, the strategic capital was always located *within* the TAC. The NGOization which inevitably occurred with respect to the TAC was not caused, nor accompanied by, any rift with a ‘mother NGO’ (as was the case with the LPM

and NLC). Active and strategic leadership was built without relying heavily on the NGO (as was the case with VS and BRC).

A second difference which is pertinent to this study is the fact that the TAC had a strong creative culture. The importance of this is emphasised by Walker (2018: 187):

The combination of the methods used within the country's liberation struggle, shrewd social marketing techniques, and the emotive power of the protest songs that TAC appropriated to its cause create a potent blend of emotionally resonant and engaging activism that has characterised TAC's history.

Although the use of song by VS was reported, it has not happened to the same effect as in the TAC. The "potent blend" referred to by Walker, is absent in VS; the organisation has not used social media effectively. This is perhaps one of the reasons why the membership of VS is aging and that it has been difficult to engage the youth in VS villages (Interview, Cockcroft, 2019).

The most obvious question that arises when looking at comparable organisations is: Why has there been no successful rural social movement in South Africa, as there has been in other countries? The MST in Brazil has no counterpart in this country. Ben Cousins put it bluntly in 2006, "No rural social movement of any real substance exists at present" (2006: 592), and there is no evidence of the situation having changed in the intervening years.

A number of commentators have offered reasons for this. Deborah James, drawing on Marais (2001: 140), suggests that the emotion and lack of ideological clarity of identity politics is a contributing factor: "At best, such activism is described as having 'disintegrated' into new social movements" (James, 2007: 151).

It has been noted elsewhere that Moyo and Yeros (2005: 44-45) view the "ideal" social movement as drawing its leadership directly from the ranks of peasant farmers. South Africa experiences a 'brain drain' from rural areas. Talented young people with initiative tend to leave rural villages in order to pursue educational and economic opportunities. It is therefore more likely for social mobilisation to take place in urban areas (Grootboom, Interview, 2019b).

The point by Steytler and Holland *et al.* (1998: 124), referred to in 6.2 (Informal networks versus management engagements) above, relating to the fact that there is a blurring of lines between the state

and civil society, is worth making again when discussing the reasons that there is no rural social movement in South Africa to speak of:

...(O)rgans of civil society have become increasingly indistinguishable from the state. This could have been predicted when the broad social movement that comprised civil society under apartheid succeeded in securing a government imbued with the very values and policies around which the most significant sectors of civil society had already coalesced.

In other words, the pressing transformation project in South Africa has been achieved. There is currently, in spite of deepening poverty and inequality, no ideological motivation that would result in far-reaching social mobilisation.

In addition to the views of the authors mentioned above, the researcher suggests that the fact that Southern African movements have failed to integrate regionally, in the ways that South American movements have (see Edelman, 2003: 190-195), could be a contributing factor to the lack of sustained social movement activity in this country. This has not, however, been explored.

6.7 Conclusion

This chapter has systematically tested the actions, views and structure of VS against the four identified key features of a social movement. Using the information gleaned through the archival review, and through the field research, detailed data was considered and analysed, in the light of the theoretical framework given by Diani (2011: 1). Comments were made relating to comparable organisations, drawing out points of difference and similarity pertaining to the identified key components of a social movement. Consideration was given to the reasons why there is no successful rural social movement in South Africa.

The following chapter will draw all the threads of the study together and offer a conclusion relating to the status of VS as a social movement. It will also identify potential areas for further study.

Chapter 7

Conclusion

The research question that this study seeks to answer, “Is VS a social movement?” is of more than academic interest. It has the potential to inform the way that political organising takes place in rural areas in South Africa. For the sociologist, the way that the answer to this question links to theoretical frameworks contributes to the discussion in the discipline.

In order to be able to make an assessment and answer the question, one needs to understand why VS was formed. The context chapter of this document set the scene by describing the specific kind of forced removals known as ‘betterment’ and explaining how those who ought to have been able to lodge a land restitution claim for a loss as a result of a betterment removal, were served a grave injustice by the authorities. The work that was carried out by a land reform NGO in the Eastern Cape, BRC, highlighting the injustice and forcing government to acknowledge its error, was described. The way that this work led to the formation of VS, first as a campaign that was a project of BRC, and then as an independent organisation, was detailed and a brief overview of VS was given.

The literature pertaining to social movements was discussed. The theoretical frameworks that have developed since the middle of the last century were briefly covered, so that the way that VS fits into them could be identified. Four criteria, which have been suggested in the literature, were selected as key components of social movements against which to assess VS. The context chapter proceeded with synopses of the genesis, structure and work of other equivalent organisations in civil society. This was necessary to be able to compare VS with how other organisations have evolved and fared. Chapter 5 gave a very detailed history of VS’s programmatic work and institutional structure, so that the organisation could be assessed against the selected criteria.

The analysis is reflected in Chapter 6. With respect to (i) informal networks (as opposed to structured and managed engagements), the research looked at (a) the role that BRC has played (and continues to play) in the initiation, structuring and implementation of VS’s work; and (b) the way that VS leaders engage with one another. There was agreement between the reports of BRC and VS, on the one hand, and the responses of the research participants, on the other. The research found that the mobilisation work was carried out in a deliberate and systematic way by BRC. There was no organic groundswell of activism around the issue of betterment restitution. BRC facilitated the setting up of

structures (committees at different levels), that would allow for communication and further programme roll-out. There were some reports of district meetings that were organised locally, in the early days of VS, and of some limited independent organising in Mount Frere. This said, there was agreement among all the research participants that BRC directed and organised meetings of the leadership at district and provincial level.

Furthermore, the interaction that took place amongst VS activists happened largely at these highly regulated meetings. There was some informal discussion between leaders of VS, but almost all discussion happened formally at meetings arranged by BRC.

Oberschall (1993: 25) states that

If one puts a social movement under a microscope, one discerns a much looser structure than in a formal organisation... Who precisely are members of a movement and how many there are uncertain.

Not only is VS's structure rigid, it is very clear who its members are – their full names, addresses and contact details are captured in a database.

It can, therefore, be said that VS does not meet the criterion of 'informal networks'.

With respect to (ii) a plurality of actors, the research looked at the demographic make-up of VS in order to assess its heterogeneity. The evidence showed that the membership of VS is made up of black, rural people who were impacted by betterment removals. It could be said that this is an 'interest group'. An examination of the party-political allegiance of VS leaders revealed that not only is the leadership almost exclusively supportive of the Tripartite Alliance of the ANC, SACP and COSATU, but it is drawn from one faction within the ANC. The language and colours of VS reflect those of the Alliance. The research did not find evidence of demographic or political diversity within the ranks of VS.

BRC and VS attempted, unsuccessfully, to broaden involvement in the campaign to other members of civil society. The interest of the Eastern Cape Council of Churches and the Eastern Cape NGO Coalition waned.

It can, therefore, be said that VS does not meet the criterion of 'a plurality of actors'.

The section dealing with (iii) mobilising around issues of conflict was more complex. The campaign for betterment redress was and is a challenge to authority, but evidence showed that VS's relationship with the state vacillated between contest and co-operation. Plans for mass action, and the postponement of these, pepper the reports of VS work from 2002 to 2012. Engagements with the state around a negotiating table and in partnership with the state towards a court-mandated solution, on the one hand, were interspersed with shows of strength in the form of rallies and pickets, on the other. There has, however, been no public demonstration organised by VS in support of its central campaign demand in the ten-and-a-half years since March 2012.

The researcher has described the VS-state relationship as schizophrenic. This statement links to the point made by the late chairperson of VS, Vukile Njoli, "It was very difficult to get the ANC [to support the campaign] and I understood that because the ANC is the ruling party. Some of them were afraid to come to the front and oppose themselves" (Interview, 2019). The strength of the VS-ANC relationship is clear in the quotation from a BRC report relating to the failed People's Advocacy Campaign (BRC, 2007b:17) "It ended up institutionalising links between campaign structures and ANC branches, rather than facilitating local action conceptualised and taken spontaneously". These points tie in with those made by Steytler *et al.* (1998: 125) relating to the blurring of the boundaries between the state and civil society when civic leaders moved into governmental roles after the first democratic elections in 1994. Lindberg and Sverrisson (1997: 2) note that, "Irrespective of whether their goal is to change or defend society or a particular social order, social movements are usually seen as autonomous of the state and established political parties". As a result of South Africa's history, this autonomy is not sufficiently established in state/civil society relations. Decades later, the legacy of the 'my-comrade-or-my-adversary' problem continues to hamper clear and effective social mobilisation in South Africa.

VS has, historically, mobilised on issues of conflict, but it has not done so for more than a decade. In the absence of real social mobilisation during this period, the contestation has continued, but exclusively through correspondence and the courts. The conclusion reached is that VS partially meets the criterion relating to mobilising on issues of conflict – it has, and it may well do so again.

The component relating to (iv) sharing common beliefs and demonstrating solidarity interrogated the way that VS leaders are perceived in their communities, and the extent to which there is a creative

culture in VS. The first question was asked to ascertain whether it has a distinct identity in the eyes of the general public. The answer was an overwhelming ‘yes’.

The question relating to a creative culture did not result in a positive conclusion. Membership cards and t-shirts were popular, and there was evidence of brand ownership. The fact that no member has taken the initiative to produce new VS t-shirts to sell however, has led to questions regarding whether, now, there would be a market for them. A study of the placards at two large rallies shows a managed process; professionally produced, not hand-made, placards are in evidence. While there was a difference of recall regarding who authored the slogans, the placards did not display creativity.

None of the VS leaders mentioned art when asked about creativity in the organisation. Songs were sung on marches and at other events, but there was no other evidence of the creative arts in VS. On balance, it is concluded that there is no creative culture in VS.

The discussion relating to other issues that demonstrate shared beliefs and solidarity centred on the way that VS members interacted with the organisation once their claims were settled. There was an indication of some solidarity; for example, in Middledrift but this related to trained leadership, not to rank-and-file members. Loliwe estimated that 80% of ordinary members saw VS as a “ticket to restitution” and no more (Loliwe, Interview, 2019a). Others (Dali and Njoli, Interviews, 2019), indicated that a restitution pay-out effectively demobilised VS members. For this reason, VS expanded its scope in 2017 to include service delivery in rural areas, and development projects.

The lack of commitment to VS by its membership is, according to Grootboom (Interview, 2019), indicative of a very poor response to attempts to raise funds for the organisation. In spite of the fact that membership fees are half of those of the ANC, less than 0.4% of the expected fees have been raised. VS leaders agreed that members were reluctant, suggesting that this was because they felt that they should have received their compensation by now (Ntloko and Dali, Interviews, 2019).

Although there is activity on the ground with respect to VS, and some members remain involved in the new development projects that are being piloted, these do not demonstrate shared beliefs and solidarity as anticipated by the literature on social movements.

To assist the reader, a short digest of the researcher's points is given below:

- i. VS does not meet the criterion relating to informal networks.
- ii. VS does not meet the criterion relating to a plurality of actors.
- iii. VS has, historically, met the criterion relating to mobilising around issues of conflict, but not for the past decade.
- iv. Although VS has an identity within the communities in which it is located, it does not have a creative culture, nor does it demonstrate the sharing of common beliefs and solidarity.

On balance, therefore, the researcher draws the conclusion that VS is not a social movement. It is important to state however, that this in no way implies that VS is not an important democratic organ of rural civil society. On the contrary, the researcher was unable to find an organisation operating in rural South Africa with a comparable institutional infrastructure and reach. It remains to be seen whether VS will be able to capitalise on this and convert the organisation from a single-issue interest group to a membership-based organisation with a vibrant cohort of young activists who will take on the development project that is envisaged by the current leadership.

The research question is answered. What remains is to explain the significance of the result.

For those interested in social change, the mechanisms through which power in society is transferred is of great concern. The fact that an organisation does, or does not, bring about the change that is anticipated, might be related to environmental factors beyond the organisation's sphere of influence. The extent to which success or failure relates to the internal structures, methods and culture of an organisation is, at least to some extent, within the organisation's control. The way in which members are recruited, and communication between members is facilitated, is important. The tendency to control and direct these, rather than let them develop organically, might result in a social movement not 'taking off'. It is argued, however, that this is the risk that must be taken if true social mobilisation is to take place.

If, however, the issue at hand is interest-based, this might be better served by a centrally-driven campaign. This fact should be understood, communicated, and appreciated at the outset. There is much to recommend the running of a tightly-managed, well-executed campaign with the backing of a large membership that is willing show its numeric (read: electorally significant) strength through public protest, when called for. The researcher suggests that the TAC has done exactly this, very

successfully. It, too, calls itself a social movement, albeit of a special kind. This study did not examine whether the TAC is, indeed, a social movement and a view will not be offered here. An objective examination of this, as well as the extent to which other social formations meet the criteria that define a social movement, coupled with an analysis of their respective successes and failures, would make a significant contribution to society's understanding of social change in South Africa.

The important point to make, here, is that understanding the components of a social movement will instruct the design of programmes of action to be implemented. Leaders of nascent movements that are informed (or perhaps have good instincts) regarding the key features of social movements will cultivate these.

This study touched on the issue of the relationships between northern donors, local professional NGOs and representative grassroots organisations in South Africa. This is recognised in the literature as an important issue and some work has been carried out in this area. It is, however, suggested that this subject would benefit from detailed case studies. Northern donors could perhaps, be persuaded to fund a large-scale, detailed study across the country, looking at the differences between urban and rural NGOs, their relationships with grassroots organisations and how these have influenced programme outcomes.

It is hoped that this study has made a contribution to understanding rural social movements in South Africa in light of the definition of a social movement suggested by theorists in the field.

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Activists from other land sector NGOs

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Appendices

1. Interview schedule: VS leaders

(a) Related to the history of the formation of VS and its activities

1. How long have you been involved in VS? How did you get involved?
2. What is your understanding of how VS was formed? Please describe the processes that led to its formation?

(b) Related to the formality of its structures:

3. How often do you meet? Who calls the meeting?
4. Is there a time that you can think of where a member of the leadership has called a meeting independently of BRC?

(c) Related to the creative culture and identity of the organisation:

5. Who produces the VS campaign material (placards, banners, posters etc)?
6. Social movements often have slogans or songs that bind people together – does VS have these? If so, please describe them?
7. Does the leadership involve itself in any way in any these activities?
8. Does the ordinary membership do so?
9. In your community are you thought of as a “VS person”? Does VS have a profile in the community (eg like an ANC person or EFF person)?

(d) Related to the organisation’s modus with respect to its interaction with its political context.

10. How often do you, as leaders, communicate one-on-one to discuss current political events or issues that have a bearing on VS’s programme?
11. If an important event happens (for example, the president announces that restitution will be re-opened), what is the process followed for a formal response from VS?
12. The first draft of the current strategic plan de-emphasised land reform as a primary concern of VS, and emphasised a focus on service delivery and development. The plan was later changed and land reform incorporated. Why was this the case? What is your view of VS’s role going forward?

2. Interview schedule: Current and former BRC members of staff

(a) Related to the history of the formation of VS and its activities

1. Who were the main players in the formation of VS? What were their roles?
2. If you were personally involved in mobilising people to join VS in the early 2000s, or in discussion around how VS should be structured, please comment on these activities. In particular, please identify the main personalities driving the formation and structuring of VS).
3. To what extent do you think that BRC was critical to the formation of VS?
4. Do you remember, in the early days, what the thinking was, regarding the future sustainability of VS?

(b) Related to the formality of its structures;

5. What role does BRC play in ensuring that VS functions?
6. Does BRC convene VS meetings? If so, what percentage of meetings are organised by BRC and what percentage are convened on the initiative of someone on the PC?
7. Why do you think that the ratio of BRC:VS-convened meetings is the way that it is?

(c) Related to the creative culture and identity of the organisation; and

8. How much input did/does BRC have in the production of VS campaign material (placards, banners, posters etc)?
9. Did/does BRC involve itself in any way in the creation of VS's identity?

(d) Related to the organisation's modus with respect to its interaction with its political context.

10. How often do VS leaders initiate contact with you?
11. What percentage of that communication would you say was initiated by you, and what percentage was initiated by the VS leader?
12. What is the nature of this communication (what is the medium and what kinds of issues are raised?)
13. The first draft of the current strategic plan de-emphasised land reform as a primary concern of VS, and emphasised a focus on service delivery and development. The plan was later changed and land reform incorporated. Why was this the case?
14. What is your view of VS's role going forward?

3. Interview schedule: Other Eastern Cape land sector activists

1. What is the relationship of your organisation to VS? How long has this relationship been extant? (If there is no relationship, please explain why not)
2. What is your organisation's views of VS's strategies and tactics?
3. Do you consider VS to be a representative voice of the rural people of the Eastern Cape? Why or why not?