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**An investigation into the community's experience of the land claim process:
The case study of Cwengcwe village in King Williams Town, Eastern Cape**

By

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of Social Science degree in African Studies in the Faculty of Social Science
and Humanities at the University of Fort Hare, East London.**

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Declaration

I, Unati Natashe Mgweba, hereby declare that this research report is the product of my own work, and that, where I have used the ideas and words of others, I have referenced these correctly. I also declare that, as advised by my supervisor, the responsibility for referencing correctly and completely is solely mine.

.....

Signature

.....

Date

Dedication

I dedicate this work to my late father (Charles Manene Mgweba) who instilled the value of education to me at a very young age.

MAY YOUR SOUL REST IN PEACE TATA

Abstract

This study examines Cwengcwe community's experiences of the land claim process. This community is located in King William's Town, Eastern Cape. The land issue remains unfinished business in the South African context with many land claimants still waiting to receive their land back or to be compensated for their land with money. Cwengcwe community members are not an exception in the channel of claiming back their land and having to wait for a lengthy period of time to be compensated. The main objective of the study was therefore to find out about the experiences of the Cwengcwe community with regards to the land claims process. The study adopted a qualitative research approach and the data was collected by conducting semi-structured interviews and observations. Purposive sampling was used to collect data from community members at Cwengcwe village. The findings of the study reveal that the community members in this village are very disappointed at the slow progress of processing the land claims, as their claims which were lodged in 2015 had not been settled as yet in November 2017. Furthermore, the minimal and/or lack of communication from the Department of Rural Development and Land Reform was a negative indicator in the prioritisation ladder. This study recommends further exploration of the land claim process in order to review its model and come up with alternative processes that might ease the land claim process.

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Chapter 1: Overview of the Study

1.1 Introduction

This study documents the narrative of Cwengcwe Community's experience of the land claim process. This village is located in King William town, in the Eastern Cape Province of South Africa. The background on the politics of land in this community dates back to the 1960s. The Cwengcwe community members were dispossessed of their land by means of betterment and forestry in the 1960s under the Native Land Act of 1913 which advocated for this. In 2015 a verification process was done in order to identify the beneficiaries of families that were dispossessed with the aim of redressing the injustices of these past laws. The starting point was to identify the original dispossessed individuals who were the head of the households that suffered dispossession and verify who the descendants were. From there, the process was to elect a family representative from each household, whom the department would liaise with until the finalization/settlement of the claim. This study, therefore, seeks to investigate the progress made on these land claims at Cwengcwe community.

As early as the year 2000, Thoko Didiza, the then minister of Agriculture and Land Affairs, identified the need to speed up the settlement of restitution claims. Furthermore, she felt that it was necessary to improve communication with claimants with regard to the process and the status of their claims (Commission of Restitution of Land Rights, 2000). Lahiff (2002:18), however, points out that: "While considerable emphasis is given at the national level to the need to involve multiple role players in the provision of services to beneficiaries... this has not always been achieved in practice and many communities have seen minimal improvement in their lives following the settlement of their claims." Fifteen years later, after Lahiff (2002) published his research report, the Eastern Cape is still confronted with similar challenges with regard to the delayed land claims.

It can be argued that the communities need to be engaged at the community level, which means going to them and engaging them in an environment that they are

comfortable in, and getting a sense of what they feel could work in order to speed up the process. After all, they are the ones affected by the long processes of these claims. Hence the aim of this particular study is to investigate the community's experiences of the land claim process, the case of Cwengcwe Village in King Williams Town. The first phase of the claims process targeted dispossessed individuals in the 1960s, which did not include individuals dispossessed before the stated period. Most of these individuals have passed on and their children and grandchildren automatically became the sole beneficiaries.

These community members were dispossessed of their land by means of betterment and forestry/grazing. Betterment was divided into two sections, firstly, those people whose land was reduced and given to the white people. Secondly, those who were moved totally from their land and were required to relocate to a place that is strange and new to them. This was done because white people needed the land for farming or they could see that the land had good potential. The third part of the claim includes forestry/grazing. These people used to own livestock, and send them to feed on the nearby forestry. The laws at the time required them to move their livestock somewhere else for grazing, far from their homes. This had serious implications for the survival of their livestock, as they had to travel long distances in order to get food, and some of the livestock ended up dying as a result. This obviously had serious implications in their household income, because most people relied on farming to feed their families.

The main purpose of the verification process done in 2015 was to identify these beneficiaries of the families that were dispossessed. The starting point was to identify the original dispossessed individuals who were the head of the household that suffered dispossession and verify who his/her descendants were. From there, the process was to elect a family representative from each household, whom the department would liaise with until the finalization/settlement of the claim.

During this process, the fieldworkers from the community were contracted by a private company that was tasked with the verification process. These fieldworkers were the ones that completed a family tree in order to identify the direct descendants

of the people who were dispossessed, until it reached the current generation including new children. There were also documents that were needed to be attached to the family tree, like the Identity documents, death certificates and marriage certificates and affidavits. The researcher was part of the first phase of the claims process done in November 2015, as a fieldworker at Cwengcwe, and this particular research is directly linked to that initial process.

Hence the researcher went back to the community and interviewed the people who were dispossessed to get a true reflection of their experiences to date. The whole process took about six weeks to complete and about 400 claimants were targeted. All the collected documents were then submitted to the Department of Rural Development and Land Reform in order to continue with the claiming process. This research at Cwengcwe village will be of interest to the Eastern Cape government in particular, as it is faced with a challenge of the slow process of the land claims.

1.2 Background of the Study

The indigenous people of South Africa lost their rights to land as early as 1652, and the process of dispossession was legitimized in 1913 through the Native Land Act of 1913. South Africans were deprived of their land and these actions were supported by legislation. The Natives Land Act of 1913 provided the foundation for the laws that followed which restricted Africans to buying, leasing and selling land only in the reserves, while whites were allowed to own land wherever they wanted to. The Native Administration Act of 1927 and the Bantu Trust Land Act of 1936 were Acts that provided for the discussion of the reserves into Bantustans or self-governing territories. People were forcefully removed from the land of their ancestors with no compensation (Pepeteka 2013).

As a result, the black people of South Africa suffered land inequalities. The colonial period marked an era where they were conquered by the European rule, where they were subjected to live under oppression. These Africans lost rights to their land

and were forced to migrate to areas that were designated for them. Strict laws were used to enforce these actions and this was all done in the name of bringing enlightenment and development. Even in those designated areas, the Europeans still invaded the Africans by using laws on how to use the land in those areas (Pepeteka 2013).

One would argue that even in those areas their rights were very limited and they were subjected to perpetual surveillance. Furthermore, the dispossessed people and the displaced were further harvested for cheap manual labour. As a result, not having land meant that it would be difficult to provide for their families and that would eventually lead to poverty. When freedom arrived in 1994 and the African National Congress took over they were confronted with the urgent land issue. The African National Congress undertook to address the land policy in order to address the economic development of the people of South Africa with the aim of redressing the economic injustices of this past. This was done through the pillars of land reform, namely, redistribution, restitution and tenure reform (Pepeteka 2013).

The first team of commissioners to fast track the land restitution started in March 1995. The Commission of Land Rights was to investigate, mediate and settle land claims. In a case of disputes, the claims were referred to the court for a ruling. The commission also understood that there could never be a successful campaign without the involvement of the people who matter the most; the people at the community level. (Commission of Restitution of Land Rights, 2000).

1.3 The Research Problem

The challenge, as highlighted in the above-mentioned statement, is that the process of land reform is very slow and requires drastic measures in order to improve (Pepeteka 2013). The Eastern Cape roundtable engagement on communal land policy held at the International Conference Centre in East London on the 5th to the 8th of July 2016 aimed to address this issue by inviting different stakeholders, who were directly linked to the land question, in order to engage so as to come up with

better strategies to address this challenge.

The Policy brief made by the Department of Planning, Monitoring and Evaluation and the round table engagement held at the International Conference Centre in East London in July 2016 share similar views with regard to the slow progress of the land claims. The Policy

Brief series made by the Department of Planning, Monitoring and Evaluation published on the 02nd of January 2016 reported that the past claims (first phase) were settled through the land claims court. However, due to its slow progress, a review was made in 1998. This resulted in administrative settlement of land claims with the provision of Section 42(d) of the Restitution Act. The results improved, as there was an increase in the number of claims from 1999 onwards. Phase two of the Restitution Programme aimed at improving the challenges of the first phase, which included improving filing and recording system and poor management of those files. Another plan was developed in 2014 and by September 2015, there was progress made in the recommendations that were made (Department of Monitoring and Evaluation 2016).

The Commission on Restitution of land Rights is responsible for the Department of Rural Development and Land Restitution programme. This commission managed to settle 77 662 claims by March 2014 with 8471 outstanding claims settled and those that have been finalized. The gap identified is that it does not evaluate the effectiveness and the quality of the claims process or even the overall settlement of the claim (Department of Monitoring and Evaluation 2016).

Judging from the current status quo, it is clear that in order to improve processing of land claims, the communities need to be engaged at the community level, which means going to them and engaging them in an environment that they are comfortable in, and getting a sense of what they feel could work in order to speed up the process. After all, they are the ones affected by the long processes of these claims. The Cwengcwe claim process started in November 2015 and is still pending. This information was in June 2017 also verified by the Department of Rural Development and Land Reform in Beacon Bay East London that the claim

has not been settled as yet.

1.4 Research Questions

1. What are your experiences with regard to the verification process/claims process in Cwengcwe?
2. Has there been communication from the Department of Rural Development with the people of Cwengcwe since the verification was done? If so, how has this been done?
3. To what extent do you think the land claims process in Cwengcwe will be a success?

1.5 Research Aims and Objectives

1. To find out about the experiences of the Cwengcwe community with regards to the verification/claims process.
2. To determine if there has been communication by the Department of Rural Development with the people of Cwengcwe and how this has been done.
3. To determine the extent to which the people of Cwengcwe who have made claims believe in the success of the land claims process.

1.6 Significance of the Study

The research will shed some light on what the people at Cwengcwe think about the best strategies to speed up the process of land claims. The recommendations made will also assist the Department of Rural Development and Land Reform to get more insight into the experiences of the people that they are servicing. This will be a true reflection of their experiences. This will give the department an opportunity to strengthen areas of land claims where they see that there is room for improvement.

Theoretical Significance

Sustainable livelihoods is significant in this study at Cwengcwe because this theory has a holistic view of how the poor can utilise the available resources that they have

to their advantage in order to improve their lives. This theory is also inclusive as it seeks to involve the poor and everyone can participate in their own development.

Limitation

Time factor was a limitation in this study, because the study was done over a limited time and further exploration will be needed to broaden the study.

Funding was also a challenge as the researcher had to travel constantly from East London to King Williams Town. Participants had to be called and arrangements made for appointments. Funding was only secured towards the end of the research in December.

The fact that the study was done in one particular place, with one particular case study posed a challenge because a researcher cannot make sound judgements solely based on that. The researcher clearly outlined this and the reasons why she only studied one area and made recommendations for further research that still needs to be done. Thus case study cannot be generalized on all the other land claims done in South Africa.

1.7 Chapter Outline

Chapter One is an introductory chapter that lays the ground for the study, hence it gives background of the study, Research problem, Research questions, Research objectives, Significance of the study, as well as the structure of the dissertation.

Chapter Two is the literature review as well as the Theoretical framework. In this chapter, the work of other scholars and similar issues are reviewed and gaps in literature are identified as well as how those gaps could be filled. The point of departure for this study is also detailed. Furthermore, the theoretical framework that guides this study is given.

Chapter Three is the Research Methodology which provides a roadmap on how the data for this study would be collected. Hence, the Research approach of the study is

explained in detail.

Chapter Four is the presentation of data as well as the analysis.

Chapter Five is the presentation of research findings. This chapter packages the journey and the experiences of the land claimants in their quest to reclaim their land as well as to get compensation for it. Various themes are hence pursued in the quest to detail this narrative.

Chapter Six provides a summary and conclusions of the research findings with recommendations for possible future research and lessons learnt for the Department of Rural Development and Land Reform.

Chapter 2: Literature Review and Theoretical Framework

2.1 Introduction

This chapter aims to give a background of the land question in Africa, specifically looking at factors of how land is used, managed and governed in this continent. Furthermore, it focuses on South Africa, in particular, debates of land policy implementation in the Eastern Cape Province and how this has shaped the progress of land claims.

2.2 Literature Review

The first response to the Native Land Act of 1913 was a book published in 1916 called *Native Life in South Africa*, written by Sol Plaatjie who was regarded as the first black South African author, and one of the best writers and journalist of his time. The book draws on the origins of this Native Land Act and the effect it predicted to have on the African people (Asmal 2007).

Plaatjie (1916), as cited by Asmal (2007:11), predicted that, in the long run, the Act would have the following effects, namely, “poverty, landlessness, overcrowding ...for all of this he continued to believe that the Native’s Land Act carried a heavy burden of responsibility.”

In support of this statement, Lahiff (2002:1) highlighted that people in the Eastern Cape still find themselves with limited opportunities for jobs, which indirectly forces them to go back to the rural areas to rely on traditional land based activities. The Eastern Cape is regarded as one of the provinces adversely affected by poverty, more specifically, the homelands in the former Transkei and Ciskei.

The area of Ciskei became a governing territory in 1972 and gained its independence in 1981. Between the early 1960s and the late 1980s, the Xhosa people were forcibly resettled in the Ciskei and Transkei. In total, Platzky & Walker, as cited by Lahiff (2002), estimated that about 401 000 forced removals took place in the Eastern Cape between 1960 and 1983. With the abolishment of apartheid

in 1994, South Africa began the process of redressing the injustices of the past laws through land reform.

The constitution of South Africa laid the foundation for land reform, more specifically the Bill of Rights. Section 25(4) (6) and (7) of the property clause highlights the nation's commitments to land reform. It stipulates that those who were dispossessed of their land are to be given land back or be compensated (Constitution of SA 1996).

The South African government started a land reform programme that was characterized by three pillars, namely restitution, redistribution and tenure reform. Restitution aimed to compensate people in the form of alternative land or compensation. The restitution was very slow with only forty-one claims settled between 1995 and March 1999. The first extension was in 2005 in order to cater for the challenges experienced in the restitution, then further extended to 2008. The challenges of restitution included limited staff, fraudulent claims and also claims that could not be traced, family fights, increased prices by land owners and limited support from government (Pepeteka 2013).

Redistribution, on the other hand, aimed at creating an opportunity for accessibility of land and creating opportunities for development for blacks that were subjected to racial inequality. The willing-buyer willing-seller was at the basis of this approach. Government was committed to redistribute 30% of the white owned land to the poor people who had no land. There was a grant system named Settlement and Land Acquisition Grant (SLAG) provided to families which was R15 000 but later increased to R16 000. The grant resulted in a pulled together strategy called rent a crowd strategy because the grant was small. That also resulted in group dynamics and the process had to be stopped in 1997. The Land Redistribution for Agriculture Development started in 2001 and diverted from the initial plan. This was also a grant system but with higher amounts between R20 000- R100 000, as compared to Settlement and Land Acquisition Grant and catered for better off individuals (Pepeteka 2013).

Government shifted from Reconstruction and Development Programme (RDP) of the Settlement and Land Acquisition Grant to Growth Employment and

Redistribution Strategy (GEAR) in 1996. Growth Employment and Redistribution Strategy focused on market led growth from the Agricultural sector rather than redistribution to the dispossessed farmers. Stakeholders agreed that there was a need to review the willing buyer willing seller policy and based this on the needs of the people. As a result, two

interventions were developed, the Pro-Active Land Acquisition Strategy (PLAS) and the Land Agrarian Reform programme (LARP) which was a joint venture between the Department of Land Affairs and Agriculture. The challenges of Pro-Active Land Acquisition Strategy / Settlement and Land Acquisition Grant involved too much prices offered by land owners and some not willing to sell, limited agricultural land in South Africa, poor settlement support, group dynamics and the slow progress of implementation (Pepeteka 2013:9).

Land tenure aimed to provide more secure access to land in communal areas and commercial farms. Out of the three pillars, the land tenure is considered the worst. But there are also some achievements because, as a result of this pillar, came the Extension of Security Tenure Act (ESTA), Land Reform Act and the Interim protection of formal Land Rights Act. Challenges faced by the Land Tenure included lack of legal representation for farm dwellers, lack of knowledge of the legislation and compliance with the legislation (Pepeteka 2013:11).

The fourth pillar includes a final policy proposal in land reform known as Strengthening the Relative Rights of People Working the land. "The state will buy the 50% of the farm allocated to farmer workers, but will not pay the proceeds to the farmer but into an investment and Development Fund (IDF) to be jointly owned by the parties constituting the new ownership regime. The fund will be used to develop the managerial and production capacity of the new entrants to land ownership to further invest on the farm as well as buy out people who wish to opt out of the new regime" (Steward 2016).

Two state government institutions were given the responsibility of the restitution programme, namely, the Eastern Cape Regional Land Claims Commission and the then Department of Land Affairs. In partnership with other NGOs, these institutions

have given support to the settlement claims and to restitution beneficiaries. Although the programme was supported by these institutions, in 2002 the province was still faced by challenges of limited budgets, lack of policy direction and lack of co-operation within spheres of government. Lahiff (2002) further highlights that by the end of March 2002 there was an increase of claims made in the Eastern Cape. What is interesting is that only 12% of those claims were rural claims, the rest were urban claims (Lahiff 2002).

The basis of this research is from Lahiff's (2002:18) statement: "While considerable emphasis is given at the national level to the need to involve multiple role players in the provision of services to beneficiaries...this has not always been achieved in practice and many communities have seen minimal improvement in their lives following the settlement of their claims. Fifteen years later, after Lahiff (2002) published his research report; the Eastern Cape is still faced with similar challenges with regard to the delayed land claims.

2.3 Colonial Origins of the Land Question in Africa

"Africa's land question originates from geographical, ecological, political, economic, social and geographic factors. These factors have affected how land is used, managed and governed. Africa is made up of five regions which totals to fifty two countries which were affected by the history of colonial rule. Most of these countries were colonized by Britain, others by French, Belgium, Portugal and Spain. Europeans had control over land by means of "agreements" conquest and appropriation.

The control was enforced and legitimized by European laws, political, administrative and economic management systems. Independence from this colonial rule came at different times for these African countries, with Zimbabwe, Namibia and South Africa coming last. This meant that the process of nation building, design of policies and development strategies for land were delayed as well" (African Union, African Development Bank & Economic Commission 2010:5&6).

The role of government is challenged as communities, regulatory and administrative structures, civil society, public sector groups demand to be

involved in land policy development. Despite efforts for liberation, the issue of land is still the main reason for instability in Africa. Furthermore, conflicts in many of the African countries were the cause of forced evictions and cruel violence experienced in these parts of Africa. Apart from having to deal with addressing the injustices of the past, land policy development and reform must also deal with the prevention of conflict by bringing peace and security in Africa (African Union, African Development Bank & Economic Commission for Africa 2010).

One might ask why should there be a study on land and why people should be compensated or what is the significance of land and its importance in the African communities. In addressing this, Rev. Hambira (1999) state that African people attach a lot meaning to land as a source of food: source of livelihoods, a hunting ground, a source of shelter, burial ground and a source of health i.e. extracting traditional medicines as roots. Mufeme (1999) expands on Rev. Hambira's claim by stating that resources promote economic and human development as more than half of the world's population survives by farming. He also states that, historically, land has been used to empower different nations, races, gender and classes in Africa. Furthermore, land is important for cultural, spirituality, dignity and identity for the black Africans (Mufema et al. 1999).

2.4 Land Question in South Africa

"The loss of land rights in South Africa came as a result of direct and indirect pressures, dated as far back as more than three centuries ago. Although the conflict of land came as a result of European colonialism, the foundation was laid by the Dutch when they settled in the Cape in 1652" (Walker et al. 2010:18).

Many black South Africans were forcefully removed from their land and homes as a result of racial laws that restricted them. These laws included the Group areas Act in urban areas and the Native's Land and Trust Acts of 1913 and 1936. These forced removals continued up until the late 1980's. During that time the liberation movement had already started developing a land policy which was later adopted in 1992 (Hall 2004).

Plaatjie (1916), as cited by Asmal (2007:11), predicted then, that in the long run, the Act would have the following effects, namely, “poverty, landlessness, overcrowding ...for all of this he continued to believe that the Native’s Land Act carried a heavy burden of responsibility.”

In support of this statement, Lahiff (2002) highlighted that people in the Eastern Cape still find themselves with limited opportunities for jobs, which indirectly forces them to go back to the rural areas to rely on traditional land based activities. The Eastern Cape is regarded

as one of the provinces adversely affected by poverty, more specifically, the homelands in the former Transkei and Ciskei.

After the unbanning of the political parties in 1990, the African National Congress demanded a specialist land court in order to make formal judgements and decisions on land claims, so as to be able to compensate those who had been dispossessed. The land manifesto of 1992 laid out that there should be criteria for those who were claiming. This included claiming by birth right, title deeds, tenancy and benefit from use, duty to maintain and historical dispossession and need (Walker et al. 2010).

Therefore, for the person who is eligible to claim, the following criteria applies: only a person or community who was dispossessed after 1913, and this should be as a result of racially discriminatory laws and practices. Furthermore, the person or community should not have been compensated or their direct descendants or deceased estates (Walker et al. 2010)

The constitution of South Africa laid the foundation for this land reform, more specifically the Bill of Rights. Section 25(4) (6) and (7) of the property clause highlights the nation’s commitments to land reform. It stipulates that those who were dispossessed of their land are to be given land back or be compensated (Constitution of SA 1996).

The South African government started a land reform programme that was characterized by three pillars, namely restitution, redistribution and tenure reform. Restitution aimed to compensate people in the form of alternative land or

compensation. It was very slow with only forty-one claims settled between 1995 and March 1999. The first extension was in 2005 in order to cater for the challenges experienced in the restitution, then further extended to 2008.

The challenges of restitution included limited staff, fraudulent claims and also claims that could not be traced, family fights, increased prices by land owners and limited support from government (Pepeteka 2013). Furthermore, the aim of restitution does not merely stop at dealing with the injustices of the past, but also needs to address issues of identity, culture, history and tradition (Hall 2004).

Redistribution, on the other hand, aimed at creating an opportunity for accessibility of land and creating opportunities for development for blacks that were subjected to racial inequality. The willing-buyer willing-seller was at the basis of this approach. Government was committed to redistribute 30% of the white owned land to the poor people who had no land. There was a grant system named Settlement and Land Acquisition Grant (SLAG) provided to families which was R15 000 but later increased to R16 000. The grant resulted in a pulled together strategy called rent a crowd strategy because the grant was small. That also resulted in group dynamics and the process had to be stopped in 1997. The Land Redistribution for Agriculture Development started in 2001 and diverted from the initial plan. This was also a grant system but with higher amounts between R20 000- R100 000, as compared to SLAG and catered for better off individuals (Pepeteka2013).

Government shifted from Reconstruction and Development Programme (RDP) of the Slag to Growth Employment and Redistribution Strategy (GEAR) in 1996. GEAR focused on market led growth from the Agricultural sector rather than redistribution to the dispossessed farmers. Stakeholders agreed that there was a need to review the willing buyer willing seller policy and based this on the needs of the people. As a result, two interventions were developed the Pro-Active Land Acquisition Strategy (PLAS) and the Land Agrarian Reform programme (LARP) which was a joint venture between the Department of Land Affairs and Agriculture. The challenges of PLAS/SLAG involved too much prices offered by land owners and some not willing to sell, limited agricultural land in South Africa, poor settlement support, group dynamics and the slow progress of implementation (Pepeteka

2013).

Land tenure, the third pillar, aimed to provide more secure access to land in communal areas and commercial farms. Out of the three pillars, the land tenure is considered the worst. But there are also some achievements because, as a result of this pillar, came the Extension of Security Tenure Act (ESTA), Land Reform Act and the Interim protection of formal Land Rights Act. Challenges faced by the Land Tenure included lack of legal representation for farm dwellers, lack of knowledge of the legislation and compliance with the legislation (Pepeteka 2013).

The fourth pillar includes a final policy proposal in land reform known as strengthening the Relative Rights of People Working the land. The state will buy the 50% of the farm allocated to farmer workers, but will not pay the proceeds to the farmer but into an investment and Development Fund (IDF) to be jointly owned by the parties constituting the new ownership regime. The fund will be used to develop the managerial and production capacity of the new entrants to land ownership to further invest on the farm as well as buy out people who wish to opt out of the new regime" (Steward 2016).

The period 1994 to 1999 was characterized by slow delivery of land reform but it was also a period of policy making and consultation. The World's Banks 1993 proposal promoted market assisted land reform. The aim was to buy land at market prices with the assistance of the state land grants. The state would neither select beneficiaries nor identify land for restitution, but rather would those wanting land would identify it themselves and apply to the state for financial assistance. Furthermore, in 1990 the National land Committee (NLC) was established. The Reconstruction and Development Programme (RDP) was also launched during this time as the ANC's election manifesto and later in the white paper. In practical terms, land reform in the first five years of democracy was relatively small and the intervention livelihood of the rural poor was isolated (Hall 2004).

Beyond 1999, there was a change in how land claims were administered, as there was a shift from judicial process, to an administrative process, where claims are most settled by means of negotiation, and only referring claims with disputes to the

LCC (Hall2004).

2.5 Debates of Policy Implementation in the Eastern Cape Communities

The area of Ciskei became a governing territory in 1972 and gained its independence in 1981. Between the early 1960s and the late 1980s, the Xhosa people were forcibly resettled in the Ciskei and Transkei. In total, Platzky & Walker, as cited by Lahiff (2002), estimated that about 401 000 forced removals took place in the Eastern Cape between 1960 and 1983. With the abolishment of apartheid in 1994, South Africa began the process of redressing the injustices of the past laws through land reform.

Two state government institutions were given the responsibility of the restitution programme, namely, the Eastern Cape Regional Land Claims Commission and the then

Department of Land Affairs. In partnership with other NGOs, these institutions have given support to the settlement claims and to restitution beneficiaries. Although the programme was supported by these institutions, in 2002 the province was still faced by challenges of limited budgets, lack of policy direction and lack of co-operation within spheres of government.

Lahiff (2002) further highlights that by the end of March 2002 there was an increase of claims made in the Eastern Cape. What is interesting is that only 12% of those claims were rural claims, the rest were urban claims (Lahiff 2002). The Eastern Cape and Limpopo are the two provinces where there are a lot of rural claims but where little land has been restored. Gwanya (2004) in Hall (2004) confirm that there then Chief Claims Commissioner was still paying for claims settled two and a half years ago. This just highlights that claiming for land is a lengthy process to finalize (Hall2004).

The basis of this research is centred on Lahiff's (2002:18) statement: "While considerable emphasis is given at the national level to the need to involve multiple role players in the provision of services to beneficiaries...this has not always been achieved in practise and many communities have seen minimal improvement in their

lives following the settlement of their claims.

2.5.1 The Chatha and the Keiskamahoeek Restitution Claim as case studies

Chatha village is located in Keiskamahoeek, in the Amathole District, within the province of the Eastern Cape. This particular community was forcibly relocated in 1962 under the betterment policy of the apartheid government. They lost their residential sites and their arable land was greatly reduced, which then limited them to get livelihood from their land. Post 1994, the Chatha community lodged a restitution claim for their loss of land rights, but were discouraged to do so because the Eastern Cape regional Land Commissioner (RLCC) felt that their claim was not as a result of racially discriminatory practice. The community was then assisted by the Border Rural Committee (BRC) and they challenged this and succeeded in lodging a claim on behalf 334 households with the Land Claims Court in 1998, but the claim was officially settled in 2000. The community received an amount of R12.5 million as cash compensation, equal to R31 697 per household, to be divided into two equal shares. Half the amount which is R15 848.75 was paid directly to each household, while the other half, which totals to R6.25 million was invested for the community development projects (Lahiff 2002).

The case of Chatha is an example of one of the challenges faced in land policy implementation and highlights the fact that communities should also be at the forefront when policy is formulated. This particular community was excluded from claiming because the claim was not regarded as racially motivated. But in actual fact, this community was eligible to claim. Prior to this, land claims focused on urban areas like West Bank in East London, and not much thought to the rural communities. The case of Chatha set a phase for other rural claims in this particular province (Lahiff 2002). This then makes one to wonder, what would have happened to the rural claims in the Eastern Cape, had the Chatha community not

have challenged this and paved the way for other rural communities.

The Keiskamaheok claim was regarded as the second biggest claim after the Chatha claim and was settled in 2002. This claim covered seven communities consisting of 2000 households at a cost of R102 million. Half of the money went to the claimants and another half to the local development fund. Similar to the Chatha, the Keiskamahoeok claim was coordinated by the BRC with the Amahlathi Local Municipality, the National Development Agency and the Land Bank acting as role players (Lahiff 2002).

The Eastern Cape has a lot of forestry claims in the whole country, more specifically the Transkei. Furthermore, a specialist Forestry Claims Unit within the RLCC in East London was established. This was supported by the United Kingdom's Department (DFID). The first group of forests to be put out to tender by DWAF in the Eastern Cape in Kokstad involved about 330 000 hectares in total (Lahiff 2002). "Land tenure in the Eastern Cape is a result of repeated failure to develop and implement appropriate policies at a national level." Furthermore, Lahiff (2004:33) also argues that traditional leaders from this province have also been at the forefront of the challenges faced within this province.

Although there is evidence that shows that there are fewer rural claims in terms of numbers, these claims form a large part of the restitution programme, the reason being that, the people claiming restitution account for most of the costs. Furthermore, not much progress has been made with regard to settling rural claims (Hall 2004).

2.5.2 Possible Reasons for the delay in the Land Claim Process

1. Rural claims can be complex and this can be because of poor records of land rights held before dispossession.
2. In the first six months of 2004, the verification of large claims started to be outsourced to private service providers. This process is very crucial because it allows one to be aware of how much land has been claimed and where it is. With that said, this can also be a lengthy process as some of the descendants of the dispossessed are staying in different places around the country and reaching all of them can be a challenge.

3. Another challenge can be delays resulting from disputes between CRLR and landowners and landowner, commissions and claimants with some owners having refused to sell or have contested the validity of the claims.
4. Project officers that are involved in the negotiations with claimants and landowners need to be people who are empowered to say certain things, if not; this can also cause delays in the claim process (Hall 2004:18-19).
5. There is evidence to show that there are also ongoing delays in the implementation of settlement agreements. For an example the case of Keiskamahoe, more than two years after this claim was settled, there was still no money that was made available, even for the planning process.
6. Some owners are not always willing to sell, in such cases, CRLR tries to settle with farmers who are happy to sell and work on others. This results in some claims being partially settled.
7. Processing of claims has also been delayed by refusing to negotiate the asked prices. The state's only option in cases like these is to offer claimants compensation or to expropriate.
8. While nationally there is an indication that most rural claims are still outstanding, betterment shows that most potential claims may, in fact, never have been lodged (Hall 2004: 18-19).

2.5.2 The Cwengcwe village Land Claim

The challenge, as highlighted in the above-mentioned statement, is that the process of land reform is very slow and requires drastic measures in order to improve (Pepeteka 2013). The Eastern Cape roundtable engagement on communal land policy held at ICC East London on the 5th to the 8th of July 2016 aimed to address this issue by inviting different stakeholders, which are directly linked to the land question, to engage so as to

come up with better strategies to address this challenge. This research seeks to address the land question at Cwengcwe Location near King Williams Town.

The Policy brief made by the Department of planning, Monitoring and Evaluation and the round table engagement held at ICC East London in July 2016 share similar views with regard to the slow progress of the land claims. The Policy Brief series made by the department of Planning, Monitoring and Evaluation published on the 02nd of January 2016 reported that the past claims (first phase)

were settled through the land claims court. However, due to its slow progress, a review was made in 1998. This resulted in administrative settlement of land claims with the provision of Section 42(d) of the Restitution Act. The results improved, as there was an increase in the number of claims from 1999 onwards. Phase two of the Restitution Programme aimed at improving the challenges of the first phase, which included improving filing and recording system and poor management of those files. Another plan was developed in 2014 and by September 2015, there was progress made in the recommendations that were made (Department of Monitoring and Evaluation 2016).

The Commission on Restitution of land Rights is responsible for the Department of Rural Development and Land Restitution programme. This commission managed to settle 77 662 claims by March 2014 with 8471 outstanding claims settled and those that have been finalized. The gap identified is that it does not evaluate the effectiveness and the quality of the claims process or even the overall settlement of the claim (Department of Monitoring and Evaluation 2016). Hence, this research is done in order to evaluate the effectiveness of the quality of the land claim process at Cwengcwe village.

It can be argued that the communities need to be engaged at the community level, which means going to them and engaging them in an environment that they are comfortable in, and getting a sense of what they feel could work in order to speed up the process. After all, they are the ones affected by the long processes of these claims. The Cwengcwe claim process started in November 2015; this research will evaluate the process of the claim from 2015 up to date. This information was also verified in June 2017 by the Land Claims: Department of Rural Development and Land Reform in Beacon Bay East London. The claim has not been settled as yet and the community of Cwengcwe have not been compensated for the land lost as the researcher conducted an interview with the government officials.

The main purpose of the verification process done in 2015 was to identify the beneficiaries of the families that were dispossessed. The starting point was to

identify the original dispossessed individuals who were the head of the household that suffered dispossession and verify who his/her descendants were. From there, the process was to elect a family representative from each household, whom the department will liaise with until the finalization/settlement of the claim.

During this process, the fieldworkers also completed a family tree in order to identify the direct descendants of the person who was dispossessed until it reached the current generation including new children. There were also documents that needed to be attached to the family tree, like the Identity documents, death certificates and marriage certificates. The researcher was part of the first phase of the claims process done in November 2015, as a fieldworker at Cwengcwe, and this particular research will be a follow up on the progress made in the claims process.

The whole process took about six weeks to complete and about 400 claimants were targeted. All the collected documents were then submitted to the Department of Rural Development and Land Reform in order to continue with the claiming process. This research at Cwengcwe village will be of interest to the Eastern Cape government in particular, as it is faced with a challenge of the slow process of the land claims. It is for this reason that the researcher plans to go back and interview the people who were dispossessed to get a true reflection of their experiences to date.

2.6 Theoretical Framework

Theory frames what we look at, how we think and look at things as well as suggests ways to make sense of research data. The theoretical framework highlighted in this research, is Sustainable Livelihood (Ikechukwu 2013). "A livelihood comprises the capabilities, assets (including both material and social resources) and activities for a means of living. A livelihood is sustainable when it can cope with and recover from stress and shock, maintain or enhance its capabilities and assets, while not undermining the natural

Resource base" (Scoones, 2009:175). Livelihood strategies depend on the different assets/capital that people have, these include natural, Economic / financial, human and social capital. Human capital refers to skills, knowledge, and ability to

work and be in good health, which will enable them to reach their livelihood objectives. When one does not have these skills, this can pose a threat to achieving the desired outcomes. For an example, many people regard getting an education as the main contributing factor to poverty, and thus getting an education maybe one of their livelihood strategies (Department of International Development 1999). In order for people to create livelihood, they need to bring together their personal capabilities with tangible and intangible assets. This framework can be applied at different contexts, namely, individual, households, groups, village, region and even the nation, with sustainable livelihood outcomes assessed at different levels. It looks at the relationship between poverty and the environment (Scoones 1998). Livelihood brings different perspectives together and have influenced the thought and practise of rural development, urban livelihood, occupation, social difference directions and dynamic patterns. The fact that livelihood does not necessarily belong to one particular discipline, acts as a link in dealing with the divisions within these disciplines. This perspective looks at how different people live in different places. Furthermore, it is a means of gaining a living through collecting resources and activities that are required in order to live. This approach understands issues from the perspective of local people and that solutions should therefore talk to the realities experienced. Because livelihood approaches focus on difficult issues experienced by local people; they can be used as entry points for participatory approaches and are considered good methods when searching for theory. Thus, to act as a link between the local people and outsiders (Scoones 2009).

The Sustainable Livelihoods framework link inputs – which are your capital/asset and outputs which are livelihood strategies. People are at the centre of this approach and the focus being their capabilities and capacities, rather than needs and concentrating on problems. (Scoones, 2009). Sustainable Livelihood goes beyond the normal definitions and approaches to poverty, which includes the necessities.

These approaches have been found to be too limited because they focus only on certain aspects of poverty and exclude aspects like vulnerability and social

exclusion, hence the need for Sustainable Livelihoods. Five key elements of the definition that need to be considered. The first three relate to livelihoods, addressing concerns for work and employment with poverty reduction, adequacy, security, well-being and capability. The last two elements are centred on the sustainability dimension, which focuses on resilience of livelihoods and natural base, which they depend on (Scoones 2009).

The vulnerability context frames the external environment that people live in, and their livelihood and assets are affected by things like trends, shock and seasonality. These shocks can destroy people's assets e.g. floods, storms, civil conflict and people can be forced to leave their homes and land. Trends on the other hand can affect rates of return which is the economy. Seasonality can mean a shift in prices and employment opportunities and food availability. These are one of the main contributing factors to poverty. The fact that people's livelihoods make them to be unable to cope with these stresses, it makes them less able to influence their environment. In the end it make them more vulnerable. Even when the trends go on a positive direction, some people are still unable to benefit because they do not have assets (Department of International Development 1999).

This is not a straight line approach that progresses from one stage to another, but rather, it should be used in a participatory manner. Different stakeholders can come together with different perspectives to engage and debate about factors that affect their lives. Furthermore, this is a flexible framework that can adapt as necessary. Thus, it can be used to eliminate poverty (Department of International Development 1999).

Land plays an important role in the development process, more specifically, in the reduction of poverty, improving opportunities for social reconstruction, strengthening governance, managing the environment, promoting conflict resolution and driving agricultural modernization. Therefore, if land can be equally distributed and effectively managed, it can act as an instrument to eradicate poverty, which then directly links with the Sustainable Livelihood framework which advocates getting inputs (African Union

African Development Bank & Economic Commission for Africa 2010:15). These are your capital/asset and outputs which in the end will assist in to fighting poverty.

Based on the above-mentioned statements, the researcher found it necessary to apply the Sustainable Livelihood theory in this particular study because it is more relevant and practical to the study.

2.7 Conclusion

This chapter has given a background of the land question in Africa, narrowing it down to South Africa and the Eastern Cape Province. It has managed to draw on what scholars have written in the past and present regarding land policy implementation and their recommendations on what are the best practises in terms of land policy implementation. It also provides an outline of the theoretical perspective that informs the research.

CHAPTER 3: Research Methodology

3.1 Introduction

This chapter outlines methodological roadmap and data collection procedures and methods that were used for this particular study. Firstly, it introduces the interpretivism paradigm which is linked to the qualitative research approach. Furthermore, the research design used is a case study and the data collection methods most appropriate for this study are also discussed. Sampling procedures and data analysis techniques as well as ethical considerations are covered in this chapter.

3.2 Research Methods

An interpretivist paradigm was used for this particular research. It was important to use this type of paradigm that is rooted on the qualitative approach because the research is aimed at seeking a deeper understanding by interpreting interactions and actions of people. Thus, this was the only way to understand social reality i.e. from the perspective of those who are within it (Barbie & Mouton 2010). This type of approach was relevant to this particular study because the researcher needed to get a deeper understanding of the experiences of the claim process for the people of Cwengcwe. It is only they who could be able to interpret and explain their experiences.

It was important to use the qualitative approach because the research:

1. Was to be conducted in a natural setting of social actors, in this case the Cwengcwe village in King Williams Town.
2. The focus was on the process rather than the outcome. Thus, the researcher focused on the actual experiences of the participants rather than manipulating the expected results.
3. The participants' view were emphasized
4. The main aim was in-depth description and understanding of actions and events.

5. The qualitative researcher was seen as the main instrument in the research process (Barbie& Mouton, 2010). Thus, the success and failure of this research, primarily, depended on the effort and hard work of the researcher.

Purposive sampling was the most appropriate approach for this study because the sample was based on the researcher's knowledge of the population, its elements and the nature of the research aims. It was based on the purpose of the study (Barbie& Mouton 2010).

In the case of this particular study, only a small number of the population was interviewed because interviewing everyone would have been almost impossible. The sample was drawn from five community members at Cwengcwe that were part of the claim process. The committee members formed part of this sample, as they were there at the initial stages of the claim process.

The type of data collection method used was the face-to-face, semi-structured interview and observations (Barbie & Mouton 2010).

3.3 Interpretivism Paradigm

The Interpretive research paradigm tries to describe and interpret people's feelings and experiences in human terms rather than through quantification and measurement. Furthermore, it assumes that people's experiences are real and should be taken seriously (ontology) that we should understand others by interacting with them and listening to what they tell us (epistemology) and that the qualitative research techniques are best suited for this task (methodology). Interpretive research relies on first-hand accounts and tries to describe what it sees in rich detail and present its findings in engaging evocative language (Terre Blanche & Durrheim 1999:123-124). With this type of research the researcher is the main person involved in both collecting the data and analysing it (Terre Blanche 1999).

The interpretivism paradigm was used for this particular research. It was important to

use this type of paradigm that is rooted on the qualitative approach because the research was aimed at seeking a deeper understanding by interpreting interactions and actions of people. Thus, this is the only way to understand social reality i.e. from the perspective of those who are within it (Barbie & Mouton 2010). This type of approach is relevant to this particular study because the researcher needed to get a deeper understanding of the experiences of the land claim process of the people of Cwengcwe. It is only they who are able to explain their experiences. Hence the researcher found it appropriate to use it than the positivist paradigm which is rooted on the quantitative methods.

3.4 Research Approaches

There are basically three approaches used by researchers when they conduct research, namely, qualitative, quantitative and mixed methods. For this particular study in Cwengcwe, the qualitative research method was the most appropriate one to use.

3.4.1 Qualitative Research Methods

Qualitative research methods aim to answer questions like what, how and why rather than how many or how much which are answered by quantitative methods. These can include people's experiences, understanding different perspectives and how experiences, attitudes and life circumstances affect behaviours (Bricki & Green 2007).

3.4.2 Themes of Qualitative Research Methods

1. Naturalistic theme - which aims to study real life situations as they happen in their natural settings, non-manipulative, unconstructive and non-controlling. The researcher is open to whatever emerges with no predetermined constraints.
2. Holistic theme – the whole phenomenon under study is understood as a complex system which focuses more on complex interdependencies than

rather mere looking at causal and effect relationships.

3. Inductive theme – begins by exploring open questions rather than testing theoretically derived (deductive) hypothesis. (Terre Blanche & Durrheim 1999).

The above mentioned themes were very relevant to the research study at Cwengcwe village because the community was interviewed in their natural setting which is their village and the elements of manipulation, obstruction and control were minimized. Furthermore, the study encouraged open ended responses, which avoided yes or no answers and which had more than one possible answer to a question. This gave the researcher more insight and deeper understanding of the questions posed. It was important to use the qualitative approach because the research:

1. Was conducted in a natural setting of social actors, in this case the Cwengcwe village in King Williams Town.
2. The focus was on the process rather than the outcome. Thus, the researcher focused on the actual experiences of the participants rather than manipulating the expected results.
3. The participants' view was emphasized.
4. The main aim was in-depth description and understanding of actions and events. The qualitative researcher is seen as the main instrument in the research process (Barbie& Mouton 2010).

3.5 Research Design

“A research design is a strategic framework for action that serves as a bridge between research questions and the execution of implementation of the research” (Terre Blanche & Durrheim 1999: 29). Research designs also serve as plans that guide how the researcher will collect and analyse the data and provides a plan on how the research is going to answer the research question. What is of importance is for the research design to adhere to these principles so that the findings will stand against criticism and that its validity is maximized. In developing a research design, the researcher must take into consideration the following:

1. The purpose of the research;
2. The theoretical paradigm informing the research;
3. The context or situation within which the research is carried out;
4. The research techniques employed to collect and analyse data (Terre Blanche & Durrheim 1999: 33).

In developing a research design, the researcher should ask questions like, who or what do I want to draw conclusions about and what type of conclusions do I want to draw about the object of analysis (Terre Blanche & Durrheim 1999).

3.5.1 A Case Study Research Design

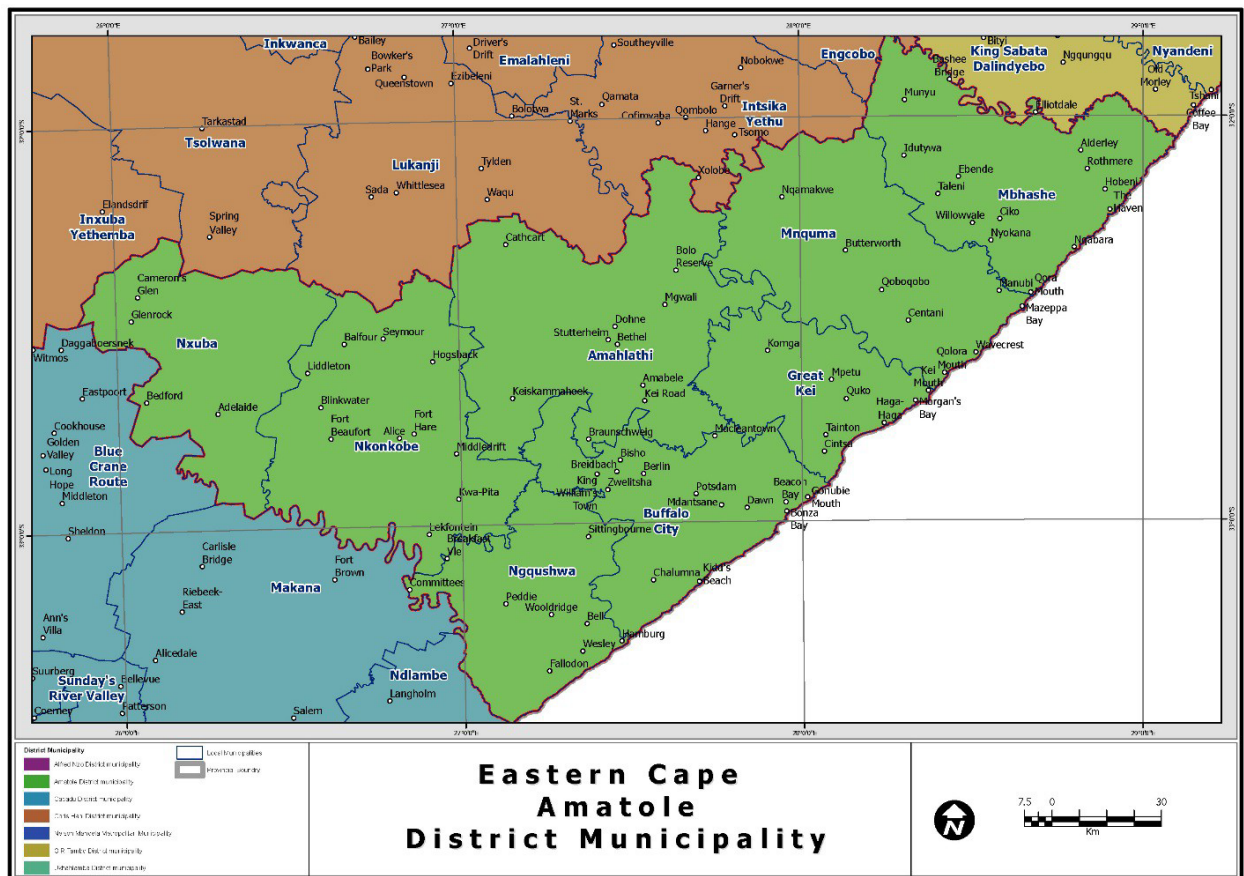
A case study is the research design that was used because it investigates the case in depth and in its real context. It basically seeks to understand why decisions were taken, how they were implemented and with what result. It is also important to note that with this particular research design, the researcher has little or no control over the behaviour of participants (Robert 2014). A distinction is made between single and multiple case studies design. This means that a researcher needs to decide whether they are going to use a single case or multiple cases in the research. A single case study is used to determine if the claims made in the proposal are correct or whether there are other possible alternatives than the one the researcher claimed. Secondly, a single case study can be used in extreme cases or unusual cases. Thirdly, it can be used for common cases, where the aim is to just capture circumstances and the conditions of everyday life. The fourth rationale for a single case study is the revelatory case which is used when the researcher has the opportunity to observe, analyse a phenomenon previously inaccessible to the social science inquiry. The last rationale for a single case study is the longitudinal case, which studies the same single case at two or more different points in time. The multiple case study, on the other hand, involves two or more cases to investigate. This can require a lot of resources and more time which can be almost impossible for only one researcher (Robert 2014).

Patton (2001) further expands on this, by alluding that cases can be individuals, groups, neighbours, programs, organizations, cultures, regions, nation states, community or village or a tribe. In this particular research the community of Cwengcwe village was used as a case study. This case study approach in qualitative analysis involves a certain way of collecting, organizing and analysing data. The main purpose of a case study is to gather as much information as one can about the researcher's case of interest. Furthermore, the term case study can be viewed as a process of analysis or product of analysis, or even both. Patton (2001) advises that data should be collected at the lowest level unit of analysis. His argument is that a researcher can aggregate data collected on individuals but it is not possible to disaggregate data collected on a group.

This was specifically done for the Cwengcwe community because the case study was targeting the Cwengcwe village community but the data was collected at the lowest level unit of individuals.

3.6 Location of the Study

Figure 3.4.1: Amathole District Municipality Map



Source: Google Maps
3.6 Population

This next part of this chapter looks at the population and the sample used. Buffalo City Municipality is situated in the Eastern Cape Province and is surrounded by the Great Kei local Municipality, Amahlathi Local Municipality, Nkomo Local Municipality and Nqushwa Local Municipality, please refer to figure 3.4.1. This province is the second biggest province in South Africa and has the third largest population in the country. With regard to local government dispensation in South Africa, Buffalo City Metropolitan Municipality is categorized as Category “A” municipality with King William’s Town categorized as “B” Municipality. Cwengcwe village is located about 20kms out of King William’s Town on the road travelling to Stutterheim. The area falls under the Amahlathi Municipality which is an administrative area of the Amathole District in the Eastern Cape. (Integrated Developmental Plan 2016).

In the case of this particular study, the Cwengcwe Community represents the population as all of them live in this particular village and share similar characteristics. A study population, on the other hand, limits the study population to those individuals who have submitted their land claim applications in 2015 and are awaiting compensation by the Department of Rural Development and Land Reform. This excludes the other community members who have not lodged claims during this period. Land committee members also formed part of this sample (Integrated Developmental Plan 2016).

3.7 Sample

Sampling is defined as a selection of individuals, units and settings to be studied. The strategy for choosing a sampling strategy and sample size for qualitative research is driven by the purpose of the research, the time frame of the study and the resources that are available (Patton, 2001). In defining the object of study the researcher specifies who or what they want to draw conclusions about. Another name for objects of investigation is unit of analysis. A distinction is made between four different types of units of analysis, namely, individuals, groups, organisations and social artefacts which are products of human actions e.g. newspapers articles and paintings. Units of analysis have an impact on the sample selection, data collection and the conclusions to be made (Terre Blanche & Durrheim 1999).

3.7.1 Purposive Sampling Design

Purposive sampling is the most appropriate approach to use for this study because the sample was based on the researcher's knowledge of the population, its elements and the nature of the research aims. It is based on the purpose of the study (Barbie & Mouton 2010). Only a small number of the population was interviewed because interviewing everyone was almost impossible.

The sample was drawn from the Ezeleni population in a village called Cwengcwe and the departmental officials. There were fifteen participants in total these included gatekeepers/community leaders, community members (Land claimants)

and two officials from the Department of Rural Development and Land Reform who were part of the land claim process. As cited by Patton (2001) the aim of purposeful sampling is not representativeness or the ability to generalise. Thus, the size is not the issue, but what is important is selecting a sample based on the purpose of the study.

3.8 Data Collection Methods

3.8.1 Individual Interviews

Data collection refers to the general gathering of information when conducting a research. This also depends on the instruments to be used and the type of approach. There are four data collection strategies that can be used when collecting data, namely, individual interviews can be face to face, focus groups, observations and documents. The type of data collection method used for the Cwengcwe study is face-to-face, semi-structured interviews (Barbie & Mouton 2010).

Although there are set of questions that the researcher planned to ask participants, the process was flexible enough and not restricted to stick to them. The participants guided the direction that the study took. Interviews involve our day to day discussions but differ in that they have to be valid and reliable. Furthermore, interviews should be reproducible, systematic, credible and transparent. It therefore, becomes vital that the interviewer possess the required skills to conduct interviews. The researcher needed to also be aware of how she got access to the participants that were to be interviewed.

3.8.2 Semi-structured in-depth Interviews

Semi-structured in-depth interviews were used for this study as people were expected to express what they feel without being restricted a lot. The interviews were written down with the response given by participants (Neuman 2004). Three gatekeepers of community leaders were interviewed, with fifteen community

members and two Department officials from the department of Rural Development and Land Reform. The main reason that the researcher wanted to interview all these participants was to get a rich data by directly interacting with respondents. The researcher felt that it was necessary to interview all these participants because they are directly involved in the claim process at Cwengcwe. The language that was mainly used in this study was Isixhosa because every participant was Xhosa speaking. Although the questions were written in English but translated in Isixhosa when communicated to the participants.

The researcher was mindful of the fact that the interview process may not go as planned as participants are complex individuals they might not be willing to share information. Another factor that was considered by the researcher was to be on guard in changing the interview relationship into a therapeutic one. Thus, the researcher was constantly aware that she had different goals and avoided ending up being a therapist and trying to solve the participant's problems (de Vos et al. 2005).

3.8.3 Observations

Observation of the Cwengcwe community was another data collection method used for this research. This was done in accordance to what Kawulich (2005) defines as people were examined in their natural settings in order to understand their daily experiences. Observation on this context, included the researcher being part of the daily routines of this community. Furthermore, this author states that observation also allow the researcher the non-verbal expressions and feeling, who interacts with whom and how participants communicate with each other and the time they spend on activities (Kawulich, 2005).

3.9 Data analysis and presentation

Maaneri (2006), as cited in Barbour (Barbour 2014), suggests that the power to analyse data depends on how the researcher is able to take the reader to the fieldwork site and be able to present a persuasive presentation. Blaxer, Hughes &

Tight (2010) on the other hand believe that analysis of data should be focused . The data that was collected through interviews was recorded with permission of participants as well as written down in form of field notes. The researcher sorted out fieldwork notes according to recurring themes. Data was coded and grouped into themes which were further processed into descriptive narratives. Denscombe's (2007) guidelines on data analysis were very useful and informative in this process. Hence the process involved recording of data in the field as well as writing down notes. The next step was to sift through trends, then data was coded and grouped according to themes and then data was presented.

3.10 Ethical Procedure

This particular study has adhered to the University of Fort Hare's Ethics policy and this was done through the research ethics committee which assessed the research project plan and approved it by issuing an ethical clearance certificate (ECC). The researcher therefore acquired an ethical clearance letter from the University of Fort Hare so as to be able to get access to confidential information from the community members at Cwengcwe village. The aim of the ethical clearance was to inform the community members and community leaders about how the research was going to be conducted and why it had to be conducted.

Ethical considerations involve paying attention to the presentation of the research to potential participants, how possible it is for them to take part in the research and the effects of the sampling strategies and the presentation of those findings (Barbour2014).

Furthermore, the researcher has also taken into consideration her responsibility of being honest when conducting and analysing data. This was done in consistent with section 24 of the Bill of Rights of the Constitution of South Africa (Constitution of South Africa 1996). It requires the research not to bring harm to human health or well-being, but rather protect the environment even for future generations. To further ensure that the student endured

to this ethical conduct of research, the department supervisor was guiding the

researcher and ensuring that the research conducted is in accordance with the provision of this code. The research has also adhered to the confidentiality clause, but is also open to scrutiny by colleagues within the institution. (University of Fort Hare Ethical Policy N/D).

Ethics also assist researchers with guiding principles on how to conduct a study. When conducting a research it is important to adhere to the most important ethical agreements in social research. These included:

1. Informed consent which stated clearly that the participants were not expected to benefit personally from the research study. It was further explained that the research aimed to shed some knowledge and assist in promoting future research. Furthermore, there was no link that was made between the participant and the questionnaire. Thus, confidentiality was maximized. Feedback will also be given to the Community of Cwengcwe so as to ensure accountability.
2. Voluntary participation was ensured because the participants were not forced to take part in the research, they solely did this on their free wheel. If at any point the participant felt uncomfortable to participate they were given the opportunity to stop the interview.
- 3.
4. The researcher did not bring harm to participants. Prior to the interview process the participants were given a clear indication of the duration of the interview so that they are aware of the time that they were expected to spend with the researcher. Furthermore, they were cautioned about personal and sensitive questions that might arise so as to better prepare them. Participants were respected in the duration of the research process.
5. Barbour (2014) further argues that anonymity requires more than just storing data and documents in a safe, but it also involves protecting the identity of the participants. Anonymity and confidentiality was observed professionally as there was no recording of the participant's name on the questionnaire and no one was able to link the answers that participants gave. The only person that is in possession of this information is the

researcher.

6. Not deceiving subjects, there was no harm brought to the participants in any way.

Barbour (2014) brings another insight by stating that ethical issues should not only be considered when one is at the initial stages of the research, but rather should be considered throughout the research process.

Ethical issues need to be considered and the researcher should guard against being biased and ensure that they build rapport with the participants that are part of the research. The interview needs to be as non-judgemental as possible and the interviewer needs to avoid leading participants to particular answers. Furthermore, it is important for the researcher not to promise participants something they will not be able to fulfil. One way of avoiding this is refraining from creating expectations by telling participants what the researcher planned to do with the information given and actually do it (Brick & Green 2007).

The researcher made sure that she was not disturbed during the interview process and that there was privacy so that the participants were comfortable enough to engage and that adequate amount of time was given to the interview process.

Ideally speaking, every researcher wants to adhere to the University's Ethics policy which are reinforced by the Ethics committee but at times that is not possible. Barbour (2014) shifts our focus from mainly viewing the ethics committee as giving guidelines for recruitments of participants and how data is generated. She rather looks beyond this and cautions that researcher should be careful not to just take the data that they need and run. They should understand that people have emotions, and should be mindful when sensitive topics are brought up. She further argues that it is acceptable for the researcher to have boundaries the same way that research participants also have rights. This basically requires the researcher to strike a balance between boundaries and being sensitive to participants.

3.11 Conclusion

This chapter discussed the methodological and data gathering procedures that were

used for the Cwengcwe community. This included research approaches, research design, the location of the study, and the population and sample and the data collection methods used. The last part of the chapter touched on the ethical considerations as outlined by the Ethics Policy of the University of Fort Hare.

CHAPTER 4: Data Presentation and Analysis

4.1 Introduction

This chapter discusses the findings which provide answers to the research questions and also address the objectives of the study. The findings are further analysed in order to gain an understanding of the issue under study. This data was collected mainly through in- depth semi-structured interview with informants who were available to be interviewed. Hence, it was stated in the previous chapter that purposive sampling was utilised to sample the informants. Although as many as 400 community members were said to be on the land claim register, not all went through all vetting process and succeeded, others were dropped along the way after they were told that they did not meet all the criteria for this process to proceed. This chapter therefore adopts qualitative narratives that were collected from 15 participants that were available to take part in the study. In order to verify and compare notes that I obtained from the land claimants, I also interviewed 3 land committee members as well as 2 officials from the Department of Rural Development and Land Reform. As stated in Chapter 3 under the Ethical clearance section, this study did not use the real names of research participants, hence they are referred to as participants' or informants.

4.2 Demography of land claimants participants

The majority of respondents in this study were males. Out of 15 participants, 10 were males and only 5 were females. The nature of demography in participation in this study could be linked to cultural norms where men have always been the leaders when it comes to issues such as land. Men are culturally the head of the households and therefore are the ones that actively take part in issues that have a bearing on the family economy. Since the claimants were mainly families who could trace the family tree up to the original owners of the land-their departed ancestors, men were said to be the ones who were more involved in gathering this kind of information.

4.3 Age of land claimants participants

The age group of the community members that participated in this research ranged from twenty to sixty years. This age range and age gap was very important for the researcher in order to get different perspectives from community members that differ in age. The older generation was very passionate about regaining their long lost ancestral land, or at least benefiting somehow from it by getting compensated with money. The land process for them was very important as a path to reclaim long lost wealth which was historically unfairly expropriated from their ancestors. The younger generation seemed to be mainly interested in monetary compensation and not too much bothered by getting land back for their families.

4.4 Marital Status of the Land claimants Participants

The majority of participants indicated that they were married and that they were official representatives of their families. Out of 15 informants, 12 indicated that they were married either customarily or in civil marriages. Only 3 informants indicated that they were not married at the time of the study. The status of marriage culturally carries weight when it comes to decisions needing representatives. Hence most participants felt that they commanded respect and authority in their families, and therefore, they were in a position to represent them in serious matters that related to the thorny issue of land. Interestingly though, the unmarried research participants indicated that they represented their families because they were trusted and respected and had the ability to follow the process as well as to make representations on their behalf.

4.5 Place of origin and length of stay

All the participants of this study stated that they were born and grew up at Cwengwe. They were very passionate about this and most even said I could verify with the chief and other local traditional leadership structures in order to verify

and confirm their origin. Hence, they also stated that because of their bona fide status in the area, they deserved to be respected by the government and have the land issue addressed as a matter of urgency. They went further to say that since I had found them in the village at their homes I should have read from their infrastructure that they had been around for a long time in this area. The question on place of origin seemed to be a sensitive one, as it invoked feeling of belonging, a sense of entitlement and being part of the community. Due to the exclusionary nature of the apartheid government, villagers seemed to tune into a defensive mode when it came to place of origin. In the past, this village fell under the Ciskei homelands which represented the discrimination of blacks by the apartheid government. Hence, the participants did not want to be mistaken for outsiders. One of the male participants actually stressed his origin at this place by saying;

Ndizalelwe apha ndaze ndakhulela apha, ngumhlaba wookhokho bethu lona, funeka sixatyiswe saziwe ukuba sinelungelo loba sibhataleke. Kudala silindile, sanele ngoku! (Participant 1, 13/09/2017)

(I was born and bred here, I belong here, this is the land of my ancestors, we need to be recognised as owners and be compensated. We have been patient enough).

4.7 Socio-economic status of land claimants participants

All informants in this study indicated that they were not formally employed. A few said that they had been employed on a few occasions when there were community projects. However, they were quick to point out that this was a rare occurrence and that competition for 'piece' jobs was very high as the majority of people in the community were looking for something to do that could boost their 'empty purses'. They indicated that they even fight for tiny job opportunities in community projects. One informant said that this situation was very hurtful and something needed to be done urgently to address this (Participant 2, 15/09/2017). The majority of the participants expressed the sentiments of despair and desperation due to their economic positions. They indicated that they could hardly carry each day along

and felt like destitute. The informants described Cwengwe area as impoverished as the occupants. They said that they were basically poor and the government was not doing much to uplift them from their present predicament. As if about to lose hope, one woman who participated in the study made the following comments;

Besibeke amathemba ethu kuloo rhulumende samonyulayo. Sinethembha ukuba uyaze asikhuphe kule ntlupheko kodwa akukho mahluko wenzekayo, bathatha ixesha ukusibonelela ngomhlaba okanye ngemali esasithenjiswa ngayo. Basifuna nje xa kufika ixesha loku vota, emveni koko

balibale ngathi. Balibele nokuba abantu base Cwengwe bafuna umhlaba wabo ubuyele kubo. (Participant 3, 27/09/2017)

(We have been putting our hope on the government to improve our situation but they seem to have abandoned us. Just look at how they are dragging their feet to compensate us. They only want us to vote them into power, after that they forget that there are people at Cwengwe that want their land back)

The general sentiments gathered here was that most community members were unemployed and struggled to make a living. They felt that the government was not doing enough to speed up the issue of the land question so that they could benefit and improve their lives. Others were worried that some land claimants might even die before they benefited anything from the land. Besides, the participants showed little trust on the land claim process as well as on the committee and officials handling this process. They generally commented that the land team had other 'agendas' which were clearly not on the interest of the land claimants.

4.8 Observations at the research site

The first day that the researcher visited the village was on a day for old age grant payments. It was clear from the attendance that most people in the village depend on the old age grant for a living, as the venue was full. The street vendors selling food and clothes were easily observable outside the venue also. An old shop was used as a pay point station on this particular day that the researcher came to visit the community.

Another observation made by the researcher was that there were no formal

government structures, like, SASSA, Police Stations Social Development and Clinics seen. Community members confirm that they travel long distances to access these services, and the main service that they complaint most about is the Police Station. This is said to be about 10 kilometres from where most villagers stay, and one police station services about 5 communities which are scattered and not in close proximity.

The education level is not very high in this area as per the assessment of the researcher and the few that do manage to reach tertiary level and pass work in big cities like Johannesburg and Cape Town and only come home during December holidays. This is the same even for the working class who go to these big cities in search of employment.

There are also a number of young wives that were interviewed who are left by their husbands in the village to look after the children, while the husbands go and work in the big cities.

This particular community is adversely affected by poverty and unemployment is the contributing factor. Teenage pregnancy is another issue that this community is faced with. There is also less recreational facilities for the youth in this area, and the only sport observed was netball and soccer, and the youth often resort to going to the taverns during their spare time. Although King William's Town is not very far from this village, the community members are still disadvantaged because they cannot afford the lifestyle that they would like to have, which includes going to town for fun.

4.9 Land Claim submission process

All the participants of the study indicated that they had submitted their claims to the land committee and were hoping to receive positive feedback. However others were not all that hopeful since they had been stuck on the land claim process for about 2 years without any feedback. They regarded this stance of non-communication as a deliberate attack on them. One informant said that 'You see, even if you submit your claim, it means nothing, it's just empty promises meant to

pacify us, soon after submission, they forget about you' (Participant 4, 5/10/2017). The participants indicated that the land issue had been a burning but pending issue since South Africa attained its freedom. The community indicated that the extent of their suffering was a constant reminder of the land issue and the opportunities that it presented if handled well. However, informants felt that there was little effort that was put by the government to assist them to speed up the land claim. When I inquired further at how they thought the process could be accelerated, some had these words; 'Who doesn't know that this land is ours and we are not making up stories' (General sentiments by Participants, 2/09/2017-30/10/2017). Most respondents were adamant that they were the rightful owners of the land and were eligible for compensation. They also alerted me that they were not the only ones that had applied for land but that many members of the community had applied but they had also had that certain applications had been rejected based on 'unfairness'. When I probed further on these allegations, they continued to say that they suspect that 'only friends of the committee members will eventually get compensated. Although others indicated that they were still hopeful that they would eventually be compensated, others strongly felt that they were being taken for a 'ride'.

4.10 Challenges to the land claim process

All the 15 participants indicated that the process to claim land was not an easy one. It involved travelling and spending a bit of money, something that drained them. They also felt that the committee members were not going to be transparent in the whole process. Most participants also indicated that communication between the community, the committee and the Department of Rural Development and Land Reform could best be described as 'very poor'. They could not understand why it took so long for the department to finalise the land issue and compensate them. Hence this was very problematic to them. Others actually indicated that the delay was a deliberate tactic. This is because some of the claimants had already lost their documents and therefore it was difficult for them to pursue the issue. The rejection of some claimants did not sit well with the community as they felt that their claims

were being unfairly challenged and dismissed. Since some claimants were rejected because of being distant relatives of the original owners, they argued that in their culture, cousins, uncles and aunts were regarded as close members of the family and were never excluded at all. Hence they felt that there was cultural collusion to the detriment of their Xhosa culture. The participants also felt that the whole process was unjustifiably long and that if the government was committed, they could have addressed all the issues a long time ago.

4.11 The response from government officials

The government officials at the Department of Rural Development and land reform referred to Cwengcwe as one of the villages that had suffered in terms of land loss. The

community members' land was dispossessed under the then Native Land Act of 1913. This community lost their land through betterment and forestry/grazing. Betterment was divided into two sections, firstly, those people whose land was reduced and given to white people. Another form of betterment was that people were totally moved from their place of residence and were required to relocate to a place that is new to them. This was done because white people needed the land for farming and/or they could see that the land had good potential.

A verification process was done in November 2015, where the department outsourced a private company to come and do the verification process. This was done by a tender bid process and the best company won. The company that won the bid is a company that deals with land issues and with people that have specialised in land. The company hired their own fieldworkers, who were ten in number. They were trained on what they were expected to do. The training involved screening the claimants with assistance from the community leaders. The leaders are elderly people of the village who are familiar with most members of this community. A family tree has been completed with the assistance of fieldworkers. The family tree involves listing all the descendants' children's and grandchildren. This was done so that if the elderly people within the family tree die,

then the children and children would be able to benefit on their behalf. The documents that had to be attached to the family tree were the identity document, death certificates, and affidavits, in cases where the ID or death certificate was not available or lost. After all the necessary documents were collected they were then sent to the company's offices in East London. The data capture would then update the system and put all that information in a spread sheet and store all the documents in a file. The process took six weeks to be completed. Other duties of the administrator included calling claimants that still had outstanding documents, especially those living in big cities to fax, post and or email the missing documents. The documents and the data base were collected and given to the department of Rural Development and Land Reform after the completion of the process. The respondents stated that this whole process was completed in six weeks and the handover was done in November 2015.

The government officials that were interviewed stated that the whole land claim process had been very slow, they were even willing to confess that this whole claim is still not settled yet is frustrating them. We have all these documents stored in our offices, and it is even worse because we do not have enough space for storage. We also cannot do much as officials because we have senior managers whom we take instructions and direction from and we cannot do anything without them giving us that mandate.

Furthermore, the bureaucracy of this process is lengthy. Just to make an example, there are a lot of people who need to approve and authorise before a payment is to be made, as we are dealing with large sums of money when dealing with land compensation. For us officials this has been frustrating because we cannot deliver speedy service and community members blame us for that.

To add on that, the stamp certification of these documents last for a period of three months and all these documents have already passed that time. The community members will have to photo copy new documents with new dated stamps. This can also pose as a challenge for the community members because most elderly people of this village travel long distances in order to make photo copies and submit them, as most of them do not have their own cars and rely on

public transport.

The government officials stated that no one has received land in Cwengcwe . They further said that there is also no indication from their part of when they will receive some feedback and there is no community member that has been compensated in monetary value either. The officials indicated that they had limited information on the community members themselves.

4.12 Internal politics

The data collected indicated that there were internal issues that made a lot of community members to be very unhappy. Even the government officials as well as the land committee members advised me to seek an audience with the chief of the area. The participants from the community hinted to me that the major problem they had was that of representation.

They did not believe that their traditional leadership was legitimate hence not having their special interest at heart.

Some participants stated that there were issues with the Chief in that area as he was said to be from the Transkei area and yet representing people in the former Ciskei. Hence some of the people he was leading were not happy with that and wanted someone from the local people. Another response stated that there fights within family members about who will receive the money on behalf of all the family members and how that would be distributed fairly. Officials stated that they found themselves involved in those family fights. The official then advised me to contact the gate keepers within the community of Cwengcwe. The gate keepers were the leaders of community.

4.13 The Gate Keepers

The first visit with the gatekeepers was held at one of their houses. The second meeting was held in an old mud house, which is regarded as a church, which is also used as a venue for other activities within the community. They managed to give the background and history of this community and how the community lost their

land and lost their dignity and pride. They were also concerned about the nature of the research and what would be done with the findings. Some were not too excited about an outsider coming and invading on the community's affairs, but did not object either.

"Gatekeepers are regarded as anyone who works to allow, refuse, limit, redirect, support or hinder initiatives in a community" (Co-operatives Innovation Project 2015:1). Furthermore, the community gatekeepers need not be formally put in power, they can play an informal role, and they exist in each and every community. It is further argued that gate keepers can act as entry points in communities, or they can also act as barriers. They basically decide when to open or close an opportunity. These key community members are important because they understand the cultural and political environment of their community and can act as assistants to the researcher. Thus they are people of influence (Co-operatives Innovation Project 2015).

The gate keepers seemed to not really want to open up about what they do at first as they did not want the information on the land process to link into the media. However, they insisted that they were appointed to represent the community, hence they said they had the best interest of everyone at heart, especially those that were genuine claimants. They told me that the land issue was sensitive and hence needed to be handled with care as there were many opportunists out there who could fall in through cracks and benefit unfairly. Hence, some degree of scrutiny was required in order to sift out illegitimate claimants.

4.14 Conclusion

The data presented and analysed in this chapter indicated that the land issue at Cwengwe community is an unfinished yet sensitive issue. The community members who claim eligibility and legitimate line claimants to the land issue were displeased at how the process was executed. Due to the nature of socio-economic composition of the area, most participants displayed desperation. They hoped that their financial status could be greatly improved through land

compensations. Others felt that the government had little commitment in pulling them out of the claws of poverty, hence their snail pace at addressing the land issue. It also came out that participants could not fully trust the committee members to represent their best interest, hence they scorned at rejections which they regarded as subjective. The next chapter presents the findings of the study.

Chapter 5: Presentation of Research Findings

5.1 Introduction

This chapter details the findings on the experiences of Cwengwe community's experience of the land claim process. The findings are packaged under different themes, and meanings are then drawn. This chapter highlights issues such as the slow process of the land claim process, as well struggles that this community has encountered during this process and the unsatisfactory manner that the officials have handled their claim. Others have had to battle with rejections which they regard as unfair. Others have questioned the competency of the land committee in handling such as sensitive and delicate issue. Furthermore, the lack or/ and or minimal communication from these officials have had with the community members about the progress made thus far with regard to their claim is also questionable.

Since this study adopted the sustainable livelihood framework, attention is hence paid on the socio-economic status of the research informants as well as the possibility of land issue helping them out of poverty which is wide-spread in this community. In this it has been argued that Land plays an important role in the development process, more specifically, in the reduction of poverty, improving opportunities for social reconstruction, strengthening governance, managing the environment, promoting conflict resolution and driving agricultural modernization. Chambers and Conway (1991:7) advance that a livelihood 'comprises of the capabilities, assets (resources, claims and access) and activities required for a means of a living'. Therefore, if land can be equally distributed and effectively managed, it can act as an instrument to eradicate poverty (African Union African Development Bank & Economic Commission for Africa 2010:15). The Sustainable Livelihood Frame work advocates for this, hence it was used to underpin the study.

5.2 Characteristics of the research site

The first encounter that the researcher had with the village was the assessment of the community, more specifically community profiling. The first phase of gathering

information involved understanding the physical environment and the lifestyle of this particular community, including how they earn a living. This was done by interviewing selected respondents at Cwengcwe. The first observation made was that the area is rural with

mostly mud houses. Immediately after taking the turn to the village from the main road you are faced with a gravel road.

5.3 Living on the edge

The study findings revealed that the economic status of Cwengcwe was compromised by the prevalence of poverty. This seems to be generally the dilemma for the whole province. The Communal Land Rights (CLaRa) reported cited ECSECC (2000) noted that ‘ the Eastern Cape is, by most indicators, the Province with the highest incidence of poverty in South Africa: It has the lowest mean monthly household expenditure, and 48% of the population are classified as living in poverty’. Most participants of this research indicated that they could barely make a living and they struggled to take care of their families as well as to send to school some of their children. This was attributed on the high level of unemployment. For instance, all research participants indicated that they were unemployed and occasionally worked for short contracts on community projects. However, that was not something to celebrate about, as there was almost a stampede when short term projects required short-term workers. Community members were said to be usually on each other’s through by physical man-handling each other.

Hence household income level of the population in this village is considered low, as most of them sorely depend on government grants for survival. This displays heavy reliance on government funds for survival. It also reflects on the level of unemployment in this area, because one of the requirement for receiving with most grants is unemployment.

The easily observable street vendors give an indication that local shops are far from the pay point areas. Basic services are not within easy reach of the community

members as they walk long distances just to reach the police station and the clinic. This poses a risk for this community as some community members might end up dying even attacked before reaching the clinic or the police station.

The Low Education Level most people in this community have means they have minimum chances of getting formal employment, but leading people to do manual labour jobs. The fact that the most working class men travel to the big cities like Johannesburg and Cape

Town in search of employment is an indication that the wives have to take on the role and the responsibility of raising children on their own. This can contribute to the children's risky behaviour like drinking and smoking as a result of an absent parent, especially if there are male children.

This community was therefore very adamant that the government should execute its end of the bargain by addressing and completing the land claim process so that they could improve their lives, and also enjoy the fruits of the freedom that all South Africans fought for. The committee members on the other hand washed off their hands and insisted that all that qualified were on the list which was with the Department of Rural Development and land Reform and they needed to wait patiently for response. However, it was clear that the community was running out of patience and was on the verge of boiling over. There is hence a need for the government to clearly explain the stages of the land process to all the claimants and keep the lines of communication open for constant feedbacks.

5.4 Money preference over land return

Out of the fifteen land claimant participants that were interviewed stated that they have claimed back what belonged to them which is the land. However, what was striking in all responses is the quest to be given money, instead of land. They stated that they did not have the capacity to farm the land, therefore, this could easily turn into a burden for them.

More than 10 participants responded by stating that they wanted to be compensated in monetary value. Their reasons range from having the desire to

own land and being able to provide for their families. Other participants wanted to further their children's studies, so that they can secure stable jobs and improve the standard of their families. The findings of this study about community members needing to be compensated so that they can feed their families is an indication of the level of poverty experienced in this area. This is in reference what Asmal (2007) has highlighted in the earlier chapters about the effects of landlessness on the African people. He had earlier suggested that, not owning land will result in African people being poor without being able to care for themselves or their families. Evidence of this is what was observed and what came out of the interviews that most people in this community are unemployed which can lead to poverty. Furthermore, Lahiff (2002:1) states that people living in the Eastern Cape still find themselves without jobs and even those working in urban areas will find themselves going back to the rural areas and finding traditional ways of living through owning land when there are no longer jobs available for them in these big towns. The interest on money payments over land were also captured by the Communal Rights baseline study (2008) where participants in that study indicated that they were no longer interested in ploughing the land, however, the reasons for this stance were stated as emanating from the discouragement people get when their fields are invaded by wild pigs, monkeys, birds and even thieves. However, any form of compensation would go a long way in improving the lives of impoverished community of Cwengcwe.

5.5 Struggles of Land Claimants

The Constitution of South Africa (1996) shows its commitment to land reform and compensating those families that were dispossessed. Most respondents indicated that they had experienced a lot of difficulties in claiming their land back. It was further noted that elderly people are living in fear that they will die without having been compensated for their lost land. Some informant expressed this fear in that; *Abanye bayakubhubha bengakhange bafumane naloo mhlaba, lento yenzekayo ibuhlungu.* (Participant 8, 12/11/2017) (Others will die before getting anything from their land, this is unfair).

Hence they proposed that the government should rather concentrate and put more effort on monitoring and evaluating the implementation of the land policy, rather than coming up with new policies. Respondents feel like the land claim process is very slow and drastic measures should be taken if there is to be an improvement. Pepeteka (2013) highlighted this, as early as 2005, the restitution process was very slow, with the first extension made in that same year in order to cater for the challenges experienced at the time. Twelve years later, South Africa is still faced with the same challenges of the slow process of land claims. Once again, the policies are in place, but the challenge is the implementation part.

The land claimants indicated that they had problems with the communication process with the Department of Rural Development and Land Reform. They stated that the department

outsourced the services of the verification process to a private company. Above all, the participants felt that there was little commitment to address the land issue by the government.

5.6 Lack of Communication

Lahiff (2002) highlights that Chatha Village should serve as an example for one of the challenges faced in land policy implementation. Communications breakdown seems to be one of the biggest challenge in successfully implementing programmes. The participants felt that the Department officials should have guarded against the breakdown of communication and keeping the community in the spirit of speculation. The participants felt that they were not genuinely part of the land take back process. The findings indicate that community members at Cwengcwe village feel like they were not consulted about issues concerning their claims, and that should not have been the case, as government advocates putting people first, under the “Batho Pele principle”, more specifically the leaders and traditional leaders in the villages. I further argue that Lahiff’s (2004) statement above, was not considered for Cwengcwe village as leaders within this community were not included much, besides the initial screening process.

Beyond that, they were not provided with much information, or given updates, or some indication of what stage the claim process is at. Feedback from the Department of Rural Development and Land Reform indicates that only community leaders received communication from the department, but that was only because they made the attempt to call them. The rest of the participants did not receive any form of feedback, be it telephonically or otherwise. Even the communication they had with these officials was not relating to the progress of their land claims. Furthermore, all the participants do not have any indication of when the claims will be finalised. One of the land claimants said the following to sum up the nature of communication that 'never existed'; *'Abasifowuneli nosifowunela okanye bachaze ukuba kwenzeka ntoni, okanye ingxaki iphi. Simane sizicingela njee ngokwethu'*. (Participant 8, 10/11/2017) (They never call us or update us at all, we don't know what the issue is, we are just speculating). Having some form of communication channels between the community and the government would help to arrest the anxiety that they are currently feeling, as well as speculations that their matter

was treated as trivial and therefore there was no serious commitment to address the and issue.

5.7 Disappearance of Documents

The verification process and the collection of dispossessed individuals was done as early as November 2015, exactly two years later, these claims have not been processed. The informants indicated that at the Rural Development and Land Reform offices. Some said that the photocopied documents that were stamped by the commissioner of oaths, were only valid for three months. They further state that this means they would have to make new copies with recent stamps in order for those to be considered as valid. The people of this village will have to make copies again, at their own cost. This can prove to be problematic as some of the elderly dispossessed individuals can hardly walk and who mostly do not have their own transport.

5.8 Feelings of Betrayal

The findings of this research suggest that the people of Cwengcwe feel betrayed by the land claim process especially by the officials from the Department Of Rural Development and Land Reform and disappointment in terms of the manner in which the officials from the Department of Rural Development and Land Reform have dealt with their land claims. Furthermore, they indicated that they have not received some indication of when they will be compensated is a bad reflection on the department and also indicates that they are not being valued. The community members feel like two years is a long enough time for a claim to have been settled or at least be given an indication of when they can expect it to be paid. Their sense of disappointment was evident in the responses that they gave, that the very government that they have put into power, who they have entrusted with their lives have failed them in this regard. One of the participants was in pain to explain how they felt with the treatment that they received; *Siziva sixokisiwe, sizibuza ukuba kungoba kutheni siphathwa ngolu hlobo? Singathi sijuliwe njee sashiywa apho* (Participant 5,10/11/2017) (We feel betrayed , but why are we being treated like this? We have been dumped). These sentiments were expressed by many land claimants who felt that the whole process had not lived to their expectations.

5.9 Conclusion

As can be inferred from the findings of this chapter there are still a lot of issues pertaining to land and government still needs to engage and find better workable solutions to deal with the challenges of this village. All the themes mentioned above have managed to address the objectives of the study which aimed to investigate the experiences of the Cwengcwe community with regard to the claim process. Secondly, it wanted to determine if there has been any communication between the Department of Rural Development and the community at Cwengcwe, and it has been revealed that there is a big gap when it comes to communication and this is likely to cause numerous problems going into the future. Lastly, from the answers that the respondents gave, it was very clear that they have lost

confidence that government will be able to compensate them any time so. These community members feels that they are not valued, and also have feelings of betrayal.

CHAPTER 6: Summary and the Conclusion made of the Research Findings with Recommendations

6.1 Introduction

This chapter builds on the previous chapter that dealt with the finding of this study. In this particular chapter we will look at the summary of these findings and the recommendations made for further research, and also possible lessons for the Department of Rural Development and Land Reform in the Eastern Cape.

6.2 Summary of the Research Findings

The researcher deliberately targeted different age groups of participants. The rationale behind was that the responses needed to come from the people in different age groups, which would then give different perspectives. The fact that there was only one female represented in the sample of community members raised some concerns because, initially, the researcher aimed to target more females. But due to their unavailability that was not possible. As much as the researcher made plans, but when one goes to the actual field things were different. The researcher had to adjust and be flexible.

The data that was collected gives an indication that Cwengcwe Village is one village that has not benefited in terms of being compensated for their lost land. It is also one of the villages that is still adversely affected by poverty. The contributing factors to poverty include the high unemployment rate in this area, lack of specialised skills and opportunities to sustain their families. What is of concern is that South Africa is 24 years into democracy but this community has not benefited in terms of being compensated for the land that they lost during the apartheid era. Women in this village are more marginalised than men, as they do not benefit equally. Most of the time, they are left behind to look after their children and household while men go and search for employment in the big cities like Cape Town and Johannesburg.

The Youth in this area are at risk, because they have less recreational activities to

keep them busy as compared to the taverns that are easy visible and accessible. Although there are a few football clubs in the area, this is mostly for pleasure, rather than making

it a profession that can bring in money. Teenage pregnancy is another challenge faced by young girls in this village which often leads to high school dropout rate.

The question posed about the number of years that the participants have lived in the village was asked so as to make sure that all the people that were interviewed actually come from the same village, or at least were born in this village. The responses given by the participants confirmed that they all come from the same village, which is the case study for this research.

The researcher found it very interesting that prior to November 2015, there were no claims lodged in this area. A recommendation is made that whoever does a follow up on this study expands on reasons why the department has never made a claim on behalf of this community prior to this period, after twenty four years the elected democratic government came into power. The second part of this question wanted to determine the reasons why the participants felt that they were eligible to claim. The responses ranged from the value that they attach to owning land and merely wanting to have the money in order to provide for their families and furthering their children's education. The researcher argues that at this day and age the claimants are more interested in the monetary value of compensation as opposed to owning land. This has shifted totally from government's mandate to allow people to practise sustainable livelihoods and be trained how to farm. Perhaps one of the questions to be raised in this regard is that, is it assisting to give people land when they have never been trained or exposed on how to use the land. Another question to pose is whether the land that would be given to beneficiaries, is, in fact, the "right land to farm on" or useless anyway for farming. These would need further exploring and research.

It is also alarming that the department has had minimal or no contact at all with some community members. One would expect that at least they would have been

contacted by now. This directly addresses the research question and the objective of the study which seeks to find out if there has been any form of contact between the department and the community.

The respondents had different ideas about how the process can be speed up: By

1. Outsourcing private companies to deal with the claims.
2. Providing Skills and training for department officials.
3. Community members going out on the streets and marching.
4. Employing young and energetic people, who are equipped to use the most advanced technology.

What is clear from the responses given is that the land claim process is still very slow, even after numerous attempts by government to speed up the process. These responses directly address the questions and objectives of the study which seeks to find out if the land claim is a success.

The community members feel like they do not matter, and the department makes decisions for them without consulting or engaging with them, i.e. a top down approach is implemented, which excludes them when important decisions are made. One might argue that the community members do not feel valued. This can be a very dangerous position for the democratic government of this country, which advocates putting people first the “Batho Pele Principle”.

Even after explaining the rationale and the purpose of the study at the beginning of the research, community members were still not clear of the role of the researcher. I had to be patient, and repeat explaining my role with each and every participant. They also saw me as a life saver, who has come with solutions. This is in reference with the twenty year old that thought I could provide a job for her. I constantly had to remind them that I was merely a student. This could mean that people in our villages still have this mentality that an outsider can be a solution bearer rather than them coming up with ways of addressing their challenges. The researcher argues that, will our local communities ever reach a stage where they understand that

they have the strength to come up with their own solutions to their own problems, in order to be "Self Sufficient and Self Reliant".

6.3 Conclusions

The land question in the Eastern Cape is faced with a lot of challenges with regard to the land policy implementation, most specifically the Cwengcwe village in the Eastern Cape. Many of these challenges relate to lack of transparency between the government officials and the community members of this village. The officials have minimal or no follow up since the claim was made. This basically means that people have not been given what is still due to them even after two years of lodging the claim. Numerous attempts have been done by government to try and speed up this process, but unfortunately for this village those have not worked.

It is argued that it is time for government to go back to these communities and engage with them at their level, involving all the local leaders like chiefs and community leaders to be at the forefront of these gatherings. Giving the community members the voice to be heard and to be part of policy implementation. Of course, one cannot rule out that the officials work under difficult conditions, like lack of resources and bureaucracy when one has made a claim. It is a complicated process as there are many people that have to approve and sign for the amounts of money that have to be paid out. With that said, we cannot just leave it at that, but we have to hold the government accountable and responsible to address these challenges as they have a mandate to offer services to our marginalised communities.

Further research is needed in this village because this was merely a mini dissertation which did not allow much room for exploration and much interrogation. Time and resources were the main factors that did not allow further exploration of this particular area. Another issue of concern is that only a small number of people were interviewed and the researcher cannot be 100 percent sure if this is the view shared by most or all community members in this area. This supports the view made earlier that more research still needs to be done.

What is a matter of fact regarding this study is that:

1. There has never been a land claim prior to this one of 2015.
2. The Cwengcwe community members who lodged a claim in 2015 have not been compensated in any way, be it monetary or getting land back, which supports what scholars have written about in the literature chapter which highlights the slow progress of land claims in the South Africa, more specifically the Eastern Cape. This was also confirmed by the Department of Rural Development that this village has not be compensated for the land that they lost. The people of Cwengcwe village have not fully participated in sustainable livelihood because they have not been compensated for the land that they lost more than five decades ago. The level of poverty experienced in this village is evident and easily noticeable, and it is not even easy to identify resources that they can use in order to participate in sustainable livelihoods. The people of this village have been treated unfairly and drastic measures need to be taken in order to speed up the process of land claims.

6.4 Recommendations

Recommendations given by respondents is outsourcing government services as they are unable to meet the demand of the large land claims. Furthermore, more training and skills are needed in order to better equip government officials who at times are not sure of how to do their jobs. One participant strongly felt that the only solution is to protest as it is believed as the only language that government seems to understand. Finally, the respondents feel like there is a need to employ young people who are vibrant and who can bring in the most advanced technology which can assist in speeding up the process.

A recommendation is made that there should be a follow up on this study so that it expands on reasons why the department has never made a claim on behalf of this community prior to this period, after twenty four the elected democratic government came into power. Perhaps one of the questions to be raised in this regard is that, is it assisting to give people land when they have never been trained or exposed on how to use the land. Another question to pose is whether

the land that would be given to beneficiaries, is, in fact, the “right land to farm on” or useless anyway for farming. These would need further exploring and research.

REFERENCES

African union, African development bank, Economic Commission for Africa, 2010, *Framework and guidelines on Land Policy in Africa*, ECA Publication: AddisAbaba.

Asmal, K., 2007, *Native life in South Africa*, Pan Macmillan: Northlands.

Barbie, L., 2010, *The practice of social research*: Wadsworth Cengage Learning,

USA. Barbour, R., 2014, *Introducing qualitative research*, Sage Publications: London.

Blaxter, L., Hughes, C. & Tight, M, 2010, *How to research*, Open University Press: New York.

Bricki, N. & Green, J. 2007. *A guide to using qualitative research methodology*, *Health Services Research Unit*: London.

Buffalo City Municipality, 2016-2020, *Integrated Development Plan Review*, Government Publication: Pretoria.

Communal Land Rights In the Eastern Cape, 2008, Baseline Study on the Communal Land Rights (CLaRa) in the Eastern Cape, Fort Hare Institute of Social and Economic Research: East London.

Commission on restitution of land rights, 2000, *Annual report*: Pretoria.

Constitution of South Africa, 1996, Government Press : Pretoria.

Chambers R and Conway G.R, 1991, Sustainable Rural livelihoods: Practical Concepts for the 21st century, IDS Discussion Paper 296.

De Vos, A.S., Strydom, C.B. & Delport, C.S.L., 2005, *Research at grass roots for the Social Sciences and Human Service Professions*, Van Schaik: Pretoria.

Denscombe, M. (2007) *The Good Research Guide: for small-scale social research*

projects (3rd edition) Maidenhead: Open University Press

Department of International Development, 1999, *Sustainable Livelihoods guidance sheet*: Government Publication.

Hall, R., 2004, *Land and agrarian reform in South Africa: a status report 2004: Research Report no. 20*, School of Government: Cape Town.

Ijeoma, E., 2013, *South Africa's Public Administration in Context*, Verity Publishers: Pretoria.

Ikechukwu, E., 2013, 'Dependency theory and Africa's underdevelopment: a paradigm shift from intellectualism' *International Journal of African and Asian Studies*, 1(1)116-128.

Kawulich, B., 2005, *Participant observation as a data collection method*, 6(2), Art 43, <http://nbn-resolving.de/urn:de:0114-fqs0502430>.

Lahiff, E., 2002, *Land reform and sustainable development in South Africa's Eastern Cape Province*: research report no.14, School of Government: Cape Town.

Mufema, E., Nkosi, Z., Karyongi, O., J. Kireu, N. & Hambia, R., 1999, *Land and spirituality in Africa*, Council of churches: Norway.

Neuman, W.L., 2004, *Social Research Methods, Qualitative and Quantitative Approaches*, Boston: Allyn and Bacon.

Pepeteka, T., 2013, *Parliamentary exhibition: South Africa our land-the 1913 Land Act: One Hundred Years On*, Research Unit: Pretoria.

Patton, M.Q., 2001, *Qualitative evaluation and research methods*, Sage Publications: Newbury Park.

Planning, monitoring and evaluation, 2016, *Policy brief series: evidence-based policymaking and implementation*, PSPPD, Pretoria.

Robert, K., 2014, *Case Study Research: design and methods*: Sage Publications.

Scoones, I., 1998, *Sustainable rural livelihoods: a framework for analysis*, Ids working paper 72.

Scoones, I., 2009, 'Livelihoods perspectives and rural development', *Journal of Peasant Studies*, 36(1) 171-196.

Steward, S., 2016, *50/50 Down on the farms*, FW de Klerk Foundation: Cape Town.

Terre Blanche, M. & Durrheim, K., 1999, *Research in Practice: Applied Methods for the Social Sciences*, University of Cape Town: Cape Town.

Walker, C., Bohlin, A., Hall, R. & Kepe, T., 2010, *Land, memory, reconstruction and justice: perspectives on land claims in South Africa*, Ohio University Press: USA.

APPENDICES

APPENDIX A: ETHICAL CLEARANCE



University of Fort Hare
Together in Excellence

ETHICAL CLEARANCE CERTIFICATE REC-270710-028-RA Level 01

Certificate Reference Number: SIB041SMGW01

Project title: **Investigating community's experiences of the land claim process: The case of Gwangwe village in King William's Town, Eastern Cape.**

Nature of Project: Masters in African Studies

Principal Researcher: Unati Natashe Mgweba

Supervisor: Dr O Sibanda
Co-supervisor: N/A

On behalf of the University of Fort Hare's Research Ethics Committee (UREC) I hereby give ethical approval in respect of the undertakings contained in the above-mentioned project and research instrument(s). Should any other instruments be used, these require separate authorization. The Researcher may therefore commence with the research as from the date of this certificate, using the reference number indicated above.

Please note that the UREC must be informed immediately of

- Any material change in the conditions or undertakings mentioned in the document;
- Any material breaches of ethical undertakings or events that impact upon the ethical conduct of the research

The Principal Researcher must report to the UREC in the prescribed format, where applicable, annually, and at the end of the project, in respect of ethical compliance.

For the University of Fort Hare, the Research Ethics Committee (UREC) is constituted by the following members:

APPENDIX B: INTERVIEW GUIDE FOR THE DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

3. Please tell me about the background of Cwengcwe land claim Process.
4. How many people claimed?
5. How has the process been so far?
6. When were the claims submitted?
7. Who carried out the verification process?
8. Have some of the claimants received their land back?
9. Did some claimants prefer money instead of land and who?
10. When will this process be completed?
11. Who is the relevant person to contact in this village, or key people?
12. Do you foresee any challenges that I might encounter in this village?

APPENDIX C: INTERVIEW GUIDE FOR THE CWENGWE COMMUNITY MEMBERS

1. Can you please tell me when where you born?
2. Are you a resident at Cwengcwe, if so, how many years have you been residing in this village?
3. Have you submitted a claim? If so, why do you feel you are eligible to claim?
4. When was your first land claim made?
5. Did you receive any form of feedback or correspondence since you made your claim from the Department of Rural Development and Land Reform? If yes, what response did you get, if not how does that make you feel?
6. Do you have some form of indication of when your claim will be finalised?
7. Do you feel that the claiming process is speedy enough? If no, what do feel should be done in order to speed up the process of land claims if you have not be compensated as yet?
8. Do you feel that the voice of the community members here is considered when dealing with this issue of the land claim?
9. Is there anything you would like to add and/or is there any question you would

like to ask me or any other comment?

Appendix D: Informed Consent



University of FortHare

Together in Excellence

Ethics Research Confidentiality and Informed Consent Form

Please note:

This form is to be completed by the researcher(s) as well as by the interviewee before the commencement of the research. Copies of the signed form must be filed and kept on record

(To be adapted for individual circumstances/needs)

I Unati Natashe Mgweba from the Fort Hare Institute of Social and Economic Research am asking people from Cwengcwe community to answer some questions, which we hope will benefit your community and possibly other communities in the future.

I Unati Natashe Mgweba from the Fort Hare Institute of Social and Economic Research am conducting research which aims to investigate the community's experiences of the land claim process: The case of Cwengcwe village in King William's Town.

We are interested in finding out more about land policy implementation at a community level. We are carrying out this research to help the Department of Rural Development and Land Reform to be more aware of the challenges that the communities are faced with regard to land policy implementation, and possibly come up with better strategies to improve the delays in land claims.

Please understand that you are not being forced to take part in this study and the choice whether to participate or not is yours alone. However, we would really appreciate it if you do share your thoughts with us. If you choose not take part in answering these questions, you will not be affected in any way. If you agree to participate, you may stop me at any time and tell me that you don't want to go on with the interview. If you do this there will also be no penalties and you will NOT be prejudiced in ANY way. Confidentiality will be observed professionally.

I will not be recording your name anywhere on the questionnaire and no one will be able to link you to the answers you give. Only the researchers will have access to the unlinked information. The information will remain confidential and there will be no "come-backs" from the answers you give.

The interview will last around (1 hour and maximum time 1 hour 30 minutes). I will be asking you questions and ask that you are as open and honest as possible in answering these questions. Some questions may be of a personal and/or sensitive nature. I will be asking some questions that you may not have thought about before, and which also involve thinking about the past or the future.

We know that you cannot be absolutely certain about the answers to these questions but we ask that you try to think about these questions. When it comes to answering questions there are no right and wrong answers. When we ask questions about the future we are not interested in what you think the best thing would be to do, but what you think would actually happen.

If possible, our organization would like to come back to this area once we have completed our study to inform you and your community of what the results are and discuss our findings and proposals around the research and what this means for people in this area.

INFORMED CONSENT

I hereby agree to participate in research regarding: "Investigating community's experiences of the land claim process: The case of Cwengcwe village in King Willaim's Town". I understand that I am participating freely and without being forced in any way to do so. I also understand that I can stop this interview at any point should I not want to continue and that this decision will not in any way affect me negatively.

I understand that this is a research project whose purpose is not necessarily to benefit me personally.

I have received the telephone number of a person to contact should I need to speak about any issues which may arise in this interview.

Signature of participant

Date:.....

I hereby agree to the tape recording of my participation in the study

Signature of participant

Date:.....

