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3. Achieving a brighter future for the communal range lands in Maluti District: strategies and process

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3.1. Introduction

3.1.1. Background

In the early 20th century, the South African government was concerned that land occupied by the African indigenous people was degraded. This culminated in the introduction of the 'betterment' scheme as an approach to address the perceived problem of the spread of degradation.

Efforts to 'rehabilitate' or 'stabilise' agricultural land in the communal areas took shape in the 1930s as the international concern with soil conservation spread into South African policy. The 1932 Native Economic Commission drew attention to the environmental problems in the 'native areas', which it described as severe, an obstacle to agricultural development and a threat to the direction of 'native policy'. It argued that soil erosion, the apparent destruction of grazing areas and the drying up of springs in the reserves needed to be combated. Legislation for the culling of excess stock in these areas had already been enacted by Proclamation 31 of 1939 (although it was widely resisted and not effectively implemented until after World War 2).

Four years after the 1932 Commission, the Secretary for Native Affairs made a statement on land policy with plans for the rehabilitation of the reserves, including surveys of each 'location' (local area) before land reclamation began. Yawitch (1981: 10) has argued that the perceptions driving policy at this time were of Africans as inherently poor farmers "with an irrational

desire to accumulate cattle and an unwillingness to accept crop rotation... It is because of this that the division of the land, the limitation of stock and anti-erosion measures were seen as the ultimate solution to the problem. And it is because such a solution did not take the political and economic factors that had forced reserve agriculture to deteriorate into consideration, that such solutions could not and did not work. It was not necessarily that these measures were a failure in their own terms, but because they were implemented without sufficient consideration of the existing social conditions and the causes of those conditions, they served only to antagonise the local populations."

The strategy of 'betterment' first emerged from these concerns in the 1930s. It combined physical land reclamation measures (such as gully rehabilitation) with land use planning that reorganised and segregated the three principal elements in the communal areas landscape: settlement areas, arable land and grazing land. These measures were sometimes accompanied by other agricultural development measures such as the introduction of stock dipping tanks and the fencing of grazing areas into camps in which rotational grazing schemes were introduced.

The South African Native Trust was established by the Native Trust and Land Act of 1936 to administer those areas set aside for exclusive black occupation in terms of the earlier Natives Land Act of 1913 as well as those additional areas designated for black occupation (and still to be made available)

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in terms of the 1936 Act. The Trust was empowered to adopt remedial, rehabilitative and redemptive measures for the existing reserves and for the land to be acquired. Substantial areas were treated with 'betterment' measures in the late 1930s and the 1940s. But the policy was reinforced and restructured after the report of the Tomlinson Commission for the Socio-Economic Development of the Bantu Areas in 1953. This Commission was set up to "conduct an exhaustive enquiry into and to report on a comprehensive scheme for the rehabilitation of the Native Areas with a view to developing within them a social structure in keeping with the culture of the Native and based on effective socio-economic planning" (Houghton, 1956: 1). The Tomlinson Commission reported that black rural people had no management system for their land. It used the term 'parasitic system of land usage' to describe land use in these areas.

In the pre-'betterment' period, management of the communal range lands in the Maluti district of the Eastern Cape was characterised by herding of livestock, use of beacons and stone packs to mark areas demarcated for grazing, strong leadership from the chiefs and effective collective action among resource users to ensure sound management of common property resources (CPRs) - especially land, range lands and forest resources.

During the 'betterment' scheme, most of these characteristics were substituted by fencing; strong policing from the chiefs (then used as government tools), the government and its rangers; culling of livestock; and a centralised form of management. De Wet and McAllister (1983) wrote that the plan during the 'betterment' scheme was to rehabilitate areas declared for 'betterment' and to make them economically viable. This was to be achieved by dividing rural areas into zones allocated for residential, arable and grazing purposes. Officials charged with monitoring the scheme were

to assess the carrying capacity of the area and, if necessary, to order culling of stock. Planning of these areas was based on the idea of 'economic units'. These were designed in such a way that a family, in order to make the minimum of £60 per year that was perceived as being sufficient to make a living off the land, should have access to arable and grazing land. The units were expected to comprise 3 morgen (about 2.43 ha) of land and 17 head of cattle, each requiring 3 morgen (about 2.43 ha) of grazing land.

De Wet and McAllister (1983) state that in practice, the economic units could not support the number of people that were on the land. 'Surplus' families were therefore expected to have to move off the land. In order for the proposals of the Tomlinson Commission to be successfully implemented, the rural environment would have had to be restructured because people would have to move to newly planned residential areas so that the rest of the area could be made available for cultivation and grazing. Industries would have had to be expanded as well, to provide work for those that would have to move from their old rural homes to new villages and industrial areas. The 'betterment' envisaged by the Tomlinson Commission was in effect not implemented, because funding for establishing the new rural villages and industrial towns was not made available by government. Because the new settlements never got off the ground, there was nowhere to move the 'surplus' population. The idea of 'economic units' was dropped because the Tomlinson Commission had reported that for a black family to make a living from agriculture they would need an income of £120 per year. That would mean that 80% of the rural families would have to move off the land. This was not practical because it would cause social problems, and the figure of £60 was decided upon instead.

The 'betterment' scheme was resented by many because of the manner in which it was introduced. To compensate for the strong

arm tactics of the government, the scheme included attractive agricultural production initiatives to entice the recipients. When the enticement did not seem to be effective, the authorities resorted to the enforcement of the scheme. As part of the scheme, boundaries were demarcated, fencing was introduced, and culling and dipping programmes were implemented. For more than 30 years people have learned to live with the rules and regulations as stipulated under the 'betterment' scheme. This has been their way of living throughout the years. Also, direction from rangers, police, headmen and chiefs is something people have learned to live with.

Although the manner in which the scheme was introduced was unacceptable, people have learned more from the 'betterment' period than from the new democratic era with regard to management of communal range lands. For many, what this era has brought is confusion - fences have collapsed, rangers are no longer in place, range land management is becoming less of a priority, portions of communal land are taken by the elite for private use. Although many bad things happened because of the introduction of the 'betterment' scheme, good things were learned from it too, e.g. livestock improvements and its benefits, including wool production.

3.1.2. Purpose

This paper looks at the future of common property resources with regard to grazing and livestock production. In the midst of all the current complexities (no fencing, no herding labour, few or no rules, no enabling political environment, limited space etc.), what strategies and process could be followed to achieve a brighter future for communal range land management as a form of common property resource management? To help find answers to this question, evidence is adduced from a case study in the Maluti district in the Eastern Cape province of South Africa.

3.1.3. The case study area

As in most of the communal areas in South Africa, the land history of Maluti District has been oppressive and "conducive to poor management" (Turner, 1999: 6). The population of 160,777, according to 1991 figures, was one of the highest of all the districts in the former homeland area of Transkei. According to these figures, the land area of the district was 221,891 hectares, with a population density of 72 people/ km². Table 3 - Table 5 show land use types, estimated potential land use by type and land use patterns in the district.

Land use type	Ha.
Arable land	80,640
Grazing	89,318
Community gardens	4,076
Home gardens	217
Forestry	835
Woodlots	14,000
Nature conservation	183
Non agricultural land	32,622

Table 3. Land use in Maluti District, 1985

Potential land use type	Ha.
Arable land	40,000
Forestry	1,000
Woodlots	2,000
Grazing	175,601
Conservation	
Non-agricultural	
Private Commercial Farming	3,290

Table 4. Estimated potential land use in Maluti District, 1985

Land Use Patterns	%
Arable land	18.0
Grazing	75.2
Forestry	0.4
Other	6.4

Table 5. Land use patterns in Maluti District, 1989-1990

The 1994 livestock figures reveal that the average area per large stock unit (LSU) was 0.84 ha., the number of LSU per dip tank was 2,084 and the number of LSU per dam was 35,431. There were three dams in the district (this presumably refers to engineered dams). The report showed that there were 106,294 LSU in the district, but that the appropriate number based on the recommended carrying capacity was 66,819, which is only 63% of the actual livestock population in the area. There is no explanation in the 1994 report of how this recommended carrying capacity was calculated. There are of course many debates around the issue of carrying capacity, but the figures quoted show the difference between conventional scientific recommendations and the actual use of range land by local stockowners.

According to a study done in the district by Cousins (1997), people keep livestock for multiple purposes. 63% keep them for ploughing, 25% slaughter for meat, 63% use them for milk, 100% for sales and 25% for savings and investment. Reasons for selling cattle in the area included urgent cash needs (12%), cash for household consumption (53%), disposing old and buying in young (30%), the pursuit of business goals (47%) and other reasons, e.g. disposing of livestock by selling to avoid losing them through stock theft (30%) (*ibid.*, 40). Goats were kept mostly for slaughtering and traditional ceremonies (*ibid.*, 44).

Maluti district is divided into 25 administrative areas, each of which is made up of wards - which people commonly refer to as villages.

Management of communal range lands in the district is a mixture of what people practised during the 'betterment' scheme, a little bit of their perceptions of what should happen, an almost 'open access' situation and management of the mobility of animals. There are no forums that sit to stipulate the rules that should be followed by 'members'. In most cases, the elite determine what should happen. This has become the com-

mon understanding among the users, since it is also what was practised during the scheme.

Range land fire, caused by certain individuals, is a matter of concern to big livestock owners. People disagree on when to burn to prepare for the next seasons. Some burn before 'the correct time', according to their individual beliefs about what is best.

Serious clashes have occurred with the recent emergence of farmers' associations. Because the government appears to support these, the elite (mainly members of the farmers' association) in one village have managed to secure one of the communally managed grazing camps for their private use (see section 3.3). The focus of the government is now changing towards supporting those interested in the commercial farming system, and away from the communal farming system. There is a belief among agricultural extension officers that indigenous breeds produce less per hectare than commercial breeds. Government preferences are shown by the fact that there is support for legal entities on land held by different sub-groups. In this approach, communal land is subdivided into different uses by different interest groups. Although this has not yet been implemented, it seems likely that it is the approach most favoured by the Department of Agriculture in the district.

In a study I am currently conducting in the area, I have identified key areas of concern for successful range management. In the next section, these concerns are reviewed within a guiding theoretical framework adapted from a paper by Shackleton *et al.* (1998: 12-37).

3.2. Conditions, factors and criteria contributing to successful management of common property resources: are they met on the Maluti District range lands?

This section focuses mainly on a synthesised theoretical framework adapted from

Shackleton *et al.* (1998). This paper uses their framework to see how it would work in the Maluti district and makes recommendations relevant to the district. This framework is seen as relevant in the district because it addresses issues pertinent to the success of CPR management. The way the 'betterment' scheme was implemented had shortfalls, which the framework addresses. 'Betterment' disregarded indigenous knowledge and governance was centralised. The framework, if ideally followed, brings in new ideas about strategies for successful CPR management. The 'betterment' scheme was implemented with the idea that the government would be at the forefront in the governance of CPR. This framework takes into account most of the concerns that 'betterment' sought to address, but recognises the role played by the community.

This paper uses the framework to identify problems and challenges and considers where the framework can be applicable. This is not to say that the paper rejects the framework, but it does suggest ways in which it can be modified. The modifications are based on the realities in the district and also use arguments of Lawry (1990) on the role that the state can play in successful natural resource management. Lawry (*ibid.*: 407) argued that ... "the modernisation process itself has reduced incentives for individuals to participate in localised collective arrangements, has undercut the economic viability of common property institutions, and has reduced the political legitimacy of local management authorities. Population growth and technological change have increased pressures on natural resources to the extent that minimum common property rules do not provide effective regulation...Local common property management will not emerge simply by giving greater official rein to local action". He expressed scepticism about the effectiveness of autonomous local action in sub-Saharan Africa.

Not everything from Shackleton *et al.*'s theoretical framework is used in this study.

Their framework is divided into the following:

- nature of the resource;
- characteristics of the resource users;
- institutional issues;
- nature of rules, regulations and sanctions;
- economic issues;
- policy issues.

The first three and the last of these six constructs for successful management of CPRs seem to be the most pertinent (in terms of priority) in the Maluti District. From these four constructs, the theory adapted from Shackleton *et al.* is presented and coupled with evidence from the district that supports or differs from it. For each subsection, concluding remarks are provided.

3.2.1. Nature of the resource

3.2.7.7. Boundaries

Boundaries must be clear so that users can know their limits and exclude non-members.

In the Maluti district, the boundaries that are recognised by resource users presently are those of the 'betterment' scheme. Although this is true in many villages of the district, people still regard land of which they were dispossessed as theirs. They collect resources they need whenever they need them from the areas that once belonged to them. This is risky because the current owners of these lands regard this as trespassing.

Also, because there are many ethnic groups in the district, it is often possible for different ethnic groups to neighbour each other. This poses a threat, since one group can disregard the regulations set by a neighbouring group to manage range lands. If livestock not belonging to the villages that constitute a particular area have remained on the other side of the boundary for a long time, they are taken to the headman of the area on which they have 'trespassed'. After

a certain period has elapsed, the government officers dealing with stock theft are called to take them away for impoundment. Although boundaries are clear, they are not well respected. Another example, in one of the villages of Maluti District, is an application made by the Hlubi clan for fencing, although they fear that the Bhaca clan might cut the fence.

3.2.7.2. Resource size

A resource with small boundaries is easier to manage than a resource with large boundaries.

Shackleton *et al.* (1998: 15) argue that in situations where the CPR area is large, considering different use zones may be useful because "rules and regulations would then vary in strength and stringency depending on the zone". Their idea was zones of intensive use as opposed to zones of less intensive use. What the theory suggests is practised by the farmers' association (see section 3.3) in the area. If things were in their favour, they would subdivide the land for intensive and less intensive uses.

3.2.1.3. Supply - demand conditions and dependency on the resource

A high level of dependency on the resource results in more effective management structures to manage the resources.

People across South Africa, including Maluti District, do not focus their livelihood priorities solely on range lands. Social grants, in the form of old age pensions and disability grants, are the safety net for households with elderly people. These grants have diverted the focus from effective management of land and grazing resources for sustenance to products sold in market places. Lately, very few people recognise the impact of good management of natural resources. People, especially those who cannot afford herding labour, get almost nothing from these resources because livestock theft increases every day.

Lawry (1990) states that because of other sources of income and the 'open character'

of village economies, the stimulus for collective action is reduced. These circumstances can lead to competition and not cooperation in the use of communal resources. He argues that for a sustained collective action, the resource in question should be scarce and of "critical importance to the economic wellbeing of a large proportion of the community, and where the transactions costs associated with collective action are less than would be the case if resources were under individual control" (Lawry, 1990: 25).

3.2.1.4. Indicators of CPR conditions

Indicators of the condition of the CPR as a result of regular use are important for CPR management. These indicators could be used to raise awareness among the resource users of their collective or individual impact.

Although this is important, it depends on whose indicators count. Scientists could come with their technical views of the situation, and the presentation of their views could be detrimental or helpful to the way these resources are used and managed. Also, the presentation of local views could be detrimental or useful for range land condition. Local knowledge together with scientific knowledge can produce effective results with regard to indicators.

A joint effort by users and the government is needed. The government must take heed of things perceived as important by the users, and the flip side of the equation is equally true.

To conclude this discussion of the nature of the resource being managed, I suggest that if the 'betterment' boundaries could be reinstated with the support of the government, then the problems alluded to above could be eliminated. Because of the present situation, management of livestock mobility is proving more difficult because there are no fences. People are losing their livestock in big numbers. This has discouraged many from livestock farming.

This 'almost open access' situation also affects people who use communal range lands to collect wild resources. People relate the current state of these communal range lands to the unavailability of these resources for collection. They perceive communal range lands (except for this year after heavy rains) as being in a bad state because some of the resources available during the 'betterment' scheme are no longer available. People who depend on certain communal range lands for survival often clash with livestock holders for the resources not to be grazed by livestock. Harvesters easily achieved their goals when fences were still in place.

3.2.2. Characteristics of the resource users

3.2.2.1. User group size

A small user group is more conducive to successful common property resource management because the costs of communication and decision-making are relatively low, rules are easier to enforce, and social sanctions tend to be more visible and effective.

What the theory fails to state is how small the number of users must be for successful common property resource management. Carney and Farrington (1998) point to the fact that there should be no more than 30-40 members for group agreement not to collapse. They were looking at criteria for assessing the strength of local forest management institutions.

In one village in the district, considered small by many, range management is dominated by the elite group of the village (mainly big livestock owners). They inform everybody in the village where to graze their livestock and when. Although this is understood as a sound communal range land management effort by many, it is resented because of the clashes between the elite (mainly big livestock owners from the farmers' association) and the rest of the population.

The case study below (section 3.3) shows the make up of this elite group, from their establishment to date (see also section 3.2.4.1). The reason this is stated here is because the government is under the impression that these farmers' associations will benefit users. As said above, the agricultural extension officers tend to advise people to farm with commercial breeds only and to dispose of their indigenous breeds. They neglect the multiplicity of benefits derived from indigenous breeds. The account given in the case study below shows the direction that things would go. This current trend (of farmers' associations) would come at a cost for other range land users. If certain portions of the land within communal land are to be 'privatised', then those using range lands not only for livestock grazing but also for harvesting of various resources would lose.

This happened in one village where one of the four camps 'acquired' by the association happens to be rich in wild resources. The association is planning to sell the resources to harvesters. There are serious implications emerging from this. First, the ownership of communal land has passed into private hands through the approval of chiefs. Secondly, the source of livelihood for other members has been reduced tremendously. Thirdly, since people are excluded from the land by the members of the association, this has created the potential for conflict. Lack of information has resulted in the confused situation alluded to above. Members of the association together with some agricultural officers are partly to blame. The confidence of people in agricultural extension officers will be greatly affected because they reiterate the same sentiments as those of the farmers' association. Their involvement has confused the situation even more, as people believe that the association might have legal rights to the land because government officials are in support of their actions.

Carney and Farrington (1998: 17) cite a case in Namibia where "lack of clarity about the legal status of land has led to semi-legal fencing of land by the elite". In South Africa, Maluti District presents a similar case, where the elite have used government's ideas about farmers' associations for their benefit (through land acquisition), thus excluding other people from land that is communally owned.

3.2.2.2. Residence

It is preferable for users to reside in close proximity to, or in the same location as, the common property resource.

This condition is generally met in Maluti. People generally live fairly near to the resource. Although this condition is met, it obviously is not enough for successful CPR management. Other factors combine to overwhelm whatever positive influence this particular condition may have.

3.2.2.3. Eligibility

Members with ownership and access rights to CPRs must be defined, and agreed conditions for eligibility should exist.

This is practised in parts of the district, as outlined above. People have invited officers dealing with livestock theft on several occasions to impound livestock that belongs to other areas. This is not practised in the district at large, but only in some villages. The unavailability of fences has necessitated this practice.

There are known and well recognised big families in each village. People gain access to range land in most cases by being related to someone or by lying about their clan names. They then apply for residence, which automatically entitles people to grazing and other rights. This becomes difficult with arable fields since they were reallocated for people who were present when the 'betterment' scheme was introduced. So newcomers are unlikely to get access to arable land.

3.2.2.4. Degree of homogeneity

Resource users tend to co-operate better when they are not strongly divided by

- natural boundaries;
- different perception of risks of long-term extraction from the CPR;
- cultural antagonisms and
- *substantially different exposures to risk* (Shackleton *et al.* citing Ostrom 1992, 1998: 19)

In most villages around the district there is a great degree of heterogeneity. Villages are highly stratified by social status. The people with the most livestock are the ones who 'contribute' significantly to the management of CPRs. Overall, these conditions regarding homogeneity are not met in the Maluti district.

3.2.2.5. Local understanding and knowledge of resource characteristics

If a CPR is a valuable resource worth the costs of managing it, the perception that benefits exceed costs is more likely to arise when members have relatively full and accurate information about: (i) the physical structure of the resource, (ii) the past actions of other users, and (iii) the relationship of demand to supply. They also need to know how the resource varies in space and time and the impact of use on it.

In Maluti district, people who are vocal about the characteristics of communal range lands and how they should or should not be managed are the few members of the farmers' association. The association (the elite) considers the voices of other people with derision. Although there are valuable resources in the area, their value is not considered by many because they are in great supply. The supply of trees used as fuelwood far exceeds the demand.

3.2.2.6. Awareness of resource use issues

...awareness of the risk of resource overuse as well as the relationship between use behaviour and the state of the resource helps ensure compliance to resource management rules.

Although people have not been 'educated' about the vulnerability of the resource and the consequences of overuse, they are aware of what actions to take to combat the problem when there is a need. But their intended actions are hindered by the unavailability of resources. People are aware that certain wild resources were in the area when a particular style of management was adopted. The collapse of this style of management culminated in the depletion of certain resources, which local people feel is a sign that productivity is declining. There are no mechanisms that can be put in place, because fencing is needed to revive what people think of as ideal.

The discussion above has highlighted issues of concern with regard to the characteristics of resource users. The farmers' association in one village believes to know more than the rest of the population about range management. This has created a huge gap between the two parties. There have been rumours that the government supports actions by the association, but some government officials deny this. The land acquired by the association for private use has brought about the feud in the area. If the government had created an enabling political environment for CPR management, issues like these could be avoided. Extension officers who spend most of their time in government offices could play a crucial role in protecting the interests of the marginalised if they spent more time working in the field within an enabling political environment.

3.2.3. Institutional Issues

3.2.3.1. Ownership status

Security of tenure is important.

There have been proposals that land tenure reform be piloted in this district. A joint effort to help people know their rights to land and be responsible for it would prove fruitful for many. If the process is well administered, effective management of range land resources and profitable invest-

ment in livestock can be achieved. The 'Proposed Land Rights Management Functions According to the Status of Local Rights Holders' (seventh draft, July 1998) might hopefully have brought about good governance of CPRs when finally promulgated. But this draft proposal has been shelved (section 3.2.4.3 below).

3.2.3.2. Existing local organisations

Effective CPR management is likely where resource users have had prior experience.

In the Maluti district, through the assistance of the Environmental and Development Agency Trust (EDA), this has not been a major problem. This NGO's skills have ensured that community based organisations are capacitated. This is not to suggest that there are perfect institutions in the district to manage CPRs, but assistance from EDA ensures some form of co-operation and competence although the process in many cases is frustrated by the elite.

3.2.3.3. Centralisation versus decentralisation at a local level

Resource users should not be prevented by central government from exercising local initiatives. Also, a centralised form of governance at local level (council, executive committee, traditional authority) is necessary.

It has emerged in Maluti that chaos can erupt in the absence of a centralised form of governance of CPRs at provincial and national levels. For example, the farmers' association has taken over one of the four grazing camps in one of the villages and two of the four reserve camps that belong to six villages. It is known to everybody that this might be illegal, but because the government has distanced itself from issues of CPR management, nobody knows for sure what is going on. Although theory suggests a centralised body at a local level (meaning that management functions should be concentrated and capacitated at the local level rather than at higher levels), this paper further suggests that a centralised body at

government level should also be involved to protect the interests of the marginalised among other things. Centralised bodies at local level have proved to be biased. Illegal land acquisitions by some members of the villages have gone through these bodies, e.g. the tribal authority or headman. Although their role is a critical one, a complementary form of management at provincial and national level is imperative. This is a policy question of major concern. An enabling policy and political environment for successful CPR management still have to emerge.

3.2.4. Policy issues

3.2.4.1. The characteristics of the legal and political environment in which the users reside

The state must protect the rights of people living on and using CPRs.

The elite in Maluti district have taken all range management issues into their hands. They decide on everything at the expense of those with no or fewer livestock. The acquisition of pieces of land is one factor that affects those with livestock and those with no livestock, since the latter also collected resources from range lands. Range lands are 'up for grabs', with people believing that government's new approach is for people to organise themselves into farmers' associations and have legal title to areas they want to use for farming.

Also, good governance of CPRs at local level and the support of the government would ensure the sustainability of range land resources and related livelihoods in the long run. The present chaos prompts many to be silent about these issues. Biased headmen and tribal authorities have discouraged many from investing in any way in CPRs. People need a clear-cut position and assurance from the high echelons of government. This would boost their confidence in the management of communal range lands. People need to be assured that all the rules and regulations they set are going to be protected by the government and that

information about CPR related issues is well disseminated

3.2.4.2. Relationship between users and the state; the role of the state

The state should play a crucial role in CPR management.

This has been partially alluded to above. The suggested role of the state and resource users is co-management of resources, as this would prove more effective than purely a decentralised form of governance at local level or a purely centralised form of governance at national and provincial levels (Lawry, 1990). The government is needed to ensure that outsiders do not ignore local initiatives. Lawry argued that co-management would be helpful when dealing with the problem of rule enforcement, especially when the rules have broad support in the community.

3.2.4.3. Proposals for land tenure reform

The government's Department of Land Affairs had been reviewing policy with regard to land and resource rights and management in communal areas such as Maluti District. However, the proposals that had been developed (including the *Proposed land rights management functions according to the status of local rights holders*) have been shelved following the appointment of a new Minister. Nevertheless, proposals such as those that had been drafted are needed for successful CPR management.

The draft proposals identified ten key functions: internal land use planning, land use zoning and development, land allocation, decision making, management and allocation of funds, investigations of entitlement to legally secure tenure or comparable redress, accreditation of Land Rights Holders Structures, registration of land rights, record keeping and enforcement.

This paper comments on four of these functions. These are viewed as being issues of immediate concern with regard to sue-

successful management of CPRs, particularly grazing management.

Land use zoning and development control

If this function were to become operational, the resource use rules and regulations set by local people could be protected by a zonal structure. Under the new municipal demarcations, elections and zoning, a representative of a zone can represent the interests of his/her constituents at a higher level. If this could happen, then people would be assured that their interests with regard to range lands are protected.

Internal land use planning

This, according to the proposal, would focus mainly on decision making for communal resources.

Enforcement

This is the legal and administrative provision to guarantee rights.

Registration of land rights

Under this provision, people should have rights as owners or protected rights holders.

3.3. Case Study: the Farmers' Association

3.3.1. History

The history of the Farmers' Association (FA) goes as far back as the late 1980s. It started with one person buying a Jersey cow, which gave him 25 litres a day. He bought the cow for \$230. Because he was concerned that other cattle might injure it, he went to agricultural officers to ask permission to graze it in a camp, which usually was closed most of the year and opened during winter. The camp was used throughout the year to graze commercial bulls bought with subsidies. The purpose of these bulls was to improve stock. His request was not accepted, but the officers advised him to request a piece of land from the community for private use. This idea did not appeal to him because it was not

normal practice for an individual to request a piece of land from communal range lands for his commercial cow. He thought the community would also turn down his request since he had never seen communal range lands being divided into separate 'parcels' for private use. He then decided to lure a couple of people to join him in requesting the land.

Everybody he approached welcomed the idea. They were then advised to request the land from members of the village. According to the informant I spoke to, people in the village welcomed the idea. They took the matter further to the chief and he approved their application. The application was taken back to the agricultural officers and the magistrate for their approval. The agricultural officers sent their application to a regional office for approval. The livestock owners' application was later approved. In the process of their application being approved, they affiliated under the Eastern Cape Emerging Farmers' Union. They then invited the agricultural officers to demarcate the land they had requested. They were advised on the things they could do and not do with the land. When they presented the matter again to village members, they informed them that the agricultural officers had advised them that the Association should comprise 13 members. They never presented this information when they first went to the villagers to request the land. The idea behind this was for a few people to be capacitated, and that the rest of the village members would then learn from them. Members of the village received this restriction of membership with bitterness and expressed this feeling in many ways. Some grazed their livestock on the piece of land allocated for commercial breeds, and some presented their anger about the camp in meetings. The camp that is allocated to the Association is one of the best in the village. It has a river passing through it and a warm area that could be suitable for livestock in winter.

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There is new information about the camp, which contradicts the report of the Association quoted above. Firstly, it is not only people who were not part of the process of handing over the land who are not happy about it, but also people who were in the village when the transfer happened. This includes some members of the Association as well. The Association sees those who were not part of the process as not progressive. Recently people decided to graze their livestock in the fenced camp of the Association. This was at the core of a serious argument among village members. This prompted one Association member to take away his cow to graze it in better pastures outside the camp. Secondly, the Association claims that it received the idea that 13 initial members must join from the government. But a government officer has stated that this claim could not be substantiated in any way. They later lifted the restriction on the number of members to allow anyone interested to join. This led to the number increasing to 21 members.

3.3.2. Achievements

The Association has not achieved much, except for a few members who own Jersey cows, bulls and rams. The production from the cows is far less than is expected from a commercial breed. Some people have complained that the cows are undernourished. The cows do not belong to the Association but to a few members. There are rams and commercial breed bulls that members own, which are supposed to be circulated among Association members. Buyers of these bulls, when the subsidy was still in place, would receive 50% subsidy from the government. When these were first sold at subsidised prices, the agricultural officers recommended that everyone in the village should benefit. But when subsidies were stopped, people chose with whose livestock they wanted their bulls or rams to mate. Because the bulls graze with other cattle in the village, the village does benefit to some extent.

The Farmers' Association has also established a dairy group, and encouraged red meat producers and woolgrowers to affiliate under it. One Association member said that people are made into puppets by those holding key positions in the Association because only one person determines everything that has to be done. Presently, the Association is open to everybody, but members of the village are sceptical about joining. Some are not happy with the procedure followed by the Association to obtain the land and hence they forcefully graze their livestock in the camp allocated for the FA. Some Association members are also not happy with the handling of matters by other members of the Association. One Association member complained that they usually pass him during mating periods. The rams are supposed to reach each member of the Association, now that the subsidies have been stopped, but it is evident that some members are passed for undisclosed reasons.

The Association is in the process of dividing its land. The agricultural extension officer in the area has already secured fencing materials for them. They know how they are going to divide the land. They have already identified portions within the camp in which they want to grow feed, a place for building a milking parlour, and a dam. Recently, they started to plough feed in one portion of the camp. Each of the 21 Association members paid for the tractor that was used to plough the land.

3.3.3. Vision and dreams

The Association wishes to secure another piece of land for small stock. They are in the process of securing this piece of land. One member of the Association has already erected a shack in this piece of land. Their vision is to form a wool growers' club. They also plan to keep their livestock away from other people's livestock. One member claims that this piece of land is "no man's land". These two camps that they have earmarked are reserves for six villages in

time of drought. Although the process is still far from being finished, Association members have already moved their livestock to this piece of land. They deny other people access to it. They wish to hire somebody to look after their small stock when they have secured the land. Another idea they have is to use the land they are claiming productively. If the restitution process promptly attends to their application, the Association wishes to use the land to keep commercial bulls for red meat purposes. They intend to use land they have already secured for dairy purposes only.

The emergence of this Association has created havoc in the village, as stated above. Not only did they secure a piece of land that is owned communally, they also secured land reserved for six other villages including the one they have acquired land from. Also, the restitution claim that the village is making is in the process of being hijacked by the Association for its 'private' benefits. Their land acquisition stems from the fact that farmers' associations are supported by the government, as a new trend in livestock and agricultural production. This new trend is not in the interest of everybody, since the poorest of the poor remain marginalised.

3.4. Conclusion

This paper argues the importance of recognising the role of government in CPR management to ensure sustainable livelihoods. The argument put forth is that the achievement of a non-freehold future with regard to CPR management (in particular communal range lands where livestock grazes and resources are harvested for sustainable livelihoods) rests on the availability of the 'upper hand' (the government). The government has a duty to protect the rights of individuals and groups, to police and enforce rules set by the users. The situation presently is chaotic, making most users unsure of the current developments with regard to CPR management. Those with

large numbers of livestock are using this period of uncertainty to accumulate pieces of land for private use. Lack of co-ordination of government departments partly causes this corruption.

Many of the other issues discussed above suggest the potential of fencing to eliminate threats and problems associated with the management of communal range lands. People lose their livestock in big numbers because of broken fences. Herding by children is becoming more difficult since they spend most of their time in school. Livelihoods are severely affected in this present situation. The position that this paper takes is that the government should play its part in overseeing management of these resources, offer support in terms of fencing as it did in the past during the resented 'betterment' scheme, protect the rights of people, and ensure security of tenure for sustainable livelihoods. The past 'betterment' scheme applied the concept of creating 'economic units' for people to sustain themselves. It used a centralised form of management, which ended up failing. This paper proposes a joint effort between the government and communal range lands users, following closely the theoretical framework proposed, to ensure sustainable livelihoods through livestock production from well managed range lands. In this way, a different kind of 'betterment' can be achieved.

The theoretical framework as used in this paper would be ideal for the Maluti district. Generally, the framework can work in the district, but the internal politics of each village pose a threat. Ideally, the framework is good but in each village specific challenges and problems should be considered. These challenges and problems include the make up of each village: for example, the capacity of its institutions and the socio-economic status of individuals with regard to achieving positive CPR management. Everything in the rural Eastern Cape has been built or developed

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along the infrastructure developed during the 'betterment' scheme. It is therefore imperative that some of the initiatives of

the scheme (like fencing, and policing) be recognised and built into future policy and practice.