



**Municipal commonage  
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redistribution:  
A case study of the new  
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South Africa**

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Programme for Land  
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# Contents

<b>List of figures, tables and boxes</b>	ii
<b>Acronyms and abbreviations</b>	iii
<b>Abstract</b>	vii
<b>1. Introduction</b>	
Background and context	1
Post-1994 land reform in Namaqualand	3
Objectives and motivations for the current reforms	5
Theories and practices of natural resource management	6
Structure of the paper	7
<b>2. Case study of the newly acquired farms of Leliefontein</b>	8
Description of the new farms	8
The 'new farms' of Leliefontein	8
Land acquisition process	10
Infrastructure on the new farms	11
<b>3. Management framework for the new farms</b>	13
The co-management institution	14
Land use model and management	16
<b>4. Land use practices on the new farms</b>	19
Which farmers have gained access to the new farms?	19
Factors influencing access to the new farms	22
Location of the new farms	22
Access criteria	22
Community dynamics	25
Actual use practices on the new farms	26
The flouting of regulations	26
De facto privatisation of the new commons	29
The co-management institution	29
Maintenance of infrastructure	33
<b>5. Discussion</b>	35
Livelihood support and farmer development	35
Support to subsistence users	35
Stepping-stone for aspirant commercial farmers	37
Creating legally robust and effective resource management institutions	38
<b>6. Concluding comment</b>	40
Annex 1: 2004 data on farmers using the new farms	41
References	43



# List of diagrams, tables and boxes

Diagram 1:	Composition of the Leliefontein Commonage Committee	14	
Diagram 2:	The application and selection process	23	
Map 1:	The coloured communal areas of the Namaqualand region of the Namakwa District of the Northern Cape province	1	
Map 2:	The Kamiesberg municipality indicating the Leliefontein communal area and the five newly acquired farms discussed in this case study	9	
Table 1:	Summary of information on the new farms	9	
Table 2:	The distribution of camps and camp sizes on the new farms	10	
Table 3:	Origin of farmers using the new farms	21	
Table 4:	Distribution of herd size among farmers on the new farms	21	
Table 5:	Growth in herd sizes of five of the largest farmers (2002–2004)	22	
Table 6:	Stocking rates on the new farms (May 2004)	27	
Table 7:	Disjuncture between rules and regulations and actual practice on the new farms of Leliefontein	28	
	Annex 1:	2004 data on farmers using the new farms	41
Box 1:	The Leliefontein Reserve	2	
Box 2:	Trusteeship and management responsibility in the communal areas of Namaqualand	4	
Box 3:	Communal farming in Leliefontein	16	
Box 4:	Communal farmers in Leliefontein	20	
Box 5:	Removing large farmers from the old commons	24	
Box 6:	Local elites and the transformation process	25	
Box 7:	Large farmer and entrepreneur (Rooifontein)	28	
Box 8:	Management of the old commons	32	
Box 9:	Municipal levies	33	

# Acronyms and abbreviations

CPA	Communal Property Association
DoA	Department of Agriculture
DLA	Department of Land Affairs
GEAR	Growth, Employment and Redistribution
IDP	Integrated Development Programme
LRAD	Land Redistribution for Agricultural Development
LRC	Legal Resource Centre
MK	<i>Meent Komitee</i>
NGO	Non-Governmental Organisation
PLAAS	Programme for Land and Agrarian Studies
SLAG	Settlement and Land Acquisition Grant
SPP	Surplus People Project
SSU	Small Stock Unit
TLC	Transitional Local Councils
TRANCRAA	Transformation of Certain Rural Areas Act



# Abstract

This paper examines the implementation of a quasi-commercial land use system on newly acquired municipal commonage in Leliefontein, a former 'coloured reserve' in Namaqualand, Northern Cape. This land has been acquired ostensibly for use by all of the reserve's residents. A Commonage Committee made up of community members and state representatives has been set up to manage this land on behalf of the municipality. After describing the management framework that has been put in place, this paper investigates how the implementation of this framework is actually unfolding on the ground. This investigation is based on fieldwork undertaken in Leliefontein over the course of 2003 and the first half of 2004.

What the investigation shows is that the newly acquired commons of Leliefontein are being monopolised by larger and better-resourced reserve farmers to the exclusion of

others. This group also dominates the Commonage Committee which manages these lands. Moreover, there is a growing disjuncture between the rules and regulations governing land use as set out in the formal management plan and grazing regulations, and the actual practices pursued by these farmers.

Of significance, given the concerns around rangeland degradation that informed the adoption of the current land use approach on the new commons, is the fact that pre-set stocking rates are not being adhered to, and the management institution is unable or unwilling to enforce these. This is due to a lack of capacity, resources and will on the part of the co-management institution. It is argued that it is not in the interest of the management institution, constituted of the beneficiaries of the new commons, to act against their own self-interest.





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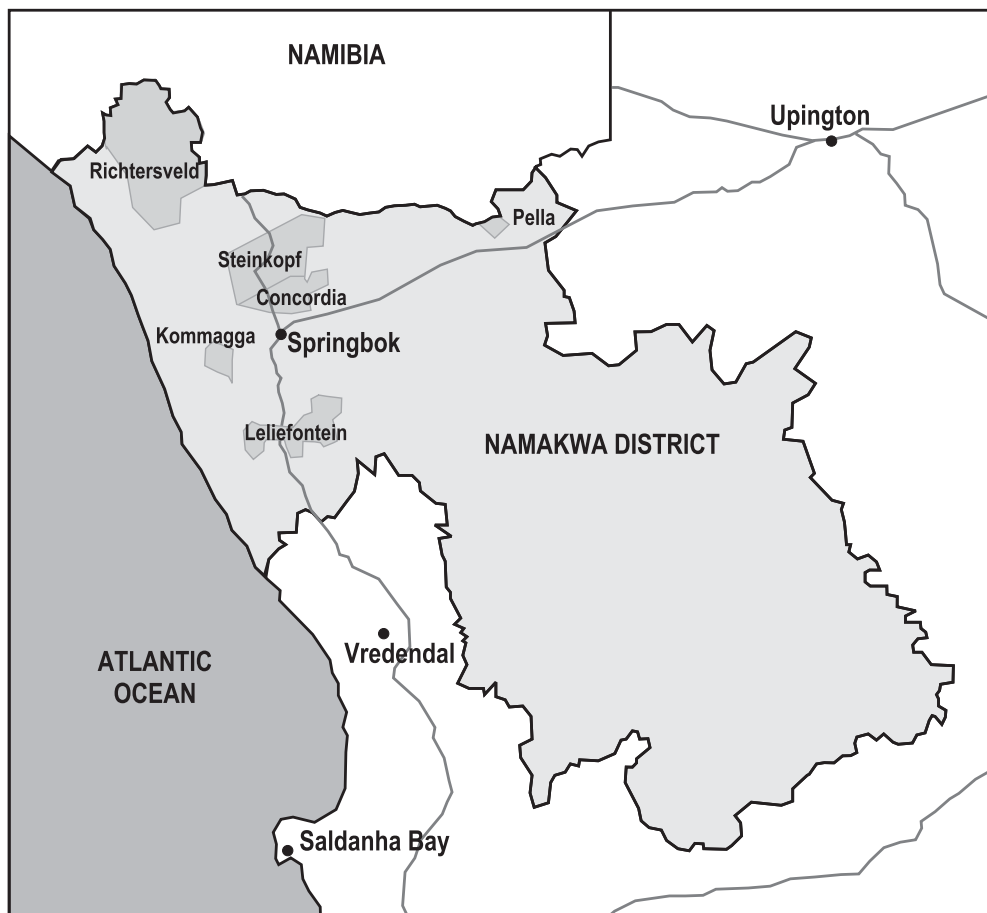


# 1. Introduction

## Background and context

Bounded by the Atlantic Ocean to the west and by the Gariiep River to the north (which is the border with Namibia), Namaqualand is a vast, sparsely populated and semi-arid/arid region in the Northern Cape province of South Africa.<sup>1</sup> The regional economy is

dominated by mining and agriculture (particularly small stock farming), although tourism has grown significantly over the past decade. High levels of plant diversity and endemism in the region and associated spring flowers are fuelling the growth of this sector (Todd et al., 1998).



**Map 1: The coloured communal areas of the Namaqualand region of the Namakwa district of the Northern Cape province (\*This map is not to scale)**

The Namaqualand region is home to six ‘coloured’ communal areas – reserves that were set aside for exclusive occupation by people classified as coloured by the former apartheid regime (Boonzaier, 1987; Smith, 1989; Krohne & Steyn, 1991). Leliefontein is one of these communal areas.<sup>2</sup> These areas comprise some 1.7 million ha of land or 27 per cent of the Namaqualand region, and accommodate approximately 40 per cent of the region’s population (Rohde et al., 2001). On the whole, Namaqualand is peripheral to the broader national economy, and lags behind the national and provincial averages as reflected in human development indices – 0.428 for Namaqualand as opposed to 0.677 nationally, and 0.698 for the Northern Cape province. The human development index for the coloured population of Namaqualand is substantially lower at 0.340 (Rohde et al., 2003).

These communal areas had their origins as mission stations in the early to mid-1800s. The missions provided refuge to indigenous people from encroachment by European pastoralists (Penn, 1986; Boonzaier, 1987). In

the case of Leliefontein, the mission station was established in 1824 at what is now Leliefontein village (de Swardt, 1993; Rohde et al., 1999).

Since the creation of the Namaqualand reserves, there have been ongoing attempts by the state to transform the communal nature of tenure and land use prevailing in these areas. Leliefontein was not excluded from these efforts. The authority of indigenous leaders was undermined and replaced by missionary and later state control. Sedentarisation and villagisation were encouraged, and restrictions were placed on agriculture through enforcing conditions of access to the commons (Marinus, 1998). The 1963 Rural Areas Act divided the reserves into residential and agricultural zones, and provided for the subdivision and ultimate titling and allocation of communal rangeland to ‘bona fide’ reserve farmers only (Boonzaier, 1987; Archer et al., 1989; SPP, 1990; Krohne & Steyn, 1991; Marinus, 1998; Rohde et al., 1999). Following amendment in 1979, the provisions of the 1963 Act were implemented under the so-called ‘economic units’ policy in three of



### Box 1: The Leliefontein Reserve

Leliefontein is the southernmost Namaqualand reserve and comprises approximately 190 000 ha (Krohne & Steyn, 1991). The reserve is bisected from north to south by the N7 national road. There are ten settlements in the reserve, with seven of these on the eastern side of the N7. The village of Leliefontein (which is on the eastern side) is the largest and oldest of these settlements. The reserve is divided into village commons associated with each of the settlements. The boundaries between these village commons are not rigidly defined, comprising instead a boundary zone that is permeable and flexible. There are instances of herds from the Leliefontein village common moving onto parts of the Paulshoek common at certain times of the year. There are also cases of permanent relocations between settlements.

Leliefontein is an arid to semi-arid area with annual rainfall of 100 to 350 mm (Krohne & Steyn, 1991; Meadows, 1985; Penn, 1986). Most of the reserve receives winter rainfall, although the eastern plateau region bordering on Bushmanland receives rainfall in summer as well (Krohne and Steyn, 1991). The eastern border of the Leliefontein reserve is thus in the transition zone between the winter-rainfall Kamiesberg and the summer-rainfall Bushmanland region. Rainfall is on the whole seasonally unreliable and highly variable, but particularly so in the transition zone with Bushmanland (Meadows, 1985).

The Leliefontein reserve falls within the Kamiesberg local municipality, which is one of six local municipalities making up the larger Namakwa district municipality.

Namaqualand's communal areas in 1984 – Steinkopf, the southern part of the Richtersveld reserve and Leliefontein<sup>3</sup> (Archer et al., 1989; Smith, 1989). These three reserves were deemed large enough by the authorities to subdivide into economically-viable farming units (Krohne & Steyn, 1991).

The overall trend in transformation since the early 1900s in particular has thus been toward greater co-option and control by the state over residents of these communal areas through formalisation and regularisation of settlement, land use and land management, and ultimately enclosure and privatisation of the commons (Boonzaier et al., 1987; Archer, et al., 1989; Krohne & Steyn, 1991; de Swardt, 1993; Marinus, 1998; Rohde et al., 1999). These interventions were motivated in terms of a perceived 'tragedy of the commons', stemming directly from communal farming practices (Boonzaier, 1987; Marinus, 1998). Communal farmers were seen as irresponsible 'free-riders' whose striving to maximise individual gain had given rise to severe overstocking and consequent overgrazing (Smith, 1989; Rohde et al., 1999). Converting communal tenure to individualised land holdings, it was argued, would limit farming to bona fide farmers, thus reducing stock numbers and making individual users more responsible for the management and control of their individual holdings (Krohne & Steyn, 1991; Rohde, et al., 1999). This privatisation of the commons was also aimed at benefiting and maintaining an emerging coloured middle-class in the Namaqualand reserves as part of the apartheid state's overall strategy of co-option (Marinus, 1998).

Many reserve residents resisted these attempts at transformation, particularly enclosure and privatisation of the commons. Court action by residents of the three Namaqualand reserves where privatisation was attempted in the 1980s ultimately halted these developments (Archer, et al., 1989; SPP, 1990; Krohne & Steyn, 1991; Marinus, 1998). As a result of this resistance, these areas effectively retained their communal nature into the post-1994 democratic dispensation.

## Post-1994 land reform in Namaqualand

Land reform in relation to the Namaqualand communal areas has, however, continued in the post-1994 period. With the demise of apartheid, representatives from ten Namaqualand communities met in Steinkopf in mid-1994 to discuss how their need for additional land and effective and equitable management of the existing communal areas could be addressed through the new democratic government's land reform programme (Wellman, 2000).<sup>4</sup> Deliberations on the nature of land reform in Namaqualand were taken forward through the 1997 Namaqualand District Planning Project (SPP, 2003). This district planning exercise involved municipalities, commonage users and land rights and legal NGOs, specifically the Surplus Peoples Project (SPP) and the Legal Resources Centre (LRC) (Pienaar & May, 2003). This planning exercise was aimed at developing an approach and strategy for land reform in Namaqualand (SPP, 2003), and also to investigate how to 'refine and better redirect options for land management and institutional support' (Pienaar & May, 2003: 3) on the commons of Namaqualand.

Given that the restitution of dispossessed land is not an option in Namaqualand since land dispossessions took place prior to 1913,<sup>5</sup> the current reform process is focussed on tenure reform of the reserve areas, and extension of the reserves through land redistribution in the form of new municipal commonage. The fact that the current round of reforms include the acquisition of additional land to expand the land base of the communal areas, set these apart from initiatives of the past which focussed solely on changing tenure relations within the existing reserves. In the case of Leliefontein, this newly acquired land is directly adjacent to the reserve.<sup>6</sup>

The tenure reform component is being undertaken in terms of the Transformation of Certain Rural Areas Act no. 94 of 1998 (TRANCRAA), and addresses the transfer of ownership of the reserve areas from the Minister of Land Affairs (who currently holds



the land in trust for the residents) to either local municipalities, a Communal Property Association (CPA)<sup>7</sup>, or any other legal entity approved by the Minister. According to the Act, transfer of ownership can only take place once the Minister is satisfied that relevant by-laws (in the case of a municipality) or rules and regulations (in the event of an association or other legal entity) are in place to provide for a balance between security of tenure and the protection of use rights by the community and individual community members, including the rights of future users (TRANCRAA, 1998, section 2). By including future users, the need to ensure sustainable use of the commons through these laws, rules and regulations is implied. In Leliefontein, the TRANCRAA process has thus involved the surveying of arable allotments; documenting of existing rights; counting of stock; drafting of municipal grazing regulations; and the development of a new commonage management plan.

As of the beginning of 2004, the TRANCRAA process was still ongoing in Namaqualand. In November 2002, referenda

were held in five of the six Namaqualand's communal areas to elicit the opinions of residents on the land ownership options provided for in the Act.<sup>8</sup> A report on the outcome of these referenda has been submitted to the Minister by SPP and LRC. In the case of Leliefontein, the majority of voters opted for municipal ownership. To date, however, the Minister has made no decision and thus the status quo in land ownership remains.

The redistribution component of the current reform initiative is being undertaken through the Municipal Commonage Programme – a part of the Department of Land Affairs's redistribution programme - and involves the acquisition of white commercial farms either adjacent or near to the Namaqualand communal areas. Although ownership of this land is vested in municipalities, the land is acquired specifically for use by reserve residents and is held in trust on their behalf. In the case of Leliefontein, the redistribution component has involved the acquisition of a number of properties directly abutting the eastern edge of the reserve.



## Box 2: Trusteeship and management responsibility in the communal areas of Namaqualand

Trusteeship for the communal areas has changed a number of times over the past century (Marinus, 1998).

In the early 1980s, trusteeship was vested in the Department of Local Government, Housing and Agriculture of the coloured House of Representatives. With the demise of apartheid in 1994, trusteeship shifted to the Minister of Land Affairs.

In the pre-1994 period, local management boards were responsible for allocating occupational and use rights and for resource management in these areas. The boards were also responsible for providing and maintaining infrastructure on the commons. The jurisdictional boundaries of these boards corresponded to the boundaries of the communal areas. In 1995 the boards were replaced by democratically elected Transitional Local Councils (TLCs).

The TLCs took over the responsibilities and functions of the management boards in relation to the commons, and until 2000 the jurisdictional boundaries continued to match those of the communal areas. After the 2000 local government elections, however, the new local municipalities replaced the TLCs. The boundaries of the new municipalities no longer match those of the communal areas, now being much larger and incorporating both communal land and surrounding commercial farms.

A central aspect of the municipal commonage programme is the design of appropriate management systems for the new properties. In the case of Leliefontein, this has been undertaken concurrently with the TRANCRAA process. As a result, a single set of grazing regulations and a single management plan have been developed which, on paper at least, applies to both the old commons and the new farms. As of early 2004, however, neither the grazing regulations nor the management plan were being applied on the old commons, but only on the new farms (and here very selectively, as discussed below). Only once ownership of the reserve land is resolved will implementation of the management system on the old commons be considered.

The focus of this paper is mainly on the land redistribution component of the current reforms. The ongoing TRANCRAA process will only be addressed in so far as it is relevant to the newly acquired farms.

## Objectives and motivations for the current reforms

The aims of national municipal commonage policy are clear, although as this case study will illustrate, poorly conceived. According to national Municipal Commonage Policy (Department of Land Affairs, (DLA) 2000), the aims of acquiring municipal commonage through the programme are:

1. To provide access to land for subsistence farmers for supplementing income and to provide for household consumption, and;
2. To provide a 'stepping-stone' for emergent farmers in their gradual transition from subsistence to semi-commercial and commercial farmers.

In the principles outlined in the policy, it is stated that municipal commonage projects should preferably incorporate both subsistence and emergent commercial farmers.

The policy prescribes that ownership of land acquired through the programme be vested in local municipalities, and that the land be made available to local residents on a lease basis. The policy also stipulates that a management committee be established to administer and monitor the use of this land.

Standard notarial deeds that the DLA attaches to the titles of property acquired through the programme reinforce and elaborate these general policy requirements. The policy further states that the management committee for land acquired through the programme should be representative in nature (i.e. include the user group) and be responsible, in partnership with the municipality, for developing and implementing rules to ensure efficient and effective land use (DLA, 2000).

In the unfolding of this policy in Leliefontein, however, the aims and motivations on the part of local stakeholders (such as the municipality, NGOs and some farmers) are more nuanced and value-laden. On the one hand, the livelihood objectives as encapsulated in national policy are not contested and there is general consensus that the new farms should contribute toward the development of farmers in Leliefontein. On the other hand, the nature of this development, the farmers to be targeted, and the way that the new farms are to be used in supporting these farmers, is still informed by certain long-standing biases and narratives.

Thus, implicitly at least, the concern of degradation of the commons through overstocking and problematic communal farming practices remains – the Leliefontein commons are still typified by some key stakeholders as being hopelessly overstocked (*hopeloos oorbelaaï*) (SPP, 2003: 28). This concern with degradation of the commons has strongly informed the land use model that has been adopted for the new farms (and by way of note, deliberations on the future management of the reserve commons as well).

A further and related concern, particularly on the part of NGOs, and one that applies to many other situations of group land holding, is how to hold members of groups accountable for their individual use of group resources, and in particular, how to enforce the regulations that govern group resources. Group land holding institutions are often not legally robust enough to do this. In the context of land redistribution in Namaqualand, this concern on the part of NGO stakeholders in particular, stems from the problems experienced with CPAs established as group



land holding entities through the Settlement and Land Acquisition Grant (SLAG) of the land redistribution programme and through land restitution projects (Pienaar & May, 2003). Many of the approximately 550 CPAs established since the mid-1990s are plagued by problems of inequitable resource access and legally insecure rights on the part of group members (Anderson & Pienaar, 2003). A further concern with CPAs is that the state, as a private land ownership entity, will not invest in development of such land in practice. Thus, the development of roads, other infrastructure and maintenance, for example, would become the responsibility of the CPA as it would with any other private landowner.

It seems, implicitly at least, that these concerns with group land-holding entities, and in particular CPAs, informed the choice of the municipal commonage redistribution route for Namaqualand. Redistribution could have been pursued via the SLAG option, with group land holding through CPAs as an alternative. By redistributing land into municipal ownership however, state investment on private land is no longer an issue.<sup>9</sup> Moreover, in managing the land, the municipality has the force of law behind it in the ability to draft municipal by-laws and regulations – and thus in theory should prove legally robust enough to hold individual users to account.



## Theories and practices of natural resource management

Since 1994, on the surface at least, there has been a shift in approach to the commons of Namaqualand, after having been dominated for decades by traditional ‘tragedy of the commons’ thinking and associated policy prescriptions of enclosure and individualisation. The solution to the problem of the commons of Namaqualand has traditionally been seen as the elimination of communal tenure. Under the current dispensation, however, and in line with a growing body of work critical of the privatisation approach and which provides an alternative understanding of common property, a more positive outlook for the prospects of community management of land has been adopted. Community control is no

longer seen as necessarily being incompatible with sustainable land use and management.

The approach that is currently being adopted in Namaqualand, therefore, retains communal ownership of land, yet has a strong focus on the definition of property rights, the creation of institutions to involve users in resource management, and the formulation of rules and regulations regarding resource access and rates of use and extraction. The new approach encapsulates many of the design principles promoted by ‘new institutionalist’ thinking. These design principles define the ideal configuration for common property resource institutions. Thus, effective management of common property is seen to depend on a clearly bounded and relatively homogenous user group; clear rules of operation; collective decision-making; overt monitoring; and clearly agreed upon and applied sanctions (Ostrom, 1992).

This new institutionalist approach is, however, not without its critics. Two concerns are highlighted. In the first place, the emphasis on rules and regulations provides too narrow a focus for understanding social dynamics, and has the effect of erasing the social and cultural dynamics inherent in institutions’ operations (Scoones, 1994). Overemphasising rules and regulations in natural resource management serves to obscure the real power dynamics involved in resource use and development (Peters, 2002). Similarly, the design principles are abstracted and fail to take into account the dynamic complexity of communities. In particular, rural communities are rarely homogenous entities and instead are highly differentiated in terms of class, ethnicity, gender and age (Toulmin and Quan, 2000). This differentiation influences the degree and type of participation possible by different groups within communities, and determines which voices are heard, and which groupings benefit (Peters, 2002).

In the crafting of resource management institutions in Namaqualand, these concerns with ‘new institutionalist’ thinking are acknowledged, if only in part. Adopting a co-management approach involving municipalities (i.e. local state structures) in

partnership with elected community-based organisations in the management of the commons, is hoped will mediate some of the dynamics associated with resource management at a local community level. The municipality can act as a neutral arbiter that is separate from and above community politics in decision-making on resource access and management. This should foster increased control over resources and regulative institutions by community groups that are currently excluded, and thus avoid a situation where control of resources and institutions is the exclusive domain of local elites. The state as co-manager also helps to ensure the enforcement of rules and regulations, and protecting the rights of individual members within groups.

Despite the retention of communal ownership of the commons, under the current round of reforms, however, the individualisation paradigm continues to exert a strong influence. Thus, although communally-owned, the newly acquired farms are to be managed as individualised leasehold schemes, with camps on these farms effectively being leased out to individual or small groups of farmers. It seems, therefore, that the attractive simplicity with which the 'tragedy of the commons' model explains observable environmental problems on the old commons continues to exert an appeal to stakeholders. This appears particularly true where the individualisation paradigm intersects with the interests of people who can benefit from dismantling the commons, or from the introduction of non-communal forms of tenure (a theme that features prominently in this case study).

## Structure of the paper

The case study starts with a description of the new farms, before sketching the management approach and framework that has been adopted in relation to this land. The remainder

of the study examines actual practices on the part of the management institutions and among farmers as emerging on the new farms. The paper closes with a short discussion and conclusion.

## Endnotes

- 1 The Namaqualand region makes up the western half of the Namakwa District Municipality.
- 2 In addition to Leliefontein, the other reserves in Namaqualand are Pella, Concordia, Richtersveld, Steinkopf and Kommaggas.
- 3 The Policy was also implemented in the Mier reserve, which lies outside of the Namaqualand region.
- 4 The post-1994 land reform programme comprises three components: The restitution of land rights (that is rights in land lost after 1913); land redistribution; and land tenure reform.
- 5 In terms of the Restitution of Land Rights Act no. 22 of 1994, the process of land restitution will only address claims for land dispossessed after June 1913.
- 6 For the purposes of this paper, the newly acquired commons are referred to as the 'new farms'. The original communal areas are referred to as the 'old commons' (or in some cases the 'reserve commons').
- 7 A Communal Property Association (CPA) is a legal entity created to own land on behalf of a defined group of members. CPAs are established in terms of the Communal Property Association Act no. 28 of 1996. CPAs are a new form of tenure created through the current land reform programme, and were envisaged as a more appropriate structure than existing legal entities for group land holding, such as trusts and closed corporations (Hall, et al., 2003).
- 8 No referendum was held in Kommaggas. The local residents association argues that TRANCRAA is misplaced since it assumes state ownership of the land. The Association is of the opinion that the community has group title granted to them in the 19th century by the governor of the Cape Colony and the Queen (Wisborg and Rohde, 2003).
- 9 Although, as will be noted in the case below, other issues such as the ability of the state to invest come to the fore.





## 2. Case study of the newly acquired farms of Leliefontein

**T**his case study is based on five field visits to Leliefontein undertaken over 2003 and the first half of 2004.

During these visits interviews were carried out with communal farmers, municipal officials, and with officials from the Department of Agriculture in Springbok. Discussions were also held with individuals at SPP and LRC. The proceedings of a number of Commonage Committee meetings were observed, and similarly the proceedings of a local farmers association meeting. A full list of the respondents involved in this study is provided at the end of the report.



### Description of the new farms

#### The 'new farms' of Leliefontein

Between 1998 and 2000, five separate properties – namely De Riet 1 and De Riet 2, Papkuilfontein, Boesmanplaat, and Tweefontein – totalling some 33 000 ha of land, were acquired from white commercial farmers on the eastern border of Leliefontein (see Map 2). This process of acquiring land to expand the Leliefontein commons is ongoing.<sup>10</sup>

This case study is restricted to the five properties acquired between 1998 and 2000.

Of the five farms acquired by 2000, title deeds for three of the properties were transferred in August of 1998. Titles for the remaining two properties were transferred in November 2000.

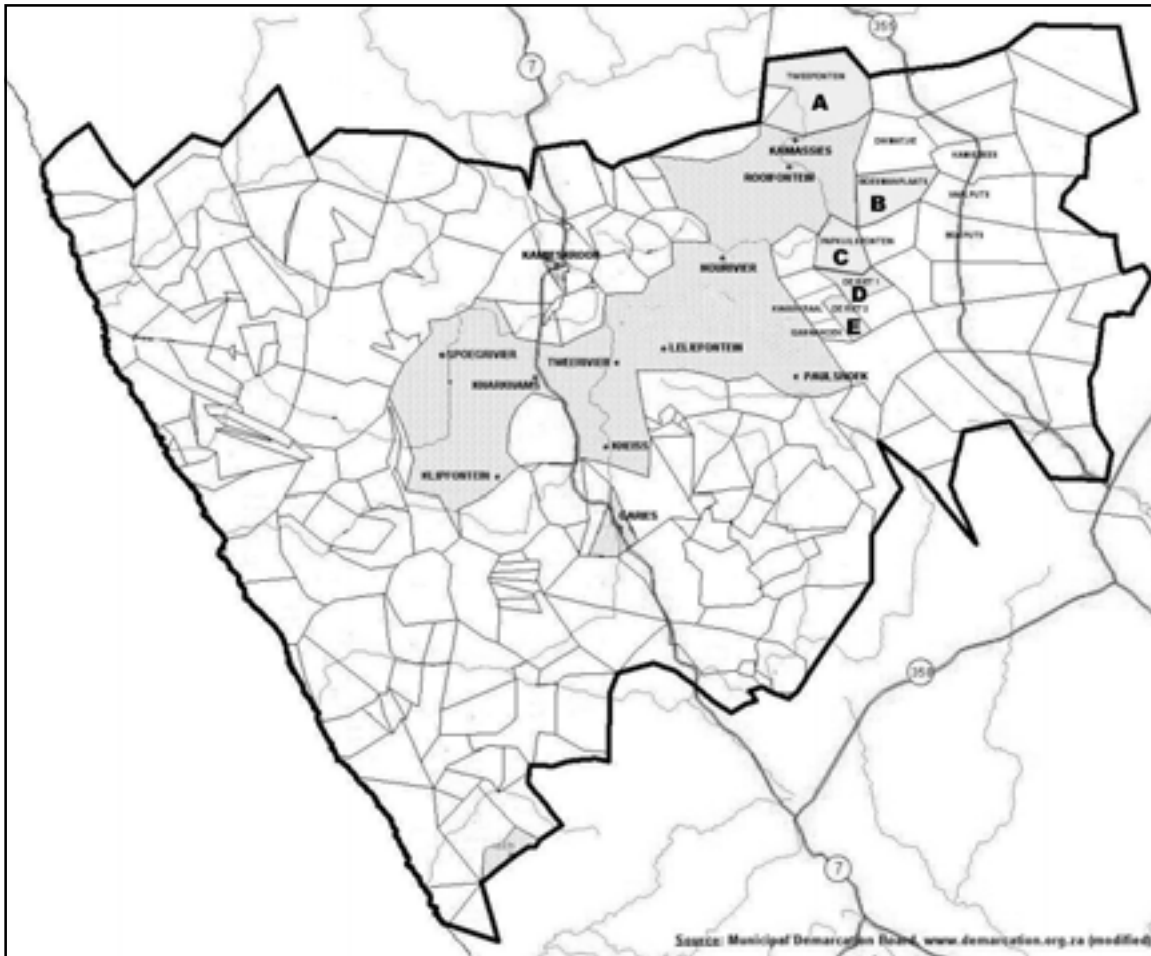
Information on the five new farms is summarised in Table 1.

These new farms are all located in the

transition zone between the winter rainfall Kamiesberg and the summer rainfall Bushmanland region. Although annual rainfall for this area is low and highly variable, in good years the new farms receive both winter and summer rain. Compared to the Kamiesberg (areas such as Leliefontein village and Paulshoek), the new farms are far less mountainous and incised. The vegetation is also different, with grasslands predominating in many parts of the new farms, unlike the reserve commons which largely comprise succulent and shrub-based vegetation.

The five new farms are divided into a total of 66 camps, ranging in size from 36 to 2199 ha. Seventeen of the 66 camps (25.8%) are less than 250 ha in extent; 21 of the camps (31.2%) are between 250 and 500 ha in extent, and a further 16 (24.2%) are between 500 and 750 ha. Less than 20% of the camps (12 of 66 camps) are bigger than 750 ha. The camps on the new farms are the same as those used by the commercial farmers who previously owned this land. The distribution of camp sizes on each of the new farms is indicated in Table 2. In 2003, dedicated camps for rams were set-aside on at least two of the farms (Boesmanplaat and Tweefontein). By 2004, however, there were no longer ram camps on any of the farms.

The boundaries of the individual farms acquired through the municipal commonage programme have been retained, as have the camps within each of the new farms. As will be shown in the sections that follow, the farms



**Map 2: The Kamiesberg Municipality indicating the Leliefontein Communal Area and the five newly acquired farms discussed in this case study (A, B, C, D, E on the map)**



Table 1: Summary of information on the New Farms			
Farm name and number	Year of Transfer	Size in ha <sup>11</sup>	
		Title Deed	Dpt of Agric
Portion 1 of De Riet (farm number 383)	1998	3426.1	3443
Portion 2 of De Riet (farm number 383)	1998	2384.8	2379
Papkuilsfontein (farm number 363)	1998	5060.4	5060
Boesmanplaat (farm number 365)	2000	6956	6956
Remainder of Tweefontein (farm number 248)	2000	14799.9	15717 <sup>12</sup>
	TOTAL	32 618.4	33 555

Sources: Department of Agriculture, 1972, 1989, 1997, 2001, undated; Legal Resources Centre, 2003

and camps are important management units under the framework governing the use of the new farms.

The officially specified carrying capacity

being used in the management of the farms is ten hectares per small stock unit. Therefore, approximately 3300 small stock units could be accommodated on the new farms.

Table 2: The distribution of camps and camp sizes on the new farms

Name	No. of camps	Camp sizes (ha)								
		1–50	51–100	101–250	251–500	501–750	751–1000	1000–1500	1501–2000	+ 2000
Tweefontein	17	0	0	0	1	6	5	4	0	1
Boesmanplaas	14	0	1	1	8	2	1	1	0	0
Papkuilfontein	16	1	3	3	5	4	0	0	0	0
De Riet 1	11	0	1	4	3	3	0	0	0	0
De Riet 2	8	0	0	3	4	1	0	0	0	0
	66 (100%)	1 (1.5%)	5 (7.6%)	11 (16.7%)	21 (31.2%)	16 (24.2%)	6 (9.1%)	5 (7.6%)	0 (0%)	1 (1.5%)

Source: Department of Agriculture, 1972, 1989, 1997, 2001, undated

### Land acquisition process

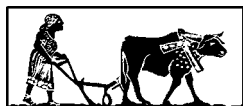
According to the *Municipal Commonage Policy*, beneficiary communities are required to initiate the process of acquiring land. Communities need to articulate a clear demand for land and should be proactive in identifying available land in their area and in initiating negotiations of sale. In the case of some of the farms purchased for Leliefontein, individual members from the village Commonage Committees played a prominent role in the acquisition process. According to an official from the Department of Agriculture (DoA), in the case of the De Riet farms, the convenor of the Paulshoek Commonage Committee undertook initial negotiations with the previous owner. The process was later taken over by the DoA in Springbok.

Land acquisition for purposes of extending the land base of the Leliefontein reserve has been restricted to the eastern side of the N7 national road, which roughly cuts the reserve in half from north to south. According to municipal officials and community members, there are a number of reasons for this.<sup>13</sup>

In the first place, aggressive land acquisition by South African National Parks for the establishment of the Namaqualand National Park has effectively crowded out land acquisitions for land reform through pushing up land prices on the western side of the N7 national road. The Department of

Land Affairs, in financing land acquisition, works strictly on what is determined to be the market value of land. The market value of land in the region varies between R100 and R170 per hectare. According to the municipal development officer, if the price is 'one cent more than that (the market value) ... they (DLA) are not interested' (personal communication, 17 November 2003). Rigid adherence to market value in land acquisition is not restricted to Namaqualand, but applies to all land acquisition for land reform purposes. In the Hantam Karoo for example, farm sales fell though because the selling price was R5.00 per hectare above what the DLA considered to be the market value of the land (Tilley, 2003). It is alleged by the municipality that land for conservation purposes, which is not restricted in this way, is being purchased at up to twice the price offered by Land Affairs.<sup>14</sup>

A second factor that is relevant in the central Kamiesberg, which is comparatively well-watered in relation to Namaqualand generally, is that farms rarely come onto the open market. The few land transfers that do take place in the area tend to be within families, or are 'closed' sales between neighbours or acquaintances. This has proved a major obstacle to land acquisition in the central Kamiesberg area. Moreover, when farms do come onto the market, because this



land is at a premium, selling prices are well beyond what the DLA is willing to pay. According to the convenor of the Paulshoek Commonage Committee, three farms had been identified for acquisition in the area south of Paulshoek, but in all three cases the asking prices proved beyond the reach of DLA and, as a result, the farms were not acquired.

Thirdly, the availability of farms in the Kliprand/Bushmanland region could relate to the fact that climatically the area is not desirable for farming. Most white commercial farmers in the Kamiesberg region have numerous farms spread across Bushmanland, the Kamiesberg and the western Sandveld. The farms in the Bushmanland area are only used sporadically, when rains are good enough to ensure adequate grazing. The development officer of the municipality believes that this is why the Bushmanland farms are more readily available. The municipal official mentioned the case of Boesmanplaats, which was inherited by the previous owner. This person (who has other farms in the region) had no real interest in the farm and as a result it stood empty for many years before being acquired by the municipality.

A final and more ominous factor that may be influencing the location of the five newly acquired farms, and a factor which stakeholders have been circumspect in discussing, is the presence of the Vaalputs Nuclear Waste Disposal Facility. This facility is adjacent to, or in close proximity to, some of the new farms (Map 2). Concerns regarding the potential health and environmental impact of the facility have been raised among the community, but no direct links are made between the availability and acquisition of the farms and the presence of Vaalputs. It seems more than coincidence, however, that Boesmanplaat borders Vaalputs in the west, and the recently acquired Kamiebees in the north. The farm Bok Puts, which is rumoured to be for sale, borders Vaalputs in the south. Thus, all of the properties adjacent to Vaalputs are currently being disposed of.

### Infrastructure on the new farms

Given that no infrastructure assessment reports were prepared when the new farms were acquired, despite being required by national commonage policy, the condition of farm infrastructure such as water and fencing at the time of acquisition is unknown. However, according to a member of the Commonage Committee in Nourivier, at the time of purchase the infrastructure on many of the farms was already in need of repair. It is further alleged that the farms stood unutilised after acquisition, during which time the situation deteriorated further, with pumps being vandalised and fences disappearing.

Whatever the situation may have been, infrastructure on the new farms is now in varying states of disrepair. In the case of the farm Papkuilsfontein, according to one of the farmers leasing land on the farm, there is one borehole with a pump, but no pump-head, with a further two pumps that leak. The reservoir, fed by these two pumps, is broken and holds no water. According to a farmer from Kamasies, who uses land on

Twefontein, a similar situation prevails there, while the situation on the De Riet farms is the same. The state of infrastructure on the new farms, although improved by 2004, remains a major point of contention between the municipality and farmers using camps on these farms.



### Endnotes

- 10 The farm Dikmatjie, which lies to the north of Boesmanplaat, was purchased specifically for use by stock farmers from Kamieskroon. This property was transferred in December 2003. A number of other properties in the area are allegedly on the market, including the farms Kamiebees, Bok Puts, and two further portions of De Riet (Kwaskraal and Gannahoek).
- 11 There are discrepancies between data from the Deeds Office and data from the farm maps used by the Department of Agriculture. The Department of Agriculture maps are used in the management of the farms and are thus also included here.
- 12 There is some dispute as to whether or not camp 11 of Twefontein is part of the new farms, or part of the old commons. Camp 11 is 946 ha in size. The camp is currently managed as part of the new farms and is thus included here.

13 It is important to note that these are alleged factors, raised by the municipality and reserve farmers in response to being asked why all of the newly acquired farms are clustered on the eastern side of the reserve. This study undertook no

empirical research to verify or disprove these claims.

14 This point is strongly contested by certain civil society stakeholders.



# 3. Management framework for the new farms

With the acquisition of the first farms for Leliefontein (and in line with municipal commonage policy), a community-based Commonage Committee was formally established in 1999 to co-manage these new farms with the Kamiesberg municipality. Furthermore, a Commonage Management Plan for Leliefontein was developed that incorporates both the old commons and the new farms (the *Leliefontein Bestuurplan vir die Meent Gronde* of 2000). The Commonage Management Plan was developed as part of the 1997–1999 Namaqualand District Planning Project (SPP, 2003).

The process of developing the Commonage Management Plan continued in parallel with the Transformation of Certain Rural Areas Act (TRANCRAA) implementation process, which is still ongoing. A part of the TRANCRAA process has been the formulation of Municipal Grazing Regulations.<sup>15</sup> According to the SPP Transformation Report of 2003, communities were centrally involved in this process, with workshops being held to discuss new rules and regulations. The co-management approach that has been adopted is intended to ensure that management of the commons moves away from past top-down practices of control, rule-making and enforcement, and towards participative rule-making, with commonage users being centrally involved in management (Pienaar & May, 2003). In line with broader local government transformation in South Africa, the new management system

has prioritised cost recovery, with resource users being responsible for the cost of managing and maintaining the commons (Pienaar & May, 2003; SPP, 2003). The commons will be linked into a five-year budget-linked management plan that is part of the municipality's Integrated Development Plan (IDP).

In late 2003, the Commonage Committee was converted into a municipal entity in terms of section 82(2)(a) of the Municipal Systems Act of 2000. In terms of a Service Delivery Agreement between the Leliefontein Commonage Committee and the Kamiesberg Municipality, the Commonage Committee will now formally manage both the old commons and the new farms on behalf of the municipality, in accordance with the Management Plan and the Grazing Regulations.

Although the Commonage Plan of 2000 and the Grazing Regulations of 2002 explicitly address both the new farms and the reserve commons, and incorporate these within a single management framework, the Plan and the Regulations are currently being implemented only on the new farms. Implementation on the old commons has been delayed until the question of ownership is resolved through the TRANCRAA process. The acquisition of the new farms has, however, provided the Municipality, the Commonage Committee and NGO stakeholders with an opportunity to implement and test a new management framework for the Leliefontein commons. The thinking among



stakeholders directly involved in this process is that this new system will be extended to the old commons once the TRANCRAA process has run its course. The assumption is of course that ownership of the old commons of Leliefontein will be transferred to the Municipality and not to some other entity. However, as will be discussed below, although the TRANCRAA process is still unresolved, there is growing pressure from some stakeholders to have the new management framework extended to the old commons as soon as possible.

The co-management framework and land use model adopted for the new farms, as encapsulated in the Management Plan, Grazing Regulations, and the municipal Service Delivery Agreement, are discussed in more detail below.

### The co-management institution

The two key institutions within the co-management framework are the Kamiesberg Municipality and the Leliefontein Commonage Committee. In the Commonage Management Plan of 2000, proposed farm committees would represent all the farmers using land on the various farms.<sup>16</sup> According to farmers on the new farms, however, these farm



committees have not yet been established, although since late 2003 ‘farm convenors’ have been appointed for both Tweefontein and Boesmanplaat. By May 2004, it was still unclear what the exact role of these farm convenors would be.

The Commonage Committee is defined in the Municipal Grazing Regulations as a commonage management structure consisting of representatives from the Municipality, democratically-elected community representatives and representatives from relevant agencies, such as the Department of Agriculture. The task of this Committee is to manage both the new farms and the reserve commons on behalf of the municipality in accordance with the approved Management Plan and Grazing Regulations (Kamiesberg Municipality, 2000; Kamiesberg Municipality, 2002; Service Delivery Agreement, 2004).

The Leliefontein Commonage Committee comprises representatives from commonage sub-committees established in the different settlements of Leliefontein. Generally, the convenor of the village committee and one additional representative participate in the Leliefontein Commonage Committee. The Service Delivery Agreement between the Municipality and the Commonage Committee

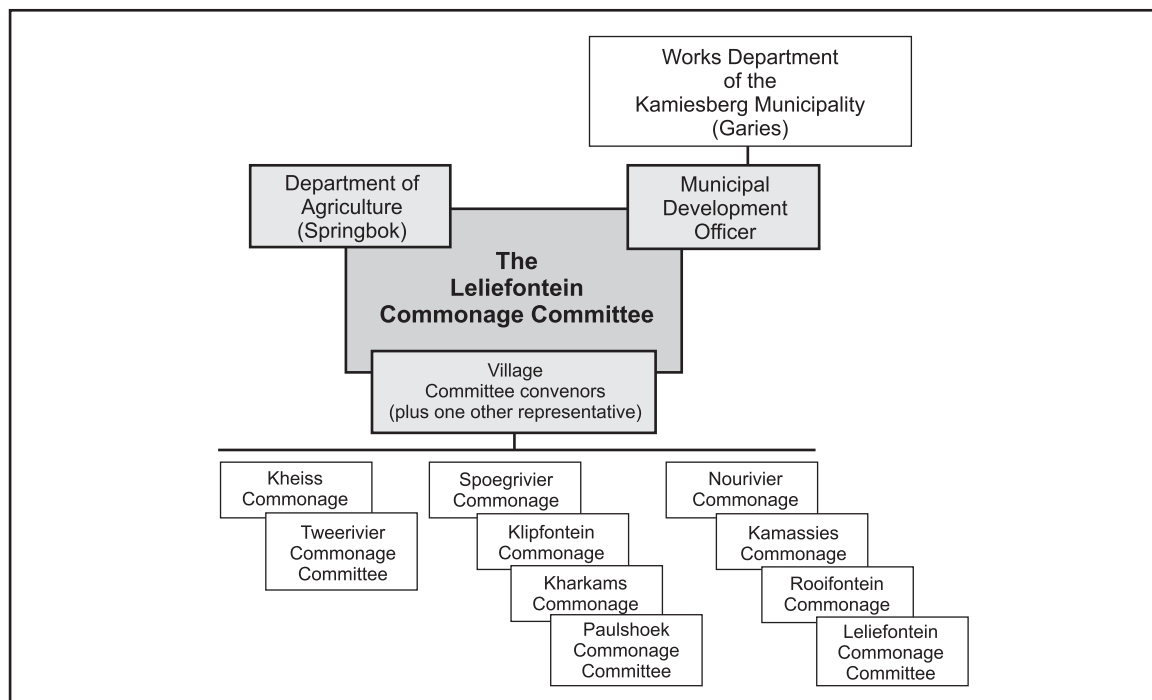


Diagram 1: Composition of the Leliefontein Commonage Committee

requires that these sub-committees be established in all of Leliefontein's ten settlements. By May 2004, committees had been established in Paulshoek, Leliefontein, Nourivier, Kamassies, Rooifontein, Klipfontein, Spoegrivier and Kharkams. Commonage Committees had still to be set up in Kheiss and Tweerivier.

In addition to representatives from the village committees, the Leliefontein Commonage Committee also includes a representative from the Department of Agriculture in Springbok. The municipal development officer, who among other duties is responsible for the old commons and the new farms, convenes the Committee.<sup>17</sup> There is at present no dedicated commonage manager in the Municipality, and given this official's other duties, he is on occasion unable to attend Committee meetings. In these situations, one of the other Committee members acts as chair (for example, the Klipfontein representative chaired the meeting of 25 November 2003).<sup>18</sup>

The Commonage Committee is dominated by men, both in numbers and in the proceedings of meetings. For example, ten men and five women attended the Committee meeting held on 6 May 2004. Of these five women, however, only two participated in discussions to any degree. A similar situation prevailed during the Commonage Committee meetings of 22 July and 14 November 2003. Both the municipal and agriculture officials are men, and seven of the eight village committee convenors are men. This gender bias in the composition of the Committee is not surprising given the small number of women that are stock farmers in their own right.

There is also an age bias in the Commonage Committee. On the whole, members of the committee are of late middle age or elderly. At least five members of the Committee are over the age of sixty. The age composition of the Committee parallels the age structure of farmers on the Leliefontein commons generally, as well as those using the new farms. Of a sample of 21 of the farmers on the new farms, 52 per cent are over the age of sixty (in fact three are over the age of

seventy).<sup>19</sup> Only one farmer from this sample of 21 is under the age of forty.

All of the members of the Commonage Committee are livestock farmers. Moreover, six of the eight convenors of village committees have been allocated land on the new farms (i.e. the convenors from Kamassies, Nourivier, Rooifontein, Paulshoek, Leliefontein and Kharkams). These six individuals have access to a total of 14 of the 66 camps on the new farms, although a number of these camps are shared with other farmers. Stock holdings for Commonage Committee members vary widely, from 25 head of small stock through to the equivalent of almost 270 small stock units. The average stock holding for these six individuals is 100 small stock units each. The two committee members that have not gained access to the new farms are from the settlements of Spoegrivier and Klipfontein, both of which are west of the N7 national road. At least one of these individuals is a relatively large farmer – in 2002 this individual farmed with almost 200 small stock on the Spoegrivier common. The two individuals are leading a growing lobby within the Commonage Committee to extend the 'order of the new farms' onto the old commons.



In addition to being stock farmers, a number of the village convenors are also entrepreneurs owning shops or running other enterprises in their local settlements. Many of these individuals are also prominent in other spheres. For example, a number of the convenors were centrally involved in the Transformation Committees established as part of the TRANCRAA process relating to the old commons<sup>20</sup>, and the member from Spoegrivier is a municipal councillor. The convenors of the village committees are, therefore, prominent individuals within their communities, and in some cases in broader local affairs as well.

Within the reserve Commonage Committee there is a Management Committee (the *dagkomitee*). This *dagkomitee*, which is made up of the convenors of the respective village Committees, makes recommendations to the Commonage Committee on specified issues.



One of these issues is the short-listing of applications from farmers for access to the new farms.

The performance of the Commonage Committee will be discussed in section 4, when the actual use and management practices on the new farms are discussed.

## Land use model and management

As with past interventions in the reserve, the approach that has been adopted for the use and management of the new farms is characterised by enclosure and individualised use. In this case, the new farms are divided into discrete units which are effectively leased out to individual users. These units correspond to the existing camps on the new farms. Stock numbers are to be controlled through the enforcement of stocking rates that are based on a prescribed carrying capacity,

currently set at ten hectares per small stock unit.

The amount of land that a farmer can access is dependent on the number of stock he or she owns. Stock numbers also determines the cost of accessing the land. Farmers need to pay what is termed a maintenance fee per head of stock grazed on the new farms<sup>21</sup>. Farmers are, however, only allocated as much land as they need, in terms of the prescribed carrying capacity, and up to certain limits. As a result, smaller farmers will usually share a camp with others, since the camps would be too large for a single small farmer's herd. The Municipal Development Officer mentioned a case where there were two small farmers, each in a separate camp (with the carrying capacity of these camps being far greater than the size of the herds). The municipality then moved the two together into one camp where both their herds were accommodated by the camp's

### Box 3: Communal farming in Leliefontein



Farming in Leliefontein is focussed on small stock farming (sheep and goats) with some cultivation of arable allotments when conditions are suitable. Crops are grown for household consumption and/or as supplementary feed for livestock. The way in which communal and commercial farmers in Namaqualand operate is different. This relates both to their production objectives and the approaches and methods employed.

#### Approach

Communal farmers employ a stock post system on the village commons. Stock posts act as territorial markers defining spaces on the commons used by different farmers. The commons are not fenced off into camps where stock are free-ranging. Instead, the herds are taken out from the stock post each morning, and in many cases, actively herded through the day. Livestock are corralled in the stock post at night. The areas around stock posts are not the exclusive domain of the stock post 'owners'. Other farmers are able to bring their animals in to graze, although in many instances the rights of stock post 'owners' are long-standing and recognised, and access is negotiated. The movement of herds on the commons is thus largely opportunistic (although in times of crisis such as drought many herders spend a great deal of energy deliberately moving with their herds in search of forage).

#### Objectives

Communal farmers have multiple production objectives. Animal products such as meat and milk are important contributors to household food security. Livestock represent a means of capital storage that can easily be accessed. Optimal production strategies thus seek to maximise herd size at high stocking densities and follow dynamic and opportunistic patterns of herd size fluctuation depending on climatic variation. Most farmers in Leliefontein are not wholly dependent on livestock for their livelihoods – there is not enough land for farmers to sustain themselves on agriculture alone.

set capacity. The camp that had been vacated was re-allocated to a larger farmer, whose animals 'fitted' into that camp. Farmers can therefore only lease as much land as they need for their animals as determined by the set carrying capacity. A farmer cannot rent land surplus to the number of animals he or she possesses.<sup>22</sup> This has implications when dealing with natural increases in herd sizes over time, as discussed below.

The Leliefontein Commonage Management Plan of 2000<sup>23</sup> and associated Municipal Grazing Regulations govern the use of the land that farmers lease. The practices and approach promoted in the Plan and in the Grazing Regulations are different to those on the old commons (see Box 3). The camp system and the allocation of farmers to camps is a requirement of the Grazing Regulations. The camp system has been adopted in order to facilitate a process of rotational grazing and the closing of camps for resting to ensure the maintenance of these grazing lands. In addition to the stipulations around carrying capacity and resting and rotation, the Management Plan and Grazing Regulations outline a range of other restrictions. For example, individual farmers are not allowed more than 200 small stock units each, no donkeys are allowed on the new farms and farmers are also not allowed to construct stock posts in their camps. According to the Management Plan, the Municipal Council and the Commonage Committee are responsible for ensuring that these rules and regulations are adhered to. Even with the conversion of the Commonage Committee to a municipal entity, the legal authority to enforce regulations will remain with the municipality.

By May 2004, resting and rotation of the new farms was not being practiced. Given that all of the camps on the new farms are allocated, it is going to be difficult to adopt this practice. In order to rest camps, certain farmers will need to be moved, which will prove a difficult task, especially with farmers who have been in particular camps for a number of years. If resting and rotation is indeed not possible, this would represent a fundamental breach of the new land use regime.

In terms of stock numbers, the Municipal Grazing Regulations state that the Management Plan must outline the steps that need to be taken, and the factors that need to be considered for determining carrying capacity on the new farms. The Management Plan must also outline what steps will be taken for reducing stock numbers on the reserve commons (when the Plan and Regulations are implemented on the reserve commons). The official carrying capacity for the new farms changed slightly over the course of 2003. In February, the rate was set at 12 ha per small stock unit, although this had changed to 10 ha per small stock unit by November of the same year. The Management Plan stresses that the official carrying capacity set for the new farms will not be exceeded.

Current recommended stocking levels in Namaqualand are based on a survey undertaken in the late 1980s by the Department of Agriculture (DoA) to identify carrying capacities for various veld types in the area. It resulted in a map of Namaqualand being developed, which is divided into different units with corresponding carrying capacities. Average carrying capacity for Namaqualand was set at approximately 10 ha per small stock unit. The map produced from this survey is today used by the DoA as a general guide to what the Namaqualand veld can tolerate in terms of grazing pressure (Benjaminsen et al., 2004).



## Endnotes

- 15 'Kamiesberg Munisipaliteit Weidingsregulasies', Notice 18, Northern Cape Provincial Gazette no. 678 of 2002.
- 16 All the farmers with rights to graze stock on one farm were to come together to elect a 'farm committee', which would have supervisory responsibility for that particular farm (Kamiesberg, 2000).
- 17 The municipal development officer falls under the municipality's Works Department.
- 18 The municipal development officer has noted that there is an urgent need for a commonage manager in the municipality – i.e. someone who is solely responsible for the old and new Leliefontein commons. The current development officer's mandate covers a range of areas, including

management of the commons. The lack of dedicated capacity makes it difficult for commonage issues to receive the priority attention they need.

- 19 In 2004, there are a total of 42 farmers using the new farms. Data on the ages of these farmers is only available for 21 of these.
- 20 These Transformation Committees were disbanded shortly after the referendum in 2002.
- 21 In 2000, the maintenance fee (or fee per head of stock) was set at R0.50 per small stock unit and R3.00 for large stock units. By the end of 2003, the figure had been revised and stood at R1.50 per

small stock unit.

- 22 It should be noted that by May 2004 the Commonage Committee was trying to allocate farmers surplus land to cater for herd growth.
- 23 There is currently a process underway to draft a new commonage management plan for Leliefontein. The Commonage Committee has as yet not been involved in the drafting of this new plan. In July of 2003, although there was a draft of this new plan with the municipality, the commonage committee had not yet seen the document. In November of 2003, the situation remained unchanged.



# 4. Land use practices on the new farms

The first three farms that were acquired in 1998 – the two portions of De Riet and Papkuilsfontein - stood empty for two years after their acquisition. In 1999, a limited number of farmers moved onto Papkuilsfontein (although there is no exact data on how many, or who these farmers were). A dipping survey carried out in 2002 documented 11 farmers on Boesmanplaat, Papkuilsfontein and Tweefontein (Department of Agriculture, 2002). It is uncertain whether this survey captured all farmers on the new farms, however.

The municipal development officer and an advisor from the Department of Agriculture first visited the De Riet farms in February 2003. At that stage the two De Riet properties were officially unallocated (although a farmer from neighbouring Papkuilsfontein was illegally grazing animals on parts of De Riet). According to the municipal development officer, the De Riet farms and most of the camps on Tweefontein, Boesmanplaat and Papkuilsfontein stood empty due to problems with fencing and water. This situation did change over the course of 2003, however. In 2004, the new farms had been fully allocated for the first time and access by additional farmers was closed for the year. In 2004, 42 reserve farmers gained access to the new farms and were grazing the equivalent of 4274 small stock units on this land.

## Which farmers have gained access to the new farms?

Obtaining reliable data on the farmers that have accessed the new farms in 2004 has proven difficult. The municipality does not have a system for storing such data (computerised or otherwise), and there is no single centralised grazing register for the new farms. As a result, all of the applications by farmers, short-listing by the *dagkomitee* of the Commonage Committee, and the final selection by the Council is kept on pieces of paper, many of which are hand written and stored manually in different places with different people.

The data on the farmers using the new farms for 2004 derives from three different sources. Firstly, the municipality has signed grazing contracts with 23 of the 42 farmers using the new farms (by May 2004 the remaining 19 contracts still needed to be signed and returned). This information has been complemented by Commonage Committee minutes from 25 November 2003 and 17 February 2004, which provide a list of the farmers and their camp allocations. Finally, one member of the Commonage Committee has her own, heavily amended, hand written list of the 42 farmers using the farms in 2004. This list also provides information on their camp allocations, as well as the stock they are allowed to keep on this land. All of the data on the farmers using the new farms (consolidated from the three sources above) is tabulated in Annex 1.



### Box 4: Communal farmers in Leliefontein

According to a 1997 SPP survey, there were approximately 460 farming households in Leliefontein. These farming households constituted 52 per cent of the total households in the reserve. At the time, there were approximately 30 000 small stock units in the reserve. Stock ownership is not equally distributed among these households and reserve farmers can be categorised according to their stock holdings.

In examining survey data of farmers in Leliefontein, the following distribution of stock ownership can be identified:

- **Small farmers:** Forty two per cent of herds are of less than 50 animals. These herds, however, only constitute 10 per cent of all stock in the eastern half of Leliefontein (DoA, 2002). This is in line with the broader trend for household stock ownership in the Namaqualand reserves, where 44 per cent of households own less than 45 animals (SPP, 2003).
- **Middle farmers:** Forty seven per cent of all herds are between 51 and 200 animals. These herds comprise 52 per cent of all stock in eastern Leliefontein (DoA, 2002). Again, this is in line with the broader trend for the communal areas of Namaqualand, where approximately 42 per cent of households own between 46 and 225 animals (SPP, 1997).
- **Large farmers:** Eleven per cent of herds consist of 201 animals and more. These herds account for 38 per cent of all stock in eastern Leliefontein. Four per cent account for almost 20 per cent of all stock. This 4 per cent of herds all consist of 300 animals or more (DoA, 2002). This is also in line with broader trends for household ownership in Namaqualand (SPP, 1997).



What is evident from this information is that the location of the new farms has indeed proved a strong influence on who the farmers are that are able to use them. At least 88 per cent of these farmers come from settlements east of the N7 freeway, with 68 per cent of this 88 per cent residing in the three settlements closest to the new farms (namely Kamassies, Rooifontein and Nourivier). According to the available data, only 6 per cent come from settlements on the western side (from Kharkams in particular), with a further 6 per cent registered as currently residing outside of the reserve as migrant workers (at Okiep and Carolusberg).<sup>24</sup> Which settlements in the reserve these stockowners come from is unknown, although it is probable that at least one resides on the eastern side of Leliefontein, since this individual has been using camps on Tweefontein since 2002.

Table 4 provides a breakdown of the distribution of herd sizes on the new farms for

2004. What is apparent is that almost 75 per cent of farmers (that is 30 of 42 farmers) have herds comprising more than 50 small stock units. Six of these 30 farmers (or 15 per cent of all farmers) have herds in excess of 200 small stock units.<sup>25</sup>

In looking at the 27 per cent of farmers with herds of less than 50 small stock units, it is important to note that although these may be seen as small farmers, many are also entrepreneurs (for example, the convenor of the Paulshoek Commonage Committee, who only has 37 head of stock, but is also a shopkeeper in Paulshoek). A number of these farmers have only recently purchased these animals, using credit from the Land Bank.<sup>26</sup>

When comparing the distribution of herd sizes on the new farms to stock distribution on the old commons, it is clear that the small farmer grouping (i.e. those with herds of under 50 animals) is under-represented. On the old commons this group accounts for 42 per cent of all farmers, yet on the new farms,

Residing outside reserve	Okiep	1	
	Carolusberg	1	6% (6%)
Residing west of the N7	Kharkams	2	6% (6%)
Residing east of the N7	Paulshoek	2	6%
	Leliefontein	2	6%
	Kamieskroon	3	8%
	Kamassies	5	14%
	Nourivier	8	22%
	Rooifontein	12	32% (88%)
	<b>Total</b>	<b>36*</b>	<b>100%</b>

\*The available data on farmers using the new farms only provides information on origins for 36 of the 42 farmers.

Herd size	Number of farmers	Percentage of total
1-50	11	27% (27%)
51-100	14	34%
101-150	9	22%
151-200	1	2% (58%)
201-250	2	5%
251-300	3	7%
301+	1	3% (15%)
<b>Total</b>	<b>41*</b>	<b>100%</b>

\*Stock data is only available for 41 of the 42 farmers.

only 27 per cent fall within this category. It is the middle and larger farmers (that is 50 to 200 animals, and 200 animals or more) that are the primary beneficiaries of these newly acquired commons.

Five of the six largest farmers (i.e. those with herds of more than 200 small stock units) have been on the new farms since at least 2002. The herds of these five farmers have increased substantially in the 2002–2004 period, as shown in Table 5.

Anecdotal evidence from discussions with farmers indicates that it is not only the largest

farmers that are doing well. On the whole, farmers on the new farms were able to survive the drought and winter of 2003 relatively unscathed compared to the old commons where all farmers suffered heavy stock losses. Stock losses on the new farms were reportedly minimal.

It is evident then that the majority of farmers gaining access to the new farms are larger farmers with resources and capacity to use the land (i.e. with motorised transport and sufficient income – from farming or other sources – to farm under the land use system



Table 5: Growth in herd sizes of five of the largest farmers (2002–2004)

Farmer*	2002 <sup>27</sup> (SSU)	2004 (SSU)	% Change
Farmer 36	189	211	12%
Farmer 37	158	230	46%
Farmer 39	158	293	85%
Farmer 40	21	300	1329%
Farmer 41	97	496	411%

\*The identity of farmers has been kept confidential in this study. The farmer numbers however correspond to those presented in Annex 1.

set up on the new farms). It is also evident that these farmers are benefiting from the better quality of forage available on the new farms, versus that of the old commons and herd sizes are growing (in some cases substantially).

## Factors influencing access to the new farms

There are a number of factors that have influenced which farmers from Leliesfontein have gained access to the new farms.



### Location of the new farms

As indicated by data on the origins of farmers using the new farms, almost 90 per cent of farmers come from eastern Leliesfontein, and in particular from the three settlements closest to this land - Kamassies, Rooifontein and Nourivier. The close proximity of the farms to these settlements allows stockowners to walk their stock to the farms if necessary.

Monitoring of stock and herders is also made easier by their close proximity of the farms.

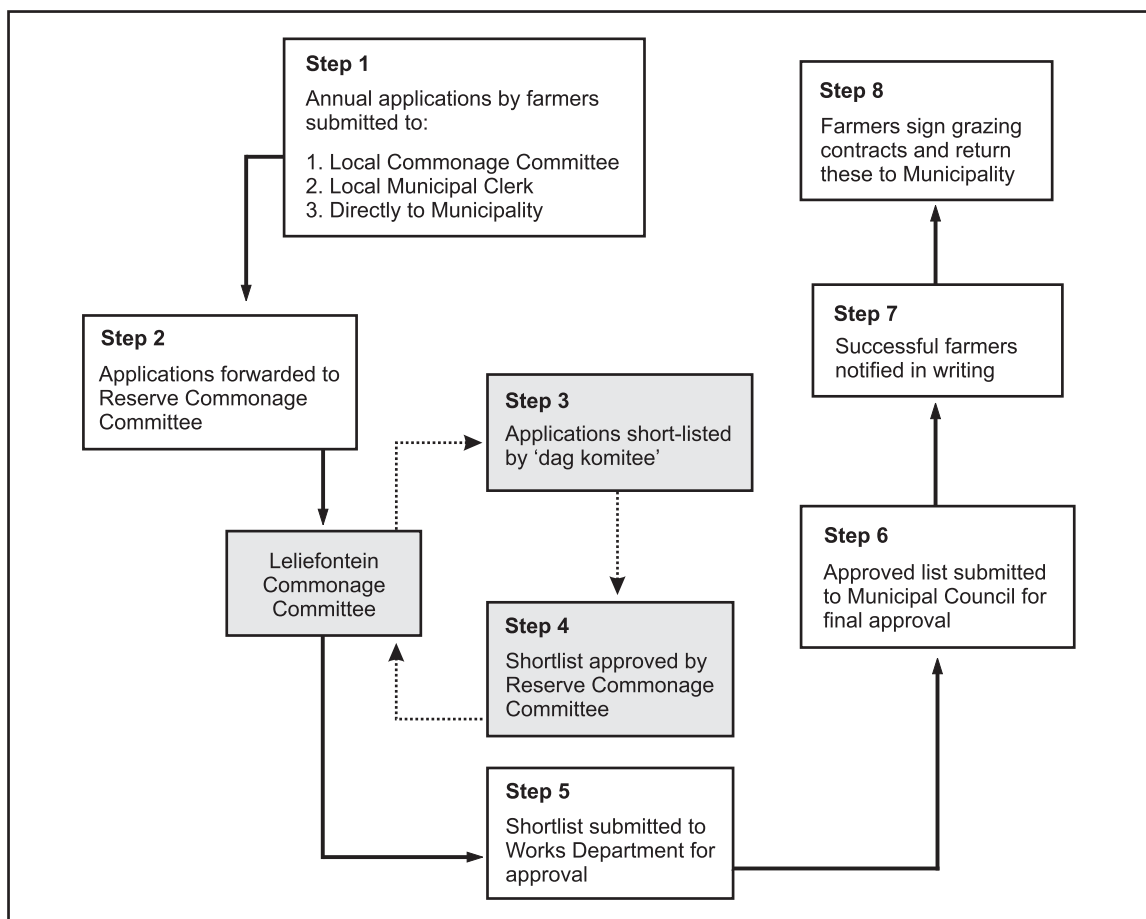
For farmers in Paulshoek, on the other hand, private farmland between the Paulshoek common and the De Riet farms hampers direct access, although these properties are the closest to Paulshoek. The owner of this farm is denying Paulshoek farmers access across his land, and as a result farmers from Paulshoek need to travel into De Riet from the north via Nourivier. Despite numerous requests from Paulshoek farmers that the municipality intervene and negotiate access, by May 2004 the issue had not yet been resolved. In practice this means that most

Paulshoek farmers, other than those with motorised transport, are effectively excluded from the new farms. If the Kwaskraal and Gannahoek portions of De Riet are indeed on the market, acquisition of this land would effectively join the existing De Riet farms directly to the Paulshoek common (see Map 2). This would facilitate greater access by farmers from Paulshoek. These difficulties of access as a result of the location of the farms are reflected in the formal process of farmer selection (although initially this was not the case).

### Access criteria

The process of accessing the new farms should start with an assessment, by the Commonage Committee, of what space is available on what farms and for how many head of stock. Space on the new farms should then be advertised for individual farmers to apply.

In practice, the situation is somewhat different. All farmers interested in gaining access to the new farms now simply apply in November of each year. Given that there are large numbers of applications, and there is limited space on the farms, certain criteria are applied. These criteria are set out in the Management Plan. Applications from farmers are reviewed by the *dagkomitee* of the Commonage Committee, which then submits recommendations back to the broader reserve Committee. Once these recommendations are endorsed, they are submitted to the Works Committee of the municipality. Finally, the recommendations are submitted to the Municipal Council for approval. On final



**Diagram 2: The application and selection process**

approval, farmers are notified in writing as to the outcome of their applications. These farmers are then required to fill in and sign a grazing contract (of which they keep a copy as proof of their right of access) and submit these to the municipality.

Criteria considered by the Commonage Committee include the farmer's history of payment of municipal levies (stock fees for the new farms, as well as residential levies) and their record of use of the new farms, in particular adherence to regulations and staying out the full term of their lease. Thus, for example, there have been farmers who were allocated farms in the past, but who then were constantly moving between the new farms and the old commons, or who left the farms altogether before their leases were up. These farmers were not considered in the 2004 round of allocations.

Initially, in the Management Plan of 2000, preference was given to individuals with a household income of less than R1 710 per

month, and there was a stated and practiced commitment to prioritise smaller, poorer farmers. This has changed, however, with the realisation that many of the smaller, poorer farmers are physically unable to access the farms unassisted, largely due to a lack of transport. As a result, the maximum limit of 75 head of stock per farmer set for the new farms was increased to 200 head per farmer to allow access to better-resourced farmers. This new criterion is supported in the Grazing Regulations which requires that the capacity of the applicant to farm (*die kapasiteit van die aansoeker om to boer*) be considered, including the quality of the applicant's stock and the availability of transport. In an informal discussion with the municipal development officer in May 2004, it was mentioned that the 200 stock limit was not being strictly enforced. It is for this reason that some of the farmers on the new farms legally have more than 200 stock units on their allocations.





### Box 5: Removing large farmers from the old commons

*'The problem is that there are just too many farmers, and there is not enough space for everyone. At the moment the veld is trampled ("uitgetrap"). There are so many animals in this area that it quickly gets trampled ("dat die veld so gou uitgetrap word"). It would be a good idea for some farmers at Gorap to go to the new camps. Then there would be less of us here and the veld won't get trampled out like it does. That would take stock off the areas that are trampled and overgrazed and give it time to rest and recover. But the problem is that we can't get there (the new farms). If the municipality could provide a truck and arrange that certain people's stock go the new camps at certain times, for example ...'* (Small farmer, Paulshoek common, 18 November 2003).

This farmer spoke about the largest herd in Paulshoek. He complains that the herd, due to its size, tramples everything into the ground. *'If the big farmers moved to the new farms it would be so much better for those that remain behind. The big herds just trample the veld and make life difficult for the small farmers in the area'* (18 November 2003).

When asked how many big farmers there are in Paulshoek, the farmer said that there were none left. Gert 'Swartbooï' and 'Dubbele Jan' at Windpoort who had around 150 head of stock, for example could go to the new farms, but they too have suffered heavy losses and now probably only have around 50 stock left.



By 2003, the *dagkomitee* was taking in to account the practical reality of the location of the farms. In the processing of applications for 2004, the number of farmers from Paulshoek given access to the new farms was limited to those farmers with motorised transport. In past years more farmers from Paulshoek were allocated access, but many did not use their camps because they could not get there or they abandoned them because the infrastructure on the land allocated to them was not functional. As a result, in 2004 only two farmers from Paulshoek gained access to the new farms.

The municipality and the Commonage Committee justify this shift in focus from the poor to the more privileged in two ways: first, by the ability of larger, wealthier farmers to physically access the new farms using motorised transport; and secondly, in altruistic terms, by suggesting that removing larger farmers from the old commons would benefit the smaller farmers that remain behind by reducing stock numbers.

Large stock farmers remaining in the old commons express this altruistic sentiment as well. A large stock owner and entrepreneur from Rooifontein, for example, says that since

there are only a small number of big farmers around Rooifontein these farmers should go to the new farms. This would create more space for the small farmers that remained behind. The big farmers have transport and are thus able to access and use the new farms. The small farmers usually walk to their stock posts or use donkey carts, and the new farms are too far for that. The same Rooifontein farmer also mentioned small farmers from the community who had access to the new farms in past years but came back after a period of time because they could not afford to use them. The costs associated with employing a herder, travelling to and from the camps, and the stock fees, make it a non-viable enterprise for small farmers. This large farmer said that he deliberately stays on the outer edge of the Rooifontein common where it is less congested since his herd would consume all the available forage if he were to move closer to the central region of the common where there are more farmers.

Many of the small farmers would welcome the opportunity to gain access to the new farms if the factors that prohibit their access could be addressed, particularly the issue of transport. However, a number of small

farmers have also identified the camp-based system and associated stock fees as being ‘too expensive’ – it would not be cost-effective for a farmer with 30 animals to rent land on the new farms. The prohibition on stock posts on the new farms and associated cost of hiring a herder are further factors making them unattractive to owners of small herds. For these reasons, many small farmers would welcome a policy of moving larger farmers off the old commons (see Box 5).

### Community dynamics

There is a perception, among those farmers that have not been able to access the new farms that access is determined by factors other than those set out in the Commonage Plan and the Grazing Regulations. Thus, an informant in Rooifontein is of the opinion that whether or not one gets access to the new farms is strongly influenced by the people leading the allocation process (i.e. the Commonage Committee and in particular the *dagkomitee*) and those close to these committee members. It is alleged that in Rooifontein access has to do with family and connections – it is family and friends of committee members that get preference (*‘dit is net hulle wat toegelaat is’* – it is only them

who are allowed access).

Small farmers in Paulshoek and Leliefontein villages express a similar view seeing the new farms allocation process as having been ‘captured’ by local elites (see Box 6). These individuals are either large farmers or entrepreneurs, or both. Some have permanent formal employment outside Leliefontein (despite access criteria requiring farmers to be full-time residents in the area) although remaining very active within their communities around political and developmental issues.<sup>28</sup>

In discussions with small farmers remaining on the Paulshoek common and in discussions among Kameelkrans Farmers Union members, these elites are disparagingly referred to as *‘die mense wat voor staan’* – the people who stand in front. In the view of many small farmers, these people have manoeuvred themselves to the forefront of the new farms process, largely in pursuit of their own interests, though claiming to speak on behalf of the broader community. This sentiment is widely held, with most small farmers on the old commons feeling excluded from the new farms (and the ongoing TRANCRAA process). These ‘people who stand in front’ are disparagingly likened to the



### Box 6: Local elites and the transformation process

*‘...die vooraanstandes praat nou vir ons. Maar blykbaar is ons nie een en die selfde nie. Die mense op die komitee, wat vir ons moet praat ... hulle praat nie soos hulle moet praat nie. Hy praat in sy guns, hy praat nie in onse guns, hy praat in sy eie guns. Die ding is, ons is oningelig. Nou die mense wat ingelig is weet van wat hulle praat. Hy praat nie reg vir ons, hy praat net vir homself reg. Hy praat nie as of dit jou raak nie, as of dit jou nie raak nie. Dinge was baaie anders in die verlede. As iemand gegaan het, het hy gegaan om vir hierdie heele plek te praat. Maar nou is it nie meer so nie.’*

*(those in front now speak for us. But it seems that we are not one and the same. Those people on the committee, that should be speaking for us, ... they don't talk the way they should be talking. He talks in his own favour, he does not talk in our favour. He speaks for his own interests. The thing is we (small farmers) are not informed. These people are informed and know what they are talking about. But they don't speak correctly for us, they just speak for themselves. He speaks as if it does not affect me, as if it does not affect you. Things were very different in the past. If someone spoke, he spoke for the whole place. But now it is not like that anymore.)*

**Small farmer, Paulshoek common (July 2003)**

kind of people who pushed the economic units agenda in the 1980s (and indeed for some of them this is true).

This fault-line in the community, which can be interpreted as one of class distinction, is often described in terms of differing values. At the Kameelkrans Farmers Union meeting, an elderly participant noted that those leading the current transformation process are more educated and openly ambitious. It is alleged that these individuals look down on the older and often smaller farmers, who are reluctant to change their farming practices and embrace a more commercial orientation. A common lament, expressed by almost all of the older and smaller farmers on the Paulshoek common, is the breakdown of respect between people in the community and the erosion of the traditional communal ethos that once prevailed in Leliefontein, as people increasingly only look after themselves.

### Actual use practices on the new farms

As noted above, all stock farmers whose applications are successful are required to sign a grazing contract with the council before being allowed access to the new farms. This contract commits these farmers to the land use regulations prescribed for the new farms. For 2004, this requirement was not being enforced very effectively. By May of 2004, only 23 of 42 grazing contracts had been returned to the municipality.

According to the regulations, the signing of this grazing contract serves to invalidate any previous arrangement of access to the (old and new) commons of Leliefontein. From the point of signing this agreement, the commons can only be used in terms of the regulations. In other words, even if a farmer is listed on an existing grazing register, or has a letter of acknowledgement (*toekennings brief*) in terms of Act 9 of 1987 as a valid user of the common, this does not mean that the person any longer has rights to use the commons. The commons can thus only be used in terms of the current regulations and grazing contract. At present, this provision is only applicable to the new farms. However, if implemented on the old commons, this provision may mean



that many farmers there would effectively lose their historical rights of access, since many are not registered with the municipality and have not signed these grazing agreements. Farmers on the old commons are generally reluctant to register as farmers with the municipality, since it would mean revealing their stock numbers and having to pay grazing fees for these animals (something which many poor farmers cannot afford).

Despite the signing of grazing contracts by farmers, and by implication their commitment to adherence to the rules and regulations governing land use, there is open flouting of these on a number of fronts. As already noted, at a broader level, the management framework for the new farms has already been fundamentally undermined by the allocation of all the camps, effectively preventing resting and rotation. Compounding this is the fact that the new farms are already overstocked in relation to the stocking capacities set in the grazing regulations (as will be discussed below). Although all farmers have to re-apply to renew their allocation at the end of each year, and the opportunity would then exist to remove farmers from the farm, it is unlikely this will happen. To date, the leases of farmers already on the new farms have generally been renewed (unless farmers voluntarily withdraw).

### The Flouting of regulations

#### (i) Stocking rates on the new farms

Despite carrying capacity being the central management tool of the new farms' management framework, field research for this study indicates that four of the five new farms are overstocked (in relation to the set carrying capacity of 10 ha/SSU).

As indicated in Table 6, three of the new farms are quite heavily overstocked with stocking rates of 6.0, 6.8 and 7.6 ha per small stock unit respectively for De Riet 2, Papkuilsfontein and Tweefontein. Only De Riet 1 is within set stocking rates at 10.3 ha/SSU, with Boesmanplaat a little over at 9.4 ha per small stock unit.

By May 2004, stock limits set for the new farms, as stipulated in the Municipal Grazing

Table 6: Stocking rates on the new farms (May 2004)

Farm	Farm size (ha)	Recommended stock numbers	Actual stock numbers	Actual stocking rate	Percentage over-stocked
De Riet 2	2379	238	394	6.0	66
Papkuilsfontein	5060	506	747	6.8	48
Tweefontein	15717	1572	2057	7.6	24
Boesmanplaat	6956	696	740	9.4	6
De Riet 1	3443	344	334	10.3	0

Regulations, had therefore been exceeded by over 20 per cent.

This overstocking is the result of natural herd growth on the new farms, the failure by farmers to sell stock, and the absence of any form of enforcement by the co-management institution. In 2002 and 2003, for example, when herds outgrew their initial allocations, there was still space for the Commonage Committee to allocate more land to these farmers. Now that the new farms are being fully utilised (and there are still a large number of farmers applying for access) this is no longer possible, and in all likelihood stock numbers will continue to grow in the absence of effective enforcement. Attempts are being made to deal with the issue, although it remains to be seen how effective these will be.

In May 2004, the Commonage Committee decided that when camps on the new farms do open up (there are examples of farmers withdrawing their stock and moving back to the old commons due to problems with water or fencing in the camp, or problems with transport), such land would be reallocated to farmers already on the new farms. In the absence of any effective means of compelling these farmers to reduce their stock numbers, such reallocation would be aimed at reducing the stocking rates of farmers whose stock numbers are too high. New entrants will only be considered during the annual November application process.

#### (ii) Removing all stock to the new farms

In terms of the regulations, farmers on the new farms are required to take all of their stock to the new farms and are not allowed to bring these animals back to the old commons or keep additional animals on the old commons during the period of their lease.

Despite this requirement, however, there are a number of farmers still keeping stock on the old commons. A farmer from Nourivier, who leases land on Papkuilsfontein, for example, had 143 goats on the old commons in 2003. This farmer would have needed three more camps on the new commons to accommodate all of his stock there. There are also farmers who move their stock back onto the old commons. The problem with farmers moving back from the new farms is that other farmers have often started using the land they previously used on the old commons. Farmers that moved back onto the old commons from the new farms over 2002 and 2003 did so because of problems with fencing and water infrastructure in the camps allocated to them.



#### (iii) Restricting stock to allocated camps

A further breach of regulations is that farmers on the new camps do not restrict their stock to their allocated camps and graze animals in surrounding camps. According to the convenor of the Paulshoek Commonage Committee (and confirmed during a number of Commonage Committee meetings), during 2002 and 2003, one of the farmers allocated a camp on Papkuilsfontein rarely kept his

**Box 7: Large farmer and entrepreneur (Rooifontein)**

According to a farmer from Rooifontein, some farmers bring their stock back onto the old commons when they have used up the forage on their allocated land on the new farms. When these farmers leave the new farms they simply give notice and stop paying, regardless of whether their lease contracts have expired or not. The Commonage Committee does nothing about this, since these farmers have been chosen for the new farms. The farmers that have not gained access have stayed on the old commons, but those that have access simply do as they please.

**Large farmer and entrepreneur in Rooifontein (November 2003)**

animals there. Instead, the animals were grazed on neighbouring land on De Riet that, until November 2003, had not yet been allocated. When the Commonage Committee inspected the farm, the farmer would make sure his stock was in his allocated camp. However, when people come out to the new farms unannounced, they would find his stock elsewhere. In May 2004, the farmer applied

formally for the camp on De Riet that he allegedly has been ‘poach grazing’, and which is currently unutilised due to problems with water.<sup>29</sup>

A further regulation that is being flouted is that a number of farmers are keeping more than six donkeys on the new farms. Four of these farmers have seven donkeys, while one has ten.



**Table 7: Disjuncture between rules and regulations and actual practice on the new farms of Leliefontein**

Commonage Management Plan / Municipal Grazing Regulations	De facto practice on the new farms
Rotational grazing and regular resting of camps and none open for rotation.	All camps are allocated with no camps currently resting
Stocking rates for the new farms, set in the Municipal Grazing Regulations, are not to be exceeded.	Four of the five farms are overstocked to varying degrees (3 severely so in relation to set carrying capacity).
Farmers on the new farms are allowed a maximum of 200 SSUs each.	Six farmers or 15 per cent of farmers on the new farms have in excess of 200 SSUs.
Farmers are to keep their stock within their allocated camps.	There are limited but reported cases of farmers grazing on camps not yet allocated or occupied by others.
Farmers must move all their stock to the new farms.	A number of farmers keep additional animals on the old commons, and some farmers move between allocated camps on the new farms and the old commons.
Farmers are allowed to keep a maximum of six donkeys as draught animals. The council will remove all donkeys that are not branded and registered from the commons and new farms.	Seven farmers have donkeys on the new farms. Five of these have more than six donkeys each.
Applications for access to the new farms will only be considered from farmers that are full-time residents in Leliefontein.	At least three farmers allocated camps on the new farms are permanently employed and resident outside of the reserve. These three farmers have 53, 78 and 293 SSUs respectively.

## De facto privatisation of the new commons

Growing 'privatisation' poses a threat to the new farms remaining a communal resource potentially open to all residents of Leliefontein. Privatisation, or exclusion, is relevant at two levels. Firstly, at the level of individual farmers and their camps; and secondly, for the new farms as a block of land being separated off from the former reserve commons for the exclusive use by a particular group of farmers.

At an individual level, there is a growing sense of ownership of camps among a number of farmers currently using the new farms. According to a member of the Nourivier Commonage Committee, this attitude is particularly prevalent among those farmers who have been on the new farms the longest. A number of these individuals had in the 1980s successfully applied for camps under the economic unit policy (before this scheme was terminated), and display a sense of entitlement to the camps they have now secured on the new farms through the Municipal Commonage Programme. According to this member, these individuals openly question the authority of the Commonage Committee in relation to how they use their camps, and challenge any suggestion that at some point in the future their camps may be leased out to other farmers. When confronted by the Commonage Committee on this issue, they produce letters from the former management board indicating their exclusive right to camps under the former economic unit policy. '*Dis daaie man se heiligdom daaie*' – it (the letter from the management board) is that man's holy artefact.

These farmers argue that the denial of private access to the old commons (as proposed under the old economic unit policy) entitles them to private access now under the new municipal leasehold scheme on the new farms. In speaking with one of these farmers, their individual control of land is justified by linking the problem of degradation on the old commons directly to communal farming practices and communal tenure. For this farmer (who was also a beneficiary under the

economic unit policy), the new farms represent a new opportunity to secure control of a private piece of land where he can farm without interference from or conflict with other communal land users.

What is becoming evident at a broader level is that the individual farmers who have managed to get allocations on the new farms in the 2000 to 2004 period are increasingly consolidating their positions there. Other than farmers voluntarily terminating their leases, or severely breaching regulations, under the current management plan there is no reason to remove them. Current practice is to renew the leases of those farmers already on the new farms. As a result of this, the new farms are gradually being excised from the broader Leliefontein commons, and being effectively set aside for the exclusive benefit of the small group of farmers from Leliefontein that have managed to gain access over the past few years. In this sense, the new farms are in danger of ceasing to be municipal commonage potentially open to all of Leliefonteins' farmers, and instead becoming the private domain of a small, well-resourced group of larger farmers.



## The co-management institution

From the preceding discussion, it is evident that the new farms have come to benefit one particular group of farmers. In addition, it is apparent that there is a growing disjuncture between the management framework put in place for the new farms and the actual practices on the land. None of these developments have taken place surreptitiously. The shift in beneficiary focus was decided by the Commonage Committee, while the growing disjuncture between the management framework and actual practice is taking place openly, having featured on the agenda of every Commonage Committee meeting in 2003 and the first half of 2004.

Why, if the stated motivation for the new farms framework is to ensure sustainable use of the new commons (i.e. the conservation of grazing resources), is there this growing disjuncture between policy and practice? In questioning the municipality and the

Commonage Committee on this, a number of factors relating to a lack of power and capacity on the part of the co-management institution were raised.

Up until the end of 2003 when the Service Delivery Agreement was signed, the village Commonage Committees (as well as the broader Leliefontein Commonage Committee) had no legal authority and thus no power to enforce or implement the Management Plan and Grazing Regulations. These structures only had advisory powers with final authority residing with the municipal council. However, given that the municipality itself is weak, it was unable to respond timeously and effectively to issues reported by the local Commonage Committees. The following examples serve to illustrate this.

On the Leliefontein village common there is an individual who managed to secure individual use rights to a communal ram camp for a period of five years early in 2003. A municipal official, as opposed to the Council, allegedly granted permission to the farmer. The community is unhappy because this individual has essentially privatised a communal resource. Over the course of 2003, numerous warnings were issued ordering the farmer to move, but to no avail. The municipality finally instituted legal action to have the farmer removed in late 2003. By May 2004, the issue was still unresolved and was being dealt with between the attorneys of the municipality and the farmer. Community representatives on the Commonage Committee feel that the municipality has not taken full responsibility for this situation (although the problem originates within the municipality), and feel that not enough was done to resolve the case. A further example of the weakness of the municipality that is often cited by farmers (both those on the new farms and those on the reserve commons) relates to infrastructure repair and maintenance. In the case of the new farms, some of the water points are broken and require repair. The water points cannot be fixed, however, since a moratorium has been placed on expenditure by the Works Department of the municipality. Although the municipality acknowledges that there are people in the villages who have the



skills to fix these pumps, the municipality will not allow non-municipal staff to work on municipal infrastructure. This situation infuriates farmers, especially since they pay for access to this land.

Whether the Commonage Committee, now legally constituted as a municipal entity, will prove any more able at enforcing the Grazing Regulations, or at maintaining commonage infrastructure, is doubtful at this point.

A further constraint raised by members of the Commonage Committee when it comes to operating effectively is the lack of capacity and resources to effectively carry out their duties. This applies to general tasks such as attending meetings of the reserve Commonage Committee, but also to specific tasks. For example, farmers tend to under-represent their stock numbers when registering with the municipality. To address this, the local Commonage Committees should be undertaking stock counts every two years, with the first of these due to have started in June 2003. However, since there are no resources available to undertake this activity (for example to cover transport costs), the counting of herds has not taken place. It was proposed at a reserve Commonage Committee meeting in July 2003 that a commonage inspector be employed to undertake this task, but such an inspector would have to be paid, and the municipality does not have the money for this. A similar situation applies to the employment of a dedicated commonage manager within the municipality.

This lack of authority and capacity to exercise authority is of great concern to Commonage Committee members as they feel it undermines their ability to develop a credible role and relationship with farmers. Although the conversion to a municipal entity may address the authority deficit on the part of the Commonage Committee, it is unclear whether it will address financial and human capacity constraints. In many ways, the ability to address this concern lies beyond the control of the municipality, since it relates to the creation of a well-resourced and capacitated developmental local government in the broader South Africa. This transformation of local government is, however, still ongoing,

and it is probable that the Kamiesberg Municipality will remain under-resourced for the foreseeable future. Thus, according to Committee members at least, the growing disjuncture between policy and practice relates primarily to the weakness of the co-management institution.

Although the lack of capacity and power on the part of the co-management institution are real factors affecting the ability of the Committee to enforce rules and regulations, there are other dynamics at play as well. What has become evident in the course of this research is that despite the problems cited by Commonage Committee members, the co-management institution is able to act on selected issues when it so chooses.

In relation to certain issues, the Committee decision-making process is effective and runs relatively smoothly. For example, the annual application and allocation process takes place in terms of accepted practice, and is generally completed in time for the start of each year (this has been the case for 2003 and 2004 at least). In addition, throughout the year, the Commonage Committee actively manages the camps in terms of re-allocation when camps become available, and on the whole enforces exclusive rights to these allocations. The Leliefontein Commonage Committee meets on a monthly basis, with most issues relating to the new farms being discussed, and with minutes being kept of these meetings.

However, when it comes to certain fundamental areas of decision-making, in particular those relating to enforcement of land use rules and regulations, the Commonage Committee stumbles. A key example here is the issue of stocking rate enforcement. Although this issue is discussed at all of the Commonage Committee meetings, the Committee does not act in a way that requires farmers on the new farms to actually reduce their stock numbers. The following example illustrates this.

At the Commonage Committee in May 2004, one of the farmers already on the new farms made an urgent application for access to a neighbouring camp that had recently become available. This farmer had 30 to 40 lambs that needed to be prepared for

marketing and his original camp allocations did not have enough forage. This farmer, who has been on the new farms since at least 2002 and who has a reputation for poach grazing on neighbouring camps, already had more animals than he could accommodate on the land he had been allocated (in May 2004 he was operating at a stocking rate of 6.1 ha/SSU, as opposed to the stipulated 10 ha/SSU). A small minority of Committee members felt that the application should be turned down since he had a record of non-adherence to rules and regulations. It should be noted that, although rejecting the farmer's application, this group did not propose forcing him to reduce his stock numbers. A larger lobby within the Committee felt the farmer should be supported. In fact, this larger group feels that the Commonage Committee should wherever possible provide support to farmers producing for sale (for commercial purposes). Nor did the group raise any concerns regarding the farmer's overstocking.

This skirting around the issue of enforcement has been ongoing. Since at least July 2003, the Commonage Committee has been discussing the need to carry out regular farm inspections, where infrastructure can be examined and stock data collected. The Committee believes that farmers on the new farms are under-representing their stock numbers (in the same way farmers on the old commons are doing). At every Commonage Committee meeting since then the same issue has been raised, and the same recommendation of farm inspections made, yet by May 2004 no farm inspections had been carried out.

As discussed earlier, the Commonage Committee argues that the reason these inspections have not taken place is because the Commonage Committee lacks the capacity and resources to do so. However, other events show that this is not necessarily the case. In 2003, a number of problems arose between farmers on the new farm of Tweefontein, with some accusing others of encroachment into their camps. In the course of this conflict, one of the farmers shot at the herder of another farmer. The Commonage Committee promptly undertook a farm inspection and investigated





### Box 8: Management of the old commons

At the May 2004 Commonage Committee meeting the Spoegrivier and Klipfontein convenors raised a concern that the Commonage Committee was still only operating on the new farms. Both individuals urged that *'the order that is on the new farms'* also be introduced to the old commons. They feel that the Committee has focussed for so long on the new farms that they no longer know what is happening on the old commons. *'Although these lands are communal and people have rights to graze anywhere, there is a need for order ...'* They proposed that the Commonage Committee discuss how to integrate the old commons and the new farms under the new management framework. Although both are stock farmers, neither of them is currently accessing the new farms.

The Paulshoek convenor responded, stating that only he and one other farmer from Paulshoek, who have been allocated camps on the new farms, are paying grazing fees. No other Paulshoek farmers are paying for their stock or for the maintenance of infrastructure. He feels all farmers (on the new farms and the old commons) should be paying. The Spoegrivier representative agreed, adding that farmers on the old commons do what and as they please. He feels that all users of the commons must be held accountable for their use of the land, and proposes that all farmers be billed, and that they *'be forced to pay'*. The Nourivier representative commented that there are *'unlawful, irresponsible people out there who say to hell with the municipality and the new framework'*.

It was, however, noted that in bringing such order to the reserve commons there is a need for accurate information and maps of the boundaries of the different village commons. The Spoegrivier representative responded that maps indicating the village commons and the different 'units' (camps) were developed during the implementation of the economic unit policy (in the 1980s). He feels that going back to the economic unit boundaries would help in introducing orderly land use in that it would enable farmers to be allocated to particular areas on the reserve commons (as is currently the practice on the new farms with the allocation of camps) and to hold these farmers accountable for their use of the land.



these complaints. The issue appears to have been resolved in a short period of time.

It would appear from this incident that the Committee is able to act, but it seems to choose the issues it acts on. It may not be in the interest of the Commonage Committee, made up largely of farmers (many of whom are on the new farms), to act on the issue of stock numbers. It is, however, in their interest as individual farmers to enforce their exclusive rights of access to camps on the new farms. Thus, issues of allocation and enforcement of exclusive rights to camps get dealt with timeously and effectively, while regulations that relate to what can be extracted from these allocations are ignored. This behaviour is ironic given that the active narrative informing the new farms process is

that of a 'tragedy of the commons' – i.e. selfish individuals blindly pursuing their own personal interests at the cost of the broader group resource. The co-management framework and the individualised leasehold scheme all derive directly from this narrative.

In relation to the commons of Leliefontein, it appears that this narrative has been deliberately subverted, however. Individualisation is being promoted by those with self-interest in the dismantling of common property and the establishment of non-communal forms of tenure on community land. By May 2004, there was growing pressure from within the Commonage Committee to extend the camp-based leasehold framework of the new farms onto the old commons (see Box 8). This issue was

strongly argued by those Committee members who, in practice, are unable to access the new farms (for example, those from Spoegrivier and Klipfontein which are on the western side of the N7 national road). In order to derive similar benefits to those being enjoyed by farmers on the new farms, the solution for these individuals is to introduce a similar individualised land use framework for the old commons. This would effectively entail enclosure of the commons, and provide an opportunity for these larger and better-resourced farmers to monopolise access, as is the case on the new farms.

It is questionable whether the Committee or even the municipality is sufficiently removed from these local interests to enable it to act neutrally and in line with the regulations.

## Maintenance of infrastructure

There is ongoing conflict between farmers and the Municipality over the repair and maintenance of infrastructure on the new farms (as well as on the reserve commons).

Prior to 1993, the management and maintenance of the Leliefontein commons was financed by central state funding through the coloured House of Representatives and through municipal rates and taxes paid by all reserve residents, whether they used the commons or not. Since 1994, this situation has changed. Following an initial transitional period of provincial government funding, all central and provincial government funding for maintenance and management of the commons has been terminated (SPP, 2003).

Municipalities are now expected to fund the delivery of services in relation to the commons

from levies raised locally. This levy, or maintenance fee, will be calculated on the real costs of maintaining the commons. According to the municipal development officer, these levies will be raised only from the users of the commons, unlike in the past where all residents paid, whether they used the commons or not. The development officer stressed that the municipality will not cross-subsidise commonage maintenance with other levies raised locally.

Although in principle farmers do not disagree with paying for at least some of the maintenance costs associated with the commons, what is causing disquiet is the shift toward aggressive cost-recovery by the municipality. Currently infrastructure on the new farms is in a poor condition (although improving) and farmers have up until now largely been maintaining pumps and fences themselves. As a result, they are reluctant to pay user fees until the infrastructure is brought up to working order. The municipality, on the other hand, being in a financial crisis, holds that the infrastructure cannot be repaired until farmers start to pay their fees. This situation has led to an effective stalemate between farmers and the municipality, with neither side willing to shift its position. As a result, some of the farmers on the new farms have not been paying their fees, with a similar situation prevailing on the old commons.

What infuriates farmers is that the municipality, despite being unable to fix the infrastructure because of financial constraints, will not allow farmers to undertake maintenance of municipal property. Farmers on the new farms say they are more than



### Box 9: Municipal levies

‘The municipality is quick to take money, but have done nothing in return such as fixing water pumps for example. The farmers generally fix things themselves. They are supposed to go to MK, who then go to the municipality to report these problems, and then the municipality is meant to come out and fix it. This, however, never happens. One of the reasons that the municipality has no money is that they spend most of their budget on salaries.’

**Small farmer on the Paulshoek commons (May 2003)**

willing (and capable) to do much of the maintenance work themselves, but they need permission and material support from the municipality to do this.<sup>30</sup> This situation is leading to growing resentment and the perception that the municipality is only there to extract money from local residents. Suspicions have also been voiced about what happens to the money that farmers pay. The perception is that the money must be going towards the high salaries that municipal officials are allegedly paid.

How this issue is going to be resolved is yet to be seen. In discussions with municipal officials, there has been talk of applying for a Commonage Infrastructure Grant to repair and upgrade infrastructure on the new farms. However, ongoing maintenance will still prove a problem since the levies raised from users of the commons are likely to be inadequate to cover these costs, a fact the municipality acknowledges.

## Endnotes

- 24 Okiep and Carolusberg are both mining settlements located around Springbok approximately 120 km north of Leliefontein.
- 25 It is important to note that some farmers also have cattle and donkeys on the new farms. These large



stock units have been converted to their equivalent in small stock units. The tabulated stock data in Annex 1 provides the conversion ratios used in this process.

- 26 In discussions with small farmers remaining on the old commons, there is some bitterness about this. As small farmers they are unable to access similar financial assistance because they lack collateral and any form of credit record.
- 27 Source: 2002 Department of Agriculture dipping figures for the new farms of Leliefontein.
- 28 The two successful applicants from Paulshoek are a good illustration of this. The one is the convenor of the Paulshoek Commonage Committee and runs a general store in the village. This individual secured finance from the state's Land Bank in late 2003 to buy stock for his newly allocated camp (yet he was not actively farming for most of 2003). The other applicant is permanently employed in Springbok and only returns to Paulshoek on weekends. He, however, remains prominent in local politics and development processes, in part through his association with regional structures of the African National Congress.
- 29 The camp is currently unallocated because the previous lessee withdrew his stock (allegedly due to the water problem).
- 30 In practice, farmers do what they can to keep the infrastructure on the new farms up and running. They cannot farm without water, hence they usually fix pumps and windmills at their own expense.

# 5. Discussion

As discussed in the Introduction, there are multiple, and perhaps contradictory objectives and motivations informing the acquisition of the new farms at Leliefontein.

At a national policy level, the objectives are related to supporting both subsistence and aspirant commercial farmers in the Leliefontein communal area: the former through opening access to additional grazing resources for small and poor farmers in order to support food security, and the latter through the new farms acting as stepping-stones in the transition of these farmers to full commercial status on their own land outside of the communal areas.

Local stakeholders, including the municipality and NGOs, share these livelihood and development objectives. At the local level, however, there are additional motivations at play. These relate to transforming commonage management practices – ostensibly to avoid a perceived ‘tragedy of the commons’. Central to this transformation is the crafting of an institutional framework in which individual users can be held accountable for the full costs of their land use.

## Livelihood support and farmer development

### Support to subsistence users

It is clear from this research that small farmers from Leliefontein (i.e. farmers with 50 head of stock or less) are, on the whole,

not directly benefiting through access to the new farms. This is despite the fact that access regulations were initially in favour of the poor, with a maximum stock limit and income ceiling set for access to the new farms.

Practically, there are two factors prohibiting the use of the new farms by these farmers. The first is location and problems in physically accessing the farms. The second, which compounds the issue of physical access, is the land use approach and the bias of this approach in favour of those farmers with resources and larger herds. Unless a farmer has a herd that is large enough to ensure an annual off-take sufficient to meet the financial obligations associated with this system, or has alternative sources of income, it is not cost-effective to use the new farms as currently constituted. However, instead of seeking solutions to these obstacles, the municipality and the Commonage Committee have simply adjusted the management framework to cater for a different beneficiary group – one that has the necessary resources. Thus, the stock limit was increased and the income ceiling removed to allow a wealthier group of farmers’ access to the land.

An alternative solution would have been to adopt a different land use approach – one in which the new farms are seen as a real expansion of the old commons, rather than as an individualised leasehold scheme. Adopting the new farms as an expanded common and allowing stock posts and farmer mobility would be an alternative that would allow



small farmers to benefit from this land and for far greater flexibility of use. For example, during the winter of 2003 (which was a drought year), many small farmers would have welcomed the opportunity to move at least their breeding stock onto the new farms (where there was forage) in order to survive the winter. De-stocking in this way would also have taken some pressure off the old commons during the winter rainfall period, allowing the veld some rest and recovery before the animals moved back.

Under the current framework, however, this is not possible, as the time frames and process of application, as well as the camp-based leasehold scheme, is too cumbersome and inflexible to accommodate the more random and flexible access requirements of many farmers. This is problematic since rapid response and flexible approaches are key in arid/semi-arid settings if opportunistic strategies are to operate efficiently.

*Where negotiations must happen in response to a sudden change in the local situation, and new and flexible contracts must be formed due to unexpected circumstances, institutions derived from a complex interplay of individual and group interaction based on negotiation of rights within and between social networks are likely to be the most effective at managing resource access in such dynamic ecological settings. (Scoones, 1999: 222)*

The formalised and structured approach adopted for the new farms may thus be too inflexible, cumbersome and unwieldy to adapt to unpredictable and rapidly changing circumstances.<sup>31</sup>

There are, however, two factors that militate against such a shift in favour of the poor. In the first place, the policy environment is hostile to the needs of the rural poor. Specifically, there has been a growing bias in policy since the 2000 Ministerial review of land reform, with an increasing focus on support to emergent farmers (i.e. aspirant commercial farmers) through the LRAD programme, in particular. This shift in focus has seen a de-emphasis of alternative land

redistribution options such as municipal commonage.<sup>32</sup>

This commercial production/emergent farmer bias reinforces the already dominant ‘tragedy’ narrative (and the associated prescriptions for range management) in relation to communal tenure and communal farming in South Africa. This narrative is deep-rooted within government bureaucracies (particular those dealing with agriculture and natural resource management), the commercial farming sector, and many NGOs. Even at a local level, among communal farmers themselves, the tragedy narrative is often strongly internalised.

The second factor relates to the local politics of decision-making in Leliefontein itself. Having monopolised the new commons, and as the newly established management institution, it is unlikely that the current beneficiary group will give up the new farms without a struggle. In any event, these individuals are well placed in their local communities (and indeed in Namaqualand more broadly) and other interest groups too poorly organised to sway their current hold. Moreover, in as much as the small farmers on the old commons complain about this ‘elite capture’, they admit that they themselves are not organised, and as a result are not able to speak with a single voice. Their lack of organisation as an interest group means they are not heard. Under the co-management framework the municipality – despite possible good intentions – is spread far too thin to provide the kind of support needed to ensure that the poor are fairly represented. At one level then, the ease with which the new management institution has been captured by local elites could be seen as the municipality handing over responsibility for tasks it has no capacity to deal with to a group that has the will and motivation to do so.

At another level, however, the role of the municipality may be less neutral and more interest driven. After all, a number of key municipal officials are themselves part of the Leliefontein elite. Moreover, the tragedy narrative and discourses of agricultural modernisation feature prominently in their thinking. These individuals largely share the



negative view of communal farming held by many members of the Commonage Committee.

### Stepping-stone for aspirant commercial farmers

The main direct beneficiaries of the new farms have proven to be middle to larger reserve farmers with herds of 50 animals or more and sufficient financial resources to operate within a commercial rangeland management model. Although there is a maximum stock limit of 200 small stock units set for the each farmer on the new farms, a sizeable minority of these farmers have in excess of 200 small stock units.

From a livelihood point of view, the prognosis has been positive for these farmers. Herd sizes have increased on the new farms (in some cases substantially) and these farmers suffered relatively negligible losses during the winter drought of 2003, when herds on the old commons were decimated.

This positive livelihood outcome does need to be qualified, however. There is evidence that these benefits may prove short-lived. Many of the camps on the new farms have been standing empty for a number of years and there has effectively been no grazing on this land. As a result, when new farmers came onto this land they found extensive forage for their stock. At the Commonage Committee meeting in May 2004, however, a number of Committee members reported that farmers were running short of grazing in their camps. This was especially true of those camps that are dominated by grasses (as opposed to a mix of grasses, succulent and other shrubby vegetation). A number of farmers in such camps have noted that the grasses only provide grazing for approximately five months after the rains.

Although this issue has just arisen (and needs to be monitored and investigated further), it may be an indication that the camp-based land use model adopted for the new farms is not wholly appropriate given the arid/semi-arid environment in Leliefontein. As noted above, the mainstream range management approach adopted for the new

farms may be unable to manage the uncertainty and variability associated with the commons of Leliefontein. According to Behnke and Scoones (1993), livestock movement plays an important role in such highly variable environments. If a herd is confined to one place, livestock numbers and productivity are limited by the scarcest resource in the scarcest season. In highly variable systems, the costs of immobility can thus be high: one unfavourable period can limit production irrespective of an abundance of resources in other periods. Here, effective management is about responding flexibly to stress rather than preventing flexibility. Movement is thus a means of circumventing stress under certain ecological conditions (Behnke & Scoones, 1993). From this point of view, the stockpost system and associated opportunistic grazing strategies of communal farmers in Namaqualand may not be as irrational as is often depicted, and may represent rather a logical response to farming under arid/semi-arid and highly variable conditions.

In terms of the new farms acting as stepping-stones, however, it is apparent from the case study that the new farms process has failed in this regard. This is due largely to a misconception surrounding the nature of communal farming and the livelihood strategies of these farmers. Very few farmers in Leliefontein (including those that have gained access to the new farms) are full-time farmers with aspirations to commercial production. Livestock plays a different role in the livelihoods of Leliefontein residents.

Traditionally, young working-age adults leave the communal areas of Namaqualand in search of employment within the regional economy. A land base that is inadequate to provide sufficient economic opportunity through farming alone necessitates this migrancy. The communal areas, however, remain a critical place of refuge for those between jobs, thus enabling residents to weather the vagaries of the regional labour market. Moreover, these areas are the place to which people return in late middle and old age to see out their 'retirement'. It is really only at this time in people's lives that land-based



livelihoods come to the fore. Many migrant workers invest their savings in livestock during the course of their working lives, with animals being kept with the herds of family members residing in the communal areas. It is only on returning to Leliefontein that these individuals become farmers as such, and even then many derive income from other sources such as state pensions or other welfare payments, or small enterprises. This characteristic of Namaqualand farming is illustrated by the age profile of farmers: more than fifty per cent of farmers are over the age of sixty.

It is therefore not surprising that in discussions with farmers (on the new farms and on the old commons) none expressed a desire to move out of the communal areas and set off as independent commercial producers. All are aware that setting out alone would result in a number of costs being internalised at their full market value. Infrastructure investment, repair and maintenance for example would all become the responsibility of the private farmer. There are far too many benefits deriving from farming on communal land to create much of an incentive for farmers to move out of Leliefontein. And in any event, it is difficult to see the DLA (or any other institution) providing support to an emergent farmer who is 60 or 70 years old. Ironically, the largest farmer in Leliefontein (one of the 20 largest communal farmers in Namaqualand), and the only respondent to express a willingness to give up his grazing rights in the reserve and move onto a privately-owned farm, has been denied access to the new farms for being too large. This farmer is young and would prove a perfect candidate for the stepping-stone approach. In July 2003, he had more than 500 head of stock requiring at least 6000 hectares of land, making him an ideal candidate for a commercial farm.

If the stepping-stone approach is to be seriously pursued, there is a need for the process to be more adequately conceptualised. Policies would have to be put in place that clearly defines who the beneficiaries of such a scheme would be and on what basis they would be selected. Policy would also need to

clearly articulate what it is that these farmers are to achieve on the new farms, and when and under what conditions they would exit the stepping-stone scheme and through LRAD acquire a private farm for commercial farming purposes. Without such clarity at an institutional and policy level, it is almost inevitable that any scheme of this sort will be captured by those best positioned to do so. The system of leasehold as currently constituted on the new farms will clearly not achieve this objective.

### Creating legally robust and effective resource management institutions

The municipality, farmers and other stakeholders at Leliefontein see overstocking as a central factor in the degradation of the reserve commons, and the communal farming system that prevails as the primary cause of this.

In order to ensure sustainable use of the new farms and to avoid this land going the same way as the old commons, a land use model based on commercial range management practices has been adopted, and is being implemented within a co-management institutional framework. This co-management approach to natural resource management is strongly 'new institutionalist' in character, with an emphasis on the 'crafting' of institutions (seen largely as rules and regulations) to constrain the inherent self-interest of individual users of the commons. This co-management approach, in association with the camp-based, quasi-commercial system which strongly emphasises stocking rates, is intended to enable easy monitoring, control, and the holding to account of individual commonage users.

This case study, however, raises a number of concerns in relation to the viability of this institutional approach particularly because, as illustrated, the land management system is already being flouted at a number of levels. Of importance here, given the stated concern with stock numbers and sustainability, is that the fundamental tool for managing stock numbers (namely carrying capacity) is not being adhered to by users or enforced by the



management institution.

In crafting this new management institution, through placing too much emphasis on the technical process of creating rules and regulations, inadequate attention has been paid to local interests and community politics relating to resource access in particular. The resultant marginalisation of the poor is partly a consequence of this, as local elites have engaged with the dominant discourse of range management that has informed the new farms framework and subverted this to their own ends. The ‘tragedy of the commons’ narrative and associated prescriptions of enclosure and privatisation is meaningful to the current beneficiaries of the new farms only in so far as it furthers their own personal interest in privatising the commons, or in introducing non-communal forms of tenure.

The municipality has been unable to provide a counterbalance to these elite interests. This is due to the fact that many of these wealthier farmers are directly involved in municipal functions through Commonage Committees and linked to the incomplete process of democratic decentralisation which

has devolved a range of developmental functions and responsibilities to the local government level but not the requisite capacity, power, authority or budgets to adequately deal with these. The problem of elite capture and non-enforcement will probably only worsen with the conversion of the Commonage Committee to a municipal entity as the oversight function of the municipality will now be even further removed from the community. As things currently stand, the co-management approach ironically is in danger of falling prey to the same kinds of problems experienced with private CPA ownership in other land redistribution options and restitution projects.

## Endnotes

- 31 This is not to idealise the system currently in place on the old commons. There are very real problems that need to be addressed and in some areas the management system has broken down completely.
- 32 There has been a reduction in the scale of delivery since 2000, but also restrictions in terms of 2003–2005 Medium Term Expenditure Framework budget projections. See Anderson & Pienaar, 2003.





## 6. Concluding comment

**W**ith the weakness of the co-management institution and the evident self-interest of many of its members, the land use model and co-management institutional framework have largely failed to achieve any of the objectives set for the new farms. Thus, both subsistence farmers and those large farmers most appropriate for the ‘stepping-stone’ approach have effectively been excluded from the scheme, and the new framework is providing no guarantee that stocking rates on the new farms will not reach levels similar to those on the old commons in the short to medium term.



The fact that the institutional framework for the new farms has been in place for less than four years and only fully operational for the last two of these years does, however, need to be noted. The same applies to the municipality, which as an institution is equally young having only been established in 2000. As the local government decentralisation process unfolds, more resources may be made available to boost the capacity of the

municipality to play a more decisive and proactive role in managing the commons (and in poverty alleviation more broadly). If the building of natural resource management regimes is viewed as an iterative process, then there needs to be space for learning and space for making mistakes. As Ostrom (1996) notes in her discussion of long-standing and sophisticated common property systems in Switzerland and Japan, these systems were not created by single sweeping administrative reforms – there was a great deal of trial-and-error and contestation over long periods of time in establishing the current configurations of these systems.

In addressing the needs of the poor, however, the greatest obstacle may well prove to be one of mindsets. Whether policy- and decision-makers can move beyond the mould of agricultural modernisation, and its associated attachment to private/individual land ownership and land use based on orthodox rangeland management models is another question.

## Annex 1 : 2004 data on farmers using the new farms

1. The management framework for the new farms works with a carrying capacity of 10 hectares per small stock unit (SSU);
2. All stock units below are converted at Large Stock Unit (LSU) rates prescribed in the Conservation of Agricultural Resources Act of 1984;
3. LSU converted to SSU at a rate of 1LSU to 6SSU. This is the conversion rate being used in the management of the new farms.
4. For the sake of confidentiality, the names of individual farmers have been withheld.

Farmer	Number of livestock												Total SSU Equiv per farmer			
	Livestock over 6 months				Livestock under 6 months											
From	Sheep		Goats		Cattle		Donkeys		Sheep		Goats		Cattle			
	No.	LSU = SSU Equiv	No.	LSU = SSU Equiv	No.	LSU = SSU Equiv	No.	LSU = SSU Equiv	No.	LSU = SSU Equiv	No.	LSU = SSU Equiv	No.	LSU = SSU Equiv		
1 Rooffontein	16	2.4	16	2.4	14.4										16	
2 Kamassies	16	2.4	14.4								4	0.2	1.2		17	
3 Nourivier			19	2.85	17.1										19	
4 Nourivier	2	0.3	1.8	22	3.3	19.8			1	0.05	0.3				24	
5 Rooffontein			25	3.75	22.5										25	
6 Kamieskroon			24	3.6	21.6						7	0.35	2.1		26	
7 ?			26	3.9	23.4						5	0.25	1.5		28	
8 Rooffontein	1	0.15	0.9	20	3	18					22	1.1	6.6		28	
9 ?			30	4.5	27										30	
10 Paulshoek	26	3.9	23.4	10	1.5	9			3	0.15	0.9				37	
11 Rooffontein			18	2.7	16.2			7	4.55	27.3			17	0.85	5.1	50
12 ?	15	2.25	13.5	30	4.5	27			6	0.3	1.8		19	0.95	5.7	53
13 Paulshoek	19	2.85	17.1	34	5.1	30.6					9	0.45	2.7		56	
14 Kamieskroon			54	8.1	48.6						7	0.35	2.1		56	
15 Rooffontein	17	2.55	15.3	16	2.4	14.4			7	4.55	27.3				60	
16 Nourivier	3	0.45	2.7	50	7.5	45					36	1.8	10.8		64	
17 Nourivier	8	1.2	7.2	56	8.4	50.4									64	
18 Leliefontein						10	11	66							66	
19 ?	25	3.75	22.5	34	5.1	30.6			9	0.45	2.7	18	0.9	5.4	67	

Annex 1 : 2004 data on farmers using the new farms

Farmer	Number of livestock															Total SSU Equiv per Farmer		
	Livestock over 6 months					Livestock under 6 months												
	Sheep		Goats		Cattle	Donkeys		Sheep		Goats		Cattle						
No.	LSU= SSU Equiv	No.	LSU= SSU Equiv	No.	LSU= SSU Equiv	No.	LSU= SSU Equiv	No.	LSU= SSU Equiv	No.	LSU= SSU Equiv	No.	LSU= SSU Equiv	No.	LSU= SSU Equiv			
20 Nourivier	30	4.5	27	36	5.4	32.4			8	0.4	2.4	10	0.5	3				71
21 Nourivier	60	9	54			13.2		8	0.4	2.4								76
22 ?	70	10.5	63					26	1.3	7.8								78
23 Okiep	64	9.6	57.6	6	0.9	5.4	1	1.1	6.6						1	0.5	3	80
24 Kamassies	26	3.9	23.4	60	9	54						6	0.3	1.8				8
25 Kamassies	16	2.4	14.4	47	7.05	42.3		4	2.6	15.6	12	0.6	3.6	25	1.25	7.5		90
26 Rooifontein							14	15.4	92.4						3	1.5	9	101
27 Leliefontein	34	5.1	30.6	64	9.6	57.6					21	1.05	6.3					104
28 Kamieskroon	106	15.9	95.4									9	0.45	2.7				109
29 ?	37	5.55	33.3	68	10.2	61.2		2	1.3	7.8	13	0.65	3.9	9	0.45	2.7		119
30 Rooifontein							16	17.6	106									121
31 Rooifontein	4	0.6	3.6	44	6.6	39.6	4	4.4	26.4	10	6.5	39		24	1.2	7.2		121
32 Nourivier	45	6.75	40.5	80	12	72												125
33 Nourivier	48	7.2	43.2	86	12.9	77.4					8	0.4	2.4					136
34 Rooifontein	27	4.05	24.3	103	15.45	92.7									5	2.5	15	145
35 Kamassies	33	4.95	29.7	84	12.6	75.6		7	4.55	27.3	14	0.7	4.2	12	0.6	3.6		152
36 Kamassies	185	27.75	166.5								86	4.3	25.8					211
37 Rooifontein	74	11.1	66.6	140	21	126					8	0.4	2.4	44	2.2	13.2		230
38 Kharkams	60	9	54	44	6.6	39.6	20	22	132		10	0.5	3				7	260
39 Carolusberg	140	21	126	107	16.05	96.3	7	7.7	46.2									293
40 Rooifontein	285	42.75	256.5											49	2.45	14.7		300
41 Rooifontein	16	2.4	14.4	79	11.85	71.1	53	58.3	350		9	0.45	2.7	42	2.1	12.6	12	496
42 Kharkams																		
	1492		1343	1532		1379	127	838		37	144	242	73	374	112	99	33	4274

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### 3. Field Data

Interviews and discussions with individuals / Observation of Commonage Committee and local Farmers Union meetings

Person/Organisation	Date	Description
Sakkie van der Paul	<ul style="list-style-type: none"> <li>• 14 November 2003</li> <li>• 6 May 2003</li> </ul>	Department of Agriculture official who sits in the Leliefontein Commonage Committee. He is based in Springbok.
Johan Johannes	<ul style="list-style-type: none"> <li>• 22 July 2003</li> </ul>	Department of Agriculture official who works with Sakkie van der Paul. Emerging commercial farmer from Steinkopf and member of Steinkopf Farmers Association.
Louis van Wyk	<ul style="list-style-type: none"> <li>• 4 February 2003</li> <li>• 21 July 2003</li> <li>• 17 November 2003</li> <li>• 5 May 2004</li> </ul>	Municipal official responsible for the Leliefontein commons. Convenes the Leliefontein Commonage Committee. Resides and farms in Leliefontein village.
John Smith	<ul style="list-style-type: none"> <li>• 19 November 2003</li> </ul>	Convenor of the Nourivier Commonage Committee. Farmer on the new farms (2003 and 2004), and shopkeeper in Nourivier.
Sarah Donkerman	<ul style="list-style-type: none"> <li>• 18 November 2003</li> </ul>	Member of Kamasies commonage committee. Has two camps on Tweefontein.
Dan Engelbrecht	<ul style="list-style-type: none"> <li>• 5 February 2003</li> <li>• 19 November 2003</li> <li>• 6 May 2003</li> </ul>	Convenor of Paulshoek commonage committee. Has recently been allocated a camp on the new farms for 2004. Runs a shop in Paulshoek.
Mr Lombard	<ul style="list-style-type: none"> <li>• 22 July 2003</li> </ul>	Farmer from Rooifontein using the new farms. Was a beneficiary under the previous economic unit policy.
Fonkie Claassen	<ul style="list-style-type: none"> <li>• 16 November 2003</li> </ul>	Stock farmer in Paulshoek. Rents accommodation to visiting researchers.
Sampie Cloete	<ul style="list-style-type: none"> <li>• 15 November 2003</li> <li>• 26 May 2003</li> <li>• 20 July 2003</li> </ul>	Stock farmer in Paulshoek. Does part-time work for an outside research project.
Japie Claassen	<ul style="list-style-type: none"> <li>• 6 February 2003</li> <li>• 19 July 2003</li> </ul>	Paulshoek stock farmer who spent some time on new farms, but returned.
Gert 'Keteltjie' Joseph	<ul style="list-style-type: none"> <li>• 18 July 2003</li> <li>• 16 November 2003</li> </ul>	Paulshoek stock farmer.
Mervin Cloete	<ul style="list-style-type: none"> <li>• 17 November 2003</li> </ul>	Prominent resident and stock farmer from Paulshoek who is employed full time in Springbok. Has gained access to the new farms for 2004.



Person/Organisation	Date	Description
Harry Nel	<ul style="list-style-type: none"> <li>• 18 November 2003</li> </ul>	Large Rooifontein stock farmer and entrepreneur. Runs approx. 500 stock on old commons.
Kameelkrans Farmers Union meeting	<ul style="list-style-type: none"> <li>• 18 July 2003</li> </ul>	Independent farmers union recently established in Leliefontein.
Leliefontein Commonage Committee meeting	<ul style="list-style-type: none"> <li>• 22 July 2003 (held in Nourivier)</li> <li>• 14 November 2003 (held in Garies)</li> <li>• 6 May 2004 (held in Garies)</li> </ul>	Reserve commonage committee comprising two reps each from the different village MKs.

Ongoing and informal (telephonic, e-mail, and one-on-one discussions) were held throughout 2003 with individuals of the Legal Resources Centre and of the Surplus People Project. Both organisations are based in Cape Town, South Africa.

Commonage Committee documentation  
**Service Delivery Agreement**

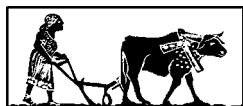
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