

## Intricacies of Land Restitution in Africa

### The case of the Mkambati community, South Africa

Sandile Zeka

It is absurd to conclude that ceding land back to their rightful owners is a solution to the land question that is affecting a plethora of people on the African continent. In fact, land occupation and use on the continent has been influenced by a number of critical issues which, if not taken into consideration, have the potential to render the land restitution process a facade. Drawing from an incisive case study of the community of Mkambati in the Eastern Cape, South Africa, it becomes evident that both social capital and evolving mental models are distinctive attributes that determine how land should be used.

#### Introduction

This study illustrates the benefit of distinguishing between bonding and bridging social capital. It also shows that collective action reinforces bonding social capital, but that to attain large-scale goals commonly requires both bonding and bridging social capital.<sup>1</sup>

The community of Mkambati used social capital for nearly a hundred years to mobilise collective action, particularly in land restitution. Engaging in collective action in their attempts to regain their land helped reinforce social capital within this community. Secondly, this study demonstrates that bridging social capital, and more specifically the inability to establish it with other role players, played an important role in retarding progress of the community towards land restitution.

#### Background and Site Description

The Mkambati community is situated in Flagstaff in the eastern Pondoland region. This area fell under to the former Transkei Government. Presently, the Mkambati community falls under the Qawukeni District Municipality which is one of the district municipalities under the Eastern Cape Provincial Government. Two rivers act as boundaries of this community: the Msikaba River to the south and the Mtentu River to the north. The Mkambati Nature Reserve is part of the community of Mkambati. This nature reserve is situated on the eastern side of the community and is bordered by the Indian Ocean. The areas considered the community of Mkambati, are 7 villages adjacent to the reserve, namely Khanyayo, Mtshayelo, Rhamzi, KwaCele, Thahle, Ngquza, and Vlei. Situated along

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the scenic Wild Coast, Mkambati Nature Reserve is one of South Africa's top tourist destinations. Another potential tourism advantage is the fact that this nature reserve falls within an area identified for environmental and tourism development. This conservation area covers an area of about 20 000 acres. There are different explanations regarding the origin of the name of this nature reserve. One explanation is that 'Mkambati' is the name of a coconut palm found in this area. Another explanation is that the reserve is named after a small river that runs through the area.

The Mkambati community was geographically isolated, which, together with the attitudes of other role players such as the church, the South African Government and the Transkei Government, prevented the development of bridging relationships that might have facilitated the restitution of the Mkambati land.<sup>2</sup> Although the community of Mkambati had initially thought that the Transkei Government would facilitate the restitution of the land, this was never to be. It was not until the process leading to the advent of democracy that the community of Mkambati established bridging relationships with the African National Congress.<sup>3</sup> This led to their inclusion in a social capital system at a national scale that was constructed, at least in part, by the shared goal of land restitution. It is through this bridging social capital that the community of Mkambati finally regained their land.

## The Influence of Context on Social Capital and Collective Action

Taking a long-term perspective on social capital, this brief encompasses three epochs: the colonial era, the Transkei era, and the post-Transkei era, each representing a different context.<sup>4</sup> The key question is how resilient was social capital under these changing contexts? The brief suggests that the institution of Chief Mtono strengthened bonding social capital by reinforcing norms and values.<sup>5</sup> By contrast, the allocation of Mkambati land as a leper colony strengthened this community's bonding social capital because of the sense of injustice while at the same time hindering construction of bridging social capital with the church under whose auspices the leper colony was operated.<sup>6</sup> The granting of 'independence' to the Transkei, created a context in which the community may have been enabled to establish bridging social capital with the government. However, government's decision to use Mkambati land for conservation<sup>7</sup> purposes created a context within

which this could not happen, and the community of Mkambati strengthened their social capital through resistance and embarking on collective action to regain their land. When attempts to regain their land failed, their resolve intensified and as such the context supported the strengthening of social capital, which was reinforced as collective action progressed.

Over time the democratisation process changed the context even for isolated and marginalised communities in South Africa. Alignment of the community of Mkambati to the ANC created a context within which bridging social capital became possible between these two institutions. The struggle for democracy was bridging communities across the country and was strengthening collective action on a far bigger scale than the localised attempts at land restitution. Land restitution was a feature of collective action at national scale and this eventually saw the Mkambati people regaining their land.<sup>8</sup> The struggle for democracy embraced much more than land restitution and raised expectations of access to work and welfare and general improvement in the quality of life of the people who had been marginalised for so long. Restitution of the Mkambati land coincided with the change in context, one characterised by many expectations of which land was one. Since this new context led to personal expectations and weakening of the overlap between mental models, it weakened the social capital within the community, and the divisions that ensued weakened the capability of the community for collective action.

## How Social Capital may be Made more Resilient

The term 'social capital' conveys that it is an asset held by a group of people. This can be described by two variables: relational connectivity and relational capital. For capital to be social, people must be connected among themselves (bonding capital) and at times with other groups (bridging capital).<sup>9</sup> However this is not enough. They must also be held together by the quality of their relationships with others – by their relational capital. It is a community's ability to manage relational connectedness and relational capital under changing contexts that confers resilience. But for people to be connected, they need a shared mental model of how the world works, as the community did before colonisation, or as they did when contesting the injustice of alienation from their land. The attainment of land restitution and the opening up of their world has created space for multiple

interpretations of how the world should work for the community. This challenges relational connectedness and relational capital with potentially serious consequences for resilience of community social capital.

### How Theories that have not Previously been Aligned with Social Capital Might Enhance Understanding

The study indicates that social capital is context-specific because the reasons people have to become and stay connected are shaped by how they perceive their world. Context also determines how strongly they feel about an issue and whether they are willing to trust others in their actions to address issues of concern. The social system in which social capital grows and declines is complex and dynamic to the extent that no single theoretical construct is adequate to explain how one might manage for resilience. Mental model theory helps one to understand the importance of context, while resilience theory encourages a dynamic view of social capital. With this view, one is required to identify the key variables that define the state of social capital which directs attention to behavioural theory and more specifically, relational connectedness and relational capital. Since self-interest is such a strong motivational force, power theory holds particular relevance for collective action and in the processes of constructing and sustaining relational connectedness and relational capital.

The use of these theoretical constructs in association with social capital enables this brief to provide a better understanding of the role that social capital has played both within and beyond the community of Mkambati in its struggle to regain its land. It has enabled an understanding of resilience in social capital.

### How to Understand the Relationship between Social Capital and Mental Models in a Community Faced with a New and Changing Context

People use mental models to explore and communicate how they understand context.<sup>10</sup> In this sense, there are personal interpretations of the past, the present, and the future. Where people hold shared or at least substantially overlapping mental models, they are positioned to connect. However, whether or not they connect depends on how they explore and develop a shared interpretation and as

they do this, they construct relational connectedness and relational capital.

Before colonisation, the people of Mkambati held a shared understanding of their rather small and isolated world. Individual mental models were similar and overlapped. There was potential for change with colonisation which created opportunities for the emergence of multiple new mental models. However, isolation and strong traditional institutions supported a dominant mental model that was reinforced by the injustice of alienation from their land. The strongly shared mental model created conditions favourable for people to connect with each other which, together with the prevailing norms and values, strengthened social capital. Therefore, one cannot manage for resilience in social capital without an understanding of how individual mental models are constructed and shared as this provides the platform for relational connectedness and relational capital.

Even though the community of Mkambati failed to regain their land during various epochs,<sup>11</sup> these contexts strengthened this community's social capital until its land was regained. During these challenges, this community relied on their shared mental models to strengthen their social capital so as to regain their land. The observation in this brief is that the community of Mkambati relied on shared mental models which strengthened its social capital, even though it continued to fail in regaining its land. Once its land was regained, its mental models dissipated resulting in the disintegration of the social capital that had bonded the community for a long time. As findings indicate, a new context informed by democratisation and globalisation influenced the emergence of new mental models that weakened the community's social capital. Although the Mkambati land had been regained, new mental models informed by service delivery, job and business opportunities, divided the people of Mkambati on collective action and fragmented their social capital. While the restitution of the Mkambati land was a victory for the community of Mkambati, the emergence of new mental models had a negative impact on this community's social capital.

The world of the people of Mkambati has become increasingly complex. Prior to the arrival of settlers, their world was small and bounded. Now such boundaries as they exist today are porous, with people and knowledge moving in and out freely. Initially, the social context was relatively stable, shaped by the strong norms and values that characterise *ubuntu* (a philosophy that has shaped relationships and behaviour in African society for centuries). People felt a sense of belonging, they

were connected and trusted each other. There was little social differentiation and knowledge was shared. This suggests that social capital is context-specific. The particular conditions that pertained and the slow pace of change meant that the community shaped and stabilised its own context and that social capital was constructed and maintained within this context.

If social capital is shaped by communities within particular contexts, then one might argue that it would be eroded if the context became unstable, particularly if context changed faster than a community's ability to adjust to it. What is it about a changing context that erodes social capital? Uncertainty is disruptive because it requires innovation to reduce it, commonly at a time when knowledge and expertise are discontinuously distributed across the community. Instead of a shared mental model, or at least sufficient overlap in their mental models to support collective action, different mental models emerge, each offering a solution. Uncertainty is enhanced and social capital is weakened as people form alliances around particular solutions causing them to lose overall connectedness.

The Mkambati people have been exposed to a number of externally driven contextual changes: the expropriation of their land; the imposition of a centralised government; the imposition of the Transkei Government; and recently, the centralised democratic government.<sup>12</sup> Why was it that the earlier contextual changes strengthened social capital yet it seems the recent change brought about by the emergence of democracy has had the opposite effect?

Thus, the Mkambati people were geographically isolated from mainstream contextual change in South Africa. This isolation was accompanied by marginalisation from opportunity to learn and keep pace with changing socio-political and economic conditions. As a result, a certain loss of land did not fundamentally change their context. They remained a community with unchallenged norms and standards; they retained their sense of belonging, their sense of being connected and of mutual respect and trust, their relational capital. Loss of portions of their land was an injustice, and not a driver for uncertainty. The sense of injustice, felt by all because of their relational connectedness and relational capital, strengthened their shared resolve to regain their land. In this sense it reduced uncertainty. Their context appears to have been defined by their origins, their isolation, their sense of injustice and their common cause.

The arrival of democracy reduced the isolation experienced by the people of Mkambati. They were

free to move about the country and they increasingly connected with the national context. Whereas in the past a shared sense of place accorded people a common foundation for knowledge, this was no longer the case. Knowledge and expertise became discontinuous and the norms that might once have encouraged co-evolution of knowledge waned. For some, perhaps they were perceived as impediments to personal or community progress; access to and ownership of knowledge became more personal and social differentiation increased. One might argue that for individuals, their origins were becoming less important than their futures, and the sense of injustice that gave them common cause was lost. The context was changing faster than the community could co-evolve in response. World views changed and mental models of how to cope diversified.

The advent of democracy raised expectations, informed to a considerable degree by knowledge imported from further afield. People expected their quality of life to improve.<sup>13</sup> Many of these expectations had little to do with land and therefore land lost its central position in the struggle for progress into the wider socio-economy. Without this dominant shared cause, individual welfare became prominent. Expectations were diverse and the role of land in community welfare became uncertain. Coping with such social uncertainty requires innovation but as knowledge and expertise were discontinuously distributed, uncertainty became disruptive of relational connectedness and relational capital, and hence also of social capital. The conditions necessary for collective action began to weaken. Therefore, there is need to mitigate or remedy this potential for disruption.

The struggle for restitution was sustained by the sense of injustice and consequently a vision that, no matter how long it took, the struggle would go on until ownership of the land had been regained. This contrasts with present expectations that government-funded welfare will improve in the short-term and for some at least, that the benefit stream from the land will be immediate and tangible. Short-term expectations can worsen uncertainty, particularly when they are not met. Until longer-term perspectives become the mindset, particularly around access to and use of the land, prospects for a shared vision and sense of purpose are poor. Uncertainty may even increase and lead to conflict among the community of Mkambati. Whereas the Mkambati Land Trust (an institution that has been established by the community of Mkambati to represent it on land issues) could in the past draw on the social capital of the community. This has weakened at a time when

it is necessary to facilitate relational connectedness and relational capital (bridging capital) with government. The challenge now is that the community of Mkambati has to create a new context, a shared context, in which stakeholders hold a shared longer-term vision, the legitimacy of which is underpinned by trust.

The people of Mkambati achieved their objective of land restitution, which was as much a political victory as it was one of regaining access to resources. This released them from a shared cause and they were unprepared for the multiple expectations that emerged. With success came liabilities. As a result of centuries of relative stability, the Mkambati community had created a social context characterised by a shared understanding and a sense of belonging. It seems they did not appreciate the complex and dynamic nature of the context that would emerge. Their perceptions were narrowed by the dominance of the land issue during the apartheid era in which many other options were dreams at best. Managing the unexpected requires that one senses and seeks to understand the emerging complexity and prepares for it. The rapid transition to democracy encouraged the emergence of multiple expectations of improved welfare. While many may have sensed and hoped for improved welfare in future, it seems that as a community they were unprepared. Land restitution, a driving force that helped sustain connectedness and social capital, was lost. Community governance weakened in the face of expectations that central government was responsible for and would deliver social benefits far beyond what community leaders were capable of delivering. This contributed to the erosion of social capital.

Operating in such dynamic, complex systems typically requires multiple task teams, something that the community may not have had either experience of, or the competencies needed to tackle the diverse and unfamiliar issues that emerged. Social capital is not abstract and it should not be taken for granted. It provides the foundation for coping with uncertainty because being connected with people allows for experimentation in mutual trust. Building resilience into social capital requires sensing of trends and timely corrective action, competencies that seem rare in many marginalised communities that are rapidly entering contemporary contexts. How one can create and sustain resilience in social capital provides a challenge for researchers. Reducing uncertainty is clearly important, and this can be achieved when co-learning proceeds at a pace that keeps up with contextual change.

## Concluding Remarks

Land restitution is an integral part of independence in Africa. As this brief demonstrates, for centuries the community of Mkambati has fought relentlessly to regain the Mkambati land that was taken from them. The eventual regaining of this land does not seem to have resolved the problems and challenges the community is facing. It may be important that:

- The reallocation of land to authentic land owners should be accompanied by employment opportunities that the acquired land provides to the land owners.
- People should be afforded an opportunity to express their intended use of land once that land is re-allocated to them.
- There should be collaboration between government and the people who have been allocated land where these two entities share their impression on how that land should be used.
- Finally, the re-allocation of land to people should take into account that people have evolved since the expropriation of their land and they are likely to add more demands that are congruent with the new context they find themselves in.

Failure to respond to this myriad of complex demands from the people serves to exacerbate the land crisis.

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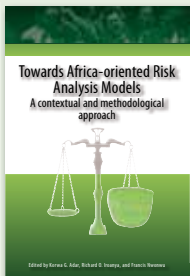
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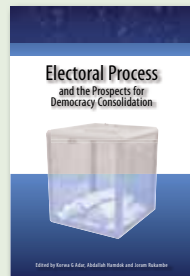
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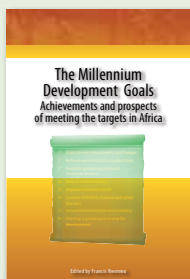
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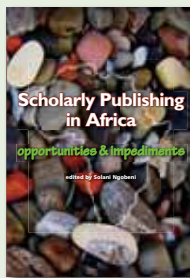
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