



**SLSA SOUTH AFRICA  
RESEARCH BRIEFING 1  
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**Natural Resources and  
Sustainable Livelihoods in South  
Africa:  
Policy and Institutional  
Framework**



**Introduction**

This *Research Brief* covers the first stage of the Sustainable Livelihoods in Southern Africa (SLSA) South Africa country study. Research was conducted in the Eastern Cape Province over the period January to April 2001. This report outlines the main policies and institutional arrangements associated with land, water and wild resources in the Eastern Cape, and sets out plans for further research.

in the next Research Brief. Information was gathered through documentary study and interviews with national and provincial government departments, members of Local and District Municipalities, and members of tribal authorities, NGOs and CBOs within the study area. The objectives were to inform key actors about the study, learn about the structures of various governmental and non-governmental

**Key Questions of the SLSA study**

- How do poor people gain access to and control over land, water and wild resources and through what institutional mechanisms?
- How do emerging institutional arrangements in the context of decentralisation affect poor people's access to land, water and wild resources?
- How do the livelihood concerns and contexts of poor people get represented in policy processes concerning land, water and wild resources in local, national and international arenas?

The area for investigation was initially defined as the Wild Coast District of Eastern Cape Province. In December 2000, the Wild Coast District Council was abolished and its area of jurisdiction divided between various new District Municipalities. As a result, the study district was redefined as the eastern portion of the Wild Coast, with particular reference to the new local municipality of Ingquza, which in turn forms part of the new O.R. Tambo District Municipality. Within Ingquza, the village of Mdudwa was selected for intensive study during the mapping phase, the results of which will be reported

**Figure 1: Map of the Wild Coast**



organisations active within the study district and to identify relevant government programmes. The following section sets out the key policies and institutions operational in the area of natural resources in the Eastern Cape.

### Land and Agriculture

Since 1994, South Africa has embarked on an ambitious programme of land reform, designed to redress the grave racial imbalance in land holding and secure the land rights of historically disadvantaged people. Land reform has been pursued under three broad headings:

- **restitution**, which provides relief for certain categories of victims of forced dispossession
- **redistribution**, a system of discretionary grants that assists certain categories of people to acquire land through the market
- **tenure reform**, intended to secure and extend the land tenure rights of the victims of past discriminatory practices.

Land reform is implemented by the national Department of Land Affairs, through a network of provincial and district land reform offices, and through the Regional offices of the Commission for the Restitution of Land Rights. Local government has, to date, had little role in the implementation of land reform, with the notable exception of the Amatole District Municipality which is actively involved with a number of tenure reform projects in the former Ciskei.

As in the rest of the country, land reform in the Eastern Cape has got off to a slow start, but there are signs of accelerated delivery since 1999. Considerable progress has been made in settling restitution claims, particularly in the western portions of the province. Of the many land claims lodged in the former Transkei, only that of Dwesa-Cwebe nature reserve is close to settlement.

Redistribution has suffered from a lack of appropriate private land for purchase in the former homelands, leading to an emphasis in some areas on the restructuring of state-owned farms. Little progress has been made with tenure reform in the former Transkei, largely due to the failure of national government to come up with a concrete programme for reform of communal tenure.

Unlike land affairs, agriculture is largely a provincial competency in terms of the South African Constitution. This means that most agriculture-related functions are carried out by provincial

departments of agriculture, within broad national policies set by the National Department of Agriculture.

Since 1994 the Eastern Cape Department of Agricultural has had little budget for field services and is now intending to sell off all agricultural land in its possession. The goals of the Provincial Department of Agriculture are:

- protection of productive agricultural land;
- encouragement of subsistence farmers to commercialise;
- lease or sale of state land to private commercial farmers.

### Public Works

In the area of public work, broad national policy and infrastructure projects of national importance are the responsibility of the National Department of Public Works. Provincial departments of public works have responsibility for construction and maintenance of infrastructure at a provincial and sub-provincial level, where they commonly work in collaboration with District Municipalities.

The Eastern Cape Department of Public Works has a number of programmes operating in the study area. The *Community Based Public Works Programme (CBPWP)* is a poverty alleviation initiative based on temporary job creation. One particular project within the study district is a R13 million road project between Mbotyi (on the coast) and the town of Lusikisiki.

*Community Production Centres (CPCs)* are also being developed by the National Department of Public Works. These generally involve handing over former parastatal enterprises – mainly state farms - to community control. In the Eastern Cape, Lambasi dryland maize project and Ncora irrigation scheme have been prioritised. In Lambasi, which falls within the study area, 14 different projects have been proposed, ranging from renovation of farm buildings to fowl runs, maize and bean projects. The project is expected to benefit seven communities surrounding the farm, from whom the land was taken during the apartheid era. A national NGO, the Independent Development Trust (IDT), has been contracted by the government to facilitate the process up to the point of handover to the Community Trust. This consists of members from the local communities, traditional leaders and councillors.

### Water

Water policy in South Africa is the responsibility of the National Department of Water Affairs and Forestry (DWAF), and is implemented through a network of provincial and sub-provincial offices.

Among the key features of South African water policy are the following:

- Government is the custodian of the water resource
- All water in the water cycle will be treated as a common resource
- Water required for basic human needs is guaranteed as a right
- Tariffs will be charged to balance the demand and supply of the resource (although provisions will be put in place to provide free water to the poor)
- Charges will be levied for the conservation of the resource, infrastructure development and catchment management activities
- Catchment management agencies will be established to undertake water resource management in water management areas

Water policy in the Eastern Cape focuses on the establishment of catchment management authorities for the main catchments and the provision of safe drinking water to all communities. In rural areas DWAF employs implementing agents to implement village water projects, working closely with the District Municipalities. A consortium of NGOs and private companies, Amanz'abantu Services Pty Ltd, has been formed to carry out water projects in the Eastern Cape, working as an implementing agent for DWAF. Among the strategies used is *BOTT* (Build, Operate, Train and Transfer).

### **Forestry**

South African forestry policy is the responsibility of the National Department of Water Affairs and Forestry (DWAF). Forestry policy addresses all components of the forest sector, including indigenous forests and woodlands, industrial forestry and community forestry.

DWAF's *Forestry Restructuring Programme* involves privatisation of state plantations and sets out how adjoining communities can benefit from the process. The restructuring programme is based on the principles of resource conservation, attention to community interests and land claims, generation of rural employment, promotion of

industrial development through sustained wood production and reducing public expenditure.

Most of the larger state forests in the Eastern Cape are being prepared for privatisation. The bidding companies are expected to prepare proposals as to how they will facilitate the involvement of the communities in accessing resources in the plantations. Communities can also be shareholders in the venture. While DWAF has publicly committed itself to protecting the rights of customary users, and sharing the benefits of privatisation with neighbouring communities, the details of how this will be achieved have yet to be worked out.

Management of indigenous forests is the responsibility of both national and provincial departments. A pilot process is underway to involve communities in the management of indigenous forest., referred to as joint forest management (JFM) or participatory forest management (PFM).

### **Nature Conservation, Marine Resources and Tourism**

A range of public bodies are involved in conservation and tourism activities. The Department of Environmental Affairs and Tourism (DEAT) is responsible for the marine and coastal resources. State indigenous forests along the coast are the responsibility of the Department of Water Affairs and Forestry (DWAF). Nature reserves such as Mkambati and Ongeluksnek are the responsibility of the Directorate of Nature Conservation in the Eastern Cape Provincial Government.

Marine resources are the responsibility of the national Department of Environmental Affairs and Tourism (DEAT), while inland fisheries (freshwater, and estuarine) fall under the jurisdiction of the provincial governments.

Tourism is seen as an important developmental strategy for South Africa as a whole and especially for less-developed areas with high potential such as the Wild Coast. Tourism policy is the responsibility of the National Department of Environmental Affairs and Tourism.

The principal tourism policy initiative in the study district is the Wild Coast Spatial Development Initiative (SDI), an initiative of DEAT with support from the European Union (EU). The SDI strategy aims to unlock the economic potential in specific locations by enhancing their attractiveness for investment. In the Wild Coast SDI, the focus is on wildlife and environmental-based tourism. The aim of the EU programme is to increase the level of income and employment of previously disadvantaged communities

through their improved participation in the tourism industry in the Wild Coast area. The EU programme has a budget of R80 million over a period of four years.

### Local Government and Traditional Leaders

The South African Constitution recognises local government as a distinct sphere of government and gives it an important role in the delivery of public services. Under the Constitution, the three spheres of government - national, provincial and local - are distinct, interdependent and interrelated.

There are currently three categories of elected local government in South Africa. Category A municipalities (so-called metros) are 'stand-alone' structures, while categories B and C constitute two parts of a two-tier system covering mostly rural areas and smaller towns. Category C municipalities are the lowest level and are made up of councillors directly elected from wards and from party lists. Category B municipalities (roughly equivalent to the former District Councils) are composed of representatives of a number of local municipalities, and are thus only indirectly elected. District Municipalities provide a range of services to local municipalities within their area of jurisdiction.

Despite the introduction of elected local government throughout the country, the structures of so-called traditional leadership – chiefs, headman, tribal councils and tribal courts – remain firmly established in former homeland areas such as the Transkei. While many observers expected the institutions of traditional leadership to be swept aside in the transition to democracy, the government has show great willingness to accommodate the demands of chiefs, who have managed to hold on to many of the powers they exercised under apartheid. The question of how to integrate chiefs into systems of elected local government remains a matter of heated debate, as became clear when chiefs threatened to disrupt the 2000 local elections.

### Rural Development Strategy

Since 1994, the South African government has referred frequently to the need for an integrated approach to rural development that would guide the various aspects of government policy and the activities of the different spheres of government, but it was only in 2000 that such a strategy was actually finalised. The *Integrated Sustainable Rural Development Strategy (ISRDS)*, unveiled in November 2000, aims to “attain socially cohesive and stable rural communities with viable institutions,

sustainable economies and universal access to social amenities, able to attract and retain skilled and knowledgeable people who are equipped to contribute to growth and development”. The ISRDS is not predicated on additional funding from the government but aims to increase the efficiency of the application of public funds in rural areas where needed most. Additional funding, if necessary, will be sought from the private sector, public-private partnerships, state organs and the donor community.

It is acknowledged in the ISRDS document that local municipalities in many rural areas need assistance and guidance to develop their capacity. These municipalities are required to identify local development needs and opportunities and to plan to respond to these needs.

### Further Research

Between June 2001 and May 2002, SLSA research in South Africa will address the following key issues:

- What is the impact of the government's rural development policies on institutions of local governance in the Eastern Cape, and what are the implications for the livelihoods of the rural poor? (Case study of Mdudwa village)
- How can 'pro-poor' tourism contribute to livelihoods in the Eastern Cape? (Case Study of Wild Coast Horse and Hiking Trail)
- What is the “politics of policy” in respect of land reform in the Eastern Cape, and what is the potential impact on rural livelihoods?

#### **SUSTAINABLE LIVELIHOODS IN SOUTHERN AFRICA: GOVERNANCE, INSTITUTIONS AND POLICY PROCESSES (SLSA)**

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