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After Apartheid: Chiefly Authority and the
Politics of Land, Community and Development

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B.S., Principia College, 1997
M.A., University of Notre Dame, 1999

Adviser: Donald L. Donham, Ph.D.

An Abstract of a dissertation submitted to the Faculty of the Graduate School of Emory University in partial fulfillment of the requirements for the degree of Doctor of Philosophy

Department of Anthropology

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Abstract

In the decade following the end of apartheid, the South African government has implemented a series of neoliberal reforms designed to stabilize the economy after a long period of political and economic instability. Reforms have also been influenced by a desire for redress for the wrongs of apartheid. However, the effects of these two agendas of reform have been rather unexpected in many impoverished former reserves. In these rural areas, where communities are still governed by hereditary chiefs and have access to few government services, local manifestations of the South African state are characterized by the persistence of authoritarian forms of rule and the vast expansion of social welfare. This work examines these political and economic changes through an ethnographic study of a semi-rural former reserve in KwaZulu-Natal.

In the post-apartheid era of declining employment, rural households have shifted reliance from migrant wages to welfare grants from the state and money from the proliferation of development projects. Changing dynamics within the household regarding child care and the mobility of young women engaged in temporary or informal work has led to disputes between older and younger women over land, labor and income.

The collapse of migrant labor and widespread unemployment has increased the dependency of people on sources of aid which are focused on giving to local communities—where local is defined as a “traditional community” under the jurisdiction of chiefs. However, this construction relies on silencing a long history of struggle against attempts to restrict the access of black South Africans to land and political rights through any system except that of chiefs. Memories of violence and collusion with the apartheid

state by powerful members of these rural communities are pieces of history that are wrapped in silence and disabling of true reform, particularly as the stakes of holding onto rural land increase in light of growing poverty.

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Table of Contents

Chapter 1 – Introduction 1

Chapter 2 – EMbo-Timuni and the Formation of the South African Reserves 36

Chapter 3 – From War Leaders to Freedom Fighters 75

Chapter 4 – The Politics of Land Reform: Tenure and Political Authority 121

Chapter 5 – Development and Economic Change 155

Chapter 6 - Disobedient Daughters: Debating Culture and Rights 203

Chapter 7 – Conclusion 237

Works Cited 244

List of Figures

Figure 1.1 – Inkosi Mkhize 7

Figure 1.2 – EZimwini 9

Figure 1.3 – Unstructured interview participant 29

Figure 1.4 – Youth focus group 30

Figure 2.1 – The reserves under Apartheid 37

Figure 2.2 – Map of the region 67

Figure 3.1 – Land that has been abandoned in the aftermath of violence 89

Figure 3.2 – The remnants of the house of Sipho Mkhize 107

Figure 3.3 – Mkhandi Shozi showing us the major battle sites 110

Figure 3.4 – Mkhandi Shozi dressed in an ANC recruitment T-shirt in 2005 112

Figure 4.1 – Land claims meeting 124

Figure 5.1 – Hawkers outside of the school on election day 163

Figure 5.2 – An EFO group examining a farm 191

Figure 5.3 – An EFO meeting 193

Figure 5.4 – Discussing the benefits of organic farming during an EFO meeting 198

Figure 6.1 – Pension day 209

Figure 6.2 – Money given to the bride during a pre-wedding umemulo ceremony 213

Figure 6.3 – Gifts given in return during the umemulo 213

Figure 6.4 – The final wedding ceremony 214

Figure 6.5 – Preparing to speak to the ancestors before paying inhlawulo 216

Figure 6.6 – Arriving at the house of the young woman's parents 216

Chapter 1 - Introduction

Post-Apartheid South Africa

During the final decade of the twentieth century, South Africa finally saw an end to the long struggle against apartheid and almost a century of minority rule. While celebrating this triumph, the new African National Congress (ANC) government has also faced a host of challenges in stabilizing the economy and reversing the discriminatory practices of former regimes. The policies of the post-apartheid government have been driven by two competing agendas, namely a desire for the redistribution of wealth and a neoliberal agenda of political decentralization and market liberalization designed to democratize local government and make the economy more globally competitive.

In this dissertation I will illustrate the outcomes of these agendas of reform, and the economic and political changes that have resulted from them, in an impoverished former reserve.[1] In these rural and semi-rural areas, where communities are still governed by hereditary chiefs and have access to few government services, reforms have unexpectedly reinforced the power of the chiefs and increased reliance on development aid and social welfare. As economic conditions have worsened in the post-apartheid period, struggles over land, political power, and the resources available from the state have increasingly relied on claims of authenticity, indigeneity, and community

[1] These former reserves consisted of land that was set aside for African residence and ownership by successive colonial, segregationist and apartheid states over the last century and a half. Under apartheid, the reserves were given some measure of autonomy and sovereignty with the option of becoming independent states. However, this move was widely regarded as an attempt to justify the continued exclusion of Africans from citizenship and rights within the larger South African state. Under apartheid, the reserves were known as Bantustans. Throughout this dissertation, the term reserve rather than Bantustan will be used simply to provide consistency and ease of reading.

membership. This dissertation will provide a closer look at claims on land and political power and how these claims are shaped by this current neoliberal moment, the politics of restitution, and by histories and memories of political violence.

This work is based on two years of ethnographic research in a densely populated semi-rural reserve known as eMbo-Timuni, located just outside of the major port city of Durban in KwaZulu-Natal. For most of the last century, residents of this former reserve have been economically reliant on migrant remittances from family members working in nearby urban areas. Rural reserves such as eMbo-Timuni have often been characterized as dormitories for the families of migrant laborers, particularly as overcrowding made reliance on agricultural production unfeasible and violent conflict over scarce resources and economic opportunities frequent. Since the 1970s, unemployment caused by a long downturn in the South African economy has reduced job security, worsening conditions in the reserves even further.

Violence has long been a part of political oppression in South Africa. During the final decade of apartheid, political violence increased rapidly and led to the deaths of tens of thousands of people in the province of KwaZulu-Natal alone. KwaZulu-Natal is home to a Zulu nationalist movement that has posed a particular challenge to the post-apartheid state through the assertion of ethnic rights and demands for political power to be vested in hereditary chiefs. Over the last decade, these chiefs or customary authorities have won concessions from the state granting them salaries, representation and continued jurisdiction over land. Processes of political reform have been hindered by both memories of political violence and the continuing power of chiefs in the former reserves. In these regions, the transition from apartheid was marked both by a profound sense of

instability and a sense of possibility for a transformation of the conditions of inequality that had marked people's lives for well over a century.

After the end of apartheid, however, deteriorating economic conditions have continued to take a heavy toll on these impoverished regions. Market liberalization has further eroded the availability of employment in the formal economy. In this context, households have become more reliant on welfare grants from the state and money from the proliferation of development projects. As noted recently by Ferguson, some form of humanitarian "social payments" have become even more common in the neoliberal era as so many people have dropped out of the formal economy and no longer have the means to support themselves through subsistence agriculture (2007). In eMbo-Timuni, these humanitarian "social payments," as Ferguson dubbed them, played a central role in economic life in the region and consisted primarily of welfare grants and various development or aid projects run by a combination of the state, NGOs and the private sector.

This dissertation will begin with an examination of the period of political violence in the 1980s and 1990s and how this violence continues to shape people's perceptions of political power and the struggle over resources available from the government. Later chapters will look at struggles over land reform, development, social welfare and the transformation of the family in the face of these political and economic shifts. Changing dynamics within the household regarding child care and the mobility of young women engaged in temporary or informal work have led to disputes between older and younger women over labor and income. These issues have also been underscored by the decline of marriage and the continued residence of adult children in the households of their

parents while bearing and raising their own children. With the spread of HIV/AIDS, many of these children are also losing their mothers and being left under the care of their grandparents. This has led to radical shifts in control over household land and income.

Policies regarding land, development and local governance have also been influenced by an agenda of restitution. This agenda of restitution was the primary basis for the ANC's legitimacy in the struggle against apartheid. However, in the post-apartheid period the ANC has sought to position South Africa as a global power and this agenda of restitution has come into conflict with neoliberal reforms. Neoliberalism in South Africa has also borrowed the language of restitution in order to provide legitimacy to processes of restructuring. Political decentralization, in particular, has benefited from an association with "local empowerment" (Berry 2004). The desire to delegate government functions and control over land to local communities has, in South Africa, when combined with the idea of granting political rights to those previously disadvantaged, reinforced what Sara Berry refers to as the "politics of belonging"—namely claims on political power and economic resources that hinge on social identity and historical precedent (2004). In South Africa, as I will argue, this "politics of belonging" has also had the effect of reinforcing the authority of chiefs.

The Chief and His Boundaries

The first issue that I faced in beginning my fieldwork was that of boundaries and of defining the community within which I would be conducting my research. Chiefs or customary authorities have been designated as the political power in former reserves such

as eMbo-Timuni for well over a century by successive colonial, segregationist and apartheid regimes. When I arrived almost a decade after the end of apartheid, the role of the chiefs in local governance had become a hotly contested national issue. When I first took up residence and began conducting fieldwork, I was told by those who had helped me find a place to stay that I should ask permission of the local chief, Inkosi Mkhize, before starting my research. As I asked around in preparation for setting up a meeting, another resident asked me why I was bothering to contact the *inkosi*[2] because it was not necessary. In yet another conversation it was suggested that the *inkosi* could potentially cause trouble for my work, and that a token recognition of his authority would not hurt. Eventually I asked permission of the *inkosi* in a brief meeting during which he emphatically reminded me that I needed to give something back to the community, and I repeatedly reiterated my humble student status. In the end, I spoke to Inkosi Mkhize just twice, with the meetings serving as bookends to my two years spent living and doing research in eMbo-Timuni. Although I lived a short drive away from the *inkosi's* residence and interviewed all of his neighbors, I rarely saw Inkosi Mkhize and found him to keep a low profile in the region. Despite this, he loomed large in both my research and the imagination of the community.

Inkosi Mkhize did visit the area of eMbo-Timuni that I lived in once while I was actually present to witness it during those two years. A group of visitors had arrived claiming to be from a non-governmental organization (NGO) named Khulumani that was registering victims of political violence in order to claim reparations for them. As

[2] Zulu term for chief. The plural form is *amakhosi* and the institution of chieftaincy is *ubukhosi*. Chiefs and other customary leaders within South Africa are also commonly referred to as traditional authorities and the land under the jurisdiction of a single chief is usually referred to as a Traditional Authority or TA.

residents lined up to register, they were asked to pay a R20[3] registration fee. Within a few hours, Inkosi Mkhize arrived in fury claiming the visitors were imposters exploiting his people and that they must return the money. After a call to the local police station suggested that the visitors were legitimate, rumor has it that the *inkosi* changed his tune, requiring instead that the visitors relocate to his residence, use his son to do the registration, and then charge R30 and give him the extra R10.[4] As the group left, I called the Durban headquarters of the NGO and discovered that the group was actually illegitimate. Whether or not the local police knew of the scam was unclear, but in the end the visitors accumulated a good deal of cash, the chief was rumored to have gotten his cut, and a good portion of the residents were left poorer, with yet another case of disappointed hopes regarding the possibilities of reparations for the violence of apartheid.

People living in eMbo-Timuni seemed to feel a deep sense of ambiguity over the power and authority of the *inkosi*, an ambiguity that was on occasion expressed through ridicule. For example, when Inkosi Mkhize injured his arm, the joke was passed around that his wife, who was a large woman, had beaten him, insinuating that he did not always control even his own household. Stories about his drinking habits and petty extortion of visitors abounded, and yet most long term residents lived in peace with the *inkosi*, neither suffering nor benefiting from his administration, and he was considered by many to be a popular chief. In addition, his hereditary office as an Mkhize chief with a lineage that traced back to pre-colonial times was unquestioned and garnered a certain amount of respect for his position as a symbolic representation of tradition and custom. He was,

[3] R20 is approximately $3.
[4] It is necessary to emphasize here that in the confusion of the day and the number of stories circulating, it is impossible to know for sure if the *inkosi* did actually say this, or if it was merely a recurring rumor. It is also possible that the visitors claiming to be from Khulumani spread this rumor themselves to shift the rumors of corruption away from them and onto the *inkosi*.

Figure 1.1 – Inkosi Mkhize

after all, the only eMbo chief to carry the *isongo*, a bracelet denoting legitimacy, and eMbo was a name associated with a very large and powerful pre-colonial chiefdom. During the pre-colonial period, chiefs in this area were relatively sovereign, but the authority and power of the office was eroded after the region was incorporated into the colonial state more than a century and a half ago. Since that time, customary authorities have been a part of the political institutions of a state, and their authority has been derived from jurisdiction over land and the enforcement of customary law. Yet even

these roles have diminished as the so-called "tribal courts" were only permitted to handle petty disputes and land allocation duties declined as population densities increased.

Even as the responsibilities of customary leaders faded, they nonetheless remained influential figures. Since apartheid ended, national debate about the role of customary authorities has been fierce, and scholarship has abounded pointing to a resurgence in their power (Oomen 2005; Ntsebeza 2005). Customary authorities embody many of the contradictions and tensions of the post-apartheid period. They remain stark reminders of colonial administration and appropriation tactics, and yet they have also successfully positioned themselves as representatives of a pre-colonial past outside of Western domination. In addition, an important source of the power of customary leaders stems from their relationship to the imagined local community.[5] For a century and a half, the boundaries of the chief's territory formed the local political unit with the chief at the apex. The irony of this process is that defining local communities according to the boundaries marked by the jurisdiction of a chief was a key part of colonial and apartheid strategies of rule and it was not a foregone conclusion that these demarcations would continue to remain relevant in the post-apartheid period. The decade and a half since the end of apartheid has seen a series of policies and competing efforts to reform local government and land rights. These differing agendas have more often that not played out as a struggle over history rather than a struggle over policy.

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[5] Benedict Anderson (1983) used the term imagined community to refer to the process of creating a national identity among people who are never likely to meet face-to-face. In using the term "imagined local community," I am referring to the way in which local political units are conceptualized, which, because of apartheid policies, can be a form of group identity strong enough to compete with a national identity, especially when the boundaries of the local community coincide with ethnicity, race and clan. The term community will be further investigated in later chapters.

The two locations within which the majority of this research was conducted, eZimwini and oGagwini, are a part of a former reserve that is now called the eMbo-Timuni Traditional Authority (TA). The boundary between the former reserve and the neighboring commercial sugarcane farms is visibly marked. A traveler to eZimwini can turn off the highway and drive on a well maintained paved road through fields of sugarcane stretching as far as the eye can see, with only a few large isolated Western-style houses breaking the monotony of the cane. After a few miles, the road abruptly becomes unpaved, and immediately enters a densely packed rural area with smaller houses, most of which are built as Zulu-style round houses, surrounded by small fields with a variety of crops from maize to sugarcane. The shift is abrupt and immediate, and

Figure 1.2 - EZimwini

does not emerge from any clustering of population near natural features such as rivers or infrastructure such as major roads. Instead this shift is due to former race-based

restrictions on land-ownership and attempts by the apartheid government to turn the reserves into independent political units. Although this massive project of social engineering was contested and incomplete, the boundaries enforced by the successive colonial, segregationist and apartheid states nonetheless remain etched on the landscape.

After the end of apartheid, as the new municipal boundaries were drawn and local elections were held, the eMbo-Timuni TA ended up straddling three municipalities, and ward demarcations temporarily brought together parts of eMbo-Timuni with pieces of the neighboring commercial farming land that had been reserved for white ownership since 1850. While these redrawn boundaries briefly created new political units that straddled the older divisions, and as such potentially had ramifications for the distribution of taxes and political resources, they were far from being recognized by local residents as communities. Apart from the weight of history, the weakness of newly elected local government also prevented a radical reshaping of political power. The outsourcing of government services to private contractors and pressures to reduce government bureaucracy left newly formed municipalities with little capacity to compete with customary authorities for power. In addition, through negotiations with customary authorities around the country, the national government passed legislation and created structures that institutionalized the authority of chiefs, such as through the Congress of Traditional Leaders of South Africa (CONTRALESA). All of these concessions to customary leaders re-inscribed the idea that "traditional communities," consisting of cohesive social and political units demarcated by affiliation with a chief and his territory, were inevitable or natural boundaries through which local communities can be conceptualized. Soon after 2005, the municipal demarcations board abandoned their

earlier efforts in this region and created wards based on the seemingly "natural" boundaries created by the so-called "traditional communities." Meanwhile, claims to land and resources in the post-apartheid period are frequently dependent on membership in these "traditional communities."

The mission statement of KwaZulu-Natal's Department of Local Government and Traditional Affairs states that the department will "foster good governance and promote sustainable development in KwaZulu-Natal through traditional and local government structures."[6] This pairing of governance with development was a common theme in discussions of governmental responsibility from the national to the local level. In eZimwini and oGagwini, both customary authorities and elected councilors were eager to portray themselves as representatives of those able to bring economic resources into the community. These economic resources consisted primarily of money for development projects, services such as electricity and water, social grants, and reparations. The former reserves have long been perceived as subsidizing industrial development by ensuring the reproduction of the migrant workforce through agricultural subsistence and the domestic labor of women (Wolpe 1972). Over the last few decades, however, full-time work has all but vanished and national unemployment rates have risen dramatically. Migrant laborers have found themselves unemployed and numerous young people have moved into the expanding informal sector, commercial agricultural work, or temporary employment. This has forced households to diversify their income generation strategies and many people have become mobile, moving between urban and rural houses on a regular basis while looking for employment.

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[6] Quoted from the website of the Department of Local Government and Traditional Affairs: http://www.kznlgta.gov.za/ (accessed in 2005).

The reduction in full-time employment has also had dramatic effects on the organization of social life in eMbo-Timuni. As young men are no longer able to afford bridewealth payments and start their own households, marriage has all but disappeared. Pregnancies outside of wedlock, as well as the increasing percentage of household income provided by young women working temporary jobs or in the informal economy, have altered the gender and generational dynamics within households.

When asked about changes to the region after the end of apartheid, most residents of eZimwini and oGagwini complained that nothing had changed. This complaint, echoed from house to house, reflected the widespread concern over the declining economic circumstances of most families over the last few decades as unemployment soared. While the end of apartheid has been widely celebrated as a moment of transformation and triumph over the racist policies of the former state, for those living in eMbo-Timuni, the change that has most clearly marked their lives and perceptions has been more gradual, associated with the long economic downturn and decline in full-time employment. This process has been furthered by the adoption of neoliberal economic policies by the post-apartheid state, under pressure from international organizations, aimed at stabilizing the economy and preventing capital flight.

This restructuring of capitalism in South Africa has also increased the urgency of claims on the resources of the state available through social welfare grants and various restitution and development projects aimed at redressing the wrongs of apartheid. As seen in the earlier story about Inkosi Mkhize's involvement in the reparations scam from the visitors claiming to be members of an NGO, local political leaders are anxious to legitimate their authority through controlling these potential economic resources coming

into the region, many of which now stem from development projects rather than employment in the formal economy.

These stories about the chief and the boundaries of his authority and territory illustrate some of the ambiguities and contradictions embedded in this process of transition and reform. This tight interconnection between economic reform and political reform is also crucial in understanding change in the post-apartheid period. In this dissertation I will focus on a series of contradictions and unexpected configurations of power in the post-apartheid period that relate to national reforms and the ways in which people are adapting to and modifying these reforms through local struggles over power and resources.

Theoretical Framework

In this introduction I have used the term neoliberalism primarily to describe a set of economic and political reforms that have been implemented by the post-apartheid state. Neoliberalism, however, encompasses a good deal more. Two other aspects that I would like to explore here are changes in the nature of global capitalism over the last several decades and neoliberalism as an ideological perspective on economic development.

I will also look briefly at anthropological theories of the state and the role of the state in implementing various economic and political reforms and in bringing about development. The role of the state in post-apartheid South Africa is heavily debated. The coercive nature of the state during the previous colonial, segregationist and apartheid regimes was unquestioned. However, with the granting of political rights to black South

Africans after 1994, to what extent has the post-apartheid state been able to change these configurations of power? This is a central question to this dissertation and this theory section will start to address the question through a closer look at how to theorize the state and its relationship to development.

Finally, I will take a brief moment to review some of the literature on indirect rule and the role of customary authorities in state formation in Africa. Chiefs have made a comeback in this neoliberal era as representatives of local communities, and this final section will look at some of the issues around chiefly authority and how we define what is local and what is traditional.

Neoliberalism and Development

Neoliberalism is a term that has been used to describe a wide range of economic, political and cultural shifts over the last few decades. Ong (2006) suggests that the definition of neoliberalism shifts according to one's vantage point while Clarke (2007) calls neoliberalism "omnipresent" and "promiscuous." In this section I will briefly review some of these understandings of neoliberalism, starting with changes in the nature of capitalism in the 1970s and 1980s and moving into discussions of structural adjustment and regional variations of neoliberalism. Finally, I will conclude with a brief look at how to look at cultural shifts that have also been theorized as related to neoliberalism.

The 1970s was a period of economic crisis and worldwide hardship that led to new ideas about how to regulate national economies in the 1980s. The economic slowdown of the 1970s has often been attributed to overproduction and the inflexibility

of fixed capital and wages in the industrialized nations, and has been theorized by Harvey as leading to a new form of industrial organization that he referred to as "flexible accumulation" (1989). Within the labor market, this meant an increase in part time and contract work, a higher rate of employee turnover, a decrease in benefits and job stability and, in Harvey's words, the "rapid destruction and reconstruction of skills" as workers were expected to have more flexibility in their accumulation of job skills (1989:150). At the level of production, Harvey goes on to argue, "economies of scope" replaced Fordist-style economies of scale as manufacturers emphasized the ability to produce small amounts of a product quickly without investing in large amounts of fixed capital, allowing for more rapid response to changes in consumption patterns. These ideas about the changing nature of capitalism lie at the root of descriptions of neoliberalism and the policies and ideologies associated with this term.

Harvey's "flexible accumulation" was intended primarily as a description of changes that were occurring within advanced capitalist economies. This taxonomy of advanced and less advanced capitalist economies is problematic, however, when applied to South Africa. Commonly listed among the top 30 countries in terms of Gross Domestic Product (GDP),[7] South Africa nonetheless has many people that live in poverty and extensive regions of the country that lack basic infrastructure. South Africa does not make it into the top 100 nations in the United Nations' Human Development Index and in measures of income inequality the nation regularly ranks in the top twenty.[8] This discrepancy between GDP and human development indices leads to a variety of different descriptions of the South African economy by different international organizations, from

[7] Taken from the CIA world fact book at https://www.cia.gov/library/publications/the-world-factbook/rankorder/2001rank.html
[8] Taken from the United Nations Human Development Index statistics at http://hdr.undp.org/en/statistics/

advanced industrialized, to advanced emerging,[9] to the South African president's recent assertion that South Africa contains both a "first" and a "third" economy within its national boundaries (ANC Today 2003).[10]

These taxonomies are of limited value to this discussion but they highlight issues of power within the international system and to the potential influence of international lending organizations such as the International Monetary Fund (IMF) and the World Bank (WB) over national economic policies. For those living in so-called developing countries or emerging economies in Latin America, Asia and Africa, understandings of neoliberalism center around structural adjustment policies that have been demanded by the IMF and WB as conditions on loans. These policies have been designed to restructure economies in order to make them more competitive within global markets. However, they have also been widely associated with rising levels of poverty and unemployment and with inequalities within global capitalism that compel poorer nations to follow policies dictated by those living outside of their boundaries.

Neoliberalism is therefore an ideological framework for understanding development both at the level of the state and global capitalism, and at the level of individual interaction with the market in terms of labor and entrepreneurship. As described by Peck and Tickell,

> Neoliberalism has provided a kind of operating framework of "ideological software" for competitive globalization, inspiring and imposing far-reaching programs of state restructuring and rescaling across a wide range of national and

[9] For example, see the FTSE indices at http://www.ftse.com/
[10] These issues will be taken up again in Chapter 5.

> local contexts. Crucially, its premises also established the ground rules for global lending agencies operating in the crisis-torn economies of Asia, Africa, Latin America, and the former Soviet Union, where new forms of "free-market" dirigisme have been constructed. Indeed, proselytizing the virtues of free trade, flexible labor and active individualism have become so commonplace in contemporary politics—from Washington to Moscow—that they hardly even warrant comment in many quarters. (Gledhill 2004:332)

Central to this ideology of neoliberalism was the idea that the market should dictate to society and a social Darwinist perspective on economic competition that has been the impetus for dismantling many social welfare programs around the world (George 1999).

Structural adjustment in the 1980s was also referred to as the "Washington Consensus" and criticisms of these policies in the 1990s led to a new variation of neoliberalism with attention to "civil society" that has been referred to as the "post-Washington Consensus." The Washington Consensus was criticized for mandating the same set of policies around the world with little attention to regional variation. In addition, rising poverty and unemployment linked to the decline in government services and market liberalization policies led to widespread protests over the implementation of structural adjustment.

In the 1990s the World Bank started emphasizing political reforms as a means of addressing these issues, declaring that the state should be involved in fighting poverty through strengthening democracy and civil society (Gledhill 2004). In the decade since, the pairing of political reforms with market reforms has become imperative for

development policy prescriptions and the World Bank has revived attention to the forms and practices of the state through the delineation of plans for achieving "good governance" in developing nations. The primary political reforms associated with the attention on "good governance" have been related to decentralization and have also been described as a "new localism" (Brenner and Theodore 2002; Jessop 2002; Ferguson 2006). International development organizations have increasingly embraced the "local" in the form of civil society and community based organizations as an antidote to the corrupt inefficiency and authoritarianism of many centralized states. As described by Jessop, "[a]s a project to reorganize civil society, neoliberalism is linked to a wider range of political subjects…it also tends to promote 'community' (or a plurality of self-organizing communities) as a flanking, compensatory mechanism for the inadequacies of the market mechanism" (2002:454-455).

As neoliberalism has come to refer to a broad array of both political and economic changes and reforms, anthropologists and geographers have increasingly turned their attention to the regional variations in these macro processes—how they are both shaped by and shaping local conditions (Peck and Tickell 2002). Ong, for example, writes about neoliberal "exceptions" in East Asia in relation to sovereignty and the ways in which authoritarian regimes are able to implement market liberalization reforms without accompanying political reforms (2006). In sub-Saharan Africa neoliberalism is more often associated with external intervention and the further dismantling of already weak states (Ferguson 2006; Reno 1997; Clapman 1996; Bayart, Ellis & Hibou 1999).

The recent work on regional variations in neoliberalism described here share a common focus on the relationship between neoliberalism and the state—namely the

ability of various regimes to exert control through the state and their power relative to international organizations or to the forces of global capitalism such as corporations and trading blocs. This brings us back to a central question of this dissertation with regards to South Africa—whether or not the political changes that allowed the ANC to come into power and control the state within this current neoliberal moment have allowed for radical change in the distribution of power and control over economic resources?

Hein Marais in his book on the transition from apartheid in South Africa writes that the ANC had an instrumentalist view of the state as a concentrated site of power that they could take over and use as the principal means of transformation. However, he goes on to suggest that rather than transforming the state, the anti-apartheid movement was assimilated into it (2001:2). The continuing poverty of the black minority has often been blamed on the neoliberalism of the current state and the inability of the ANC acting through the state to sufficiently exert power over the business community or counteract the influence of pressures from outside the country, often expressed through organizations such as the World Bank. As I am arguing in this dissertation, however, the neoliberalism of South Africa is complicated by unexpected incongruities, such as the expansion of social welfare alongside market liberalization, that suggest that current configurations of power are complex and shaped by a variety of interactions at local, national and international levels. These contradictions and incongruities also lead to the question of how is the state defined? How can the complex interplay between state formation and neoliberal restructuring be understood?

The State and Civil Society

Anthropological conceptualizations of the state have challenged the view of the state as a set of institutions, suggesting instead that it be understood rather as a set of practices and processes that enable the deployment of power (Abrams 1988; Mitchell 1991; Trouillot 2001). Abrams suggests making a distinction between state processes, which he defines as the "palpable nexus of practice and institutional structure centered in government and more or less extensive, unified and dominant in any given society" and the state idea, which "starts its life as an implicit construct; it is then reified…and acquires an overt symbolic identity progressively divorced from practice" (1988:82).

State boundaries in many postcolonies were based on arbitrary divisions drawn up by colonizing powers negotiating with each other for control over territory and resources. After independence, newly formed governments attempted to establish control over diverse and unevenly distributed populations with a variety of already existing social and political institutions that had been differentially affected by colonialism. In this context, many of the institutions of the modern state were introduced through the coercive process of colonization and were often structured to serve the needs of the colonial powers and of industries controlled from the metropoles.

State formation, however, was not only achieved through coercion. Crais argues for a closer look at the ways in which state formation emerged not just out of conflict and confrontation, but also out of processes of negotiation. He writes that "states certainly make history, through the myriad actions of officials and quite literally in the production of official histories. But they seldom do so in conditions of their own choosing" (2006). These instances of negotiations, mutual constitutions and accommodations also help us understand the persistence of difference and diversity within political institutions in many

postcolonial states. It also highlights the importance of looking at state formation through the actions and vantage point of the local and the peripheral, rather than seeing it exclusively as a process that is determined from the top down (Bayart 1993; Nugent 1994; Gupta 1995).

The ongoing negotiations and contestations over the emerging form of the post-apartheid South African state have occurred at a time when states are facing ever greater challenges to their sovereignty and autonomy from globalization and the intensified movement of people, goods, financial capital and information across boundaries. Transnational separatist movements and ethnic mobilization have highlighted the growing importance of deterritorialized political spaces over national ones as sites of political struggle and cultural negotiation (Sassen 1996; Steinmetz 1999; Sharma & Gupta 2006). In addition, growing demands for rights and entitlements based on difference have changed definitions of citizenship and fragmented national identities (Hansen & Stepputat 2001). State power has also been eroded by the increased flexibility and mobility of capital across boundaries as the form of capital accumulation has shifted from Fordism to flexible accumulation and corporations have become transnational in scope and scale (Harvey 1989; Jessop 1999). Major profits in the global economy are increasingly emerging from foreign direct investment and trading in financial markets rather than the exchange of goods, leaving national economies more vulnerable to the rapid movement of capital (Trouillot 2003).

This vulnerability is particularly evident in the postcolonies, most of which also derive a good deal of legitimacy among their citizens from their ability to successfully direct processes of “modernizing” and “developing” the country (Bayart 1993; Chatterjee

1993; Sharma & Gupta 2006). The ability of postcolonial states to defend the economic interests of their citizens and administer the national economy has often been questioned because of the inequalities among states in terms of their influence within the global economy (for example, see Wallerstein 1974). In addition, with the increase in flows of information with globalization and the integration of consumer markets, expectations have risen even as most people remain unable to achieve the levels of consumption that they aspire to, leaving postcolonial governments under even greater pressure to pursue economic development (Trouillot 2003).

With the emphasis within recent iterations of neoliberalism on civil society, it is also important to theorize how the boundary between the state and civil society is understood. The very process of differentiating the state from civil society and giving the state ascendancy over society has been argued to be an effect of state power (Bourdieu 1999; Sharma & Gupta 2006). This division between the state and civil society has always been particularly unclear in African states (Lemarchand 1992; Bayart 1993). The introduction of modern state institutions through colonial rule and the coercive incorporation of existing social and political institutions into the state has blurred these distinctions.

Histories of indirect rule through customary authority have contributed significantly to the lack of clear demarcation between state and society in much of Africa. While many postcolonial states have attempted, with various degrees of success, to dismantle customary authority and other authoritarian forms of rule, in many instances they also became incorporated into states through networks of patronage and corruption (Berman 1998). As African states have weakened further over the last few decades in the

context of neoliberalism, the power vacuum has been filled by the reassertion of these political strongmen, presenting both political and military challenges to the central state for control over territory and resources (Ellis 1995; Reno 1997). This process has been referred to as the "hollowing out" of the state (Clapham 1996), the "criminalization of the state" (Bayart, Ellis, Hibou 1999), or the formation of a "shadow state" consisting of informal networks of warlords, state officials, arms traders and commercial firms engaged in resource extraction (Reno 1999).

As argued by Ferguson, this "roll back" of the state has not resulted in less state interference and inefficiency, but rather has created states that are engaged in activities other than governance. Ferguson argues that this has created an atmosphere in which paramilitary armies are mobilized for private economic gain, creating conditions of insecurity and disorder (2006). Political strongmen and customary authorities have also played an increasingly central role in economic development as private companies and even non-governmental organizations (NGOs) frequently find it expedient to work through local power brokers rather than through the state (Ferguson and Gupta 2002).

Indirect Rule and Customary Authority

In this section I would like to look briefly at Mamdani's work on indirect rule and the creation of citizens and subjects (1996). These ideas speak to the central role of customary authority and of defining tradition within processes of state formation. The defense of tradition and the seemingly opposed promise of development continue to be important themes within contemporary African states. This duality is often traced to

forms of colonial rule, themes that will be brought out in the next chapter as the history of the reserves in South Africa is laid out in more detail.

Mamdani argues that there are "two moments of colonial ideology, defense of custom at the point of its consolidation and the promise of development at its point of crisis" (1996:170). These two moments of colonial ideology, Mamdani suggests, evolved from different strategies of control by the state that resulted in the creation either of citizens or subjects out of colonial peoples and a corresponding emphasis on rights or culture. Comaroff (1998) takes a similar perspective, although he suggests that rather than occurring at different historical moments, the colonial state was simultaneously attempting to create both citizens and subjects as part of the pragmatics of colonial rule. The creation of citizens was tied to the need for legal jurisdiction over colonial subjects that were interacting with the state as workers, traders and taxpayers. In order to enforce contracts and taxation, it was necessary to create differentiated, rights-bearing citizens out of colonial peoples. For Comaroff, these colonial citizens were created, with varying degrees of success, through a Foucauldian-style oversight by the state into the details of people's lives, such as the registration of births, deaths and marriages, and the regulation of domestic life particularly around the construction and reproduction of the family. Mamdani, on the other hand, focuses on the connection between the creation of citizens and the promise of modernization. He writes, "[i]n its postwar reform phase, colonial strategy cast the customary as antithetical to development. If tradition was backwardness, then development would have to be induced from without, or at least from above" (Mamdani 1996:170).

Colonial subjects, on the other hand, were created primarily through the processes of indirect rule, which involved the incorporation of local African authorities into the colonial administration and the creation of a legal system based on customary law that legislated and defined tradition. This form of colonial political control was based on labeling and classifying territorially and linguistically bounded social groups in ways that presented them as "unmarked ethnic subjects" (Comaroff 1998). The colonial state selectively reinforced some aspects of tradition and rejected others through the institutions of indirect rule in ways that maintained political control and restricted the rights that were otherwise associated with citizens. As expressed by Mamdani,

> The dualism in legal theory was actually a description of two distinct, though related, forms of power: the centrally located modern state and the locally organized Native Authority…The justification for power [in the modern state] was in the language of rights, for citizen rights guaranteed by civil law were at the same time said to constitute a limit on civil power…Customary law was not about guaranteeing rights; it was about enforcing custom. Its point was not to limit power, but to enable it. The justification of power was that it was a custodian of custom in the wider context of alien domination. (Mamdani 1996:109-110)

This process of treating people primarily as members of ethnic groups put new pressure on definitions of culture and tradition. Mamdani notes that "[b]etween culture and territory, the former must define the parameters of decentralized rule: the boundaries of culture would mark the parameters of territorial administration" (Mamdani 1996:79). As

a result, these policies served to create instability as access to resources was based on membership of ethnic or tribal communities and therefore defining the membership of a community and defining tradition became the primary sites where struggles over political authority and access to scarce resources were fought out (Berry 1993).

Theorizing Power

In this final section I would like to briefly describe Gramsci's concept of hegemony as a useful way of understanding power. Neoliberalism as an ideology permeates so many different levels of socio-political organization and is so pervasive that it is hard to understand power within this context. Gramsci's concept of hegemony argues for the organization of consent through the extension or universalization of the interests of the ruling group to the interests of everyone. Shared ideology emerges through state institutions, civil society, and cultural institutions such as the family, media and religion. The ruling group whose interests are served by hegemony, however, is not a class, but rather consists of a shifting coalition of class fragments, connected through ideological and economic ties, that maintain coherency only at a given historical moment. However, these coalitions extend their interests into a shared ideology through their privileged access to social institutions, thereby reinforcing their control over politics and economics, and legitimizing their power through constructing it as natural.

This way of conceptualizing the relationship between the state and economic power allows for historical and regional specificity. New formations arise at a particular moment, which Gramsci referred to as the "organization moment" or the "moment of party" (Crehan 2002:38) when ideas spread through a "discursive formation, [that] has

remained a plurality of discourses – about the family, the economy, national identity, morality, crime, law, women, human nature" (2002:53). This use of hegemony in relation to historically specific formations allows for a more useful understanding of processes of change and resistance while retaining a central concern with inequality and the privileged position of the ruling coalition or class fragment in shaping and benefiting from hegemony.

This concept of hegemony as emerging through a variety of state and cultural institutions and civil society is important in looking at struggles within post-apartheid South Africa over the meaning of terms such as tradition, rights, democracy and development. All of these concepts have become central grounds on which struggles over wealth and redistribution have been occurring, and all are related to how the state is conceptualized and how neoliberal restructuring is competing with the imperatives of restitution in determining government policies and control over resources.

Research Methodology

This dissertation is based on a two-year ethnographic research project carried out primarily in eZimwini and oGagwini. A handful of interviews were conducted with individuals living outside of these communities and a limited amount of archival research was conducted in the provincial archives and in the local courthouse. During the period of my research I moved between two residences, one in the home of an Mkhize family in eZimwini, and another located close to the university in Durban. Two research assistants, Mpume Ndlovu and Theli Nxele, from eZimwini and oGagwini respectively,

accompanied me on most of the interviews. These research assistants helped with translation as well as with issues of protocol when visiting homes. They also provided me with basic knowledge about the families we met while conducting interviews and also stories about their own lives that were relevant to the research topics. Mpume also assisted in translating interview questions and during the transcription process.

During the first year of fieldwork, I collected information through 114 semi-structured interviews with one member of each household from a geographically contiguous selection of households in eZimwini and oGagwini. Despite the use of the names eZimwini and oGagwini to describe seemingly bounded locations, in actual fact there were no marked boundaries between these two locations. Population density decreased in certain directions due to natural features such as cliffs or infrastructure such as roads, allowing for certain population clusters to be named, but the exact boundaries between these clusters were vague, particularly as more dispersed households filled the spaces in between.

For the purpose of this study, I chose a center point and then worked my way outwards until I had conducted a little over a hundred interviews. I interviewed a larger proportion of the households in eZimwini than in oGagwini. Most of these initial interviews targeted older women who were the most likely members to live full-time in the household and were often the most senior person available. Some of the interviews were conducted with senior men, but they were less likely to be present or even members of households. Younger family members would often join in or help their parents and grandparents answer questions, but rarely were they interviewed alone during this stage

of the research process. These initial interviews ranged from 20 minutes to 3 hours, depending on the availability and interest of participants. Questions began with the

Figure 1.3 – Unstructured interview participant

history and composition of each household, eliciting information on the movement of people, the reasons for these migrations, how the structures of households changed with time, the acquisition and alienation of land, and land use patterns. A second set of questions examined economic activities and the distribution of wealth both in the household and in the wider community. Finally, the interviews concluded with a more open-ended discussion on the history and politics of the region.

Figure 1.4 – Youth focus group

The second year of fieldwork focused on following up on many of the issues raised in the initial interviews. Approximately 20 individuals, including local leaders and those working for the government, the police, and in industry, were interviewed providing further details about historical events and current configurations of economic and political power. Nine interviews were conducted with commercial farmers living in the region adjoining eZimwini, including those whose families had lived in the region for over a century, and the handful of black farmers who had arrived after the end of apartheid. Follow up interviews in the form of life histories were also conducted with

eight women selected from the interviewees of the previous year with a particular focus on the work and migration histories of these women and their perceptions of change over time. Eight focus groups were organized, with groups of between three and five participants each, all young people of the same gender, aimed at elucidating the attitudes and aspirations of youths regarding education, jobs, marriage, and politics. The local courthouse was also visited and its documents examined for information on the political violence that occurred in the 1980s and 1990s towards the end of apartheid.

Structure of the Dissertation

The dissertation is organized into seven chapters, including an introduction and a conclusion. Chapter 2 provides a history of the formation of the reserves in KwaZulu-Natal as well as more details about the ethnographic location. The next four chapters contain the bulk of the ethnographic material, and each one addresses a particular aspect of political and economic change related to political reform and economic restructuring in the post-apartheid period. These chapters do not aim to be comprehensive, but rather to examine in detail a few of the complexities and contradictions that have shaped people's lives in the post-apartheid period.

Chapter 3 begins by looking at the political violence that occurred in the region during the transition and the subsequent national processes of reconciliation. This chapter is partly historical, examining the relationship between the violence and attempts by the apartheid state to maintain control. The ways in which political power and authority were organized at the local level have persisted into the post-apartheid period

and become crucial in understandings of change. At a national level, the creation of historical narratives describing the struggle to overthrow the apartheid state and the violence that accompanied this struggle have become crucial to the process of legitimizing the post-apartheid state.

Chapter 4 examines the issue of land redistribution and argues that the land reform process in this region is being shaped by conflicts over the shape of local political institutions. The chapter also examines debates over new land tenure legislation. Occupying land in the former reserves is a symbolic representation of membership in the community presided over by the chief. I will argue that the potential for conflict over land has emerged from the threat posed by new and alternative forms of land ownership by Africans in the region. With the government's continued hesitancy to challenge the authority of chiefs, land reform has provided an opportunity for local chiefs to reinforce their position and potentially to expand the amount of land under their jurisdiction. This chapter examines the ways in which this agenda conflicted both with the government's interest in developing commercial agriculture and local residents' desire for rural land as security in the context of high levels of unemployment.

Chapter 5 presents a comprehensive overview of the economic life of the area, with particular attention to how development is perceived and enacted through a steady stream of projects initiated by both the public and the private sectors. This chapter provides a basis for understanding how economic opportunities have shifted, how these changes relate to the politics of the post-apartheid period, and the way in which households have responded with new strategies for obtaining income and subsistence. The two biggest development projects have been related to commercial agriculture,

namely growing sugarcane and taro, and will be examined and contrasted in this section. Of particular importance to the forms of these projects have been neoliberal ideals of how to achieve economic growth and the post-apartheid imperative of redistribution to provide redress for historical wrongs.

In the final ethnographic chapter, the household is examined in detail and themes of rights and modern personhood are brought to the fore. The increase in female mobility and control over income, alongside the breakdown of marriage, has led to renewed conflict between genders and generations over the distribution of income and the behavior of youth. In the post-apartheid period, struggles over income and the behavior of daughters have begun to be conceptualized as a struggle between rights and culture. With the decline in marriage, young rural women often turn to the concept of rights as learned through radio, schools and political campaigns to claim the social space and economic resources to start their own households while senior men and women frequently respond with an emphasis on their traditional roles as parents and upholders of the morality of the community.

Conclusion

While living in eZimwini, it was easy at times to forget the presence of the state or of the global economy. Apart from the maintenance of the main road and the school, and the trucks on pension day, there were few visible signs of the modern state. Most people lived without utilities such as water or electricity, did not pay taxes and had to leave the area to visit any government offices. In addition, most of the political

authorities living in eZimwini and oGagwini also held customary offices with roots in pre-colonial social structures. These political figures continually appealed to duty, tradition and kinship in legitimating their authority. Daily practices in this semi-rural area still seemed focused on many pre-modern economic activities such as growing subsistence crops and fetching water from the "river," which was actually a borehole. Nonetheless the phrase "fetching water from the river" continued to be used to describe the activity of visiting the borehole.

Despite this impression, however, most of these seemingly pre-modern aspects of life were actually determined and structured by former governments who appropriated custom as a means of control and prevented the economic development of these areas through efforts to create race-based sources of cheap labor. Economically, most households have been partially proletarianized and reliant on jobs in the formal economy for close to a century, particularly in light of this region's close proximity to Durban. Food was bought in town using money from wages, pensions and informal economic activity. Subsistence agriculture was regarded as supplemental, with fields too small to sustain families a few younger people interested in working in them. The detailed knowledge of farming techniques and seed lines that may once have existed have long been lost and there was very little visible evidence of investment in farming, with the exception of the relatively new commercial crops.

Despite disappointed hopes and impressions to the contrary, there were some clear changes since the end of apartheid, including roads, expanded pension payments, phone service, regular elections and greater freedom of movement. However, many of the political changes, such the election of new government councilors, were heavily

contested, particularly by those with a vested interest in maintaining aspects of the prior system, such as the customary authorities. The new ANC governments had enforced some changes, while showing a lack of will and backing down in other areas. The following chapters will examine these processes of change, in the recognition that as things change, they also stay the same. This story also has to do with the underlying global restructuring of capitalism and its effect on state formation within South Africa. Finally, this dissertation will illustrate the ways in which local conditions, and the histories and legacies that have shaped them, are also influencing and being woven into the emerging form of the post-apartheid state.

Chapter 2 – EMbo-Timuni and the Formation of the South African Reserves

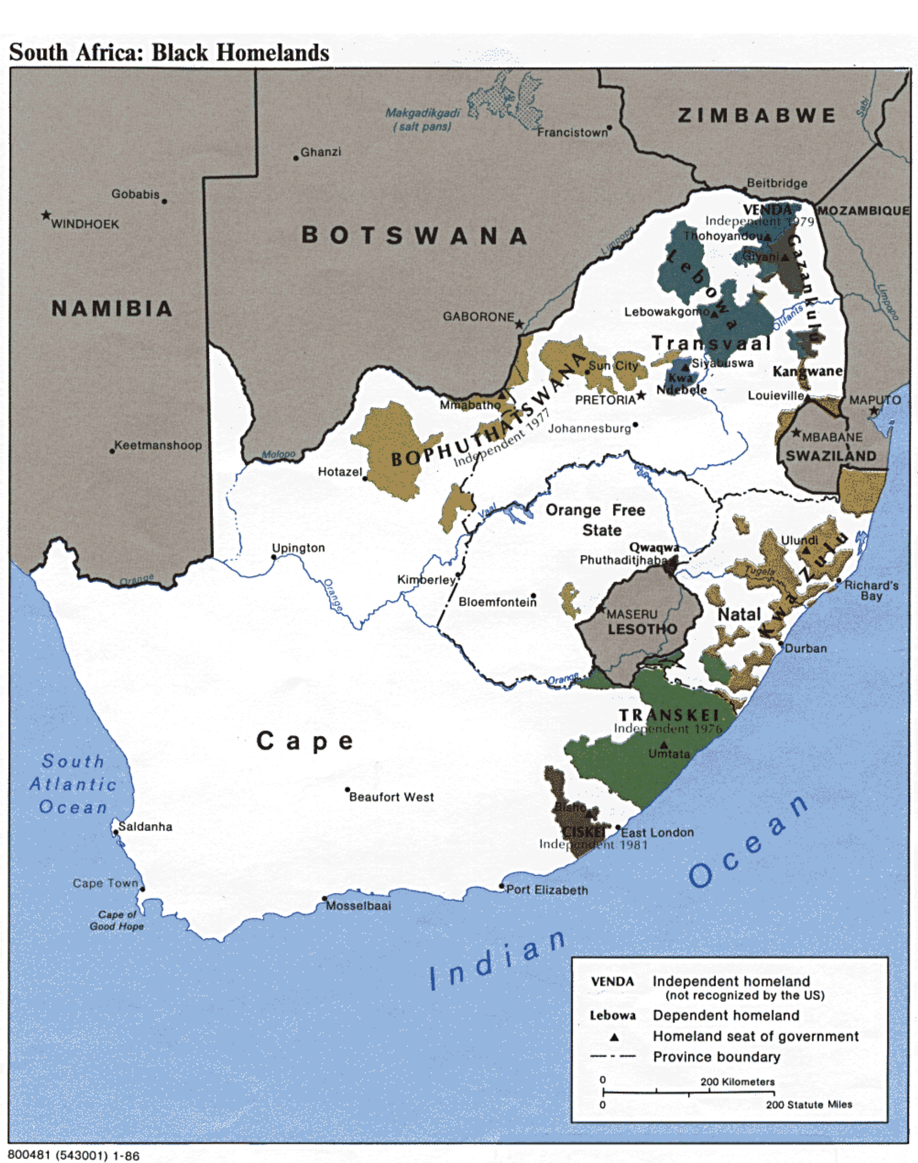
Introduction

EMbo-Timuni was a part of the apartheid system of reserves—areas that were ruled through chiefs and were the only places in which black South Africans had security of tenure for most of the twentieth century. Black South Africans constituted approximately four-fifths of the population while the reserves consisted of around 13 percent of the total land area of South Africa. By the end of apartheid in 1994, these reserves were some of the poorest regions of the country with high population densities and very little investment in infrastructure. The power of the chiefs in these regions revolved primarily around their ability to control the allocation of land. This chapter will provide background for understanding the formation of these reserves. The last section of the chapter will also provide a detailed description of eMbo-Timuni.

While these reserves have long been considered economically and politically peripheral, they have nonetheless been crucial components of a succession of massive state projects of social engineering that attempted to define and control the relationship of Africans to the state, enacting legislation affecting their movements, citizenship, economic activities, and even their social life. This chapter will trace the major laws that established the reserves and systems of local government. I will also examine the rise of Zulu nationalism in KwaZulu-Natal and its relationship to issues of gender and migration. I will use both a regional and a national focus in this chapter, as laws were created at both levels during different historical periods. A regional focus is particularly important

during the period of colonialism, as the colonial state took such different forms in different parts of what would later become the South African state. After the union of 1910, however, policies became more uniform across the entire country. South African history is often divided into three major historical periods, namely colonialism, segregation, and apartheid, within which political power was configured in distinctly different ways.

Figure 2.1 – The reserves under Apartheid



Historical Background

Indirect Rule in Colonial Natal

EMbo-Timuni is one part of a larger Mkhize chiefdom or kingdom[11] named eMbo that, according to Bryant (1929), settled in its current location south of Durban in the 1830s after slowly migrating south over centuries. Bryant claims that the Mkhizes were close allies of Shaka Zulu and a part of the early Zulu state until they fled south with their people after the death of Shaka, being out of favor with his successor Dingane. This narrative also fits with the timeline provided by the current Inkosi Mkhize of eMbo-Timuni for the migration of his ancestors to the region. The Mkhizes settled just south of what would become the major port city of Durban, where an early British settlement was established in 1824. This movement south also occurred directly on the tail end of what is known in South African historiography as the period of the Mfecane in the 1820s and 1830s, when much of the eastern half of Southern Africa was thought to have been devastated by a series of wars and migrations set off by the rise and expansion of the Zulu kingdom. Although the extent of this devastation has been debated (see Cobbing 1988; Hamilton 1995; Hamilton 1998), it seems likely that at the time of the Mkhizes' migration south of the Thukela,[12] there existed only scattered groups of people sparsely populating the land with few strong political entities. The land did not remain sparsely populated for long, however, as people came back when peace returned to the region and

[11] Terminology used to describe these former political units remains highly contested. Chiefdoms and kingdoms are the two most commonly used terms. Shaka Zulu, who brought together a number of chiefdoms under his rule, is usually said to have created either a Zulu kingdom or a Zulu state.
[12] The Thukela is a major river that is generally used as a natural boundary between what would become the colony of Natal to the south and the land controlled by the Zulu kingdom to the north.

white settlers began to arrive from the east, in the form of the Voortrekkers, and from over the sea in the form of the British.

These narratives of migration and population density have been of central importance to the processes of state formation from the very beginnings of the establishment of the colonial state in Natal in 1845. After an initial refusal to establish a colony, the British reversed this decision after the arrival of the Voortrekkers in 1837 who claimed the land for themselves and threatened to dispossess all Africans not working for them (Welsh 1971). Shepstone was appointed the Diplomatic Agent of the newly annexed British colony and charged with administering it with few personnel or resources. He soon established one of the earlier forms of indirect rule on the continent, incorporating customary leaders, primarily chiefs and headmen, into the colonial government as administrators. The primary features of indirect rule under Shepstone included the establishment of "locations" that were set aside for African settlement and over which customary leaders had jurisdiction, the use and eventual codification of customary law for resolving civil disputes between Africans, and the collection of taxes.

These key features of indirect rule set the template for political organization in the region for many years to come, and yet their establishment was not a foregone conclusion from the beginnings of colonial rule. While Shepstone was defending his incorporation of chiefs into colonial administration in Natal, in other areas of South Africa, particularly in the Eastern Cape, British administrators were actively engaged in dismantling the institutions of the chieftainship because chiefs were too effective in organizing military resistance to the colonial state. In Natal, however, there were few large chiefdoms and many people were living outside the authority of customary leaders, probably due to the

dispersion created by the Mfecane. As a result, the colonial state appointed numerous chiefs in areas in which a hereditary chief could not be found. In an appendix to the Natal Native Commission of 1881-2, the colonial government counted 102 documented tribes under the jurisdiction of 173 chiefs or headmen, of which 99 were hereditary, 48 created or appointed, and an additional 28 appointed at the rank of headmen. Hereditary chiefs governed approximately 63,979 huts, appointed chiefs 24,727 and headmen 3,083 and only two tribes consisted of more than 3,500 huts (Welsh 1971:114). The central narrative of a land emptied out by the Mfecane and consisting primarily of dispersed populations with many people living outside of the jurisdiction of chiefs therefore became a crucial part of the narrative of the creation of the colonial state in Natal (Hamilton 1998). During this period the British also provided an alternative political force to the Zulu state and was accordingly able to keep the loyalty of chiefs whose rank was granted by the colonial state and who otherwise might have been threatened by the Zulu state.

The cooperation built into a system of administration in which 11 magistrates ruled over an African population of 300,000 (Welsh 1971:111) has also been explained by scholars as reliant on some form of collaboration between the colonial state and African leaders (Marks 1986; Etherington 1989; Guy 1997; Hart 2002). Central to this collaboration, as suggested by Guy, was the maintenance of patriarchal structures in African society through the continued control by men over land and the labor and reproductive power of African women. The allocation of land to married men for setting up new households was central to the authority of the *amakhosi*. As argued by Guy, pre-capitalist Southern African societies were based on the control over the agricultural and

reproductive power of women and it was the exchange of women and cattle between homesteads that created political alliances. The reproduction of the homestead was based on the production of male heirs and the surplus created by female agricultural work. Therefore the motivation for the *amakhosi* and older men in accepting the authority of the colonial state was Shepstone's support for access to land, which in turn perpetuated a rural patriarchal hierarchy.

The maintenance of the institutions of the chieftainship was also a concern of various economic interests in colonial Natal. The *amakhosi* were in charge of collecting taxes and enforcing colonial rules, and were given a portion of the fines they collected as a reward. Taxation was a huge benefit to the colonial state and the white people living in Natal. Etherington calculates that Africans contributed around 75 percent of the government revenue in taxes and customs, while about three percent of the budget was spent on them. Therefore, "Africans suffered taxation without representation, while settlers enjoyed representation virtually without taxation" (1989:175). Throughout the colonial period, taxation grew increasingly heavy, and fines proliferated. As noted by Mamdani (1996), convictions and fines for offences under customary law, as it came to be defined by the colonial state, became a huge burden on people as petty legislation proliferated. Marriage laws, licenses to practice as a traditional healers, and collective responsibility for theft of white-owned cattle, are just a few of the ways in which money and resources were collected from Africans in Natal by the colonial state and the *amakhosi* through the auspices of customary law. Mamdani argued that customary law provided opportunities for exploitation that British law would not have accommodated, due to the flexibility in its interpretation.

Rule through *amakhosi* also served the interests of controlling the labor force. The *isibhalo* system of enforced labor allowed the state to build infrastructure at little cost through the supposedly customary practice of *amakhosi* requiring their subjects to labor on public works. Coastal sugar planters supported the Shepstone system because of the need for reliable labor, which the *amakhosi* provided by controlling the movement of the people under their jurisdiction. Absentee landowners also gained rent money from those willing to pay in order to farm better land than that found in the reserves. Capitalist interests were also concerned with the co-operation of the *amakhosi* in controlling labor since the numerical influence of the settlers was too weak to completely transform the society and turn the African population into a proletariat. In KwaZulu-Natal, for a longer period than elsewhere in South Africa, Africans had alternatives to wage labor as they, "retained a hold on the basic means of production, land and cattle…and could earn the colonial taxation or rent through cash-crop production" (Marks 1986).

The Shepstone system was of major economic benefit to the colonial state and the big coastal sugar planters because the *amakhosi* enforced order and collected taxes on behalf of the state. However, this retention of the basic means of production by Africans in KwaZulu-Natal, was not in the interests of many white settler farmers who wanted cheap laborers for their farms. These settlers could not pay as high prices for labor as the commercial sugar plantations and had less interest in maintaining the chieftaincy for political stability. The settlers fought against the continuation of Shepstone's policies of indirect rule through arguing for a form of rule instead was based on the creation of modern rights-bearing citizens who would be controlled through modern state institutions. As Hamilton wrote, "[t]he Shepstone system annoyed the colonists precisely because it

inhibited the imposition of a work ethic, monogamy, a need for clothing, commodities, and civilization" (Hamilton 1998:99).

The settlers also found willing allies in the missionaries, who brought issues of morality and gender to the fore. Themes of gender and generation became central to disputes over labor and the means through which the colonial state consolidated control. These conflicts were expressed as struggle over the morality of the Zulu community. For example, European settlers pushed the colonial state to abolish polygamy, citing a concern over the modernization and morality of Zulu communities. McClintock quotes one writer of that time period that, "here in Natal are nearly 400,000 natives…They are allowed as much land as they want for their locations. They are polygamists and treat their women as slaves, while they themselves are idle or worse" (1995:254). Welsh also cites an 1852 Commission on colonist opinion that Africans "are rapidly becoming rich and independent, in a great degree owing to the polygamy and female slavery which prevails" (1971:34). Colonists and missionaries spoke against polygamy in language that was couched in terms of morality and the oppression of women, and yet also reflected an underlying concern with the inability to secure laborers for their farms and to compete with African farmers for whom polygamous families provided an important source of labor. Settlers undoubtedly recognized the importance of control over women's labor in the ability of African society in KwaZulu-Natal to resist proletarianization. As expressed by McClintock, "black women in Natal became the ground over which white men fought black men for control of their land and labor" (1995:254).

The stability of the system of collaboration between capitalist interest, the colonial government, and the chiefs began to break down at the turn of the century.

Settler farmers had been agitating for a breakdown of the institutions of the *amakhosi* in order to take over their land, and leave Africans with no alternatives but to work for white farmers. The pressure of the settlers for a more coercive state, along with the increasing shortage of land due to white immigration during the later years of the nineteenth century, eventually broke down the accommodation inherent in the Shepstone system. By 1906, the so-called Bambatha Rebellion resulted in settler government incursions into African areas and the death and arrest of many Africans. The union that led to the formation and independence of South Africa followed soon thereafter in 1910, at which point political administration came into the hands of the central state.

Segregation and the Land Acts

The Union of 1910 brought together a group of provinces with widely different systems for governing the African peoples within their jurisdiction. At this point of union, reserves existed primarily in the Cape and Natal, although with important differences in administration between the two. In other regions, particularly the Orange Free State, race relations were governed by legislation such as the Masters and Servants Law which facilitated the exploitation of the black labor by white farmers (Lacey 1981). While the farmers preferred not to have reserves, so as to force the African population to become tenants and laborers on white-owned land, the interests of mining capital favored the existence of reserves, which provided a partial subsistence for laborers and their families and sustained the system of cheap migrant labor.

The influence of mining capital is thought by some historians to be central in the emergence of the modern South African state. The discovery of gold in Johannesburg in

1886 brought in huge investments, and the needs of the mine for a more standardized system of government over Africans to provide greater control over labor, is cited as one of the central reasons for the union (Marks and Trapido 1979; Ashforth 1990). However, it was 17 years into the Union before the first substantial act was passed which attempted to standardize these disparate systems of administration. As explained by Lacey (1981), the intervening period was marked by a political rivalry between the South African Party (SAP), representing the interests of the mines, and the National Party (NP) standing for the white farmers.

During the SAP rule, the Native Affairs Act of 1920 was passed, providing for the establishment of local councils. Due to an inability to pass a previous bill in 1917, which would have established reserves in other provinces and created a more tribally based administration, the government decided to create councils as an alternative basis for uniform administration. The Act was unpopular with whites who perceived it as the abandonment of a policy of segregation. Also, in the wake of several strikes and militant Industrial and Commercial Workers Union (ICU) action, the 1920 Act ended up creating divisions between African elites and resistance movements. Different ideas about participating or rebelling against the segregationist regime divided the ICU from those Africans who were participating in the local councils. These divisions would become important in the later rise of the Zulu cultural and nationalist movements.

Once the National Party (NP) took over under Hertzog, the government turned for a final time towards administration through tribal structures, which had triumphed in government policy as the more effective means of controlling African labor. As described by Lacey (1981), the 1927 Native Administration Act provided for uniform

control through customary law and administrative courts and gave the governor-general and, by extension the Native Affairs Department, the power to rule by proclamation. The governor-general could also amend customary law by decree and was not subject to appeal in courts or through parliament. Traditional leaders could be removed by the Native Affairs Department (NAD) if they obstructed the system.

This Act is widely perceived as extending the Natal system of administration to the rest of the country. There is little question that the system set up by the Act most closely resembled that of Natal during the last half of the 19th century. However, several distinctions are worth noting. Mamdani (1996) suggests that while the 1927 Act set up rule by decree and through customary law, it did not yet establish the traditional leaders as the main administrators. Rather administration remained under several systems, with the Cape using white commissioners rather than chiefs. Mamdani also suggests that the Governor General was not so much a supreme chief as he was a high commissioner, because Cape authorities were afraid of increasing the judicial powers of the chiefs, due to the association of traditional leaders with resistance to colonial rule in that part of the country. Lacey (1981), on the other hand, emphasizes the difference between the Native Administration Act and the Natal system in the bureaucratic nature of the former. The Natal system, as also noted by Guy (1997), was based largely on an accommodation reached between the person of Shepstone and the traditional leaders of southern Natal, and was shaped, to a large extent, by the personality of Shepstone. The Act of 1927, on the other hand, essentially empowered a bureaucratic department and all its local branches to rule by executive decree, without any level of appeal. It might be suggested

that this reduced the flexibility of the system, and hence the ability of the chiefs to maneuver within it, but this is by no means clear.

The Native Administration Act was fought by both traditional leaders and African urban elites, with traditional leaders objecting to the government enforcing its own version of customary law. NAD wanted to codify customary law, and apply a uniform system throughout the nation through a system of African appeal courts. This would complete legal segregation. The Act also empowered local level NAD officials to make decisions based on their own discretion on issues such as pass requirements which significantly impacted African communities. Chiefs were paid according to the amount of taxes they collected, so that they would encourage workers to return to rural areas and pay taxes, thereby maintaining the system of migrant labor and reducing permanent migration to urban areas. Chiefs were seen as having both incentive and the means to coerce their people to work. Migrants living in urban areas no longer had councils to represent them and remained under the jurisdiction of their rural chief. In regions without previously existing reserves, such as the Transkei, locations were created and headmen appointed with little reference to tribal boundaries. Regions such as Natal, however, saw little change in boundaries with reserves having already existed for almost a century (Lacey 1981).

Chiefs were not allowed to allocate land under the 1927 Act, removing a major source of power and authority over their people. The role of the chiefs as tax collectors combined with their inability to allocate land gave them a negative image, as they had nothing to give but much to take. While Lacey notes that the 1927 Act gave chiefs in many regions a renewed status, it is likely that this effect was least noticeable in Natal,

where chiefs retained more status from the previous period than all the other regions in South Africa.

Segregation in legal and administrative terms is almost impossible without segregation in land and this was accomplished through the 1913 Natives' Land Act. The Land Act established reserves based on those already in existence in Natal and the Cape and prohibited the purchase of land by Africans outside of those reserves. There was a recognition in the government, however, that they needed to allocate further land, especially in the provinces without reserves. The recommendations of the subsequent Beaumont Commission, however, were not followed through, as whites were shocked at the thought of adding areas of good agricultural land to the reserves (Lacey 1981).[13]

Over the next two decades, two more land acts were passed that delineated the land area of the reserves. In 1926, an amendment to the Land Act was passed under the Hertzog government which established further "released areas" for African occupation. However, Africans were required to buy the land before it could be incorporated into the reserves. The obstacles to buying land were formidable as groups over 10 in number were prohibited unless they were a "recognized tribe," and white farmers frequently came together and blocked African land purchases (Lacey 1981). In 1927, the government stopped providing loans to Africans for the purchase of released land. Between the 1916 recommendations and the 1926 Act, two million morgen were dropped from the areas scheduled to be released, and including most of the best agricultural land, which was then scheduled for the resettlement of poor whites (Lacey 1981). It wasn't until 1936, under the Native Trust and Land Act, that more land was released. This act established a

[13] A 1917 bill, which would have provided for a unified system of African administration under the Smuts government, was derailed due to a clause that provided further land for African communities, and this failure led to the establishment of councils in 1920 as a compromise (Lacey 1981).

Native Trust to buy up land in the released areas to be added to the existing reserves (Lodge 1983). The 1936 Act was the final piece of legislation allocating additional land to the reserves.

The use of land by Africans in the reserves was also highly regulated by the government, with most of the regulation based on the Glen Grey Act of 1894 in the Cape. The Glen Grey Act divided reserve land into small holdings and limited succession rules and alienation of land so that family members not directly in charge of land would be forced to migrate. Land was also held in common under customary rather than individual tenure, ensuring that land owners in reserve areas were not granted political franchise. This was in line with the Cape policy of retaining a subsistence base and minimal tribal structures in order to prevent full proletarianization of migrant workers. A similar variation to this system was later extended to all reserve areas under the Native Trust regulations in the 1936 Act and the Betterment Scheme Act of 1939 (Lacey 1981; Lodge 1983). The Betterment Act was phrased as an ecological measure, providing for land conservation and mandatory stock reduction, which many whites blamed for bad conditions in the reserves, instead of blaming the scarcity of land. After the establishment of the Bantu Authorities Act under the National Party in 1951, the traditional leaders became the primary enforcers of Betterment Act provisions, which were to become a major source of rural dissent.

Aside from the militant ICU actions of the 1920s, this period of segregation also saw the rise of a more conservative resistance movement, Inkatha, which would form the basis of later Zulu nationalism. Inkatha, in its early iteration, was a cultural organization that brought together the *amakhosi* and the Christian landowning elites from the previous

century known as the *amakholwa* in an uneasy alliance. Up until this point, the *amakholwa* saw themselves as modern in contrast to the traditional *amakhosi*, and rarely made common cause with them. During the colonial period, the *amakholwa* were able to exempt themselves from customary law and create mission communities that owned land primarily due to the support of missionaries, who felt that the *amakhosi* hindered their ability to convert Africans. However, after the 1910 Union, and with the introduction of the 1913 Land Act, the *amakholwa* elites found this small space of opportunity to be closing and land to be available only through cooperation with chiefs (Marks 1986). This led to the creation of an alliance between *amakholwa* and traditional leaders in KwaZulu-Natal as the *amakholwa* began to redefine tradition in a way that fit within their ideas of development and progress for Africans (Marks 1986). In KwaZulu-Natal, this often took the shape of Zulu cultural or ethnic nationalist movements such as Inkatha that straddled some of these religious and modernist divisions.

Apart from pragmatic concerns with accessing land and achieving development, however, the *amakholwa* found themselves allied with *amakhosi* also over what was perceived as the moral disintegration of Zulu society in the face of rapid urbanization and social dislocation. These changes were associated with growing levels of crime and venereal disease in urban areas, which was often blamed on a lack of control over women and youth (Marks 1986). Marks suggests that control over women was a main feature of the alliance between not only the *amakholwa* and *amakhosi* elites, but also the Natal state during this period. As the 1920s saw the spread of unrest throughout Natal in the form of the ICU, ethnic nationalism was seen by the state as a way of dispelling class-based protest. Fearful of a repeat of the unrest seen in England during the industrial revolution,

and wanting to slow down the process of black proletarianization, the state saw control over women, especially their migration into urban areas as crucial (Marks 1989). Keeping women in rural areas meant not only the maintenance of a partial subsistence base for urban migrants, but also the continued power of the *amakhosi*, based on control over women, which would then ensure the return of young men to the rural reserves (Marks 1989). The state therefore enacted legislation throughout the 1920s and 30s, often with the support of Inkatha, to control the migration of women into urban areas.

Therefore the period of segregation saw the first phase of a rise in Zulu nationalism which gained root in the increasing consciousness of social dislocation caused by the rapid processes of urbanization, industrialization and racial exploitation. Within KwaZulu-Natal, broader class-based or racially-based protest movements such as the ICU were dramatically put down by the state while ethnically-based movements such as Inkatha and the Zulu Cultural Society were supported by the state, *amakhosi* and *amakholwa* elites. These cultural movements backed the chieftainship as a legitimate expression of tradition, and this perceived legitimacy has helped the institution outlive even the end of apartheid.

Gender, Migration and Zulu Nationalism in Early 20th Century

Towards the turn of the century in colonial Natal, a massive influx of white settlers put tremendous pressure on the land, a process which resulted in both an increase in the use of force by the colonial state and a decline in the ability of African communities to resist proletarianization. However, proletarianization in the twentieth century did not mean the complete re-ordering of African societies but rather took the

specific form of male migration into urban areas with women largely remaining behind to look after rural households and maintain social structures. The system of male migration developed, Wolpe (1972) suggests, because it served the needs of capital for cheap labor. No longer was it necessary to pay workers sufficient wages to support their entire families because women in rural areas were subsidizing the household through their agricultural and domestic labor, ensuring the reproduction of the workforce at no cost to capitalist industries. However, others such as Marks (1989) and Bozzoli (1983) suggest that the development of a system of male migration must also be understood in terms of the continued strength of pre-capitalist social systems.

> In nineteenth-century Natal to an even greater extent than in twentieth-century South Africa, colonists were forced to come to terms with the strength of precapitalist social formations and then attempt to utilize elements within them for their own purposes of surplus extraction and control. In Natal in the nineteenth century this was received in the form of rent, tribute, and some labor tax; in South Africa in the twentieth century more directly in the form of labor power. (Marks 1986:26)

In a similar vein, Bozzoli points out that while Wolpe's functionalist explanation may explain the perpetuation of the system of male migration, it doesn't clarify how that particular form evolved in the first place, or why non-capitalist social systems in rural areas continued to exist despite the pressures put upon them. For this, Bozzoli, suggests,

we must turn again to the issue of gender, in particular the role of women in pre-capitalist systems. She writes:

> The sudden imposition upon *women*, not 'the family' of full responsibility for the maintenance of a social system under increasing and devastating attack, must surely have involved some conflict, some vast social, moral and ideological reorganization…the capacity of the precapitalist system to impose these tasks *upon its women*, was quite possibly one of its most potent weapons against the onslaught of capitalism…these issues are central to the explanation of the fact that South Africa's labour force remained partially proletarianised for so long. (Bozzoli 1983:146)

Therefore it is the "struggle" within the domestic economy over the subordination of women's labor, according to Bozzoli, that we must look to in order to understand the evolution and sustenance of a system of male migration and the relative resilience of African social systems during this period. One of the often cited examples from this period of "struggles" within the domestic economy to control women is the lengths went to by African elites and the state to prevent female migration (Bozzoli 1983; Marks 1989) which can be seen clearly in writings of the early Zulu cultural and nationalist movements in the 1920s and 30s. These movements were based on an alliance between Christian elites and the *amakhosi*, an alliance that was based in part on access to land (Marks 1989; Cope 1993). The Christian elite, or *amakholwa* as they are known locally, had previously aligned themselves with the modernizing tendencies within the state, such

as the missionaries, and they used the discourse of rights in order to access land and the privileges of citizenship under the state. However, the Land Act of 1913 and the tightening of political and legal segregation during the first half of the twentieth century closed down these avenues of power and the *amakholwa* found themselves turning instead to those African elites such as the *amakhosi* who were more closely aligned with the segregationists within the state and the accompanying ideology that stressed tradition and custom over modernity and rights. For the state, allying with *amakholwa* and *amakhosi* was also a way of fragmenting class-based resistance (Marks 1989). And, of course, central to this alliance was a shared concern with controlling and limiting female migration.

Between 1921 and 1946, the urban female population in Natal increased from just over 8,400 to 69,700, reflecting a dramatic increase in female migration and urban residence, while the urban male population also quadrupled during the same period (Marks 1989). These figures give some sense of the immense social dislocation and change that must have occurred during this period, change that was often attributed to the break down of discipline in the home and the decline in the authority of the heads of households over women and young men. Movements such as Inkatha and the Zulu Cultural Society that were founded during this period focused in on the widespread concern of household heads that they were losing control within the domestic sphere over the wages and labor of women and young men. For example, the charter of the Zulu Society stated explicitly that,

> There was a fear that the 'departure from wholesome Zulu traditions' meant a lack of discipline in the home. Particularly 'alarming' was the loss of control over women, as 'mothers' of 'our leading men, chiefs and counsellors', and over the young, who 'by force of circumstances, leave their homes at an early age to work in towns and to attend schools. (paraphrased by Marks 1989:225)

These concerns were also reflected by elements of white society during this period. Among missionaries, the concern over "morality" shifted from the previous focus on bridewealth and polygamy to new concerns over the morality of young women living in urban areas. Administrators such as James Stuart responded to the "growth of individualism and lawlessness" will a call for, "'moderate corporal punishment' for the youth and a return to traditional mores in relation to women, whose 'universal immorality' was regarded as largely responsible for the current wave of lawlessness" (paraphrased by Marks 1989:219). The state also followed up with legislation under the Urban Areas Act of 1923 and its 1930 amendment that required women to have permission from the state and her husband or father before entering an urban area.

These early Zulu cultural and nationalist movements presented themselves as preserving both tradition and the institutions, such as the *ubukhosi*, that were associated with it, and this feature would continue to mark Zulu nationalist movements up until the current period. Despite the rhetoric, however, these early Zulu nationalist and cultural movements cannot be seen simply as representing culture and tradition but must rather be understood as refashioning or renegotiating it. The tentative nature of the alliance with the *amakholwa* further complicates the issue as many of the Christian elites, in particular,

expressed elements of both modernist and traditionalist ideologies. Furthermore, movements such as Inkatha were strongly interested in the issue of development and later formed strong ties with capitalist industries. More abstractly, several writers have also noted that elements of liberalism, such as ideas about progress and individual accumulation were also incorporated into these "traditionalist" cultural and nationalist movements (Cope 1990; Marks 1989; Hart 2002).

While recognizing the complexities within these movements it is nonetheless also necessary to see how they represent the efforts of African elites to tap into the only form of political and economic power open to them in KwaZulu-Natal, a form of power that was intertwined with the structures and institutions of indirect rule and apartheid. The form of Zulu nationalism that emerged during the last century reflects the dominance, particularly here in KwaZulu-Natal, of the ideologies associated with indirect rule and explains why the alliance between *amakholwa* and *amakhosi* took the form that it did with its outward emphasis on tradition and ethnic mobilization, despite its underlying complexities and ambiguities. As expressed by John Dube when asked about the "tribal" system, "well, it is the only thing we have…and I cannot get away from it. It is under the tribal system that land is hel[d] by our Natives and, if I want land, I cannot get away from it" (quoted in Marks 1989:221). While Inkatha drew on the ideologies associated with indirect rule, other nationalist movements such as the ANC did not, drawing instead more heavily on the language of citizenship and rights. Both Comaroff and Mamdani suggest that anticolonial struggles must be understood as diverging into those that used the language of liberalism, such as equality and human rights versus those that spoke of the

rights of tradition, emphasizing cultural autonomy and collective, culturally-defined identities.

> In sum, these two discourses of rights arose, dialectically and in complementary opposition, out of the contradictory manner in which the colonial state sought to construct its subject/citizens. Each fashioned its own vision of the present and future. Each essayed its own idea of modernity. Each spoke its own version of legalese. And each aspired to its own political culture, its own form of postcolonial governance. (Comaroff 1998)

The Bantustan System under Apartheid and the Rise of Inkatha

The institutions of the chieftainship gained further power and importance during the apartheid period with the implementation of the Bantustan system. At this time, agriculture in the reserves had virtually collapsed because of overcrowding and land degradation. Attempts at conservation by the state in the 1930s had been met with suspicion and unrest, particularly in light of the unwillingness of the state to release additional land. Conservation measures, which consisted of reducing stock and restricting land usage, imposed additional hardships on impoverished people rather than solving the underlying crisis of insufficient land. As conditions became more desperate in the rural reserves, mining interests started complaining yet again about an insecure workforce due to generalized political unrest and white farmers continued to experience labor shortages due to their continued inability to compete with mining interests in wages.

The rise of manufacturing after World War II provided new competition for labor and drew labor away from both the farming and mining sectors (Lodge 1983).

When the National Party came into power in 1948, they attempted to reduce these labor shortages through a comprehensive program of issuing passes to control the movement of laborers. Throughout the 1950s and 60s, this tightening of control along with rapid urbanization, the eventual extension of passes to women, an increase in taxes collected by the state, and the doubling of the average rural population between 1955 and 1969, all led to strikes, increased worker militancy and the one of the longest periods of rural uprisings in the history of the Union (Lodge 1983; Mare and Hamilton 1988).

In Natal, unrest became particularly strong in 1958 and 1959, segregation was becoming untenable, and the Bantustan system was introduced as a solution. The Bantustan system increased the role and the powers of the traditional leaders in the administration of the reserves, and laid out a path for the eventual independence of the Bantustans, supposedly as sovereign states. The Bantu Authorities Act provided what is widely perceived as the major shift towards an ethnic rather than a racial policy of control over the African population (Mbeki 1964; Mamdani 1996). Essentially, the Act laid the foundation for the establishment of three primary levels of traditional authorities, the tribal, regional and territorial authorities, and laid out a plan for delegating a gradually increasing level of administrative authority to these structures. While the Act appeared to be leading towards increasing levels of independence for the Bantustan areas, it was left to the 1959 Promotion of Bantu Self-Government Act to set out clear terms of independence and clarify the role of the higher tiers of the governments to be formed in the Bantustan areas. The final major act in this sequence was the 1971 Bantu Homelands

Constitution Act, which set out two stages for increasing the powers to be granted to the Bantustan governments. The first stage involved the creation of an executive council, and the second included the creation of a cabinet, the establishment of township and business undertakings, the appointment and dismissal of traditional leaders, and control over the syllabus in education (Mare and Hamilton 1987).

Mbeki (1964) provides the clearest description of how the various levels of authority are set up. The size and composition of the tribal authorities are set up by the national government. A portion of councilors are appointed by the chief, while the rest are appointed by taxpayers with the approval of both the chief and the administration. At the level of the regional authority, the most dominant chief is in charge, while other members are drawn from tribal authorities with the backing of the head chief and the authorities. Finally, the territorial authority consists of all members of the regional authorities, with the leader nominated by the group with the approval of the national president. In Natal, by 1966, there were 107 tribal authorities out of the 282 tribes recognized by the state, and 12 regional authorities (Mbeki 1964). By 1970, there were 188 tribal authorities and 22 regional ones established, and during this year, the Zulu Territorial Authority, headed by Chief Buthelezi was established (Mare 1993). In 1972, the KwaZulu Legislative Assembly (KLA) was established as the KwaZulu Bantustan entered into stage one, as laid out in the Bantu Homelands Constitution Act. Stage two was not reached until 1977, when control over education was finalized through the Inkatha syllabus, and an independent police force was created. The first elections for the KLA were held in 1978.

The Bantu Authorities Act was also crucial in exacerbating tension between the chiefs and their people. The salaries paid to the chiefs were proportional to the taxes they were able to collect, and they were also responsible for enforcing unpopular legislation such as cattle dippings and cullings. Chiefs who joined their people in resistance against the state were summarily deposed. After the 1951 Act, rural resistance was increasingly directed against chiefs and their subordinates who cooperated with the legislation. In Natal, as the KwaZulu Bantustan became more powerful and the region saw the rise of Inkatha in the 1970s, conflict between the forces resisting the state and those enforcing the authority of the Bantustan government had turned into a major conflagration by the 1980s.

The KwaZulu Bantustan never achieved complete independence from the state, but it nevertheless gained sufficient autonomy to have its own legislative assembly in 1972, as well as an independent police force and education system by the end of the same decade. While it is easy to see how this political power granted to the *amakhosi* by the apartheid state increased their administrative role in the province, the more interesting question remains how they maintained any sense of popular legitimacy in light of their collaboration with the repressive state. Indeed, in most other regions of the country, the reserve governments retained very little political influence after the end of apartheid. However, KwaZulu-Natal in the 1970s also saw the rise of a second Inkatha movement. Founded by Buthelezi in 1975, Inkatha played a crucial role in the governing of the KwaZulu Bantustan. As with the previous Inkatha, this second incarnation involved a class alliance between *amakhosi* and other African elites. While the *amakholwa* in the first Inkatha were interested in development through access to land for farming, many of

the African elites in the second Inkatha were from a trading background, and development was conceptualized in this era as an alliance with the state-run Bantu Investment Corporation (Mare and Hamilton 1987). The Bantustan leaders not only invited in corporations and provided low wage areas to set up industrial sites, but also recruited laborers for the mines. As with the first Inkatha, the alliance between the *amakhosi* and the capitalist oriented African elites was fraught, especially in the 1970s, but by the 1980s, most of the support for Inkatha came from the rural areas where the *amakhosi* maintained considerable control.

This second Inkatha was more of an ethnic nationalist movement than the first, and it appealed to tradition as a means of legitimating the authority of the *amakhosi*. Inkatha was at this time also headed by a man named Buthelezi, who was himself a powerful and ambitious *inkosi*. Buthelezi would become a major national political player and he contributed significantly to the influence of Inkatha and by extension of the other *amakhosi* due to his personal charisma, power and influence. The formation of the semi-autonomous KwaZulu Bantustan also allowed for an infrastructure within which to disseminate the ideas of ethnic nationalism embodied in the Inkatha movement. The glorification of the warrior identity, respect towards elders, and control over women and youth, emerged as important themes on educational syllabi, in youth movements, and in cultural symbols revived during this period (Mare and Hamilton 1987).

During the 1980s, opposition movements to apartheid began campaigns to make the apartheid system ungovernable, which soon led them into direct conflict with Inkatha and the KwaZulu Bantustan government due to their considerable investment in control over the region. Student uprisings, boycotts of local councils, rent protests, and rival

youth organizations all became points of conflict and eventual violence and civil war between Inkatha, allied with the state, and the United Democratic Front (UDF), allied with the exiled African National Congress (ANC). Inkatha soon entered into alliances with corporations and with white farmers to allow them access to workers for political organization in return for keeping out ANC-allied unions such as COSATU. All of these processes further entrenched the chieftainship in all areas of life, from education to control in the workplace. They also spread violence to these areas of life, as school children and workers found themselves coerced into either supporting Inkatha in their places of study and work or to resisting them.

The considerable violence that accompanied the process of maintaining control in collaboration with the apartheid state did somewhat undermine the legitimacy of Inkatha. However, their ability to frame the violence in the context of a glorified Zulu warrior past and their use of forms of Zulu military mobilization under Shaka, created a powerful cultural legitimacy that enabled them to recruit followers and gain power. As stated by Marks, "the problem for Africans in Zululand and Natal, however, was the ways in which a pre-colonial past provided military metaphors for mobilization" (1989:233). Marks also suggested that the high levels of what has been referred to as faction-fighting in KwaZulu-Natal and its connection with local political mobilization had contributed to history of political violence in the region that contributed to the outbreaks of violence in the 1980s and 90s.[14]

KwaZulu Legislation

[14] Faction-fighting and political violence are the subject of Chapter 2.

Throughout the 1970s, 80s and early 90s, most of the legislation affecting the role of traditional leaders in KwaZulu-Natal came from the KwaZulu Bantustan government, rather than the central state.[15] In 1974, a KwaZulu Chiefs and Headmen Act was passed which, as described by Mare, "made it clear that maintenance of control over the ethnically defined regional population remained an important function of chiefs" (1992:70). Along similar lines, and replacing the 1974 Act, was the1990 KwaZulu Amakhosi and Iziphakanyiswa Act. This Act granted powers to the chiefs to forbid gatherings or political activities within their region and required them to report unrest to the government. *Amakhosi* and *iziphakanyiswa* were also granted the status of peace officers, with power to arrest, search or seize in this capacity (see page 701 of Act). Apart from these more controversial sections, most of the Act reiterates aspects of law already in place, with the KwaZulu Minister in the role previously given to the head of the national government. For example, although the Zulu king is accorded the status of *ingonyama*, or paramount *inkosi*, it is the Minister, in consultation with the Cabinet, who has the power to recognize, appoint or depose any *amakhosi* or *iziphakanyiswa* (see page 700 of Act).[16]

The other piece of legislation that has remained important into the post-apartheid period is the KwaZulu Ingonyama Trust Act of 1994. This Act was passed by the KLA a few days before the first inclusive national elections in April 1994, as a last ditch effort to prevent land in KwaZulu-Natal from coming into the hands of the new ANC government.

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[15] Albeit with the support of the Nationalist government.

[16] After the end of apartheid, the KwaZulu-Natal regional assembly passed a provincial Act on the House of Traditional Leaders that confirmed the powers of the traditional leaders as granted in the KwaZulu Amakhosi and Iziphakanyiswa Act. The provincial government also gave itself veto power over modifications to customary law made by the national government. On the national level, a 1995 Amendment to the Amakhosi and Iziphakanyiswa Act extended it over the newly formed province of KwaZulu-Natal.

The Act established a trust under the control of the Zulu king which contained all land previously held by the KwaZulu government. This included around 93 percent of the land in the KwaZulu Bantustan, including townships, government buildings, roads, dams and parks. The law has been subject to review at the national level, and amendments were eventually made by the national government in consultation with the provisional one. However, the amendment has done little to change the legislation and rural land remained vested in the chiefs. This final act would go on to influence attempts at tenure reform legislation, with early drafts having to exclude the Ingonyama Trust land due to political pressure.[17]

Bringing Chiefs into the Post-Apartheid Period

The overall direction of legislation since the Union has tended towards the establishment of traditional leaders as administrators of government policy in reserve areas. The 1927 Act was the first to lead conclusively in this direction with the establishment of reserve and the chiefs as tax collectors and limited administers of customary law. Although in some areas this meant a renewal of chiefly status, this law was less of a change in Natal where traditional leaders had long been accorded administrative roles under Shepstone. Also, the 1927 Act established a Native Affairs Department (NAD) and the state retained the ability to modify customary law and to appoint and depose traditional leaders by proclamation. This left communities with no recourse to parliament or the courts when challenging the edicts of NAD. By the time of the 1951 Bantu Administration Act, poverty and unrest in these rural areas had created a crisis for the administration of the reserves. Through the implementation of the

[17] Later iterations of this legislation will be discussed in Chapter 3.

Bantustan system, reserves were put on track to independence and the administrative power of traditional leaders was further enhanced.

The role of traditional leaders in enforcing state policies was particularly hard-hitting with respect to the conservation measures of the Betterment Act, which included land usage restrictions and cattle culling. This legislation, and the traditional leaders who implemented it, became a major focus of rural dissent during the 1950s and 1960s. As the KwaZulu Bantustan gained further independence from the central state, in the 1970s legislation was passed to increase the powers of the chiefs as enforcers of the new Bantustan authority, including the power to ban gatherings and serve as police officers. The authority of the Bantustan government was made evident through the powerful Inkatha movement, headed by Chief Buthelezi, which called for a return to tradition, as defined by the movement. The continuing power of Inkatha in the political realm has extended conflicts over the role of traditional authorities into the post-apartheid period, as attempts to create new national policies have been either counteracted by provincial legislation, or fought on the national arena by the chiefs. Overall, this has given the traditional leaders in this region considerably more authority than would have been expected, either in contrast to other regions of South Africa, or in consideration of past legislation incorporating the traditional leaders into segregation and apartheid administrative structures.

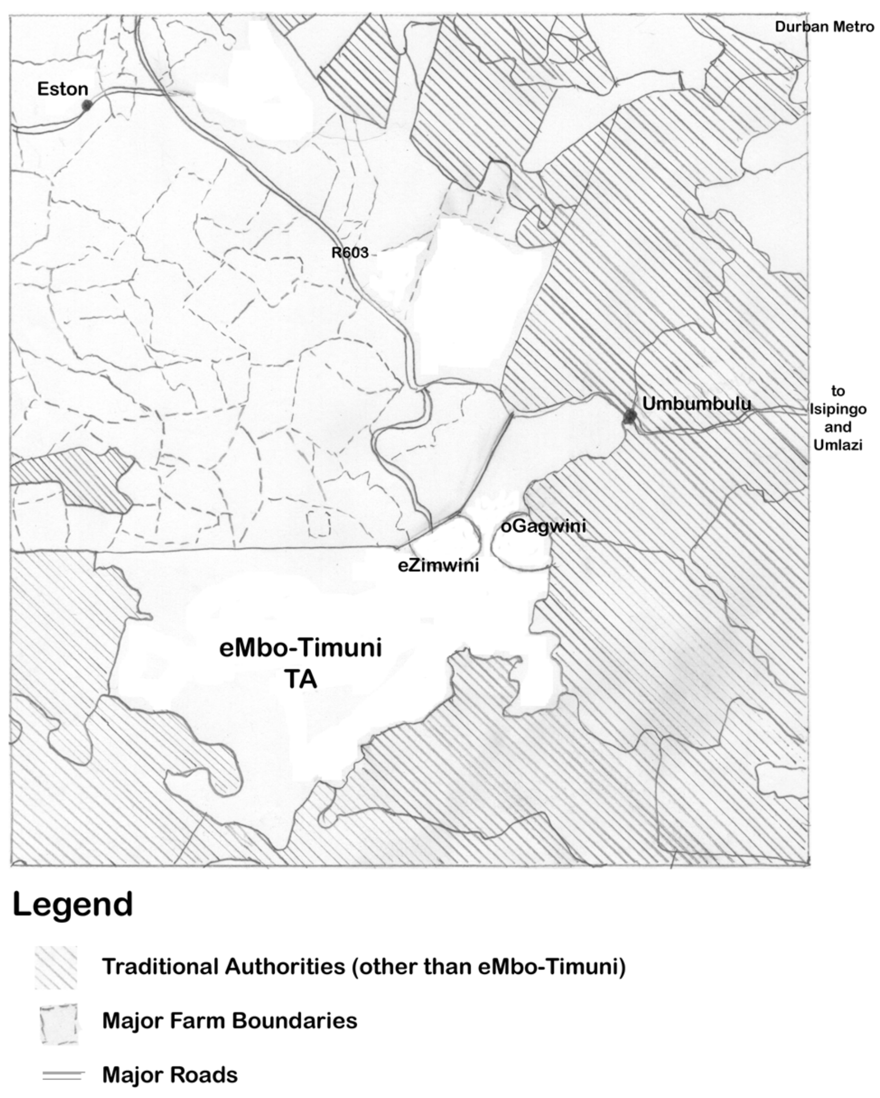
Conducting Fieldwork in EMbo-Timuni

Located not far from Durban, the people of eMbo were well positioned to be affected by and participate in the far-reaching economic and political changes of the 19th century. EMbo was one of the largest chiefdoms incorporated in the colonial state of Natal in the 1840s. The neighboring Traditional Authorities such as Makhanya and Toyana are smaller and there is some evidence to suggest that the eMbo chiefs gave permission for these groups to settle in the area. The Makhanya, for example, were only consolidated as a political unit with an appointed chief under the Natal colonial administration (Reader 1966). The initial area settled by the abaMbo was undeniably much larger than the current boundaries of the Traditional Authority, but pressures on the land quickly arose as population density increased. The large size of eMbo angered many of the white settlers who pressured the government to break it into smaller pieces, in hopes of appropriating some of the land held by the people of eMbo. After the Bambatha rebellion of 1906 the eMbo *inkosi* was deposed by the state and then returned some years later after protests. Soon thereafter a succession dispute in the 1920s and 30s led to violence and displacement and another division of the chiefdom (see Sithole 1997 for an account of the conflict). Today there exists a cluster of Traditional Authorities in the region that consider themselves related to each other and a part of eMbo, but the two largest and primary eMbo Traditional Authorities are eMbo-Timuni and eMbo-Nkasa, with both *amakhosi* being descendants of the two who fought over succession in the 1930s.

EZimwini and oGagwini, where I carried out this study, are inside the boundaries of the eMbo-Timuni Traditional Authority. The eMbo-Timuni Traditional Authority has

Figure 2.2 – Map of the region

Map
of Region Between
Umbumbulu and Eston



Adapted from the Department of Local Government and Traditional Affairs' Development Planning maps for the Mkhambathini Municipality in the uMgungundlovu District, located at: http://devplan.kzntl.gov.za/MapsGis/maps/DC22/A4/KZ226.pdf

a population of approximately 17,000, based on a rough estimate using census data from the municipality and wards. These 17,000 people were under the jurisdiction of one chief,

although there were numerous other traditional authorities who were appointed by the chief who ruled in certain regions or carried out specific duties within the entire region. The chief lived in oGagwini alongside one of his primary deputies who was also an elected ANC councilor in that area. EZimwini was also home to a traditional councilor. The elected councilor for the ward that eZimwini was a part of lived in another part of the ward. EZimwini and oGagwini had several thousand people living in them, based on a very rough estimate taken from voter rolls at two polling stations in the region.

While it may be possible to refer to these locations as towns or villages, neither designation is entirely accurate due to the dispersed settlement pattern. Residents live in multi-unit households and maintain fields directly adjoining these households. Houses and roads are not built on any type of grid but rather placed according to land availability and preference. Of all the communities[18] within eMbo-Timuni, eZimwini and oGagwini are closest to the main paved road leading to Durban, and as such have the densest populations in the Traditional Authority. There are several major unpaved roads that are maintained by the state running through the area, as well as many smaller roads that have been created and maintained by those living alongside them. Population density in these areas is partially attributable to migration from other parts of the Traditional Authority, with most of these migrants either fleeing political violence or attempting to set up residence closer to roads and urban areas. There are several areas that have been emptied out as residents fled from political violence. A smaller group of residents were dispossessed from their land due to the race-based policies of the former state and sought

[18] For lack of a better term, eZimwini and oGagwini will be called communities. However this term will be subject to further analysis.

out land in eMbo-Timuni. Most of these people had been farm workers with sharecropping arrangements who were dispossessed by white landowners.

The boundary that is so clearly marked between eZimwini and the neighboring commercial sugarcane farms was established as early as 1850 when the land was granted by the colonial state to white settlers. Despite these early land grants by the state, however, it is unlikely that these boundaries were visually evident in the 19th century in the same way that they are today. Many of the early European landowners were absent from their properties or did not put into production all of the land that they were granted.[19] In the second half of the 19th century, however, sugar mills were established and gradually these commercial farms turned into vast sugarcane estates. Africans living in the neighboring Traditional Authority did not plant sugarcane to sell to the mills until the 1970s, and then again the amount of land used for sugarcane received another boost in the decade after apartheid. The rest of the land under cultivation in the Traditional Authority is used for subsistence farming, growing starches such as maize, beans, taro, potatoes and sweet potatoes. Vegetable crops such as cabbages, tomatoes, onions and carrots are grown in limited quantities by those living near water sources or those able and willing to spend resources on fencing, seeds and fertilizer. In oGagwini, a recently established organic farming project sold taro to an upscale South African supermarket. Apart from sugarcane and taro, all other sales of produce took place within the informal economy and were based on surpluses and the monetary needs of households, rather than on regularly established transactions.

[19] This is backed up both by memories of local residents, and from old pictures kept by the current farmers of their ancestors that showed vast empty stretches of land that no longer exist today.

The semi-autonomous chiefdoms during the pre-colonial period that formed the basis of some of the current Traditional Authorities have at times been referred to as clans due to the centrality of kinship as an organizing principle for these political units (Gluckman 1940). Clan affiliation, designated by surname, still guides certain customs such as marriage taboos and hospitality obligations. Membership in pre-colonial chiefdoms, however, was not based on membership in a clan, and in similar fashion, living in a particular Traditional Authority in current times is not based on clan membership either. However, more often than not, one clan would provide the leadership of and majority of members within a chiefdom, frequently with a partner clan. EMbo, while ruled by the Mkhizes, also has a partner clan in the Ndlovus. A majority of those living in oGagwini and eZimwini were either Mkhizes or Ndlovus, yet there were several other clans with significant representation and a good deal of residents who had requested land either from the chief or from kin related through marriage who also lived in the area. For example, the voter roll for the ward that includes eZimwini listed 218 Ndlovus, 170 Mkhizes, 147 Shezis, 40 Ngidis and 35 other surnames that had between 3 and 16 registered voters each. A small number of those registered to vote were of Xhosa or Sotho background and lived in compounds on the neighboring commercial farms. However the majority of those registered were Zulus living in the eMbo-Timuni Traditional Authority. Many people still lived in close proximity to their extended family and could name family members that had lived in the region for over a century and a half. Names of locations and groups also frequently drew on kinship terminology. For example, eZimwini was known colloquially as KwaMahleka, meaning the "place of Mahleka," a well-known customary leader who served under Inkosi Mkhize.

Being located so close to Durban, this region has been economically dependent on migrant wages, supplemented by subsistence farming, for a long time. Because of the greater value placed on nearness to the city for access to urban wage labor opportunities, households have been relatively willing to give up land for cultivation to family members wanting to set up residence. As population density increased, the land under cultivation decreased significantly to the point where almost all of the families now buy more food than they grow in their fields. With the currently high levels of unemployment, cash is obtained through social grants from the state, temporary jobs, some small-scale commercial farming, and informal economic activity such as hawking. Most residents in oGagwini and eZimwini have limited access to cash and little saved income, but say that they are able to meet the basic needs of all the family members for food and clothing each year. There is some economic differentiation in the community, most evidently based on ownership of taxi and shop businesses. EZimwini also has a small section of about five related Mkhize families, one of whom is contracted by Illovo Sugar to run the local sugarcane business and all of whom own the largest consolidated section of land under sugarcane cultivation. Since the end of apartheid, phone service has been installed in these two communities but is only utilized by a few families who can afford the rates. The infrastructure to provide electricity and water is still awaited, and one potential project to install electricity was scrapped when residents could not come up with the necessary down payment required as proof that the installation would be profitable to the state-run utility ESKOM.

Jobs were scarce in this region and not particularly well-paid. Many people worked on the neighboring commercial farms both as seasonal and as full-time laborers.

However, they were also competing with the laborers that lived on the farms in housing provided by the farmers and that migrated for months at a time from the Eastern Cape to work. These laborers were predominantly of the Xhosa ethnicity and did not consider themselves to be a part of the neighboring Zulu communities. Meanwhile, residents of eZimwini and oGagwini who did not own their own businesses aspired to jobs within the formal economy in Durban. A handful of men worked for the South African Breweries and for Toyota—the two major employers in the industrial area south of Durban. Others had jobs as security guards, drivers, domestic workers, gardeners and other similar jobs. A small group of the most educated worked in civil service or in professions.

EZimwini was home to a high school and oGagwini to a middle school, so education was available to most of the families in the area. These schools consisted of well-built classroom and desks, but did not have electricity or plumbing and often lacked school supplies. Education was highly valued and most young people did attend the schools, although some families struggled to provide their children with uniforms and school supplies. Families that were more well off or maintained households in urban and peri-urban areas closer to Durban would often send all of the school age children to live in these households during the school year. Urban schools were considered to be significantly better and most people were familiar with the reputations of the various schools and the potential benefits from attending them.

While most of the families in this region consider themselves to be struggling economically, many nonetheless perceive themselves as better off than those living in urban and peri-urban informal settlements,[20] or in remoter rural areas, a differentiation

[20] Informal settlements is a term used in South Africa to refer to the many shanty towns that have sprung up outside urban areas since the end of apartheid. These informal settlements are usually on land that is not

that at times extends beyond economics into comments on values and morality. Many people had a distinct sense of pride in themselves and their family history, despite frustration over lack of opportunities for economic advancement. Education was highly valued and seen as the key to advancement, and yet as education levels have increased after the end of apartheid, a new generation of young people have found that ability to obtain jobs has fallen short of their expectations based on their educational attainment. For young women, the higher status jobs, such as nursing and teaching, that were formerly available to those able to finish high-school, are no longer attainable without further education. This region was never host to a mission station, unlike neighboring Makhanya, so divisions between the *izifundiswa*, or "educated," and the *amabhinca*, or "traditional," are not as strong here as they might be elsewhere. These terms generally refer to a combination of religion, education levels, and cultural practices. However in current times almost all children, both male and female, have attended school, and many Christian churches have become more open to and even encouraging of mixing non-Christian religious practices with Christian ones. Today most residents consider themselves to be among the *izifundiswa* and are relatively comfortable with their mixture of elements of practices that are considered to be more traditional or more modern. However, there are still a handful of families living in the area that are quietly referred to as *amabhinca*.

Inkosi Mkhize occupied a hereditary position as chief of eMbo-Timuni and he had the power to appoint other traditional leaders such as *izinduna* and traditional councilors, who served under him in various capacities and occupied non-hereditary positions. The

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owned or rented by the residents, but merely claimed through building temporary housing, most frequently out of sheet metal and plastic. As such, informal settlements rarely have services such as water and electricity.

inkosi received a salary from the state and *amakhosi* were represented in local government through various councils. *Izinduna* and traditional councilors were not salaried by the state. The election of local government also created government councilors who represented one of the main political parties, generally either the ANC or the IFP. Ostensibly intended to be the primary representatives of the state, these local councilors, as of the time in which this research occurred, were relatively minor presences in the area, to the extent that many residents could not even remember their names. One prominent exception to this was the *inkosi's* principal *induna* who also successfully ran for office as an ANC councilor. Although the councilors themselves were not always known figures, the political parties and their agendas were nonetheless well known in the area. It is likely that the influence of local councilors would increase quickly if services such as electricity and water were brought to the region and attributed to the state or to a political party.

Chapter 3 – From War Leaders to Freedom Fighters: Political Violence in the Waning Days of Apartheid

Introduction

In April of 1984, just outside of the residence of the eMbo-Timuni *inkosi*, a militia group of about 3,000 men formed and prepared for war against the Makhanya, a neighboring Traditional Authority area and another former reserve. The gathering took place over the weekend, so that the men who lived and worked in the cities during the week would be able to return to their rural homes and fight. After appropriate preparations, the militia proceeded on foot across the boundary between the two communities into the Makhanya area, fighting any men that they found and looting shops and homes. Forewarned of this event, most of the Makhanya women and children had fled the area and the eMbo fighters continued deep into Makhanya territory until they encountered the opposing militia at a place known as Sunduzwayo. Between 70 and 300 men, mostly from the eMbo militia, were killed in the ensuing battle.[21] Two years after this event, the Makhanya returned the favor, marching with a large militia into eMbo territory. These two battles marked the beginning and end of the eMbo-Makhanya war, as it was referred to in the area, during the mid-1980s. This war was remembered by residents as a time of tremendous fear and violence as residents struggled to go about their daily lives, from planting in the fields to traveling along the roads to work, living

[21] These figures are taken from oral testimonies of those involved in the fighting as well as the police. The death toll of 300 was given by the policeman in charge of picking up the bodies for transport to the morgue. Death tolls reported in newspaper accounts tend to be closer to 70 dead. However, most residents agree that 70 is too small and doesn't account for the many bodies that were either never found, or were only found weeks after the main battle occurred.

constantly in danger from smaller paramilitary groups that roamed the region throughout this period.

This war was widely referred to as a "faction-fight" and was regarded, both within the region and in public accounts of the violence, to be driven by local disputes that were unrelated to broader political events occurring at the national level. Meanwhile, by 1984, South Africa was entering its final decade of apartheid, a decade that would be marked by increasing levels of violence leading up to the first democratic elections of 1994. In the early 1990s alone, over 14,000 people are believed to have died as a result of the violence according to the South African Truth and Reconciliation Commission (TRC). And in 1990, just four years after the end of the eMbo-Makhanya war, one of the key Makhanya leaders, Sipho Mkhize, was shot by the police while in their custody, and just two years after that, Mkhize's teenage son S'bu, was killed in a large scale assault on a house in the nearby township of Umlazi. Both of these men were considered to be African National Congress (ANC) activists who were killed because of their political activities. Their deaths, and the violence that surrounded them in the late 1980s and 1990s were widely regarded as "political violence," popularly defined as fighting between political parties, with state involvement in and sponsorship of the violence, and distinct from the earlier "faction-fight."

This chapter will take a closer look at this period of violence in the Umbumbulu[22] area just before the end of apartheid. The violence will be examined particularly in terms of its ability to provide insight into forms of political organization and the shape of local governance in the region. In addition, the terminology used to describe and differentiate

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[22] Umbumbulu is a name given to the larger area of which eMbo-Timuni is a part of. The center of Umbumbulu stands at the intersection of eMbo-Timuni, eMbo-Nkasa and Makhanya and the main road through Umbumbulu also goes on into a major sugar producing area known as Eston.

the violence provides insights into how the state is being conceptualized both during the apartheid and the post-apartheid eras. Prevailing interpretations of the violence that focus on rivalry between political parties obscure the ways in which local power struggles among chiefs or strongmen, tacit state support for the rise of warlords, and the recruitment of young men through kinship and patronage networks were all important features of the political violence. Distinctions between political and criminal motivations were often unclear and those involved were widely seen by local communities as seeking power and wealth in addition to struggling for the ascendancy of their political party. In the post-apartheid period, many people continue to live as neighbors or under the authority of those they suspect of having victimized or informed on members of their kin and community, leading to a good deal of wariness and silence around discussions of politics and the history of violence. I will continue to explore these themes in later chapters that look at the implications of this cautiousness for political change in eMbo-Timuni.

Political Violence in South Africa

The struggle to end apartheid rule in South Africa occurred not only through direct actions, such as strikes, protests, and violence, but also through efforts to control the ways in which these acts were publicly represented both within the country and to the international community. In the early 1990s, during the time of final negotiations leading up to the elections, violence escalated in anticipation of a new distribution of political power, and the rhetoric used to describe and explain this violence became increasingly

important. While the apartheid regime pointed to the violence as evidence that the African majority would not be able to effectively rule the country, the ANC responded with the accusation that the apartheid regime was secretly sponsoring much of the violence through what they referred to as a “third force.” The political salience of these accounts of violence have continued well into the post-apartheid period as they have become inculcated into crucial national narratives of transition, reconciliation, and unity within the “new South Africa,” as the post-apartheid period is often referred to. In KwaZulu-Natal, where much of the violence occurred between groups claiming to be supporters of different political parties, namely the ANC and the Inkatha Freedom Party (IFP), these continued efforts to narrate the past, particularly concerning the nature of the IFP’s collaboration with the apartheid regime, have also been a significant component of the ongoing contest for political power in the province.

In the post-apartheid period, the process of accounting for political violence occurred primarily through the establishment of the South African Truth and Reconciliation Commission. Working within the constraints imposed by the pre-election negotiations and by the international community, the TRC’s mandate from the government was to create a record of human rights violations that occurred during the apartheid period through a public process of truth-telling that would lead to the dispensing of monetary reparations to victims and amnesty to selected perpetrators. Most remarkable throughout the rhetoric and reports that surrounded the commission, however, was the emphasis on healing and reconciling the nation through this process. As noted by Gellner (1983) and Ignatieff (1998), nationalist rhetoric often invests nations with collective memories or psyches as if nations were individuals. In this context, the TRC’s

goal of "healing the nation," through processes such as a therapeutic "truth-telling," becomes somewhat disingenuous. In writing about truth commissions, Shaw argued that "while mass violence certainly disrupts and transforms social institutions and practices, it is not valid to conceptualize these changes in terms of a damaged collective national psyche than can be healed through a cathartic process of truth telling" (2005:7). To an extent, this emotionally powerful rhetoric of healing can serve to disguise the lack of change within social institutions and practices in the post-apartheid period. Wilson (2001), argued that the emphasis on healing the nation suggested that the TRC functioned primarily as an exercise in nation-building, aimed at providing legitimacy to the current ruling elites, particularly in the face of the ongoing critique that little has changed for the majority of those who suffered under apartheid.

Shaw also argued that it is necessary to pay attention to the context in which truth commissions and truth-telling emerged as a popular means of dealing with human rights abuses. In Latin America in the 1970s and 80s the covert violence practiced by repressive states was effectively combated by exposing the truth and using it to hold political and military leaders accountable. However, Shaw suggested that this process of truth-telling holds less value for conflicts in which neighbors killed neighbors, and in which reconciliation involves a "different politics of memory" that she argued may as often take the form of forgetting as of remembering (2005). The political violence that occurred in South Africa, particularly during the final decade of apartheid, included elements of both "neighbor killing neighbor" and of covert state violence, and it was the latter that was the most frequently highlighted and easily handled by the TRC hearings. In the end, the efforts of the TRC to create a single and definitive record was a highly

contested process that involved considerable politicking at the national level, and there remained many incidents of violence that did not fit easily into the national narrative created to account for that period in history.

The extent to which the past is malleable and can be used as a political resource in the present is a topic that has long been of interest to anthropologists. As noted critically by Appadurai, anthropologists often make the assumption that, "the past is a limitless and plastic symbolic resource, infinitely susceptible to the whims of contemporary interest and the distortions of contemporary ideology" (1981:201). Appadurai argues that societies themselves impose limits on the elasticity of the interpretations of the past that are permitted. One limiting factor may emerge from the interplay between the historical record created at the national level and a more localized social memory of the past. The relationship between memory and the production of history in the context of remembering violence has been a subject of growing interest within anthropology (see Shaw 2002, Ferme 2001, Cohen 1994, Trouillot 1995, Feldman 1991). Trouillot and Cohen further argue of the need to understand how power shapes the production of history, and the way in which certain silences are produced. Ross' (2003) ethnographic study of South Africa's TRC, for example, examined how the creation of a narrative of political violence that revolved around women's status as victims of violence fixed a certain type of truth about these women that, in effect, silenced their roles and status as political activists. Most relevant for this chapter are the silences that have been created around the ways in which local disputes and structures of power played a part in instances of political violence. These local dynamics were often silenced, even within the memories of those recounting the violence, memories that have, at times, shifted

under the influence of the narratives of political violence created by the nation-building process.

To a surprising degree, the silences that have been created by the TRC process within South Africa, particularly regarding the local influences on the violence, have been largely unchallenged by communities. Perhaps one reason for this emerges from the difficulties in giving voice to pain and violence. Scarry's study argued that intense pain is "world-destroying" and not only resists representation through language, but actively destroys language (1985:29). In some cases, the imperatives of rebuilding local societies may require silence, as former combatants are reintegrated into families and communities.[23] In addition, the dominance of the national narrative of political violence may alienate, and over time shift, memories of the complexity of local factors that influenced and shaped eruptions of violence. Finally, this chapter will also argue that the violence was, at its root, productive for certain segments of communities, both economically, and in the production of identities (see also Gourevitch 1998, Scheper-Hughes and Bourgois 2004), and that the silences also function to maintain the power of local elites, in the same way that the national "truth-telling" process maintains the power of national elites. In the region around eMbo, where this narrative of violence is set, the productivity of the violence for some individuals is most clearly seen through an analysis of the continuities between the "faction-fight" of 1984-86 and the later "political violence." The eMbo-Makhanya war is consistently left out of national accounts of political violence, an omission that speaks clearly to publicly held definitions of the different categories of violence. And yet, for those living in the Umbumbulu region

[23] See Shaw's (2005) argument on "social forgetting" in Sierra Leone.

encompassing both eMbo and Makhanya, these periods of violence were experienced more for their similarities and continuities than for their differences.

Forms of Violent Conflict in KwaZulu-Natal

In order to theorize violent conflict in KwaZulu-Natal, it is first necessary to look at terminology and the way in which terminology has framed the conceptualization of violence. Of particular relevance to this chapter are the terms faction-fighting and political violence. Initially used to describe violence within and between chiefdoms during the colonial period, faction-fighting has since been used to describe most forms of violent conflict within African communities, irregardless of whether the participating groups are small units such as families or larger units such as chiefdoms or ethnicities. This usage of the term has a racial or ethnic component as it separates out and links together forms of violence where only Africans are involved as fighters. This conceptual association between the different forms of violence and race or ethnicity, implies that racial or cultural explanations for the violence must be sought, thus often disconnecting these forms of violence from broader political and economic processes.

In the 1980s and 1990s, the term political violence came into widespread usage to describe conflict between supporters of the ANC/UDF and those of Inkatha. This term was a deliberate attempt to reframe the violent conflict that was occurring mostly within African communities during that time period. At a time when many state representatives were dismissing any responsibility for the violence by referring to it as faction-fighting, the use of the term political violence, with its implications of state involvement, forced a

recognition of the broader political and economic processes driving the violence. However, the strict usage of the term political violence to refer to fighting between ANC/UDF and Inkatha has often led to conceptual divisions being made between forms of violence labeled as political violence and those labeled as faction-fighting. The conflict between eMbo and Makhanya, for example, is often left out of descriptions of political violence in the region during the 1980s and 1990s because the lack of political party affiliations on either side relegate it to the older and less politically correct category of faction-fighting. This division ignores the continuities between these different forms of conflict.

This division between political violence and faction-fighting is also reflected in Zulu terminology. Zulu-speakers have a general term for fighting, *izimpi,* which is then qualified as *izimpi zombango*, with *umbango* referring to disputes within families, among *amakhosi*, or between ethnicities, but not between political parties. This definition of *izimpi zombango* is effectively the same as the common usage of the English term faction-fighting. The Zulu term has at times been used by scholars such as Sithole (1997) as a less biased alternative to the term faction-fighting but it fails to break down the divisions inherent in the idea of a culturally or racially applied term for all forms of group violence with the exception of disputes between political parties.

Most violent conflicts do not have a single cause, but rather multiple levels of causality, some of which are more visible to participants than others. Causes can be divided into structural causes that create situations of tension or conflict, and immediate causes, or events that trigger the outbreak of violence. Immediate causes identified by scholarship on faction-fighting in Southern Africa include disputes over political

succession or power (see Lambert 1994; Sithole 1997; Thomas 1972), a death during a quarrel, competition or social ceremony (see Beinart 1981), insults (see Argyle 1992; Phimister and Van Onselen 1979) and the actual or perceived abuse of a woman (Argyle 1992; Thomas 1972). Often a period of violent conflict between two groups can have several of these immediate causes or triggers. Some structural explanations for faction-fighting include land shortages caused by state dispossession (Clegg 1981; Lambert 1994; Minnaar 1991; Sithole 1997), unequal or neglectful treatment of chiefs by state officials (Beinart 1981; Lambert 1994; Sithole 1997), competition over resources (Phimister and Van Onselen 1979), long-standing enmity or unresolved quarrels between groups (Lambert 1994; Minnaar 1991; Sithole 1997) and a cultural penchant for feuding or warlike behavior (Argyle 1992; Thomas 1972). Structural causes can further be divided into those that look for factors internal to African communities such as feuding or longstanding enmity, and those that look for external factors such as colonialism and land shortage. Emphasis on internal or external factors has tended to be correlated with disciplinary divisions and the political positioning of scholars with respect to apartheid policies with only a few, such as Clegg and Sithole, attempting to combine both forms of explanation. Until the 1980s, faction-fighting was generally perceived as a rural problem (Minnaar 1991), although a few scholars, such as Breckenridge (1990) and Van Onselen and Phimister have examined the issue of faction-fighting in an urban context.

As violence spread rapidly through urban areas in KwaZulu-Natal in the late 1980s, early popular and state explanations focused on the violence as a new variation of faction-fighting with political affiliations marking the different factions. These explanations were contested by political explanations that focused either on poverty and

disruption by ANC youth or the existence of a “third force” emerging out of collaboration between Inkatha and the apartheid state (Byerly 1989; Freund 1996; Woods 1992). Freund also suggested that the violence be understood in terms of the breakdown of state structures, that the “possibility of violence, of the breakdown of law and order, stems from the decline and decay of apartheid as a coherent and articulated system” (1996:187). The 1980s were also marked by the rise of political strongmen that were critically referred to as “warlords” (Freund 1996; Minnaar 1992a). Warlords, as described by monitors of political violence, were Inkatha affiliated, gathered paramilitary groups around them, controlled territory, collected money from inhabitants of the regions under their control, and attacked ANC/UDF members. While much of the political violence was concentrated in urban areas, rural regions were also affected, particularly in the early 1990s during the height of the violence.

Local Explanations for the EMbo-Makhanya Conflict

Local explanations of the cause of the eMbo-Makhanya conflict in the mid-1980s are remarkably varied and rather vague. When questioned, many people simply stated that they didn’t know why the fighting occurred while others suggested it started over a woman, competition between youth groups, or that the “Makhanya wanted to invade and take our land” (Quoted from several interviews conducted in 2003). Newspaper reports during that time also reflect uncertainty over cause. The Sunday Tribune (Mthombothi 1984) reported that even fighters themselves are mystified over the cause of conflict while the Sunday Times (Harris 1984) cited many possible causes including fighting

amongst chiefs or revenge for killings that occurred a long time ago. This inability to clearly state a cause for the war is not unique to this particular conflict. For all of the handful of conflicts in the eMbo area over the last century, with the except for the 1930s succession dispute analyzed in Sithole's (1997) study, the cause of the fighting is unclear. Even eMbo-Timuni's Inkosi Langalasembo Mkhize, when asked about the cause of the eMbo-Makhanya conflict and another war with Toyana in the 1940s, waved his hand dismissively at the question and stated that it was "over a woman or something like that" (Quoted from an interview with Inkosi Mkhize, April 8, 2005).

These local explanations of conflict, as have been documented by oral testimonies, newspaper accounts, court documents, and some academic studies (see Argyle 1992; Thomas 1972) have often been used to reinforce stereotypes about certain chiefdoms, ethnic groups or races in popular imagination. Stereotypes that certain groups enjoy fighting or are prone to fighting at the drop of a hat are reinforced by the trivial or unclear nature of many of these local explanations of causality. Even Reader makes distinctions between the Mbo, whom he refers to as a "warlike people," and their "peaceful" Makhanya neighbors (1966:231). However, what only comes out in verbal testimonies is the lack of importance attached to many of these local explanations of causality. The dismissiveness of the *inkosi* in his response to the question of cause, for example, suggests that the question of "why" the conflict occurred is not the right question to ask. Instead, for the eMbo-Makhanya conflict, it is more useful to approach the issue of causality through an examination of the series of events that led up to the war.

In the early 1980s, there were numerous small conflicts occurring in different areas of Umbumbulu. Within eMbo-Nkasa, there were two conflicts, one centered in

Zwelibomvu and the other in Mpandwini. The conflict in Mpandwini originated in a power struggle over a newly appointed *induna*, Vivinya Shozi. After Vivinya gave up the position, his brother, Mkhandi Shozi, took over his position and his supporters, eventually succeeding where his brother failed to establish himself. Thereafter followed a brief period of peace before conflict broke out again at a social gathering between the young men of two singing groups. This incident is the source of the "youth singing group" explanation for the eMbo-Makhanya conflict, and yet this particular event only functioned as a trigger for a new outbreak of hostilities between groups that had been fighting for some time. At some point, the scope of the conflict began to broaden and it became known as the "Shozi" versus the "Mkhize" (Quoted from interviews conducted from 2003-05). As eMbo-Nkasa is an Mkhize chiefdom, it was not long before Inkosi Zwelinjani Mkhize became involved on the side of the Mkhizes and Mkhandi Shozi was obliged to flee with a large group of his supporters[24] to Makhanya.

Mkhandi Shozi was familiar with violent conflict from an early age, having lived through a conflict in the region during his childhood where his father was badly wounded and hospitalized for months. The young Mkhandi initially fled with his family and stayed in the forest to escape the fighting, and then later went to live with his Mkhize relatives in Makhanya. It was to these relatives that he fled after the destruction of his household and the burning of all his possessions by the eMbo-Nkasa Mkhizes after the escalation of the 1980s conflict in Mpandwini. From Makhanya territory, Mkhandi and his supporters then continued to launch forays back into Mpandwini and other neighboring areas and fought full-scale battles with the Mkhize militia. While the Shozi militia was usually smaller than the Mkhize one, the Shozis nonetheless were very

[24] Some people suggest around 60 families may have fled with Mkhandi to Makhanya.

successful in most of their battles and were greatly feared throughout eMbo. In the meantime, the Makhanya Mkhizes with whom Mkhandi took refuge were involved in their own fight with the Ndimandes within Makhanya. These Mkhizes also had a central figure, Sipho Mkhize, who was known as an effective fighter and organizer, and under his guidance the Mkhizes tended to win most of their fights. After being effectively defeated, the Ndimandes fled to their relatives in eMbo and continued to fight the Makhanya Mkhizes from their places of refuge in eMbo.

At this point, faced with incursions into their territory from enemies given sanctuary by their close neighbors, the two eMbo *amakhosi* prepared for war against the Makhanya. A call was put out to the men of both eMbo-Nkasa and eMbo-Timuni to meet at a certain location and time and when all were gathered, the men marched on foot into Makhanya territory. The Makhanya were aware of the gathering of the militia and formed their own militia under the leadership of both Sipho Mkhize and Mkhandi Shozi. As Makhanya is much smaller than eMbo, the Makhanya militia waited at the far side of Makhanya territory, so that the eMbo fighters were tired and dispersed by the time the two sides met in battle. The police attempted with limited success to separate the two sides and helicopters and tanks were called in to support the police.

The war between eMbo and Makhanya continued for just under two years, beginning and ending with major battles and continuing with smaller-scale fighting in the intermediate period. Most residents remember this as a time of great fear and large-scale violence. Taxi operators went out of business as residents were afraid to travel along

Figure 3.1 – Land that has been abandoned in the aftermath of violence

main roads through enemy territory to get into town. Criminals took advantage of conditions to steal from deserted households as residents took to sleeping in sugarcane fields and forests to avoid nighttime attacks. While the larger battles took place mainly between militias, with some looting of houses and shops, the smaller battles often involved hastily formed groups of young men attacking households during the night or early hours of the morning, killing all the men in the household and sometimes destroying houses or looting possessions and money. At times, the actions of these smaller paramilitary groups were indistinguishable from the actions of criminals who posed as members of one group or another in order to frighten away residents and steal their property. Stories also abound of mutilation and bodies that were never found

because of the sheer numbers of fighters involved and the way battles were spread across large areas of territory. The final push of the Makhanya militia into eMbo also resulted in the deaths of three out of the five policemen who went to try and stop the militia without sufficient backup and were ambushed and shot outright.

Land, Kinship and the Escalation of Violent Conflict

One of the most frequently cited structural causes of faction-fighting in the Southern African region was the shortage of land caused by state policies of racial segregation that relegated the majority of the population to a small percentage of the land. With the power of the chiefs dependent on their control over land and their ability to grant land to new subjects or expanding households, land shortages created a crisis in political authority. In their efforts to expand or maintain their power, during a time when boundaries were flexible, chiefs would often settle new households on the land of their neighbors, leading to situations of conflict (Clegg 1981; Guy 1979; Lambert 1994). These land-centered explanations highlighted issues of political economy and were important in counterbalancing more culturally based descriptions that explained conflict purely in terms of internal factors such as revenge ideologies or long-standing enmity.

Land as an explanation for faction-fighting, however, works more effectively for some fights than others, particularly for fighting between large groups such as chiefdoms or ethnicities. For example, Reader (1966) describes a conflict between eMbo and Makhanya during the early 1920s over their common boundary and Clegg's study of the Msinga district puts land shortage at the root of conflict between chiefdoms or districts.

The studies by Beinart (1981) and Phimister and Van Onselen (1979) add the dimension of ethnicity, and expand the issue somewhat to cover conflict over resources and land in urban areas. Sithole's (1997) account of the succession dispute within eMbo in the 1930s is the only example of a dispute within a chiefdom where land played a major role. However, the reason for the centrality of land was in part the anticipation of the division of the chiefdom and the need for the two sides to establish a boundary between them. Central to the outbreak of violence in most of these studies is also the role of state officials in treating the disputing sides unequally, and the lack of any higher authority that was perceived as legitimate to act as a mediator or judge between the two warring sides.

The explanatory power of land for rural conflicts has decreased over time as boundaries between chiefdoms have become more fixed and the ability of the chiefs or the government to alter boundaries has correspondingly declined. In addition, rural land has decreased in value as rural areas have increasingly become labor reserves dependent on migrant wages rather than on agriculture or livestock farming. Most rural families in Umbumbulu at present do not place a high priority on the acquisition of new land as they have neither the labor to work it nor the cattle to graze on it. Population dispersion patterns in the region also suggest that the value of land varies considerably according to its nearness to transportation with those areas further away from the road having a considerable amount of empty land. In addition, land in Mpandwini that was deserted during the conflicts of the 1980s remains empty to this day and no one seems inclined to return there and settle it. The Umbumbulu region is pocketed with empty regions of various sizes that were deserted during fights and never resettled. The one case of violent

conflict in Umbumbulu after the 1940s where land clearly played a role in conflict was the fight between Zulus and Mpondos in 1985 in Umbongintwini, Malagazi and KwaMakutha. In this case, the conflict was over urban and peri-urban residential land that was valuable for its access to jobs and other urban resources. Disputes over boundaries or conflict arising from land scarcity remain important as causes of some conflicts, but they cannot be seen as factors in all cases of conflict that are labeled as faction-fighting.

Long-standing enmity and the existence of a feud or revenge ideology have also been cited in both popular and academic discourses as common causes of faction-fighting (Argyle 1992; Clegg 1981; Thomas 1972). These more culturally-based explanations focus on the commonalities of violent conflicts labeled as faction-fighting such as the role of social gatherings as trigger events and the widespread discourse of retaliation or revenge. Argyle argued that faction-fights and political violence should both be understood as feuds due to the serial nature of episodes of violence, the existence of corporate groups within larger political structures and the importance of revenge as a shared value. Clegg's more detailed analysis of Msinga suggested that feelings of revenge were expressed through the concept that violent death created a debt that must be paid before the deceased can find peace and become a supportive ancestor. Hence, he suggested, warring districts would keep count of the dead and say that their opponents "owed" them a certain number of bodies (1981:191). Clegg's detailed description provides an important account of the cultural mechanisms by which revenge is justified or understood, but it not clear the extent to which such factors may drive conflict, or merely be features of it.

Based on oral testimonies from the Umbumbulu region, the concept of longstanding enmity, which has been applied to the region by many newspaper accounts of the fighting, has very little apparent explanatory power. Faction-fighting in Umbumbulu has occurred on many levels, including between small groups of young men, families, lineage groups, villages, larger groups within chiefdoms, between chiefdoms, and between ethnicities. This ability to segment on so many different levels means that groups who are fighting against each other in one conflict are allies in another. For example, Sipho Mkhize is often spoken of as a main instigator of violent acts against the people of eMbo and yet eMbo residents will turn around and express approval of his actions in defending the Zulus in the area against the Mpondos in the ethnic clashes along the South Coast during the mid-1980s. This segmentation is difficult to reconcile with the idea of longstanding enmity. In addition, residents of eMbo and Makhanya, who live and work as neighbors, have considerable movement between the areas and express no ill-will towards each other. As long as there is no ongoing source of tension, there is no evidence to suggest that residents of the two regions harbor any enmity towards each other.

Social gatherings such as weddings and funerals are likely to serve as focal points of conflict not because of the gathering of old enemies, but rather because they are the only times in rural areas where large numbers of people are concentrated in one location, making them good occasions for mobilization or targets for attack. In addition, the consumption of alcohol often leads to the development of small quarrels that escalate afterwards. One issue that is not given much attention is the role of kinship in the escalation of violence. Clegg found in Msinga that "factions" tended to form around

district loyalty or geographic affinity rather than kinship (1981). However, the use of kinship to describe factions is a striking feature of most oral accounts of faction-fighting in Umbumbulu. While "causes" of conflict are rarely offered up unless asked for, conflict that occurs within chiefdoms is inevitably described using the names of the major families involved. For example from the early 1980s, the conflict in Zwelibomvu is referred to as the Khwela fighting the Magcaba, while the conflict that started in Mpandwini is called the Mkhize versus the Shozi and the fighting in Makhanya is labeled as the Mkhize versus the Ndimande. These surnames usually reflect either the dominant or the original group involved in the conflict. The members of the group often have different surnames, but can trace some kinship relationship with the original disputants. It is only when the fight becomes a "fight between chiefs," that it becomes "eMbo" versus "Makhanya" rather than "Mkhize" versus "Shozi" (Quoted from interviews conducted from 2003-05). Verbal accounts of conflict in the Umbumbulu region also suggest that it spreads through the incorporation of ever broader kinship networks into the groups fighting. An attacked family may flee and take refuge at the homes of their relatives, who are then brought into the fight. In addition, retaliation killings often do not target those directly involved in the fight, but rather any relatives of those involved in the fighting who are available. For example, during a Shange-Mkhize fight in the early 1990s in eZimwini, a young Ndlovu man was shot by the Mkhize group because he was visiting his grandmother whose mother-in-law was born a Shange and was living in the same household.

While it is clear that kinship plays a part in the escalation of conflict, more detailed research would be needed to answer questions such as the degree of relatedness

required before someone was considered a target. Older anthropological texts suggest the existence of several different levels of corporate groups within Zulu political hierarchies such as lineage groups. It is doubtful, however, with higher levels of mobility today, that these kinds of corporate groups could be formed beyond a few generations of co-resident family members. Anecdotal evidence suggests that the determination of kin to be targeted or to flee to for sanctuary depends on issues such as memory, opportunity, friendship, and the extent to which a given conflict has spread. It is unlikely, for example, that the young Ndlovu shot by the Mkhizes at his grandmother's house would have been sought out if he had remained at his house about half a mile away. His targeting was also a result of opportunity. In addition, the spread of the Mkhize-Shozi conflict in Mpandwini during the 1980s was made more rapid by the closer relationship of one group to the *inkosi* of the region, and the *inkosi's* willingness to get involved, thus throwing the entire chiefdom into conflict. Therefore it is important not to overestimate kinship as a factor. Most residents have a variety of loyalties or identities that may be called upon to take sides in a dispute, including territorial affiliation, kinship, marriage alliances, friendships, political affiliation, chiefly affiliation and ethnic affiliation. However, kinship seems to have received little attention relative to its comparatively large role in the initial escalation of conflict, often turning small disputes between individuals or small groups into large-scale conflicts.

Experiences of Violence

> In the morning of the 1986-11-18 at or about 04h30 I was still in bed at my kraal. I heard noise from outside in the vicinity and I also heard gun shots being fired. I then got out of my hut. Outside I noticed that all people in the area were running away being chased by other people and I realized that it was an impi attacking our people who were unaware of this attack. I then walked out of the kraal yard just a few paces away from my kraal I saw Mkhandi Shozi who was carrying a big firearm and I noticed that it was not a home made fire arm it was a real one, Mkhandi was following people who were running away. I then realized that this was Mkhandi's impi which was attacking us or our people. Then I went home where I informed all young men of our family not to go out of the houses because Mkhandi and his impi was charging. I then went to a nearby kraal where I heard a female crying. On my way I was attacked by two men who were Mkhandi's followers and one of them hit me on my left face with the handle of [a spear] asking me the whereabouts of our young men. I sustained some bruises, they then walked away. (From the Statement of Badlinziwe Ngcobo, resident of Mpandwini, Umbumbulu Court Records, Inquest 214/86)

While the eMbo-Makhanya conflict is generally described in terms of large-scale battles between militias, the war was also characterized by smaller scale violence in between the major battles. This smaller scale violence also preceded and followed the war for an unmarked period of time and was characterized mainly by attacks on households during the night or early morning. Umbumbulu court documents from the mid-1980s through the mid-1990s document case after case of attacks similar to the one

described above. Groups of men, from as few as two to as many as a hundred would attack households, killing residents and sometimes destroying the houses by hitting walls, doors and windows with weapons. In addition, many homes were looted and money or firearms were demanded. There are a few accounts of women killed or raped in these attacks, but for the most part the men alone were targeted.

In some of these nighttime attacks, such as the case above, the attackers were identified and associated with a known conflict in the region. Many cases, however, involved unknown assailants with unclear motivations. Politics, local disputes, or theft, the motivations behind many of these attacks are unclear both in the court documents and in the oral testimonies of residents in the region who refer frequently to the "thieves" that terrorized their communities. At times, people would come through an area calling out that a paramilitary group was coming and then return in the night to steal from the homes of people who had fled into the forests or fields to hide. In other cases, such as the example below, assailants identified themselves as the police or the army in order to convince residents to open their doors before killing or robbing them.

> During the night of 1985-12-04 at or about 20h00 I was at my kraal in the company of the deceased and I was just retiring to bed and I put the lamp off. The door was bolted from inside and just then, I heard a hard knock at the door and a person from outside spoke saying that they were police and that they were searching for unlicensed firearms and this person ordered the deceased to open the door and this person was calling the deceased by his surname of Shezi. The deceased got up and he opened the door but all of a sudden I heard a sound of a

> gun shot…I could see that there were only two unknown males who were standing at the doorway, and these two persons were armed with certain objects although I did not see clearly because it was dark. When the deceased opened the door, these persons grabbed the deceased and pulled him out of the house and walked away with him saying that they were taking him to Umbumbulu police station. When I cried out one of them told me to shut up, I got out of the house and ran away towards a different direction and I did not see what happened to the deceased again. (From the Statement of Bahlolisile Shezi, resident of oGagwini, Umbumbulu Court Records, Inquest 96/86)

This incident bears a remarkable resemblance to numerous accounts of political violence that have been told from around the country. And yet it is notable that this account from Umbumbulu takes place in 1985, which was several years before political violence between the ANC/UDF and Inkatha reached this region.

While the police and army did raid rural homes at night looking for weapons, the majority of those who identified themselves as police or army were not members of the armed forces. There are also reports of attackers identifying themselves as Mkhandi's group, while nonetheless being groups that Mkhandi Shozi himself denies any affiliation with. In later years, groups would call themselves ANC or Inkatha and demand membership fees from household residents. This concept of demanding money to help the fighters has a long history. When a fight was occurring in a particular location, residents were generally required to contribute money towards the purchase of weapons, ammunition and medicine to strengthen the fighters. These contributions were rarely

considered voluntary and those who tried to avoid them were often killed. In the late 1980s and 1990s, however, despite the claims of young men to affiliation with factions or political parties, Umbumbulu residents persisted in calling these young men soliciting money at night "thieves." In many respects, residents themselves were involved in reframing the violence by calling the young men thieves rather than members of militias, thus delegitimizing their violent acts. In general, however, most residents were often in the position of being unclear themselves as to the motivations behind these attacks on their places of residence.

Another prominent feature of violence in the region that also contributed to the escalation of violence was the enforced conscription of young men into the militias. Residents recount the tremendous pressures on families to send their men to join in the fighting and refusing to fight was widely considered a death sentence. Court documents also include numerous accounts of enforced conscription. One 16 year old, Sibusiso Nene, relates how he was forced to join a paramilitary group of about 120 men led by Mkhandi Shozi who attacked several homes and murdered the male residents (Inquest 215/86, Umbumbulu Court Records). Other inquests relate incidents such as a young man being forced to join a group attacking the home of his pregnant girlfriend or accounts of the targeting of men who were not joining in the fighting. One eZimwini resident commented that, "some of the incidents took place during the weekends but I sometimes didn't go. But no one knew that, otherwise they would have killed me" (Quoted from an interview conducted in 2005). Accounts of nighttime attacks on households often started with the forced recruitment of young men to swell the ranks of

the attackers. In addition, attackers often forcibly recruited those known to the family targeted as a ploy to draw people out of their houses or convince them to open their doors.

The late 1980s and early 1990s also heralded the onset of more organized political violence. It was during the late 1980s that Sipho Mkhize began to act openly as an ANC member, recruiting a group of armed supporters and setting up people's courts. During the 1990s, there were many attacks on the KwaZulu police and on prominent ANC or Inkatha members in the area who were formally linked to and supported by political parties. These attacks tended to be focused in certain regions such as Makhanya, eMbo-Nkasa and the Umbumbulu town where prominent political leaders were more active. In other areas, such as eMbo-Timuni, the concerted effort of local traditional leaders to keep politics out of their areas and the lack of open activism succeeded in limiting the spread of violence.

It would be a mistake, however, to dismiss eMbo-Timuni as an Inkatha-affiliated area where traditional leaders simply suppressed dissent. Rather there are indications that traditional leaders tried to play both sides and avoid drawing the area into the conflict. Inkosi Mkhize was said to have both refused to send young men from the region for weapons training by those working with the apartheid regime, and to have chased off their land those where were reported to him as ANC activists. Traditional leaders had a variety of different affiliations and many of the community leaders who spoke of stopping the young men from demonstrating in the area were card-carrying members of the ANC who hid their political affiliation and didn't engage in activism. The *inkosi* himself was known for attending the rallies of both political parties during the 1980s and 90s and is now considered an ANC supporter. Today these community leaders speak

proudly of their ability to control the youth and prevent the spread of overtly political violence into eMbo-Timuni. This did not mean, however, that the area was completely free from violence. All regions were subjected to a certain level of violence, particularly in the form of these nighttime attacks on households that blurred the lines between political, criminal and other forms of violence.

Warlords, Legends, and the "Third Force"

> I saw Mkhandi Shozi who was in possession of a long fire-arm and a cane knife…It was obvious that he was the leader of the group because he was blowing a whistle and giving the order to attack and retreat to the group. (From the Statement of Shayiwe Maphumulo, resident of Nkanyezi, Umbumbulu Court Records, Inquest 218/86)

> I remember one day when Sipho Mkhize was still alive, I think one of his people was arrested or taken by the police, I think it was his driver at Umlazi bus station. He came, it was my first time to see him, I was in the office and he said I am Sipho Mkhize…Then we discussed about things that happened at Umbumbulu. He was open. He told me that one day they used to say that he is a troublemaker but he doesn't know because he is afraid of the police. He used to buy meats and go and give it to the police. He used to sit with the station commander. And so I went to the station commander and asked him why do you say this man is involved in the fights there and they said well that man is very clever. When

there is a fight in Umbumbulu or some other people are going to fight he used to buy meat, liquor and drink and go to the police station and say let's have a [barbeque] so that the people would concentrate on the meat. (excerpt from an interview with a retired KwaZulu policeman, name withheld)

Each and every one was afraid of him. When they say it's S'bu, it's S'bu, he is coming, they would run away because he would kill each and everything that comes in his eyes. (excerpt from an interview with a retired KwaZulu policeman, name withheld)

Violent conflict in KwaZulu-Natal during the 1980s and 90s was characterized by the central role of powerful male leaders who came to be known as warlords. The term warlord was used during the period of political violence as a critical appellation to describe Inkatha leaders in and around Durban who maintained control over a certain territory through paramilitary activity, the extortion of money from the people living under them, and the maintenance of a fearful or legendary reputation (Freund 1996; Kentridge 1990; Minnaar 1992b). Scholars such as Minnaar suggested that warlords were exclusively a characteristic of Inkatha supporters and that the ANC supporters were more likely to take the form of youth groups or comrades. However, most of the powerful male leaders described in this chapter were ANC affiliated and met many of the criteria of warlords. The predominance of Inkatha warlords is probably due to the inability of ANC leaders to operate openly, particularly during the early 1990s. And, indeed, Umbumbulu leaders such as Sipho Mkhize and Mkhandi Shozi were either killed

or driven into partial hiding during the 1990s. Their role as warlords comes in part from activities undertaken either before they were openly affiliated with the ANC, or during their early activities as ANC leaders.

One of the key structural conditions that allowed for the proliferation of warlords during this period was the subcontracting of violence by the state. The term the "third force" was coined in the 1990s by ANC leaders who were convinced that the military security forces and the state police were involved in much of the violence between Inkatha and the ANC/UDF. Since then, it has been established that the security forces and police were involved in recruiting, training and arming Inkatha members to fight against the ANC/UDF in urban areas in KwaZulu-Natal. As noted by Stephen Ellis, the State Security Council, as early as 1985, discussed the creation of a third force to counteract what they saw as a revolutionary war occurring within the country's boundaries. On the one hand, specialists within the police and the military who had previously participated in the border wars and in activities to destabilize neighboring countries were now turning these skills on countering revolutionary forces within South Africa. Secondly, the State Security Council noted that, "the forces of revolution should not be combated by the security forces alone, but also by 'anti-revolutionary groups such as Inkatha…or the ZCC [Zion Christian Church] as well as the ethnic factor in South African society'" (Ellis 1998:274). The ANC, meanwhile, was focused on controlling urban areas, which they saw as the key to overthrowing the apartheid regime. As Inkatha tended to be strongest in rural areas of KwaZulu-Natal, it was often to these rural areas that the apartheid regime turned in order to find leaders to fight against the rising power of the ANC in urban areas. This situation created the structural conditions within which

conflict not only was allowed to occur without state hindrance, but also flourished, as it became productive for those engaged in it. In a time of high unemployment, men who were effective at perpetrating violence were often recruited, trained, armed and funded by the apartheid regime. The ANC, in return, escalated its own levels of violence, training recruits into its armed wing known as Umkhonto we Sizwe (MK) and eventually forming self-defense units. During the early 1990s, many urban areas in KwaZulu-Natal became divided into territories controlled by either the IFP or the ANC/UDF and the IFP areas in particular were known for being controlled and exploited by leaders widely referred to as warlords.

The Umbumbulu leader with the longest political history was Sipho Mkhize, and yet he was known throughout the region as much for his effective fighting skills as for his political affiliations. Besides acting as a leader in fights occurring local to his place of residence, such as the war between eMbo and Makhanya, he was also frequently sought out by groups further away as a powerful war leader who could potentially turn the tide of a battle. Outside of the eMbo-Makhanya war, he is best known for having fought against the Mpondos in the ethnic clashes that occurred in Malagazi, Umbongintwini, and other areas along the South Coast in 1985. What is not as well known, however, is that he gained his fighting skills when he went abroad to be trained as a member of MK. Living in Lamontville in the 1960s politicized Sipho, and after receiving training from the ANC, he did considerable traveling throughout KwaZulu-Natal and the Eastern Cape in his capacity as an ANC operative. Continually faced with the threat of state violence, Sipho also trained his entire family in the use of weapons.

While a good portion of his activities were undoubtedly ordered by the ANC, it is clear that Sipho Mkhize was also engaged in many fights that were unrelated to his ANC affiliation and that he created allies based on his role as a strongman rather than his politics. During the fight with the Ndimandes and the eMbo-Makhanya war, for example, he was a close friend and ally of Mfungelwa Ngcongo, who was to become an Inkatha warlord in later years. Evidence suggests that it is unlikely that these earlier conflicts were in any way related to Sipho's ANC affiliation. Nonetheless, his military training and his ability to procure more deadly weapons had a decided impact on these local conflicts, both in terms of the escalation of violence, and in his ability to turn himself into a local strongman. Sipho gathered followers around him who were undoubtedly armed and often worked for him in his taxi and shop businesses. Many of these followers were also likely to have been kin. Although there is no way to know whether or not Sipho was directly involved in any extortion of the people living within his sphere of influence, he and Mkhandi Shozi are widely credited with making money out of fighting. Residents of the region suggest that fighting was prolonged by the ability of the leaders to profit from it through the collection of protection money and other local sources of funding. In addition, it is likely that Sipho's reputation both protected and gained privileges for his various business ventures.

It is clear that one of the reasons for the emergence of rural strongmen such as Sipho Mkhize and Mkhandi Shozi was that the apartheid regime was less willing to suppress or punish them during the 1980s due to their hopes of recruiting such figures to fight the ANC/UDF in the urban areas. And there is no doubt that during the late 1980s, Sipho was able to establish himself quite effectively as a leader in the Makhanya area.

He also spoke once to Mkhandi Shozi about attempts by the apartheid regime to recruit him to fight the ANC/UDF. For the most part, Sipho lived openly and maintained a working relationship with the local police in the hopes of keeping himself out of trouble. However, as he became more known as an ANC figure, it was this very relationship with the police that was to be his downfall. Upon hearing that he was sought by the police in June of 1990 in connection with the death of a policeman, he showed up at an appointed time at the station in Umbumbulu for an interview as he had done many times in the past. At this point he was unexpectedly seized and put into a van for transport to Umlazi, a destination he was never to reach. He was shot on route, most likely execution style, by a notorious KwaZulu Policeman named Siphiwe Mvuyane, who was almost certainly trained and supported by the apartheid regime.[25] This betrayal of Sipho Mkhize embittered the local community and became a local legend, as it marked the end of any open ANC activity in the area and the escalation of violence leading into the early 1990s.

The early 1990s was a time of high-level negotiation towards a transitional government but escalating violence on the ground. This time period saw the final push of the apartheid state and Inkatha forces to create no-go areas for the ANC/UDF and the ANC's creation of self-defense units to keep the apartheid state and the Inkatha out of ANC areas. In the Umbumbulu area, former allies now became enemies as Inkatha and KwaZulu Police members harassed the family of Sipho Mkhize, assaulting those attending his funeral, burning down his house, and killing associates and members of the

[25] Siphiwe Mvuyane was known for indiscriminate killings and for his likely collusion with the South African Police's (SAP) Security Branch. By his own account, he killed "more than twenty but not more than fifty people" before being killed himself and he was often seen working with the SAP (Report: Obstacle to Peace 1992; Truth and Reconciliation Commission Report 2003).

Mkhize family (Human Rights Commission Area Repression Reports, June 1990 and August 1991).

Figure 3.2 – The remnants of the house of Sipho Mkhize

Sipho's eldest son, S'bu, became a public figure after the death of his father, but he was a very different form of political activist from his father. Trained in Umtata in the Eastern Cape, he spent the two years after his father's death targeting and killing numerous Inkatha members, warlords, and KwaZulu Police, particularly those he felt were responsible for the death of his father. S'bu never controlled territory, being always on the run, but he did have a following of young men and was both widely loved and

widely feared, particularly by the local police. Legend has it that he used to operate primarily from a van that he had modified by upgrading the engine and replacing the back seats with an open area from which to fire weapons. He would then travel around, often shooting at people from the back of his van before speeding off. Stories of his exploits range from full on attacks on police stations to bombs set off at Inkatha funerals. The police searched for S'bu during this time period, sometimes killing those they suspected of hiding him (Human Rights Commission Area Repression Reports, March 1991). In November of 1991, S'bu, after several previous attempts, was finally successful in killing Mfungelwa Ngcongo, an Inkatha warlord and former ally of his father who helped burn down the Mkhize house after Sipho's death. After Mfungelwa's death, S'bu focused his activities on Umlazi, trying several times to kill Mvuyane, the KwaZulu Policeman who shot his father. On September 9th, 1992, S'bu and one other young man were killed in Umlazi during a full-scale police attack on the house in which they were hiding. As word spread that S'bu had been killed, police from all around Umlazi came by in order to view his body.[26] He was just 19 at the time of his death.

Much has been made of the role of revenge in S'bu's actions and whether or not he can be regarded as a politically motivated fighter. In fact, it is S'bu's story that is used by Argyle (1992) in his paper's closing paragraph as unshakable evidence for his conclusion that political violence must be understood as feuding with cycles of revenge and retaliation similar to faction-fights. However, while revenge may have been a strong part of S'bu's motivation and his selection of targets, this does not mean that his acts of violence did not also function as instrumental violence, furthering the aims of the armed division of the ANC. From around 1987, the ANC had realized that the warlords were

[26] Taken from an interview with a retired KwaZulu Policeman, name withheld.

responsible for much of the destabilization of KwaZulu-Natal and had begun a policy of either recruiting or killing these warlords (Sithole, personal communication). This policy was not unlike that of the apartheid regime, which also attempted to either recruit or kill warlords, as seen in the case of Sipho Mkhize, who was only executed once it was clear that he was committed to the ANC and would not be turned. These policies meant that powerful men, affiliated with either political party, were primary targets for both sides, thereby encouraging these men to accumulate even more power and weapons in order to defend themselves. S'bu Mkhize lived in a different time than his father and his involvement in violence must be correspondingly understood. While Sipho was initially able to befriend the police despite their political differences and remain visible, S'bu knew that the only way for him to remain alive was to stay on the run. Undoubtedly he felt that his level of violence was proportionate to the violence directed at him. After all, at the time of his death, he was facing down several tanks, numerous well-armed policemen, and the surety that if taken alive, he would meet the same fate as his father.

Mkhandi Shozi had a rather different history from that of the Mkhizes. Unlike Sipho, Mkhandi was never politicized in an urban context or trained by the ANC. Instead, Mkhandi's primary political influence was Sipho Mkhize himself. From their early acquaintance, Sipho warned Mkhandi that the apartheid regime might try and recruit him to fight the UDF in the same way that they had tried to recruit Sipho because of his role as a powerful fighter and a potential warlord. During the time of the conflict in Mpandwini and the war with eMbo, Mkhandi felt that the police and the government did not treat him sympathetically. Widely perceived as the aggressor, Mkhandi felt himself to be misunderstood, claiming that he was only defending himself in the context of

having been challenged in his authority as *induna*, burnt out of his house, and then forced to flee to his relatives in Makhanya. In addition, Mkhandi felt strongly the need to protect his supporters, and was frustrated by the arrests made by the police of his fighters. Sipho Mkhize, unlike the government and the police, supported him throughout, gave him sanctuary, and simultaneously introduced him to the ANC.

Figure 3.3 – Mkhandi Shozi showing us the major battle sites

The KwaZulu government in Ulundi was familiar with Mkhandi due to their attempts to negotiate peace during the eMbo-Makhanya war, and in the late 1980s, Mkhandi was invited to visit Ulundi. While there, he met with an assistant to Buthelezi

who asked him to go to Hammarsdale where there was a big fight occurring between Inkatha and UDF youths. He was told to try and make peace with the UDF, but if he was unable to do so, he would be given weapons, including bombs such as hand grenades and land mines, and he would then lead the KwaZulu Police in the fight against the UDF (taken from an interview with Mkhandi Shozi, April 7, 2005). Fearing for his life, Mkhandi agreed and spent a few months in Hammarsdale, with his *izinduna* from Mpandwini, talking with the UDF youths. After returning to his home in Mpandwini, he was called to the police station at Umbumbulu where he met with a visiting white man who called himself the magistrate of Msinga. The white man, who was almost undoubtedly a member of the police's Security Branch or an equivalent within the military, then attempted to recruit Mkhandi to fight against the UDF by offering him weapons, money and a house. According to Mkhandi, "they said to me, Mr. Shozi, you have conquered the fights here. Because you have conquered most of the fights we want to make an award to you to give you the weapons to destroy everything related to the UDF" (quoted from an interview with Mkhandi Shozi, April 7, 2005). Mkhandi refused and he was told that if word ever got out about their conversation, he would be killed. After this conversation, fearing for his life, Mkhandi went into hiding.

During his time in hiding, Mkhandi remained officially unaffiliated, but he was still sought after by the police and his family was harassed. When eventually caught, he was brought up before the magistrate and banned from the region indefinitely. He was sent up north of Durban to work under a local induna throughout the late 1980s and early 1990s, although he continued to return secretly to Umbumbulu and visit both Sipho and S'bu Mkhize while they were still alive. It is not clear how much contact Mkhandi had

with ANC members other than the Mkhize family during this time. However, when he was officially allowed to return to Mpandwini, sometime after the death of S'bu but before the 1994 elections, he consulted an ANC lawyer who pressured him to come out publicly as an ANC member. At the prompting of the lawyer, Mkhandi held a press conference, declared himself an ANC member, and began the recruitment of his followers to the ANC using his house in Mpandwini as headquarters. This public

Figure 3.4 – Mkhandi Shozi dressed in an ANC recruitment T-shirt in 2005

affiliation had consequences as he was subsequently harassed by the police and local white farmers. In addition, in 1995 or 1996, he was ambushed and left for dead in his

driveway and several other ANC members visiting his house were killed. The attackers were local Inkatha members, and some of them were his former allies from the days of the Mkhize-Shozi fight. Mkhandi survived this attack after months in the hospital and continues today to recruit for the ANC. He has also been appointed as an *induna* in his area at a higher rank than his previous appointment in the early 1980s. Although he has not been attacked since 1996, he still lives under threat and carries a personal firearm, as well as traveling with at least one of his supporters armed with a rifle.

Continuities and the Productivity of Violence

Traditional explanations for faction-fighting and political violence do not fully explain violent conflict in Umbumbulu during the 1980s and 1990s. In the case of the war between eMbo and Makhanya, it is clear that the two areas saw themselves as semi-independent political units that were threatened by incursions into their territory from enemies given sanctuary by their neighbors. Both eMbo and Makhanya were subject to the higher authority of the state and they lived and worked as peaceful neighbors for most of their history, and yet when conflicting groups began to cross the boundary between the chiefdoms and launch attacks across that boundary, these smaller conflicts quickly developed into a much larger-scale conflict between the chiefdoms. Secondly, the escalation of this war in the mid-1980s can only be understood in retrospect by later events which showed the previously unknown affiliations and expertise of individuals such as Sipho Mkhize and Mkhandi Shozi. Powerful leaders, with different forms of military training, these men were likely given some leeway by the apartheid regime in

establishing themselves as local warlords due to the fact that both the apartheid regime or the Inkatha and the ANC/UDF were hoping to recruit them to fight in the larger struggle for control of the province.

Kinship has proven to be an important factor in the spread of small-scale fighting in the Umbumbulu area. In particular, the choice of targets, the escalation of conflict through the act of taking sanctuary with kin, and the naming of conflicts all highlight the issue of kinship. However, kinship diminishes as a factor in larger-scale conflicts. To a considerable extent, this is likely dependent on the manner in which the recruitment of fighters occurs. In general, kin may call upon other family members to support them in a fight. The size of this network depends on the spread of the conflict. However when the *amakhosi* become involved, recruitment shifts to a new level, happening through the *izinduna* calling upon ties of loyalty to the chiefdom, rather than to ties of kinship. In addition, leaders such as Mkhandi Shozi and Sipho Mkhize may have started out recruiting among their kin, but probably expanded over time as they attracted allies drawn to them for other reasons such as fighting skills or attraction to power. Political violence then represents a new form of loyalty and recruitment that allows for even greater levels of mobilization, this time to political parties that, in theory, exist outside of the structures of the *ubukhosi*. In practice, however, these political parties and their leaders used existing structures of authority, including the *ubukhosi* to recruit and bind their followers. In addition, warlords with political affiliations continued to attract those drawn to their power as well as their political beliefs.

Perhaps the most important continuity in these forms of violence, however, is the way in which the violence became productive of livelihoods and identities. The existence

of professional fighters who were supported by the community through the extraction, whether peaceful or forceful, of protection money, has been a feature of much violence in KwaZulu-Natal. In Clegg's (1981) study of conflict in Msinga during the first half of this century, he recounts the formation of what he refers to as *amashinge*, or assassination squads composed of professional fighters that were supported by the community and were responsible for most of the ongoing violence. The payment of protection money was a major feature of conflicts in Umbumbulu, but it was also evident that Sipho Mkhize's reputation as a fighter also helped gain preferences for his business ventures as well as attracting loyal followers who both worked and fought for him. In addition, violence was supported financially both by the apartheid regime and the political parties, such as the ANC, who were attempting to overthrow the apartheid regime. Beyond the economic aspects, however, violence was also productive of identities. Guy and Thabane's study of the Ma-Rashea showed how violence was used to create group solidarity in an alienating urban context that was based on an ethnic and a rural sense of identity. In Umbumbulu, violence as productive of identity was seen most clearly in the case of the young fighters, such as S'bu, who was a legendary figure among the youth and often regarded as a local Robin Hood.

S'bu saw himself as belonging to a youth subculture known as *amapantsula* and was a contrast to the *amatsatsatsa*, another youth subculture that was subscribed to by the young IFP policeman Siphiwe Mvuyane, who killed S'bu's father. Dlamini (2005) explained these subcultures according their ways of socializing and participating in politics. The philosophy of the *amapantsula*, she noted, was based on the Black Consciousness movement and contained also elements of struggle and defiance against

state control over social practices. The *amatsatsatsa*, on the other hand, emphasized racial and cultural integration. However, while Dlamini associated the ideology of the *amatsatsatsa* with the ANC's philosophy of racial inclusiveness, in the Umbumbulu region, it was the more struggle-oriented *amapantsula* who were associated with the ANC/UDF. S'bu, always dressed in the casually stylish loose pants and sneakers of the *amapantsula*, was known for his loud music, defiance of the police and for the smart cars that he would steal and drive around in. Legendary stories circulated among the youth of his ability to avoid the police and bypass roadblocks meant to catch him through the use of disguises as well as his taunting of the police over their airwaves after they failed to catch him. However, while many young people worshipped S'bu, and he had a considerable loyal following among young men, the violence which followed him also created fear within the community as many unaffiliated bystanders were often caught up in the fights between S'bu's followers and the IFP members that he was targeting. In this context, S'bu represented both the political revolutionary and the criminal and he occupied a somewhat ambiguous position within the community that both suffered from and romanticized his actions for their defiance of white wealth and power under apartheid. Siphiwe Mvuyane, on the other hand, was also known for his style and youth appeal. As a more socially conservative *itsatsatsa*, he wore smarter clothes but also played loud music of a different style and attracted young men as followers and fellow IFP members. As noted by Dlamini (2005), the *amatsatsatsa* were more interested in relationships with white people and defined themselves as against criminal activity.[27] In Mvuyane's case,

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[27] Most of Dlamini's informants were ANC affiliated *amatsatsatsa*, so it is important to note here that the connections between political parties and these youth subcultures were complex and defy easy associations. It is clear that the *amatsatsatsa* were associated a form of social conservatism while the *amapantsula*

however, he became involved in state-sponsored violence, and was known for execution-style killings of ANC/UDF members.

The labeling of different forms of conflict as faction-fighting or political violence has often resulted in very different approaches being taken to the study of these forms of violence. However, examples from regions such as Umbumbulu, where both faction-fighting and political violence occurred in quick succession, suggest that there is much to be learned from studying these forms of violence side by side. The history of figures such as Mkhandi Shozi and Sipho Mkhize, as they went from being war leaders to ANC freedom fighters, suggest that the causes of the eMbo-Makhanya war and the later political violence cannot be understood separately. In addition, the form of violence in the region, from battles between militias to small-scale attacks on households, remained very similar despite the transition from faction-fighting to political violence. At its root, political violence entailed a new form of loyalty and mobilization that had a complex relationship to previous forms of mobilization and resulted in some shifts but many continuities in the nature of violent conflict in the region. Characterizations of political violence in the 1990s in KwaZulu-Natal often associated youths with the ANC and older warlords with the IFP. However, evidence from Umbumbulu suggested that these associations were somewhat more complex. War leaders and youth groups for whom violence was productive has driven violent conflict in the region even before the period of political violence. Examining the circumstances of the late 1980s and 1990s that made violence particularly productive of livelihoods and identities remains crucial in

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defined themselves more in terms of defiance. However, both defiance and social conservatism existed together in the ANC and IFP political movements in different forms.

understanding how political violence was able to become so widespread in KwaZulu-Natal during this period.

Ushering in the Post-Apartheid Period

Towards the end of my research I was talking over dinner one day with a long time ANC activist from eMbo. I asked him if he had ever met Mkhandi Shozi, and to my surprise he mentioned that during the first elections in 1994, he was assigned the task of driving Mkhandi and his warriors around the area at night to campaign on behalf of the ANC. Apart from his own discomfort and fear that he might be targeted for this activity, he also questioned the impression that was being made by the ANC's association with Mkhandi. How, he said, could you join a party when you know that a murderer is also in that party? People, he suggested, were undoubtedly confused by this.

When the ANC moved into the government offices in Pretoria after the 1994 elections, they found themselves with empty government coffers, a vast state bureaucracy shaped by over a century of apartheid and colonial rule, and considerable international pressure to refrain from any redistribution of wealth that would potentially cause economic instability. In the realm of local government, pressures for political decentralization associated with neoliberal restructuring, meant that former reserves were integrated back into state municipalities even as the capacity and number of people employed by these municipalities has been drastically reduced. In reasserting political control and stability over former reserves and in garnering electoral votes, the ANC has

found itself making and maintaining alliances with those who already hold power in these regions.

The post-apartheid narrative that has been created through mechanisms such as the TRC to explain the violence tends to focus on political rivalry and IFP collusion with the apartheid state. This process of narrative creation, and of writing an official history of the new nation, has been important to the process of creating the new "imagined community" (Anderson 1983) as inclusive of groups previously not given citizenship and of incorporating their struggles to gain these rights. The Truth Commission was most successful when dealing with violence directly perpetrated by the security forces of the apartheid regime, such as the torture and murder of detainees. When the violence actions of IFP warlords came under scrutiny, the IFP started accusing the ANC of being unwilling to make public their role in sponsoring violence and both parties ended up backing down from demanding accountability. The efforts of the Truth Commission to create a single and definitive record was a highly contested process and there remained many incidents of violence that did not fit easily into the national narrative that was created to account for that period in history.

In the end, the explanations for the political violence focused on the role of men such as Mkhandi, Sipho and S'bu as "freedom fighters" who were struggling to overthrow the apartheid regime. Their role as war leaders, however, has been silenced. These complexities illustrate the subtler and longer history of the connections between violence and centuries of policies around land and indirect rule that draw on histories of colonialism as well as of apartheid. It is these subtler power dynamics that have shaped rural political authority for over a century, that have not been accounted for in the

transition from apartheid and that continued to influence political and economic reform today.

While the end of apartheid was a major achievement, the transitional process has not yet finished playing itself out and my work suggests that a more conscious and structured effort is needed to allow for local participation in processes of reform and to prevent these processes from being dominated by those who already hold political power. Local communities are increasingly being defined in the post-apartheid period as "traditional communities" under the jurisdiction of chiefs. However, this construction relies on silencing a long history of struggle against attempts to restrict the access of black South Africans to land and political rights through any system except that of the chiefs. Memories of violence and collusion with the apartheid state by powerful members of these rural communities are also pieces of history that are tightly wrapped up in silence and disabling of true reform, particularly as the stakes of belonging to these rural communities increase in light of growing poverty.

Chapter 4 – The Politics of Land Reform: Tenure and Political Authority

Introduction

In the post-apartheid period, issues of land restitution and tenure reform have proven to be especially contentious. The centrality of the relationship between indirect rule and control over land by customary authorities has made land legislation very closely tied also to political reform, particularly in the former reserves. This chapter will look in detail at a land reform meeting in eMbo-Timuni as a means of exploring the relationship between tenure and political authority. I will also look at the impact of new legislation around land and how it does or does not reflect actual land tenure practices. The reality of tenure in practice suggests that the role of customary authorities in controlling land has actually been declining in the light of rapid economic changes. Post-apartheid legislation, on the other hand, has accorded customary authorities considerable roles in the reform process. This chapter will also explore the implications of this revival in the role of chiefs in controlling access to land.

Land Reform Meeting

> We are here to talk about a very important and sensitive issue. Today God has brought us together that we may share our different views on the land which was taken away from us without any notice. It was very disrespectful to the *amakhosi*

> what Afrikaners did to us, taking away our beautiful land and sending us to live among the cliffs and uneven land.
>
> We are doing this to help each other get our land back, and we are helping the *amakhosi* of that time to have their dignity restored, for the grandfathers and grandmothers who were abused, physically and emotionally, by being removed from their homes. We are doing it so that they can be proud that the children of today still remember how their grandparents suffered. So today we all have to work together because this is not the *inkosi's* land alone, neither is it the community's, but it belongs to both the *inkosi* and the community. (Excerpt from a translation of a public meeting in oGagwini on May 14, 2005)

In May of 2005 an urgent meeting was called by Inkosi Mkhize in his courthouse in oGagwini, to discuss how those present at the meeting might insert themselves into South Africa's land reform process. Some years after the end of apartheid and without any sign of land redistribution in the region, Inkosi Mkhize and other local leaders had stopped working on the land claim that they had begun to file on behalf of the people of eMbo-Timuni. Then, in 2005, as the attention of the provincial Department of Land Affairs (DLA) turned towards this rural region in southern KwaZulu-Natal, these same customary leaders scrambled to reengage with the process. As they soon discovered, however, most of the privately-owned commercial sugarcane farms bordering eMbo-Timuni were already being claimed by a civil society group known as the Masibuyele Emakhaya Community Trust, led by a man named M.J. Mkhize. The Masibuyele Trust

was distinctly different in form and composition from the small group that gathered at oGagwini on that day in May. Only residents of the eMbo-Timuni Traditional Authority who were under the jurisdiction of the *inkosi* were present at the meeting. The Masibuyele claimants, on the other hand, were widely drawn from the Umbumbulu and Eston areas and did not share any common identity as members of a TA. In addition, their leader, M.J. Mkhize, did not hold a customary leadership position. Having been formed independently of any state institutions, including those associated with the customary authorities, Masibuyele most closely resembled a civil society group. The group in oGagwini, on the other hand, came together as members of a TA to form a land claim under the leadership of the *inkosi*.

During the meeting in oGagwini called by Inkosi Mkhize, there was a significant amount of confusion, and ire directed at the figure of M.J. Mkhize from the *inkosi*, who felt that the Masibuyele claim was a threat to his political authority as an eMbo chief, and also from local residents concerned about being left out of the land reform process. As one customary leader noted, “a major portion of our land has already been claimed by an unknown person called M.J. Mkhize…this is confusing because we thought the *inkosi* was the one who claimed the land” (Excerpt from a translation of a public meeting in oGagwini on May 14, 2005). Participants in the meeting discussed at length the implications of the rival Masibuyele claim, touching on issues of jurisdiction over land after apartheid and the possibility of conflicts arising from land redistribution. There was also considerable speculation whether M.J. Mkhize’s leadership in the land claim process was a bid for customary power on his part.

Figure 4.1 – Land claims meeting

Chairperson: If it happens that the so-called M.J. Mkhize owns the land, we would like to see him and we would like him to show us that he is also an *inkosi*. If that is so, he and the *inkosi* would have to talk together as *amakhosi* of eMbo. I would like to ask the *inkosi* to make some kind of arrangement to meet with him. There shouldn't be any fights even though he came at this in the wrong way. Maybe the *inkosi* can solve this, and we can meet here again, but this time in peace. Thank you.

> Mr. Dlamini: I would just like to say, let us not be scared because this will lead us backwards. We must not take Mr. M.J. Mkhize as our enemy. I have met with him in the meeting we had on Wednesday and Thursday and he is not the problem. I even know his parents. He saw a chance and he took it because he saw that we are ignorant. In other words I don't think he was fighting with the *inkosi*. His mistake was he did not contact the *amakhosi*. To the *amakhosi*, he is just a stranger. They don't know him, but he is not an enemy. He was trying to get back the land of our forefathers. Let us not worry about that young man because we will get nowhere. Let us go forward.
>
> Mr. Shozi: I think this young boy is trying to take our land. He was at the meetings. I confronted him and he pretended to be an *inkosi*. (Excerpt from a translation of a public meeting in oGagwini on May 14, 2005)

Several speakers at the meeting assumed that M.J. Mkhize, by leading a land claim, must be setting himself up as a rival to the *inkosi*, a perception that Inkosi Mkhize clearly shared. Later in the meeting, Inkosi Mkhize threatened that, "[M.J. Mkhize] must agree to have his name removed from the papers at Pretoria and if he continues with his nonsense, we will kill him" (Excerpt from a translation of a public meeting in oGagwini on May 14, 2005). Another participant at the meeting, Dlamini, suggested alternatively that M.J. Mkhize was not attempting to gain political authority, but was taking advantage of an opportunity to organize people and gain land for the wider black community now that apartheid had ended. Dlamini was arguing for a different understanding of the

political community, based on race and having emerged out of the struggle against apartheid, rather than based on allegiance to the *inkosi*. In addition, Dlamini's use of terms such as going "backwards" versus going "forwards," and his comment that "we are ignorant," suggested that he was calling upon older divisions between Christianized or "modernized" Zulus, known as the *amakholwa*, and the "traditional" Zulus. By placing M.J. Mkhize within this framework, he was attempting to explain M.J. Mkhize's negligence in informing the *amakhosi* that he was organizing a claim as the oversight of a more "modernized" Zulu, rather than due to any desire to challenge the "traditional" political authority of the *inkosi*.

Clearly perceiving the potential for conflict, meeting participants also expressed reservations about the benefits of claiming land compared to the disadvantage of being embroiled in a conflict.

> Mr. Ngcongo: If you want us to register to claim the land, then whose land was it in the first place? If it was the *inkosi's* land, then it should be his. But if each person is given a piece of land, we would rather choose the R21000[28] [the government's monetary compensation for restitution claims] because land causes conflicts. When I first came here, people were being killed for the land and so people should forget about claiming the land.
>
> Customary Leader: You are right, the land did belong to the *inkosi*. …choosing the money is the wrong option. We must all unite and chose the land…Let me

[28] Monetary compensation provided by the government for land varies and it is unclear where participants at this meeting got the figure of R21 000.

> just state the fact that we as your leaders want you to choose the land. When we receive the land, if you still want the R21000, you can get it from us and we'll keep the land. (Excerpt from a translation of a public meeting in oGagwini on May 14, 2005)

For many of those present, the potential for conflict outweighed any positive benefits from additional land, especially if that land would be under customary tenure. Most individuals at the meeting already had access to land under customary tenure within eMbo-Timuni for both residential sites and a limited amount of farming, and therefore would only receive peripheral benefits from any expansion of the eMbo territory as envisioned by the *inkosi*. Ngcongo's carefully phrased comment - that "if the land was the *inkosi's* land, than it should be his, but that if land is to be distributed individually, compensation would be preferred" - reflected the uncertainty among the meeting's participants regarding both the role of the *inkosi* and the future distribution of any land gained through restitution. The customary leaders argued strongly in support of claiming land rather than monetary compensation by calling on people's loyalty to the community and the ancestors and by tying the return of the land to the restoration of the community's dignity. While they were asking participants to join as individual claimants for restitution, the references of the customary leaders to "community"[29] land implied to those present that any potential restitution of land would be subject to claims for jurisdiction by the *inkosi*. In this context, the *inkosi* and other customary leaders undoubtedly saw the land

[29] The term 'traditional community' has gained popularity in politics as a way to refer to rural people living in a TA under the jurisdiction of customary leaders.

reform program as an opportunity both to reassert their historical authority over land, and to expand the amount of territory under their control.

Throughout the meeting, participants continually referred back to the possibility of accepting monetary compensation in lieu of land from the government while customary leaders kept returning to issues of land and political authority. In this impoverished rural area, residents were eager to participate in the restitution process because they saw an opportunity to gain something from the state, and to receive compensation for their suffering under apartheid. However, attitudes at the meeting suggested that the acquisition of new land was not, in and of itself, a high priority for anyone except for the customary leaders. Land was viewed more as a political resource than an economic asset. The importance of land as a political resource in Africa has long been highlighted by anthropologists, since Bohannan noted in the 1960s that in African societies "the political aspect of land – land as a territorial dimension of society – is dominant" (Bohannan 1964:134). Customary leadership, however, represented only a historically small part of the local politics of land in eMbo-Timuni, and current tenure practices there suggest that the influence of local customary leaders over land had been overstated. Within most TAs throughout KwaZulu-Natal, customary leaders had been widely regarded as responsible for allocating land that was open, either because it had never been allocated, or because it had been left empty by families that had moved away and given up their claims to land. However, as most of the land in eMbo-Timuni had been allocated by customary leaders decades ago, the exchange of land today occurs primarily between current residents and those requesting land for a place to live, with only minimal reference to or consultation with customary leaders. Recent national land

legislation, however, ostensibly created to promote democracy in rural areas, has given customary leaders a central role in the allocation of land, a concentration of power that they have done their best to reinforce.

Land and Customary Authority in Historical Perspective

The confusion expressed at the meeting in oGagwini over who has the authority to claim land under the government's land reform program stemmed, in part, from the history of land tenure in the region. For most of the last century and a half in southern KwaZulu-Natal, two different systems of land tenure have been enforced by the state. One centered on private property, while the other created a trust, under which land was held by "tribal" groups and customary leaders controlled its distribution. These tenure systems emerged out of the system of indirect rule established during the second half of the nineteenth century in colonial Natal. The implementation of indirect rule throughout Africa, by incorporating customary leaders into colonial administrations and creating "tribes," frequently hinged on legislation related to customary land (Berry 2002:643-4). As the authority of customary leaders was often predicated on their ability to grant land to their followers, the success of indirect rule then relied on the ability of colonial states to support the role of customary leaders in land allocation. However, the implementation of these colonial land policies was uneven and highly contested. In Natal, despite attempts to confine Africans to the reserves under the rule of customary authorities, there was, in reality, considerable diversity in land holding practices. Many Africans lived and paid rent on land owned by the state or by white absentee landlords, outside the

jurisdiction of customary leaders. In addition, some Africans, including a few customary leaders, were able to acquire land as private property and to obtain citizenship and voting rights. This led to the development of a group known as the *amakholwa*, who lived outside chiefly jurisdiction and owned land privately or lived and farmed on mission stations. This division between the *amakholwa* and the "traditionalists" who lived under customary leaders, was echoed in the comments defending M.J. Mkhize during the meeting in oGagwini in 2005.

In 1913, three years after the Union of South Africa was established, the Natives' Land Act extended the system of reserves to the entire country and restricted African land ownership to these reserves. This legislation ushered in a new period of land evictions as communities living outside of the reserves were targeted for forcible removal, and those who owned land as private property were stripped of their rights without any compensation. The reserves constituted only 13 percent of the land area in South Africa and consisted, especially in its western half, of some of the least desirable land in the country, much of it unsuited for agricultural production. Additional legislation aimed to consolidate the administration of reserves under the authority of customary leaders. This was an uneven process due to existing variations in "native administration." While colonial administrators in Natal favored a form of indirect rule, colonial administrators in other regions of the country had attempted to undermine the power of customary leaders. For example, in the Eastern Cape, the Glen Grey Act of 1894 allowed for the establishment of District Councils to rule over communities of freehold farmers who lived outside the jurisdiction of customary leaders (Ntsebeza 2005:64-6). Under apartheid, the 1951 Bantu Authorities Act spearheaded a further push to standardize

governance structures in the reserves under the authority of customary leaders appointed and supported by the state, and used to implement unpopular "development" schemes. In particular the notorious "betterment" planning involved villagization, cattle culling, the imposition of agricultural practices, and other unpopular measures.

In many areas of the country, rural resistance targeted customary authorities and their role in allocating land and enforcing betterment and other state policies (Mbeki 1964; Delius 1996; Ntsebeza 2005). As the tempo of the struggle against apartheid accelerated in the 1980s, civic structures were set up by organizations affiliated to the United Democratic Front (UDF), with help from the South African National Civic Organisation (SANCO), to take over some of the duties of customary authorities. While most resistance to customary authorities focused on the authoritarian nature of their powers, often described by Mamdani's (1996) term "decentralized despotism," there was also considerable resistance from rural residents who had been living as freehold farmers or rent-paying tenants for generations and resented the sudden imposition of new leaders appointed by the state. Drawing on the language of modernity, many of these communities referred to the rule of customary leaders as a movement "backwards," as can be seen in the comment by the prominent rural activist Govan Mbeki, who noted that, "If Africans have had chiefs, it was because all human societies have had them at one stage or another. But when a people have developed to a stage which discards chieftainship…then to force it on them is not liberation but enslavement" (Oomen 2005:3).

However, the ability of customary leaders to act as "despots" varied considerably throughout the country due to variations in local circumstances and the degree of

interference or control by the state in different regions (Hart 2002:69; Ntsebeza 2005:253). Correspondingly, rural resistance to customary leaders was also uneven, and in KwaZulu-Natal, burgeoning Zulu nationalist movements and cultural groups throughout the twentieth century often brought together the more "modern" *amakholwa* and the "traditional" customary leaders in uneasy alliances in order to access land and pursue distinctly modern projects such as "development" (Marks 1986; Marks 1989; Cope 1990; Cope 1993; Hart 2002). In addition, the implementation of unpopular development policies such as betterment schemes was uneven throughout the country and not all customary authorities were complicit in these ventures (see Moore 2005 for an analogous example from Zimbabwe). In eMbo-Timuni, customary leaders were never asked to implement the more disruptive aspects of betterment planning such as villagization, and were correspondingly less likely to experience resistance to their rule. The *inkosi* of eMbo-Timuni was also able to derive considerable authority from his predecessors' success in resisting attempts by the state to depose them during the first half of the twentieth century (see Sithole 1997 for details). Therefore, in eMbo-Timuni, rural residents were less apt to view customary leaders as "despots."

Customary Tenure in Practice

In practice, there has been considerable variability in the role of customary leaders and government officials in controlling the distribution of rural land in South Africa. This continues to be evident in the post-apartheid period, particularly with the establishment of municipal government structures throughout the country after the 1995/6

elections. These new municipal councilors created yet another group of office holders in rural areas whose jurisdiction over land was unclear. In Ntsebeza's (2004; 2005) accounts of tenure practices in the Eastern Cape after the end of apartheid, he found tensions over responsibility for land allocation between customary leaders and these newly elected councilors, many of whom were members of SANCO. He reports that many rural residents expected elected councilors to take over land allocation, but found that, in the absence of new legislation, government officials would only recognize land titles or transfers approved by customary leaders, frustrating the efforts of residents to escape the often inefficient and exploitative rule of these leaders. In another study of post-apartheid land allocation in the Eastern Cape by Fay (2005), residents insisted that they decided as a community how to allocate land and frequently resisted attempts by the local headman to demand more fees than the community considered appropriate for witnessing these land transactions. Further diversity in communal tenure practices have been examined in freehold or *amakholwa* areas by Hart (2002), and in Zimbabwe by Moore (2005) where the postcolonial government has continued to implement betterment-style development schemes leading to displacement and strife.

By contrast, in eMbo-Timuni, there was relatively little controversy over the allocation and control of land. One of the elected government councilors for the region was an African National Congress (ANC) member who also played a double role as the principal *induna*[30] under the *inkosi* in charge of land allocation. In eZimwini the elected councilor lived so far away that some residents did not even know his name or what his duties consisted of. Instead if questions over land arose they would turn to the local

[30] Commonly translated into English as 'headman', the *induna* is a customary leader appointed by an *inkosi*.

customary leader, who was called a traditional councilor.[31] If he could not answer their questions, he would refer them to the principal *induna* and ANC councilor from the neighboring ward.

Within eMbo-Timuni, unlike some of the previous examples from the Eastern Cape, there was no history of alternative leadership in the allocation of land. Civic structures were never established during apartheid, and there was considerable overlap between the recently elected municipal councilors and customary leaders. Despite this, however, evidence from actual practices suggested that the role in controlling land that customary leaders might once have exercised had been eroded by changes over the last half of a century, notably population growth and the reduced importance of agricultural production. EMbo-Timuni is an hour's drive from a major urban centre, and most residents had long relied on wages from urban work and social grants[32] rather than on farming. Referred to by Murray (1987) as examples of "displaced urbanization," reserves throughout South Africa were characterized by overcrowding, land degradation, minimal agricultural production and a reliance on migrant remittances. Similar trends in parts of East Africa were also noted by Shipton (1984), who claimed that scarcity of land to establish new households and to expand cultivation tended to correspond with a decline in the power of territorially defined chiefdoms and an increase in the control over land by segmentary lineages. As the population in parts of eMbo-Timuni increased, those who wanted to settle there turned instead to established residents to request land, which led to extensive subdivision of existing holdings. Surprisingly, this demand for residential land

[31] Traditional councillors are also customary leaders appointed by an *inkosi*, but they have less authority than an *induna*.
[32] Social grants include both pensions and means-based child support grants. This system of social welfare has been greatly expanded in the post-apartheid period, and most households in eZimwini and oGagwini had members who were registered for some form of social grant.

had not yet led to the development of a land market in eMbo-Timuni as has been described in studies of the effects of land scarcity on African tenure systems elsewhere (Peters 2004; Daley 2005; Chimhowu and Woodhouse 2006; Downs and Reyna 1988). Instead, most land allocation in eMbo-Timuni in recent decades has been based on social ties, particularly of kinship and marriage.

According to the general narrative of land ownership in eZimwini and oGagwini, land belongs to the *inkosi* and is allocated by his principal *induna*, T.Z. Maphumulo. Induna Maphumulo also resolves any inheritance or boundary disputes that arise. While using land was generally considered a requirement for holding onto it, practice was somewhat more flexible. As long as a family resides on or uses a part of the land that they have been allocated, it is unlikely that their ownership of unused sections would be challenged, even if these areas are not used for many years. However, if a family moves away and does not leave anyone living on the land, they are generally considered to abdicate their rights to it. Several households recounted making efforts to find distant family members to come and live on land when there were no heirs in order to hold on to it. For example, one man with two wives in two separate and non-contiguous households requested that his in-laws come and live with one of his wives, who had no children, because he wanted to keep the land that she was living on. He had planted some commercial trees on it and was concerned that if she moved in with his other wife, the *inkosi* would give the land to another family. On the other hand, however, a large piece of land in oGagwini that was empty and not cleared was known to belong to a family that had moved away, but had paid the *inkosi* a fee to keep the land open for them in case they decided to return at a later date.

Based on data collected in interviews with just over 100 senior members of households in eZimwini and oGagwini, surprisingly few currently resident families were allocated land directly by the *inkosi* or the *induna*. Several older residents knew that their families had received land from the *inkosi* after a succession dispute in the 1930s when the state divided eMbo in two and demanded that the followers of each *inkosi* relocate to the area designated by the state as belonging to each leader. A few other prominent families in oGagwini, including that of Induna Maphumulo, knew that their ancestors were allocated large amounts of land sometime between the 1930s and the 1960s. All of these families were given more land than they could use as there was no shortage of land at that time, and an expectation that the sons of those families would someday be able to use the surplus land. Over the last few decades, however, only two families recalled being granted land directly by the *inkosi* or *induna*, in both cases in the early 1990s. One family had been evicted from a white-owned farm, and the other family consisted of former residents who returned after fleeing during a time of political violence.

In contrast to the small number of recent land allocations by the *inkosi*, over one-third of currently resident families obtained land by asking other residents who would become their neighbors. These neighbors would grant land they were not currently using, thus subdividing their land. Subdivision occurred in a manner similar to inheritance, in that sons and occasionally daughters would ask their parents for land when they were ready to set up a household, which parents would then provide by subdividing their holdings. In fact, inheritance through the division of land after the death of parents was relatively rare; most land was subdivided earlier when a family member requested land, either of his or her living parents, or of his or her other siblings, to establish a new

household. Just over half of the resident families in eZimwini and oGagwini interviewed were living on land that was inherited, usually from father to son. Inheritance practices, however, showed a considerable amount of flexibility. While sons were generally expected to inherit the land of their fathers, and daughters to receive land from their in-laws after marriage, in practice a good number of daughters received land from their fathers or brothers upon request. For example, a married couple fleeing political violence or searching for a new home after being evicted from a farm would often turn to the women's relatives if they had land available. In addition, widowed women or those wanting to leave their husbands also requested land from their fathers and brothers. Even sons-in-law or brothers-in-law were used as a means of obtaining land by relatives who wished to live closer to the roads or needed to find a new place of residence. Most cases of land subdivision occurred between relatives with either kinship or marriage claims on the generosity of the land holders. It was very rare in these cases, no matter how distant the kinship claim, for money to be exchanged for the land. It was mostly in the exchange of land between non-kin that money was paid, and yet not every case of non-kin exchange involved monetary payment. There were only seven cases in the interviews conducted for this study where money was exchanged for land, and four involved fees of less than R500, while only three were payments of R1000 or more.

On the other hand, payments to the *induna* were relatively common. About a fifth to a quarter of the residents had paid the *induna* to witness the transfer of land. The fees seemed to have changed little over the years, and ranged from about R70 to R500, with the higher fees reserved for the witnessing of land transfers between non-kin involving monetary payment. There were no clear rules concerning when land transfers needed to

be witnessed by the *induna*. In one case, a family that had received land from their neighbor a decade before observed that they should and would pay the *induna*, but did not know when they would get around to it. Other families, after consulting the traditional councilor, were told that they did not need to have the *induna* witness the exchange because they were close kin of those from whom they were receiving land or a new household was being established within a stone's throw of an existing household. Induna Maphumulo, who was in charge of witnessing land transactions, was also known for supporting women's rights to land during inheritance disputes, probably in part due to his ANC affiliation. The fee that he charged was clearly on a sliding scale, varying according to the size of the land and whether or not the transaction had a monetary component. The *induna's* fees were not spoken of as an undue burden by residents. In many ways, it was regarded as a registration fee, with the accompanying guarantee that the *induna* would remember and support the rights of that household to the land after it had been "registered" with him.

In short, the emphasis of successive governments from the colonial period through to today on the role of customary leaders in controlling and allocating land can easily obscure the workings of various arrangements and powers vested with some degree of control over the distribution of land. Referred to by Gluckman (1965) as "estates of administration," various levels of political authority, from *amakhosi*, through *izinduna*, traditional councilors, lineage heads, household heads and even wives, can all exercise some measure of control. In addition, the extent to which these various levels or types of political authority and entitlement are actively involved in controlling land often depends on economic and environmental conditions in a particular area. Bruce (1988) suggested

that customary authorities have a more important role in land allocation during times of migration, but that as land becomes settled and plots smaller, the focus of control shifts to the extended family, prompting courts in Ghana and Nigeria to refer to land under customary tenure as "family land." In an extensive study of land allocation in the Valley of a Thousand Hills in KwaZulu-Natal, Preston-Whyte and Sibisi (1975) found that lineage segments exerted more control than customary leaders. They also found that residents, who relied on migrant wages, were subdividing their land and granting it to both kin and non-kin who had some claim on their generosity in order to build up networks of clients and supporters, creating a densely populated region with pockets of loosely related kin and clients very similar to the situation found in eMbo-Timuni. Preston-Whyte and Sibisi also found (1975:306), as did Reader (1966:67), that in KwaZulu-Natal women were able to claim land from their own kin, and not just from their in-laws, under a variety of circumstances including divorce, widowhood, or if the married couple simply preferred to live with the woman's kin due to the availability of more and/or better land.

In short, in eMbo-Timuni customary authorities have been reduced, by the scarcity of land for them to allocate, to mostly supervisory roles in the distribution of land that is controlled primarily by households. However, over the last decade, as the post-apartheid government has created new legislation to "democratize" rural local governments, customary leaders have been able to reassert their role in land allocation as a justification for regaining, retaining or even expanding their power over land. Land reform, with its creation of new tenure rules and arrangements, has been seized by customary leaders as a new avenue to exercise their powers.

Reforming Tenure and Rural Governance

After 1994, there was a widespread expectation among many ANC supporters living in rural areas that the new government would move immediately to dismantle the institutions of chieftainship. After decades of resistance to customary leaders, particularly in the Eastern Cape reserve where SANCO was most active outside the cities, the ANC was expected to continue to support the dynamic of change towards more democratic forms of local government that was started by the civics movement (Ntsebeza 2005). Municipal elections in 1995/6 installed elected local councilors throughout the country, but some of their duties and powers remain unclear because of the claims of customary leaders. The ANC, in turn, has been reluctant to challenge key aspects of the authority of customary leaders, particularly in allocating land. In an attempt to reform tenure and rural governance, after a decade of negotiation and discarded draft bills, the national government finally signed into law two bills, the Traditional Leadership and Governance Framework Bill of 2003 and the Communal Land Rights Act (CLRA) of 2004. These two bills accord considerably more power to existing customary authorities than in any of the previous drafts over the last decade.

Several explanations have been put forward for the reluctance of the ANC to challenge the power of customary authorities in rural areas. Oomen suggested that the influence of the "new global order," such as the rise of ethnic nationalisms and promotion of group rights, must be seriously considered "when even South Africa, just stepping out of a nightmare scenario as regards the abuse of culture, chose to make diversity a

founding stone of its new order" (2005:3). In more local level explanations, the ANC's concessions to customary leaders have been attributed to its objective of gaining political control of the province of KwaZulu-Natal (Ntsebeza 2004; Beall et at. 2005; James et al. 2005). The Inkatha Freedom Party (IFP), a Zulu nationalist political party, has long been supported by the majority of customary leaders in KwaZulu-Natal, an alliance that was considered crucial to the IFP's slim electoral majority in the province from the 1994 to the 2004 elections. In addition to subsequent political expediency, even during the transition from apartheid some were concerned that the ANC was ambivalent about dismantling the chieftainship, as the mass democratic policies of the UDF were compromised by the "elite pacting" of the transitional process (Levin and Weiner 1996).

The Framework Bill and the CLRA are presented as democratizing rural local government through decentralization. The CLRA starts with the statement that the Act will "provide for legal security of tenure by transferring communal land…to communities…to provide for the conduct of a land rights enquiry to determine the transition from old order rights to new order rights; to provide for the democratic administration of communal land by communities" (Republic of South Africa 2004). The Framework Bill aims to replace customary leaders with "traditional councils," initially required to have only 25 percent of their members elected with the rest appointed by the "principal traditional leader concerned in terms of custom" (Republic of South Africa 2003a). The former was subsequently increased to 40 percent, due to strong protests, including from civic organizations (Republic of South Africa 2003b; Ntsebeza 2004:18). The CLRA of the following year then stated that the powers and duties of the land administration committee may be exercised by the traditional councils established under

the Framework Bill. On the whole, this new legislation appears to give a considerable amount of power and influence to customary leaders over the allocation of land in rural areas, and certainly more than was evident in its earlier drafts.

As might be expected, the new legislation has been praised by customary leaders and criticized by civics and Non-Governmental Organizations (NGOs). NGOs have been concerned primarily with the lack of protection for women's rights to land, arguing that government is giving too much power to undemocratic customary leaders who are not so much "traditional" as they are a product of apartheid's version of "decentralized despotism" (Claassens 2005; Cousins 2005). In addition, many people currently living outside of the jurisdiction of customary leaders have expressed concern that CLRA will erode alternative forms of land tenure and bring them under the authority of any customary leaders who claim jurisdiction over them (Program for Land and Agrarian Studies 2003). While both the Governance Framework Bill and the CLRA stipulate that at least 30 percent of appointees to their committees and councils be women, it is unlikely that this will do much to change current practices of inheritance and marriage that disadvantage women in accessing land. Criticism of the Bill and Acts has drawn fierce attacks by customary leaders and their political organization, the Congress of Traditional Leaders of South Africa (CONTRALESA). Patekile Holomisa, an ANC MP and president of CONTRALESA, wrote in an opinion piece that, "[t]he Communal Land Rights Act, 2004 is a progressive piece of legislation that promotes gender inclusivity and democracy while giving due recognition to traditional leadership. Opponents of the act

are wasting their apparently vast resources if they think the role of traditional leaders over land can ever be diminished" (Holomisa 2004).[33]

Local Engagements with Land Reform

> Struggles over land in postcolonial Africa have been as much about power and the legitimacy of competing claims to authority, as about control of property per se. That these debates often turn on narratives of colonial oppression or supposedly timeless 'tradition' does not make them any less relevant to current struggles over power and resources…The significance of land conflicts for contemporary processes of governance and development in Africa lies not only in the way they have been shaped by past events, but also in their salience as arenas for the production of history. (Berry 2002:639-640)

During the negotiations leading to the end of apartheid, considerable pressure was brought to bear on the ANC to ensure that private property rights would be protected in the post-apartheid period. The land reform program that resulted from these negotiations had three distinct components: redistribution, restitution, and tenure reform. The first two have been underway since the mid-1990s with tenure reform only now being tackled through the CLRA. Redistribution follows a "willing buyer, willing seller" approach in which government acquires land from commercial owners (usually white farmers) for

[33]Note that the same CONTRALESA has vehemently opposed some of the specific legislation proposed to implement the commitment of the South African constitution to gender equality, for example, concerning 'African customary marriages' and domestic violence (Henry Bernstein, personal communication, referencing Lodge 2002, 174, 214).

distribution to previously disadvantaged communities, who pay with grants provided by government. This was billed as a needs-based program. Land restitution is a rights-based program to restore the land rights of those dispossessed by the 1913 Land Act who can provide evidence of their eviction (Kariuki 2004; James et al. 2005). Those who qualify under the stricter standards of restitution often consist of wealthier African landowners, such as the *amakholwa* in KwaZulu-Natal, who were able to buy land or lived on mission stations in the late nineteenth and early twentieth centuries. Restitution has been the most visible aspect of land reform, and many individuals and groups that were not intended to be covered by its provisions have nonetheless lodged restitution claims. As James et al. (2005:825) note: "Sectors of society beyond the classic 'black spot'[34]/restitution constituency have latched on to the discourse linking restored land with restored citizenship: many farm workers and tenants, although their land rights are officially designated for protection under other legislation, have lodged land claims and are distressed at the state's failure to settle these."[35]

In the Umbumbulu and Eston areas of Natal, land alienation began in the second half of the nineteenth century, when large swathes of prime agricultural land were granted to white farmers by the colonial state. This created the large area adjacent to eMbo-Timuni that was designated for white ownership throughout most of the twentieth century, and occupied primarily by large-scale sugarcane farms. By the 1990s, some of this land was owned by Illovo Sugar, South Africa's largest sugar producer, which sold

[34] Apartheid forced removals often referred to African (purchased) freehold property in areas now designated for white ownership as 'black spots'. Land restitution was primarily intended to restore land to those removed from 'black spots' or otherwise compensate them.
[35] The Land Reform (Labour Tenants) Act 3 of 1996 was intended to provide for the security of labor tenants, protecting them against eviction and allowing them to apply for ownership rights or compensation for land that they have occupied.

portions of it as part of a Black Economic Empowerment (BEE) project.[36] Most of the new black owners of this cane land were not from eMbo-Timuni or neighboring TAs but from urban areas farther away. They do not perceive themselves as under the jurisdiction of customary leaders, or their land as falling within the boundaries of TAs and they run their farms as commercial ventures on private property governed by the same rules as white-owned farms in the area.

It is these commercial sugarcane farms, now under black and white ownership, that are claimed by both eMbo and the Masibuyele Trust. The Masibuyele claim has been filed under the land restitution process and yet does not fit easily within the rights-based approach officially advocated by the program. In Umbumbulu and Eston, most commercial farms have registered titles going back well before the cut-off date of 1913. Aerial photos and documents from the Land Registry office suggest that, with the exception of a few known "border" conflicts, boundaries between commercial farms and the reserves areas have remained relatively fixed for well over a century. In effect, the eMbo and Masibuyele Trust claims combine broad narratives of group dispossession with more specific individual memories of evictions, of labor tenants and of "squatters." While most of the commercial farmland in question has long been registered as private property, the history of its usage is much less clear. Some of the initial nineteenth-century land grants covered vast areas, and it is unlikely that early colonial land grantees were able or willing to enforce their property rights by removing every resident African household. In addition, over the subsequent century and a half, there was often movement into and out of these properties as African communities, facing severe land

[36] On Black Economic Empowerment and its agricultural arm AgriBEE applied to the South African wine industry, see Williams 2005.

shortages, occupied unused portions of land and sections set aside for labor tenants. Some farms owned by Illovo Sugar, for example, fell into disuse at certain points and were quickly occupied by residents of the neighboring TAs to build houses and farm small plots. In addition, these "squatters" remained subject to the authority of local *amakhosi*. In the memories of local residents, therefore, the history of land entailed several periods of residence in and eviction from specific parts of the zones designated for white ownership, and *amakhosi* remember these migrations of their "subjects."

Customary leaders also have their own narratives of claims to land additional to those just outlined. The eMbo *amakhosi* stake their claim as descendants of the leaders of the first settlement, probably in the 1830s after the Mkhizes fled south to escape the Zulu king, Dingane (Bryant 1929:415). EMbo is one of the largest chiefdoms in southern KwaZulu-Natal, and grew by allowing smaller chiefdoms to settle subsequently on the lands it regarded as within its jurisdiction (Reader 1966:24). EMbo *amakhosi* therefore claim a legitimate authority greater than that of many other smaller *amakhosi* in the region, both geographically and ideologically - because they established their authority prior to colonial conquest and were not created *amakhosi* by colonial appointment, even though they were later incorporated into the colonial state. The current *inkosi* of eMbo-Timuni often displays this sense of authority through attempts to treat neighboring commercial farmers as if they were subject to his jurisdiction. Commercial farmers reported frequent visits from the *inkosi* requesting tribute or making claims to their land and its farm houses and other buildings. Such assertion is "color blind," applied in the same fashion to recently arrived black (BEE) commercial farmers as to long established white farmers.

While many see this as merely extortionate behavior by the *inkosi*, it also reflects attempts to keep alive the idea that all of this land should be under his jurisdiction. Even though Inkosi Mkhize almost universally failed in his attempts to exhort money or claim houses for himself, his actions involved the pretence that neighboring commercial farmers are his subjects. During my interview with the *inkosi*, he said that he had a good relationship with the farmers, and that racism was a problem in the past but not anymore, but then added with a laugh that he would be grateful if I would remind the white farmers to be respectful of him, otherwise he would turn to the Zimbabwe approach. The white farmers themselves also mentioned Zimbabwe and their fear of a similar situation arising in South Africa.

The claims of the eMbo and Masibuyele groups did not easily fit the framework of the land restitution process because their historical case pre-dated the 1913 cut-off date for restitution, and because many of the individual claims should have been handled under labor tenancy laws. Despite this, the Department of Land Affairs (DLA) showed considerable interest in them and a willingness to take them on under its land restitution mandate. In any case, the DLA sought to avoid the full juridical process of restitution through the specially established Land Claims Court, which soon proved to be both expensive and slow and placed excessive demands on an understaffed DLA to research land claims thoroughly – including rival claims to the same land by different groups of Africans (see further below). As a result, the DLA had shifted towards resolving land claims through negotiated settlements both of land and of monetary compensation (Nauta 2004:92-94). No doubt there was also a political hope that the experience of negotiation would help to integrate rural regions divided by different forms of government and land

use within South Africa's long history of racial domination. As one employee of the DLA noted in an interview, land reform can also be looked at as a nation-building exercise, an opportunity to create the kind of local communities that are envisioned as existing within the new South Africa.

The DLA's emphasis on negotiation frustrated some white farmers in Umbumbulu and Eston who had mobilized together to fight restitution claims in the Land Claims Court, hiring lawyers, gathering documentation, and so on. The DLA pressed them to negotiate, and asked them to identify portions of their landed properties they would be willing to sell to the government. While some white farmers expressed dissatisfaction with the gap between the legal framework of restitution and the reality of compromise and negotiation advocated by the DLA, many newly arrived black commercial farmers expressed views much closer to those of the government. One noted that it would be a shame if he had to sell his farm as one of the few successful beneficiaries of Illovo's Black Economic Empowerment program. Yet he also felt that it would be futile to hold on if neighboring communities started to fight with him and burn his cane fields because they felt that the land occupied by his farm was rightfully theirs.

Given the political need for some form of redress, the financial costs of juridical settlement of restitution claims and the political costs of a mounting backlog of claims, the DLA's emphasis on negotiating land transfers to resolve community-based restitution claims in rural areas may have been a practical necessity. However, the openness of negotiation created the potential for conflict within impoverished communities over issues of leadership and the distribution of benefits. Local conflicts over authority to submit claims to rural land have considerably slowed the process of restitution

throughout the country (see also Kariuki 2004:8,15). DLA figures, released in December 2004, showed that approximately 85 percent of urban restitution claims had been settled as opposed to only 33 percent of rural claims (Jacks 2005). As one government official stated, the latter are much more challenging as they are "mostly community-based group claims, and it is not as easy to deal with them as with individual claims. There are issues of leadership and conflict in some areas" (Jacks 2005).

As the DLA official working with the Umbumbulu/Eston claims noted, the DLA encourages people to apply as a group. These groups tend to correspond with the boundaries of the TA to which their members belong, hence are under the authority of an *inkosi* and are likely to be led by an *inkosi* or his deputies. Some DLA officials in KwaZulu-Natal also seemed reluctant to challenge the authority of the *amakhosi* when disputes arise. In a conflict over land restitution studied by Charles Chavunduka, in which a local *inkosi* challenged the claim of a group of labor tenants by forming his own rival group, the Regional Land Claims Commissioner was inclined to favor the *inkosi's* group over the labor tenants (personal communication January 7, 2006). In another study of a rural conflict in Impendle, Scott Drimie also found tension between labor tenants on land that was targeted for redistribution and neighboring areas under the authority of customary leaders who also claimed the land based on pre-1850 colonial dispossession. In this case, an *inkosi* filed a restitution claim in an attempt to block a redistribution project from proceeding (2002:112-116). Even in eZimwini, one ANC activist who had worked on a land claim many years earlier felt that his efforts to form a group outside of the jurisdiction of the chief was not supported by the DLA and made him fear for his safety. There is no doubt that in many of these cases in rural KwaZulu-Natal, the power

of customary authorities over land is being enhanced due to their leadership roles in land claims, with or without the support of their "subjects."

The High Stakes of Land Reform

It is through land reform that the stakes involved in defining the local political community are made clear. As mentioned in the introduction, earlier attempts to re-draw municipal boundaries and create new wards that straddle older boundaries are already being reversed. New terminology, such as the term "traditional communities," has become standard in government documents discussing the creation of political rights in rural areas. Although traditional authorities are the most vocal in putting forth their ideas, their voices are not the only ones that exist. Even in eMbo-Timuni, where alternative political structures such as SANCO were never established, there was evidence that residents were uncomfortable with the idea of seeing themselves primarily as subjects of the chief. Dlamini's defense of the civil society group in the introduction to this chapter, for example, conceptualized land reform as a process of gaining land for black people more broadly rather than just for the people of eMbo-Timuni. This different articulation of the boundaries of the political community, however, did not seem to have much support in the face of the anger of the *inkosi*.

Unlike other areas of the country, local efforts to resist the assertion of authority by traditional leaders are not very forceful. This is likely due, in part, to the fear of violence and the desire for peace and stability in the region. Notable throughout the excerpts from that May 2005 meeting is the caution of residents who do not want to

participate in anything that could cause fighting or the eruption of violence. Caution is also displayed in speaking to Inkosi Mkhize and trying to temper his anger at those who organized the Masibuyele Emakhaya Community Trust. Conflict over land, as many of the attendees noted, has led to many people being killed in the past.

It is clear however, that some measure of land reform is crucial to the long term stability of the region. The vast and still visible differences between the former reserve and the commercial farming area create ongoing problems in the region with vandalism and threats of Zimbabwe-style forcible land repossession. The vulnerability of the white farmers was clear to all parties involved. Even if they win a court case to keep their land, the victory will not help them if they incur the wrath of their neighbors and have to contend with regular arson attacks on their cane. Cane is very vulnerable to being burnt, and deliberately started fires on the farms were already a regular occurrence in the area.

The larger preoccupation of those attending the meeting, however, was the potential for older divisions and conflicts that already existed within the community to be brought to the surface through the land reform process. Residents continued to live in close proximity to those who had victimized them or their family members during the previous period of political violence. In addition, the prior involvement of those currently in power, both as traditional authorities and as newly elected government councilors, was often suspected. Although most people seemed willing to live with these divisions remaining under the surface, the fear that new power struggles would bring them out was not unfounded. Conflicts could easily turn into violence with the proliferation of firearms in the area, as both the apartheid state and its allies as well as the ANC/UDF channeled weapons to their supporters during the 1980s and early 1990s.

One clear example of these volatile divisions that still existed but were rarely spoken of can be seen in the story of, ironically, the celebration that was held to declare peace in the area and to welcome the handful of BEE farmers to the region. Not everyone in the community was pleased with the arrival of the BEE farmers because many of them were buying land that residents hoped to claim under the land reform process. Also, by selling off the Illovo-owned land directly along the border with eZimwini, it was felt by some that this was an attempt by the sugar industry to use the black-owned commercial farms as a buffer between the residents of the former reserves and the white-owned commercial farms (Eveleth 2003). Despite this controversy, however, a few years after the land was sold, a big celebration was held in eZimwini to welcome the BEE farmers to the area.

As one ANC activist in the area said to me, he believed that the party was sponsored by a man who was an IFP stalwart from early days and who was also connected through family to a local traditional authority. He said,

> I am not really worried though about him being IFP, I am worried about him being the agent of the former regime. I will tell you something, when we realized that we needed to claim the land back, he was the person who sponsored the party to welcome the new black farmers. I don't know how because he does not have money. I think that it was the public relations exercise. The party was to say that we have new neighbors now, and we cannot carry on fighting. (Excerpt from an interview conducted on February 2, 2005)

The traditional authority to whom this IFP member is connected, he went on to say, was thought by some ANC activists to have been working with the police during the final days of apartheid. As seen in the previous chapter, many of those with political power were connected with the violence in the 1980s and 90s and benefited from it. Awareness of this history and the role played by certain individuals remain close to the surface. And in areas such as eZimwini and oGagwini, that were not major battlegrounds where residents were emptied out, the deep divisions remain among those living in close proximity as neighbors.

Conclusion

Compared with other regions in South Africa, historical changes in land allocation and tenure practices in eMbo-Timuni probably emerged more frequently from economic shifts than from state intervention. Population increases had led to smaller plots and densely settled land, which had shifted control from customary leaders to lineage segments and families. The recent land reform process, however, was seen by customary leaders as an opportunity to reassert their authority over land through potentially gaining control over new land outside the current boundaries of their TA. In some cases this included particularly valuable land due to investments in developing it for commercial agriculture over the last century. However, the attempts by customary leaders in eMbo-Timuni to control the process of land claims at times conflicts with the agendas of their own "subjects" and of other communities and groups claiming the same land. The bid for control by customary leaders was aided by the government's tendency to work with them

in resolving restitution claims and by recent legislation like the CLRA. Civil society groups, such as the Masibuyele Trust led by M.J. Mkhize, pose a threat to customary leaders not only because they claim land that the *amakhosi* would like for themselves, but also because if their claim succeeded, this would exemplify the rights of groups without even the nominal jurisdiction of any customary leader. Alternative forms of land ownership for blacks have not been possible since *amakholwa* freeholders were dispossessed in the wake of the 1913 Natives Land Act. In this sense, customary leaders saw the very existence of a civil society group claiming land as a threat to their powers under apartheid's system of reserves.

Ntsebeza (2004; 2005) argues forcefully that customary leaders are unwilling to give up their powers and privileges in rural areas granted by the apartheid state, and the salaries and benefits that accrue from formally constituted office as a "traditional authority." He also writes that allowing undemocratic traditional authorities to control land administration, which he suggests is influenced by neoliberal pressures to reduce government bureaucracy, has disturbing consequences for long term goals of good governance in rural areas. As currently implemented, land reform practices seem more likely to bolster the powers and privileges of the traditional authorities, rather than promote democratization. Although the allocation of land in and of itself has generated little contestation historically in eMbo-Timuni, political struggles for power have often been violent, and control over land is closely associated with political power. Local residents show considerable reluctance to openly challenge the bid for power by customary leaders for fear of re-igniting political divisions and creating conditions that might lead to further violence.

Chapter 5 – Development and Economic Change

Introduction

The economic strategies of people living in eMbo-Timuni have undergone significant changes in recent decades. For most of the twentieth century, rural reserves such as eMbo-Timuni were seen as subsidizing industrial development in other areas of South Africa. Subsistence agriculture in these underdeveloped reserves sustained the families of migrant workers who were paid minimal wages that were not sufficient to support their entire families. Possibilities for commercial agriculture had been destroyed by discriminatory land policies that led to overcrowding. These policies created a widespread system of migrant labor that took a heavy toll on families and turned the reserves into areas of concentrated poverty where the apartheid state invested very little in the way of services or infrastructure.

Economic life in these reserves, however, has begun to shift with the long term rise in unemployment over the last few decades. With the decline in income from migrants employed in the formal economy, more people are working in the informal economy and beginning to start small commercial farming ventures. The amount of commercial farming remains small at this point, but it is growing. Subsistence farming continues to dominate land use patterns, but households also buy the majority of their food, using money obtained from a wide variety of sources, including the informal economy, wage labor from temporary or long term employment, some sale of crops, and social welfare grants.

In this chapter I will describe economic conditions in the post-apartheid period, from the dramatic expansion of the informal economy to the spread of social welfare and rural development projects. The chapter will begin with a look at national level economic reforms and then move to case studies and descriptions of the incomes and economic strategies of households. I will also examine in detail two development projects, one aimed at developing small and medium scale sugar farms and the other developing an organic farming project in the region. I will also examine how these changes are shaped by the neoliberal context and by reforms led by the government and the private sector that aim to comply with the goal of redistributing land and wealth after apartheid.

Development Policies after Apartheid

The ANC's primary goal during the period of resistance to apartheid was to overthrow and take control of the state. Implicit in this goal was the assumption that once in power, they would be free to engage in numerous projects of social reform, including the redistribution of wealth and the development of the neglected regions of the country. In particular the ANC expected that the vast reserves of what was, after all, the most powerful economy on the continent, would be available to them to carry out badly need infrastructural and social security projects aimed at improving the lives of the majority of the population who continued to live in poverty.

The South African economy in 1994, however, far from being healthy, was in the midst of a long downturn and near the point of crisis. Government subsidies and high

tariffs had created inefficient and uncompetitive industries and the economy relied primarily on the export of raw materials from the mining industry. Mining, however, had been in decline for decades, and by time of transition in 1994, the government had a huge budget deficit, high interest rates, inflation, and virtually no foreign exchange reserves as political instability and uncertainty led to massive currency outflows (Bond 2000; Marais 2001; Sparks 2003; Naidoo 2006; Cassim 2006). This economic crisis led to a rapid, and for many observers unexpected, change in the ANC's economic policy. As late as 1990, Mandela was quoted as having said that, "the nationalization of the mines, banks and monopoly industry is the policy of the ANC and a change or modification of our views in this regard is inconceivable" (Bond 2000:15 and Marais 2001:122). Yet by the time Mandela took over the presidency in 1994, the ANC's economic policy had already begun to lean towards neoliberalism, a move that was widely praised internationally. As expressed by the former head of the South African Division of the World Bank, "[t]he ANC inherited an economy that was in severe distress, and what they have done to put the economy on a right footing is, I think, almost miraculous" (Sparks 2003:16).

The first piece of economic policy adopted by the ANC was the Reconstruction and Development Programme (RDP) that proposed a demand driven approach to addressing poverty and lack of economic growth. The RDP proposed extensive government spending on social goods such as houses, water, and electricity, that would theoretically stimulate economic growth as the domestic economy expanded to meet the demand. Early roll-outs of these projects led to the ubiquitous "RDP houses," which consisted of very small square houses in neat uniform rows that began to dot the landscape. However, the government soon realized that domestic capacity was not

meeting the demand for this large investment in infrastructure, and that the money was not available to fund it (Naidoo 2006).

As early as 1996, the ANC shifted away from the ideas of the RDP towards policies aimed primarily at macroeconomic stability, as envisioned in the Growth, Employment and Redistribution (GEAR) strategy. GEAR's policy prescriptions followed the neoliberal orthodoxy of the time relatively closely, through strategies such as diversifying the economy and shifting reliance from mining to manufacturing, reducing tariffs and subsidies, liberalizing exchange controls, reducing taxes and the government deficit, and increasing spending on infrastructure through partnerships with the private sector (Marais 2001; Naidoo 2006). The successes and failures of GEAR remain highly debated. Naidoo, a senior treasury official, argued that while GEAR failed to increase employment, it nonetheless achieved macroeconomic stability, bringing down inflation and interest rates, reducing the current account deficit, and removing major distortions in the economy that had existed through decades of protectionism (see also Cassim 2006). Many of those on the left are not so sanguine, however, noting in particular the loss of yet more jobs over the last decade, as well as continuing low levels of investment and economic growth that was not as high as expected (Bond 2000; Marais 2001; Cassim 2006).

Under pressure from allies such as the South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU), along with critics pointing to the growing levels of suffering by created by the loss of jobs, the South African government in 2003 announced a new economic policy initiative to reduce poverty. Early speeches introduced new ways of conceptualizing the South African economy as

divided into "first" and "second" economies, with the first one being modern and integrated into the global economy while the second one, which exists side by side with the first, is underdeveloped, isolated and contains the large majority of the population (ANC Today 2003). President Mbeki argued that economic growth in South Africa did not "trickle down" because the history of segregation meant that the second economy was structurally disconnected from the first. This new policy initiative also addressed the widespread idea that now that macroeconomic stability had been achieved, it was time for microeconomic reforms aimed at reducing poverty (Carter 2006; Naidoo 2006). These microeconomic reforms and strategies for growth and development in the second economy include rural development, small enterprise development, BEE projects, micro-credit, expanded public works, improvement of the education system, skills training, and the deployment of community development workers (ANC Today 2003).

While this new policy turn has been celebrated for its emphasis on poverty, it also signals a return to the theory of a dual economy that was dominant during the apartheid area. By using this language to describe the economic difficulties facing South Africa today, the ANC risks obscuring the links between these so-called two economies and the way in which they have been created by over a century of race-based inequalities and economic exploitation. Ironically, it was a recognition of this exploitation that the ANC fought for during the struggle against apartheid and yet these same ideas are being reborn in post-apartheid discourse.

Gillian Hart argues that this new discourse of the first and second economies emerged from struggles within the ANC over the critical labeling of post-apartheid economic policies as neoliberal. She argues that this discourse should not be examined

for its accuracy as a description of the economy, but rather for the depoliticizing way in which it is being deployed to "define a segment of society that is superfluous to the 'modern' economy, and in need of paternal guidance" (2006:26). Hart suggests that participation in the "second economy" denotes second-class citizenship and is a way of identifying the segment of society that is in need of social welfare but only on "tightly disciplined and conditional terms" (2006:26).

These national discourses are also absorbed by the private and non-profit sectors as businesses and NGOs also shape development projects working with the national government. In this chapter I will look at how these discourses have shaped various development projects as well as the spaces in which people are contesting or reworking these discourses in their own lives and practices.

Economics of Households

The chronic high levels of unemployment in South Africa that began in the 1970s and were further exacerbated by neoliberal economic policies had a dramatic impact on the economic life of rural households. The virtual collapse of the migrant labor system has thrown rural regions into even greater levels of poverty that have only partly been offset by the rise in social welfare. Of the households interviewed in this study, only 13% of these had a male head of the household who was employed in a full-time job in the formal economy.[37] Instead, households relied on a variety of smaller and less reliable sources of income, including intermittent wages from part-time jobs and participation in

[37] This figure does not include adult sons who were employed while still living at home, as they were often reluctant contributors.

the informal economy, the profits of some small-scale commercial agricultural ventures, and social grants. These economic changes have also led to a shift in the demographics of rural areas as more women and youth are entering the workforce due to the greater willingness of women and young unmarried men to work in the low paid and insecure forms of employment that are available. As a result, women's mobility has increased, there is more frequent movement between rural and urban areas, and there is less consistency in the composition of rural households. Job seekers often spend several months in different locations while holding down temporary jobs.

Determining the composition of rural households and the distribution of income within them was a daunting and difficult task in these time of high insecurity. Those who obtained jobs and lived in urban areas often kept strong ties to their rural homes, sending money and food home and taking in children who wished to go to school in the better equipped urban school districts. As a result, a far larger number of people were called members of a household that actually lived in that household, and most of those who were earning money would use at least some of it for buying common goods for the entire household. Those who were not working full time and bringing home wages were also expected to contribute labor for the benefit of the entire household, particularly in the form of child care, work in the fields, or domestic work. The tensions over the distribution of labor and income within the household will be the subject of the next chapter. For this chapter, the household will be looked at as a unit.

Of all of the sources of income coming into rural households, one of the most important was the social grants distributed by the state. In the post-apartheid period, the state expanded the already existing pension system and created a far-reaching system of

social welfare that extended to all members of society regardless of race (Lund 2006). Those with disabilities that prevent them from working, as well as the elderly, receive a social grant valued at R780 per month.[38] In addition, a child support grant valued at R180 per child per month and a foster care grant of R560 are distributed to those registered as the primary care givers of children. In eMbo-Timuni, most of this money was distributed to women as they constituted the majority of primary child care givers, as well as a disproportionately large percentage of the elderly population in rural areas. The income from social grants also significantly exceeded most other sources of income available to rural households in eMbo-Timuni, with the exception of the wages earned by those employed full time in the formal economy.

After social grants, another significant source of income was the wages earned by young unmarried men and women who sometimes lived at home and who worked part-time in temporary or informal employment. Of these two, young women were seen as more reliable contributors to their parents' households, while young men more frequently spent their income on the support of girlfriends, often contributing as much to their girlfriend's household as to the one in which they were living. Even those few men with full-time jobs usually supported several women, and, as a result, their salaries were often dispersed between several households, making them a less significant source of income for any one household than their higher salaries would suggest.

Informal economic activity in the rural area consisted primarily of hawking goods or services. In one Mkhize family, for example, one of the young men hawked cigarettes and marijuana, while his sister ran a phone business that consisted of buying airtime and

[38] These figures for social grants were current in 2005.

Figure 5.1 – Hawkers outside of the school on election day

then re-selling it. This phone business was very common as the cell phone company, Vodacom, had designed machines for this very purpose that would record the number of minutes spent on the phone and the price owed by the user. The sister would travel to Isipingo to buy airtime and then sell it for a set profit margin of R290. She would also pay a young woman R250 a month to come most weekdays and sit by the phone helping customers. As she would put airtime into the phone anywhere between 1 and 3 times a month, this gave her a profit of anywhere from R40-R620 every month. The family would also charge customers' cell phone batteries using a car battery for R1 and would occasionally sell sweets. While these business ventures were run by particular household

members, everyone in the household knew the prices and would help the customers if they were present, except for the marijuana business which was illegal and therefore conducted more quietly. Marijuana was only grown in eZimwini in small quantities as the location was too close to the main road for much secrecy. Most people grew it for their own consumption or sold it to neighbors in small quantities. Large scale growing and selling occurred in more remote areas of the TA where the drug was bought by people who sold it in urban areas and were part of larger organized crime groups.

There was a lot of temporary and seasonal work on neighboring commercial farms and trucks would frequently come into and out of eZimwini transporting day workers to the farms. Wages were relatively low for farm work, and many of the large-scale commercial farmers brought in migrant workers from the Eastern Cape[39] and housed them on the property. These migrant workers were seen as willing to work for lower wages than locals because they were poorer and lived on more marginal land than those living in and around eZimwini. The sugarcane cutting was mostly, although not exclusively, done by men as it was demanding physical labor. However several new ventures, such as the flower business started by one local farmer, had started to employ young women.

While almost all of the households engaged in some subsistence farming, subsistence was nonetheless subsidiary to the food that was bought with cash income. Almost all of the households in the area said that they bought more food than they would grow in the fields. In addition, some of the produce grown would be sold at markets when cash was needed by the family. While some of this was excess produce, it was also

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[39] These migrant workers were usually ethnically amaMpondo, and as such were differentiated from the neighboring Zulu communities.

a reflection of the cash needs of the household, or of the women who were largely responsible for subsistence farming. Therefore subsistence crops would often be sold to meet a particular budget gap or monetary need, rather than because a surplus had been produced specifically for sale. Small-scale commercial farming, on the other hand, provided a more regular source of income. Sugarcane was grown in eZimwini commercially, while residents of oGagwini were part of an organic farming project. However the profit margin from the sale of commercial crops was relatively small and, except for a few exceptions, continued to be supplemental rather than primary sources of income.

Poverty

The desire for development is often presented as an imperative, and as the only means through which poverty can be eradicated. Poverty, on the other hand, is rarely defined and often presented as understood, despite widely varying underlying descriptions. Former reserves such as eMbo-Timuni are frequently referred to as some of the most impoverished regions of the country, and yet residents of eMbo-Timuni were ambiguous about applying the term to themselves. When activists from Durban referred to the poverty of the region, they most often cited issues of malnutrition and insufficient food to eat as well as anecdotes such as the time that they visited and saw children walking around without shoes. Among local residents, it was mostly older women who would bring up poverty, often using the Zulu verb *ukuhlupeka*, which can be translated more broadly as "to suffer," although my translators tended to see it purely as an

expression of poverty. These older women were also frequently remembering a past when urban employment was more widespread and larger quantities of food were grown in the fields. While most people cited a desperate need for development in the region, and were willing to discuss poverty if necessary to bring in development money, they were nonetheless uncomfortable describing themselves as impoverished. When questioned, people would talk about other areas of the country where people were much worse off than in Umbumbulu, particularly in the informal settlements and in more remote rural areas with less fertile farming land and less access to infrastructure.

These assessments of relative poverty reflected local pride in the region and a view that while they had fallen on hard times, they did not experience poverty in the same way as other areas of the country. For the most part, people living in the Umbumbulu region had access to sufficient food, if not always the most nutritious type of food. Families had ample beans and mealies, although meat was eaten anywhere from once a week to once a month. Fruit was relatively rare except for the bananas which were grown locally. A handful of families also kept orange and lemon trees. Most families were able to afford some vegetables, particularly cabbages, onions, tomatoes and the greens that grew wild in the fields alongside the cultivated crops. It was also suggested by some young people that the lack of other fruits and vegetables in the diet was not because of insufficient purchasing money, but rather because of a lack of familiarity with these foods among older residents.

All households in the region also had secure access to land and shelter. Although gender and generational dynamics can be argued to disadvantage some segments of society and make their residence less secure, for the most part all who lived in the area,

by virtue of their residence in the Traditional Authority, owned land. Most of the houses built on the land were low cost, using local builders and cheap or locally available materials. While not perhaps as sturdy or in the style that some residents would have preferred, had they been able to afford otherwise, basic shelter and residential security were not a problem for those who had been accepted by the *inkosi* as residents of the area.

Poverty was more evident in terms of access to money and cash flows, but even in this there was a wide variety within the community. While few people saved cash or had bank accounts, but there were several, particularly but not exclusively those with jobs in the formal economy, that did. In addition, there were some saving groups, such as *stokvels*, in which members would contribute every month and then use the money to buy groceries in bulk, or to make loans to group members. There were a small percentage of households that had no access to cash, and suffered accordingly, but these numbers were relatively small.

One area in which access to cash is visible is in the ability of families to pay school fees, which range from R20 to R65. There is much concern nationally about children not going to school because they cannot afford fees, and there is a law that school fees are supposed to be waived if they are unaffordable. Most residents of eZimwini and oGagwini paid these fees because, I was told by one teacher, the fees were so small. Buying uniforms was more of a burden, as individual items, such as a shirt, could cost up to R250. The same children that are cited in anecdotes by outsiders as examples of poverty because they are running around the homestead without shoes would often show up later in carefully preserved and pressed school uniforms with polished shoes when attending school. Because most families could afford the school fees,

however, the minority that couldn't were often penalized by the schools administrators who would engage in tactics such as pulling students out during exams and sending them home to collect the fees or not giving them any books and supplies.

For many people, the hardships of poverty were not related to food or shelter, but rather to the lack of opportunity for advancement and employment. Most young people had attended some high school and had aspirations that they were unable to fulfill. These aspirations were based on the attainments of previous generations with similar education levels, and on the opportunities that young people saw offered to other South Africans with similar levels of education. However the schools were not very good, pass rates were not as high as in the urban schools, and the lack of basic equipment meant that students did not learn skills tailored to the current job market.

My observation was that poverty was also thrown into relief during situations of crisis. While most families could make ends meet during good times, crisis situations such as drought or sickness would often prove too much for the resources available. In particular, the recent spread of HIV/AIDS[40] and tuberculosis hit the region particularly hard, reducing the ability of people to work and causing tremendous suffering as inadequate access to medical care led to significantly high death rates. Families that might have under other circumstances considered themselves to be proud members of the working class found themselves thrown into poverty by the double burden of unemployment stemming from changing economic conditions and the epidemic spread of HIV/AIDS and its accompanying diseases.

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[40] HIV/AIDS prevalence among pregnant women in KwaZulu-Natal is estimated at around 40% according to the SA Department of Health sampling of women attending antenatal clinics.

Finally, local conceptions of poverty also included references to human development and the process of participating in the modern world. The term development has always been deeply tied not only to ideas about the reduction of poverty in economic terms, but also to modernization, which is understood as a process of change that encompasses considerably more than the economic sphere. Discussions of development in eZimwini showed considerable slippage between the ideas of poverty reduction and of modernization, with residents expressing the need for changing mindsets within the community, become more business oriented, and achieving the kinds of social development that is seen elsewhere in the region, particularly in urban areas and in the former mission stations. In this context poverty is understood as related to a lack of human development, a lack that was also seen to contribute to some of the problems within local political institutions. As one young woman said, "the community needs to work together and protect community property, and people need to develop inside themselves."

Case Study – The Ndlovu Family[41]

When I arrived at a nearby house to begin fieldwork one day, I found the women of the house speculating on the political allegiance of the male head of the household, Ndlovu. He was, they believed, thinking of changing his party to the IFP. This may have been because of his disappointment over a recent national political scandal, or perhaps it was because of a recent event that the women proceeded to narrate. The induna and local ANC councilor had approached Ndlovu and asked him if he could submit a development

[41] Pseudonyms have been used.

proposal in order to receive funding from the government for a recently begun business venture run by his son that involved buying and selling cows. As a local government councilor, the *induna* was required to fill out a certain number of development proposals during his political tenure, and he thought that Ndlovu would be a good candidate for writing a proposal.

A short time after Ndlovu submitted his proposal, he was approached by an IFP councilor from a neighboring ward who told him that he had personally seen the *induna* burn the submitted proposal. If Ndlovu wanted the grant, he went on to say, he had better re-write the proposal and submit it through the IFP. Ndlovu was also invited to visit the IFP mayor in Camperdown, where the municipal government offices were located. Ndlovu asked if he might bring his daughter, and the mayor responded by offering to find his daughter a job at the office if she was unemployed. By the time of this conversation, Ndlovu had not yet received funding from either the ANC or the IFP, but he was nonetheless considering changing his political allegiance to the IFP because they had accepted his proposal and given him a considerable amount of attention.

Ndlovu was the head of one of the larger and somewhat more well off households in the region. However this relative affluence was not expressed through the accumulation and display of possessions. Family members intermittently suffered from cash shortages and there was little visually to differentiate this household from neighbors apart from the well maintained pickup truck that Ndlovu often parked in the driveway. Instead, differentiation was evident in the large size the family, mobility, access to schools, and the significant amount of land under their control. Ndlovu had one wife but he also had several children from two other women that he had tried to marry but had left

him for other husbands, leaving their children behind. As stated by one of his daughters, Ndlovu "thought" he was a polygamist, although in the end it was only his current wife who stayed with him. Ndlovu and his wife were the senior members of the household and were responsible for 16 teenagers and unmarried adults including Ndlovu's children by three women and several children of his sister, who was deceased. There were also 11 young children in the household, belonging to a third generation within the lineage, who included Ndlovu's grandchildren and the grandchildren of two of his deceased siblings.

Two of Ndlovu's siblings' grandchildren lived part of the time in a related household in Isipingo where they went to school and were cared for by one of the daughters of Ndlovu and his wife. Also living in Isipingo were two full and half siblings and four additional young children belonging to two other siblings who had remained in the rural home. Schools in Isipingo were better than the ones in oGagwini, so the young children lived there during the school term in order to attend. One of the siblings, who was the only formally employed member of the family, was responsible for supporting the household in Isipingo. The family also maintained another related household in Folweni from which individuals came and went while seeking employment. The rural household used to be supported primarily by a taxi business owned by Ndlovu, but he had pulled out of this business after he was shot and several of his taxis were wrecked in accidents. With the closing of Ndlovu's taxi business, the household was currently supported by the sale of crops grown by his wife and by the new business venture of buying and selling cows. The other children occasionally contributed income from temporary jobs and five of the daughters received child support grants from the government for their young children. Ndlovu was also frequently coming up with new

schemes for bringing in money, including building a small shed on his property that he intended to turn into a shebeen and sell beer.[42]

The attention given to Ndlovu by the IFP over his development proposal was, according to his daughter, a reflection of his charisma and popularity with young men who used to go to him for advice and dispute resolution on an informal basis. Soon after his meeting with the Camperdown mayor, he was asked to run in the next elections as the IFP candidate. Ironically, the ANC committee in oGagwini approached his daughter, who was active within local community organizations, and asked her to run as the ANC candidate in the coming elections. However, both father and daughter refused. Ndlovu had turned down the position of *induna* when offered by Inkosi Mkhize many years ago because he was too busy with his taxi business. Now, according to his daughter, at this stage in his life he was more interested in relaxing than in getting into politics. His daughter, on the other hand, refused to run for the ANC because she was unwilling to become involved in local politics. She had on several occasions expressed her fear to me that politics could become violent between the ANC and IFP. In addition, she was undoubtedly disillusioned by the power brokering that she witnessed occurring among men in the region. Although the ANC committee would have liked to have fielded a female candidate, particularly in light of the pressures for greater representation by women in local government, it was not easy to find women willing to enter the male-dominated world of local politics as they saw it played out around them.[43]

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[42] During one visit, I saw people clearing land for this shebeen, but during another visit several months later, there was no sign of further progress and inquiries were met with shrugs.

[43] I am sad to have to add that during the final year of my research and the period of write-up, two of the young adult members of this household passed away. One died in a car crash and the other from causes unknown. The burden of poverty remains evident not only in access to resources but in the high mortality rates that continue to affect families in this region.

Politics and Local Development

> There has been no change since the end of apartheid. The young people don't work and still live at home. Only the people living in urban areas have the government subsidized housing. Our children are educated, they have Matric, but they are still unemployed. I vote but I am not going to vote again because there is no change. We are still suffering in poverty. (Excerpt from an interview conducted on October 14, 2003)

Development as conceptualized locally is deeply intertwined with politics. When rural residents were asked about the political situation, the discussion invariably went straight to the lack of development and of jobs. There is no doubt that the post-apartheid ANC government has banked a good deal of its legitimacy on its ability to provide development and jobs. This is particularly true over time as loyalty to the ANC based on its historical role in organizing resistance to apartheid has begun to fade. A good number of residents even went so far as to threaten not to vote in future elections because the government had not delivered as promised. The threat of not voting, which I heard over and over again in interviews and which was also used by nationwide grassroots activist groups such as the Landless Peoples Movement, initially struck me as an unusual form of protest. However I came to believe that it reflected an assessment of the way in which local politics tended to play out. As seen in the story at the beginning of this chapter,

affiliation with a particular party could often bring direct benefits such as jobs and money for development, particularly for those already in a position of some power.

There was also a clear sense that aligning oneself with a political party was a way to get resources from that party. EZimwini, for example, had voted IFP in the early elections, but the IFP had been slowing losing ground. In the election that I witnessed in April of 2004, residents of eZimwini voted for the ANC with a clear majority. This produced much rejoicing among ANC stalwarts who quietly stated that now, at last, there would be some progress and possibilities for development in the region. This could have been a reflection on the incompetence of local IFP councilors, an incompetence that has been argued elsewhere (see Hart 2002). However I also believe it was a reflection of the idea that the ANC was in power, and controlled many resources, and were accordingly more able to bring development to the region than the politically weaker IFP. Theoretically, of course, the political affiliation of the local councilor should not determine the allocation of state resources. In practice, however, stories abounded throughout the country of projects being earmarked and services being delivered with greater frequency to areas in which the political affiliation matched that of the official dispensing the resources. In KwaZulu-Natal, with its long history of rivalry between the ANC and the IFP, this was particularly true, with accusations of favoritism being leveled at both parties.

The popularity and legitimacy of the state and of particular political parties has, even during colonialism, segregation and apartheid, always been somewhat connected to issues of development. As mentioned in the previous chapter, alliances between the *amakholwa* and customary authorities in KwaZulu-Natal often hinged around a common

desire for development. In addition, one of the primary ways in which the apartheid state intervened in the lives of rural residents was through carrying out development projects, such as the Betterment schemes. Rural resistance to apartheid more often than not organized around resisting these various interventions. During apartheid, the state also began a policy of separate development that was closely connected with their efforts to gain recognition for the Bantustans as sovereign states.

In current times, expectations of state intervention revolve primarily around the provision of services such as electricity, water, and paved roads, and the creation of jobs. Local governments have created a series of Integrated Development Plans (IDPs) for each municipality that evaluate the infrastructural needs of each community and then usually fund private contractors, preferably BEE ones, to carry them out. Projects in eMbo-Timuni that were implemented by the government over the last decade included boreholes, communal water tanks during the winter, a sports field, a community hall, the extension of the network of dirt roads, and a latrine project that was only partially complete and had not yet reached eZimwini or oGagwini. These projects, however, tended to be attributed to different political parties. In eZimwini, for example, according to most residents the sports field was built by the IFP, the water tanks were brought by the ANC, the hall was made by the IFP, and wiring in the school for electricity by the ANC. The water tanks were apparently only brought in under duress at the insistence of local ANC leaders who apparently fought with the local IFP councilor. As was explained to me, the IFP councilor "fought with the ANC people who forced him to give the tanks to the people."[44]

[44] This quote is taken from field notes from March of 2005.

While some of these projects were funded by the state but carried out by independent contractors, there were still several large parastatals responsible for utilities. ESKOM and TELKOM, for example, were charged with providing electricity and phone services to previously disadvantaged communities and regions across the country and were proceeding with varying degrees of success. ESKOM had looked into bringing electricity to eZimwini, but abandoned the project when the people had not been able to come up with the start-up capital requested. TELKOM, which had been given a set time frame for maintaining a monopoly after which the phone industry was to be deregulated and opened to competition, had managed to install reception towers in the region. However few families had landlines, and the pay phone at the local store never worked because the solar panel used to run it was stolen every time it was replaced.

Lack of services in eZimwini also hindered participation in the informal economy and the growth of businesses in the area. For example, one young woman was complaining that she wanted to open a salon here but was unable to because you need electricity and water to cut hair. As a result, even a lot of informal economic activities required regular movement into urban areas in order to take advantages of the infrastructure present elsewhere.

In areas such as informal settlements around urban centers where utilities had been more successfully installed, payment for these utilities was a constant source of friction. Stories abounded in the press of ongoing fights between ESKOM workers and those who illegally connected themselves to the grid. Efforts by ESKOM to make it harder to illegally connect and to install pay-as-you-go meters were often met with organized and sometimes violent resistance. Pay-as-you-go services were also

considerably more expensive than the monthly electricity charges paid by wealthier customers throughout the country. Scenes of resistance and enforcement between residents of the informal settlements and ESKOM workers supported by the state often had an uncomfortable resemblance to former struggles between poor people and the state during the apartheid period. These resonances complicated the ANC's efforts to continue to be seen as the party of the people.

This deep interlacing of politics with development was recognized and seen as problematic by many people in eZimwini and oGagwini. One young woman, when asked who was responsible for development in the area, named the ANC chairperson and then burst out laughing before moving on to a more serious discussion of the need for the community to work together. This sarcasm on her part reflected an understanding of the way in which political rhetoric and political power was so intertwined with this concept of development that it often prevented actual economic changes from being made. In addition, there was concern within the community over corruption. Even the generally respected local Community-Based Organization (CBO) known as eMbo Masakhane was accused of "eating" money rather than being efficient with what it was given. Development projects were a major source of income for the chiefs who would invariably take a cut in some form or another. Elected councilors on the other hand, were mostly suspected of directing government money so that their families or supporters benefited first. All of these political leaders, who were struggling for power within the changing institutions of local government, tried to represent themselves as the ones most effective at bringing money for development, services and projects into the area, while

simultaneously attempting to control this flow of money and resources in a way that enabled them to shore up their own political power and wealth.

Modernizing Agriculture and the Role of the Private Sector

South Africa, unlike many other African countries, does not rely on aid money as a significant portion of its GDP. However, a high number of its citizens were relatively reliant on some form of aid, most commonly in the form of social welfare grants, but also including money from the many and varied development projects that attempted to create small, jointly run business ventures in rural areas. These projects had proliferated over the last decade and were funded by some combination of the state, NGOs, and the private sector. Small businesses included chicken projects, piggeries, community gardens, crèches, sowing projects, organic farming projects and small-scale sugarcane projects. Most of the projects required some small initial capital outlay, which made them out of the reach of a handful of the poorest families. Most people, however, had at some point participated in a development project and those who had not often spoke of this lack with embarrassment. The language used to describe these projects seemed to imply a moral imperative for participation as part of a quest to better themselves. For ANC members in particular, this was also expressed as a way of being a good citizen and partaking in the new nation.

Development projects frequently used the language of poverty alleviation but also included talk of modernizing rural economies, particularly when it came to agricultural projects run by the private sector. Predictably, this meant the development of

commercial agriculture and switching farmers from subsistence to cash cropping. The two largest and most widespread development projects in the region involved the modernization of agriculture, albeit with distinctly different ideological frameworks. A small-scale sugarcane project in eZimwini was started by Illovo, a major South African sugar milling company, while an organic farming project in oGagwini was started by a university professor in conjunction with several commercial partners.

Sugarcane

A little over a quarter of the families interviewed in eZimwini grew sugarcane in small quantities as a cash crop for supplemental income. The cane was primarily but not exclusively grown by men. Most women cultivators had taken over the task from a deceased or absent male family member. The men who grow sugarcane consisted of both household heads and unmarried sons who had negotiated the use of land with their parents and siblings. Sugarcane took up a significant amount of the cultivated land in eZimwini, an amount that had increased quite a bit over the last decade since the end of apartheid. Most sugarcane plots brought in between R2,000 – R5,000 in profit every 15 months, with perhaps the exception of a few wealthier Mkhize families that owned a large continuous area of land in the center of eZimwini and probably made more than this amount. This income was significantly smaller than the income earned from a government pension, which would have brought in R11,700 over those same 15 months. The sugarcane was cut by a man named Felix Mkhize, one of the larger landowners in the center of eZimwini. He employed a handful of workers, some of whom were from the Eastern Cape and were housed on his property. They would burn and cut all the cane in

the small farms of eZimwini and deliver it to the Illovo mills, and would also help with the initial planting of cane. Felix was paid for his work by Illovo, a major South African sugar company, who would simply deduct the costs out of the profits from the sugar before returning the remaining profit to the grower.

This farming of sugarcane in eZimwini was part of a small grower project to promote the commercial growing of sugarcane in the former Bantustans that was started in 1973 by the South African Sugar Association (SASA). According to a public relations officer from Illovo, the money for this project was taken from the premium gained by the sugar industry from cane sold to the United States at prices above the world market price.[45] SASA used some of this profit to finance a financial aid fund that was used to grant small growers the start up capital to grow sugarcane. Sugarcane was grown throughout the reserve areas in the region, but often in pockets clustered around the contractors, such as Felix Mkhize, who would harvest and deliver the cane. The clusters were also more likely to be located near major roads. As a result, for example, cane was grown in significant quantities throughout eZimwini, but not a single family in oGagwini grew cane. While located directly next to each other, the arrangement of roads was such that driving between the two areas required returning to the paved road and going around some of the commercial farms. OGagwini was therefore out of the range of Felix Mkhize's men, and of other contractors in the region. In eZimwini, sugarcane had been grown since in the 1970s, when several men with land available got together and decided to start a project. Over time, more families joined in the process while others dropped out.

[45] The United States and South Africa had trade agreements that allowed for the sale of sugarcane at prices above the world market value.

After apartheid, as jobs became scarcer, commercial cane farming spread to an even larger number of families.

According to a representative of Illovo, the reason for setting up the financial aid fund for the small-scale growers project was a recognition that much of the land under the chiefs was "undeveloped." Sugarcane, he noted, is a great "developmental crop" because of the relatively small inputs and because the infrastructure was already in place for milling the cane. In addition, the ability of Illovo to quickly pay the growers after harvest had great appeal to rural growers who were used to selling produce only when the family had monetary needs, and therefore expected a quick turnover time once the crop was harvested. This shouldn't be underestimated as it was a problem with other development projects in the area and had to do with the fact that most people were used to thinking of crop sales as a source of immediate cash in times of need. The Illovo representative noted that the company recognized that the small-scale growers could not make a living out of sugarcane because the profit margins were too small, but figured that it was better than "leaving the land to the weeds."

The motivations currently cited by Illovo representatives to explain the small-scale growers project are being made in the post-apartheid period for a project that was begun decades ago, and changing political circumstances have undoubtedly shifted these explanations. However, during the 1970s, development was a part of the apartheid government's project of turning the Bantustans into independent states. It is also likely that SASA felt that starting such projects was a good way to prevent sanctions and to maintain trade agreements that would affect their ability to sell sugar, such as the one with the United States. This project undoubtedly allowed SASA to point to their efforts

to promote development in the Bantustans in order to deflect international criticism of their role in apartheid.

About 13,000 small-scale growers in KwaZulu-Natal produce about 5% of the total cane going to the mills as of 2005 (Cited from an interview conducted on November 16, 2004). The small-scale growers initiative has been criticized as being too paternalistic, so in recent years there have been efforts to reduce the oversight provided by SASA and the millers. Almost all of the small-scale cane is now cut and transported by independent contractors, most of whom qualify as BEE enterprises. Illovo continues to control the finances, paying the cutters and transporters and deducting the cost from the profits of the growers, but these services are now "offered" on a voluntary basis rather than automatically provided. As expressed by one Illovo representative,

> If you go back in history perhaps the industry could be accused of being paternalistic and wanting to control too much of the process. In the old days, if a grower wanted to plant 5 hectares of cane, Illovo would go in and help them plant, grow, cut, and transport the cane and then deduct the costs and give them the net profit. But as we have gone through the early 1990s, the idea of promoting small to medium scale businesses has begun so we don't do any small scale hauling anymore at all. It has all been outsourced to give local people the opportunity to do weeding, cutting, hauling, etc. So that has been the transition over the last 10-20 years. Because I think, rightly or wrongly, we were accused of being too omnipresent. (Excerpt from an interview conducted on November 16, 2004)

Large scale commercial growers, all of whom are white farmers, had their own systems of cutting and transporting cane, and hence didn't lose profit on this, but they also had economies of scale. Small-scale sugar farmers can only function effectively when you have pockets, such as in eZimwini, where a bunch of farmers are all growing cane within a close vicinity, enabling the small enterprises who cut and transport the cane to have enough business to survive. This is because the small-scale growers did not grow enough cane to pay for their own costs in cutting it and hiring transportation.

SASA's financial aid fund and other similar Bantustan development entities such as the KwaZulu Finance Corporation seem to have been refashioned into new institutions in the post-apartheid period in order to avoid implications of continuity. Umthombo Agricultural Finance currently provides aid to small growers while the Inkeso Land Company helps the sale of land to black farmers and is billed as a non-governmental land reform initiative. These organizations are also now officially independent from SASA, whereas during apartheid they were run and financed by SASA. Early in the post-apartheid period, the ANC government set up a goal of transferring 30% of white-owned land to black ownership, and asked industry to match these goals. Illovo, the primary miller in southern KwaZulu-Natal, also owns a good deal of land and they began selling some of their land in a project to create the medium scale BEE growers mentioned in the previous chapter. These farmers were funded through the Inkeso Land Company, which may very well have some continuity with the apartheid-era KwaZulu Finance Corporation, because it is the latter name which is listed on the land titles in the land registry office for the medium-scale growers.[46]

[46] This is pure speculation as I was unable to find any research done on these entities.

Illovo has sold off 26% of their company-owned land since the end of apartheid and at the time of this research had a deal in the works that would bring that percentage up to 52%, thus surpassing the government's benchmark of 30%. The company originally bought this land in order to help regulate the flow of cane into the mills, but they have since sold it to black farmers and businesses as part of efforts to meet BEE goals. Many of these land sales, and a few of the mills that were also sold, included agreements written into the land title deeds guaranteeing that the land would be used to grow sugarcane. There is also a widespread suspicion that the reason Illovo is willing to sell off so much land is because the company is divesting itself of less productive assets as the price of sugar drops and the company must out of necessity become more efficient. This does not bode well for the BEE farmers and companies entering the industry during this time of austerity by buying the lands and mills that Illovo is willing to sell.

The land between eZimwini and the main road into Durban was originally one large farm, but had been subdivided multiple times over the ensuing century and a half. In the late 1990s the land owned by Illovo that was located directly next to eZimwini and oGagwini was sold to one white farmer and three black farmers. The three black farmers had farms whose size had been determined by Illovo under their medium-scale growers initiative and whose purchase was funded by Umthombo and Inkeso. Throughout the entire province there were 70 farmers set up under this initiative and many of these had subsequently failed and had been bought out by others in the program in an attempt to increase farm sizes and economies of scale. The medium scale farms turned out to be unsustainable at their original size, a point acknowledged by Illovo who noted that the

price of sugar had since gone down, making it even more difficult for these startup farmers to succeed.

While Illovo presents these land sales as charitable gestures proving their willingness to participate in the “new South Africa,” it is important to recognize that these moves also have considerable strategic value. Illovo’s primary goal is to ensure that the sugar industry continues to function successfully despite political changes. Selling off company land served a variety of purposes. Illovo representatives and commercial farmers all referred to the “specter of Zimbabwe” when discussing land reform and agreed that being seen to comply with redistribution was a matter of survival. In addition, by selling off what was usually less productive company-owned land, it is also likely that Illovo was hoping to protect the more productive farms, mostly privately owned by white farmers, from redistribution and hence from a disruption in the flow of cane to the mills. As mentioned in the previous chapter, the suspicion also remained that Illovo was trying to create a buffer zone between the former reserve and the white farmers by creating these black-owned medium-scale commercial farms. By controlling the sale of land themselves, rather than waiting until the government pressured them into it, Illovo was able to include clauses such as the cane supply agreements that ensured that new farmers would use the land for sugarcane.

It is likely that Illovo hoped that by selling the land to black farmers, they would pre-empt attempts by those living in eMbo-Timuni to claim the land. If successful, these claims would most likely transform the land for use as residential sites and for subsistence rather than commercial farming. This fear of turning the land into “underdeveloped” reserve land rather than the modernized commercial agricultural land

is also reflected in the comment by one eZimwini resident that he would rather the community didn't receive the land, but would instead work with the farmers to promote development. Clearly residents of eZimwini themselves were divided over whether or not to regard the BEE project as a post-apartheid triumph over racism, or a cynical attempt to buffer the white farmers and promote capitalist continuity. And of course, as noted in the previous chapter, even the land sold under the BEE project was under threat of redistribution.

The black-owned commercial farms did create a buffer zone between the former reserve and the white-owned farms in several different ways. As it happened, one of the medium scale farms that was located closest to oGagwini had fallen into disuse after the death of the farmer and the unwillingness of his widow to sell the land. Ironically, this unused land served as a particularly useful, albeit temporary, buffer. As open grassland, the land was used by local residents to graze cattle, and a handful of new households had been established along the boundaries, encroaching onto the land designated as a part of the privately owned farm. This type of slow boundary change had occurred numerous times during apartheid as residents of Bantustans took the risk of establishing themselves on empty land because of the severe overcrowding in the reserves. In this region, that encroachment had previously occurred on land owned by Illovo, because company owned land was more likely to fall into disuse. The last major eviction was during the 1970s, but this new encroachment is less likely to end in evictions, not only because the ANC would not want to evict black people as the apartheid government did, but also because these people were under the jurisdiction of the chief, and hence likely to be fiercely protected by him as on "his land." This encroachment on the land is undoubtedly

exactly what Illovo was trying to avoid by selling the land under cane supply agreements, but at least now, when it comes time to fight over land ownership and eviction of the squatters, the dynamic of race will be blunted as the privately-owned land is now under black ownership. In this way, the BEE farmers also serve as a political buffer for Illovo and SASA, enabling them to reposition evictions and tension over land boundaries as issues of private property rights rather than of white farmers trying to evict black squatters.

The medium-scale and small-scale projects run by Illovo to promote the entrance of African farmers into the sugar industry differed substantially not only in terms of size, but also in terms of ideological frameworks. While the small-scale project is billed as a project to develop underdeveloped areas, the medium-scale project is framed as black economic empowerment and promoting agricultural growth. Both projects take place on land that is geographically contiguous, with a variety of owners from not too dissimilar backgrounds, and yet the systems of land tenure and expectations of these projects are completely different. The small-scale project is understood to be a part of the process of modernizing the Bantustans, while the BEE projects are seen as promoting the inclusion of certain wealthier and more successful members of the underclass in already modernized sectors of the economy and areas of the country. As such, these projects fit neatly into the divisions of first (modern and integrated) and second (underdeveloped and isolated) economies that are being used in governmental development discourse and policies.

These differences between the small- and medium-scale sugarcane projects can also be seen as perpetuating the long existing ideas about what it means to be “modern”

or “traditional,” in terms of economic practices and often extended into cultural practices as well. Economic and political opportunities are still being made available in ways that maintain these divisions, even though the state is no longer trying to mandate these forms of personhood and identity for Africans through restrictions on citizenship and land ownership. Instead these divisions are no longer being framed as issues of racial exclusion, but rather of degrees of modernization through framing concepts such as the first and second economy, which then help determine the form of subsequent development projects. The BEE projects and the continuing high degrees of inequity in South Africa suggest that, as with the *amakholwa* of the colonial period, a small group of Africans are now being created as exceptions, only in current times they consist of those able to participate in the modern or first economy rather than being confined to the second underdeveloped economy.

Retaining these class divisions in a way that is no longer exclusively race-based can be argued to serve the interests of the capital by slowing down the redistribution of wealth and assets. For those companies such as Illovo, whose primary interest is to promote the sugar-industry, adapting to the new political situation by promoting their own form of development and land redistribution protects their interests. Their development projects are presented in ways that are closely aligned with many government policies, such as decentralization, outsourcing to independent contractors with less oversight, and redistribution in a way that guarantees the continuance of commercial use of the land.

While I have presented the medium-scale farmers as perpetuating class divisions by participating in a project framed by neoliberal ideologies of modernization and growth,

it is important to recognize that they are nonetheless breaking down divisions in other ways. Like the *amakholwa* of the nineteenth and early twentieth centuries these farmers occupy an intermediary space that challenges still existing *de facto* racial segregation as well as challenging the authority of the chiefs by providing alternative examples of land ownership by Africans. Although the post-apartheid state has reinforced the power of the chiefs in some arenas, nonetheless, the state no longer mandates segregation and no longer requires every African to be subject to a chief. Therefore there is little the chiefs can do, other than harass and file land claims, to challenge the independence of these medium-scale BEE farmers.

I have presented the small- and medium-scale farming projects as quite distinct in terms of their ideological framings with regard to modernization and development and yet ironically, in practice, there were quite a few ways in which these projects were more similar than dissimilar. The BEE farmers did not come from the area, but most of them nonetheless came from communities that were not that different from eZimwini. One BEE farmer, who came from Makhanya, had for many years run a cane cutting business similar to that of Felix Mkhize, and had learned of the opportunity to buy land through his contact with Illovo in cutting and transporting cane. He started out within the small-scale growers project many years ago and then after apartheid was able to buy land outside of the reserves and start farming his new land in addition to his cane-cutting business.

Felix Mkhize and his extended family owned enough land that their participation in the small-scale growers project made them closer to being successful commercial

farmers[47] than most of the other small-scale farmers. I asked one of these Mkhizes why his family had so much more land than others in the region and he claimed that it was because his ancestors had recognized the value of the land and had not subdivided it and given it away to friends and neighbors over the years as most other families in eZimwini had done. These Mkhizes were also descendants of Bhinananda, who had briefly been appointed chief by the state in the 1930s during the succession dispute when the state attempted to divide the chiefdom into smaller pieces. The family had also donated land for the first Catholic church many decades ago. This history shows the divisions of class and differences in ways of thinking about land use and ownership that exist even inside of eZimwini. These differences help break down the perceived dichotomies between the traditional, subsistence, underdeveloped former reserve land and the modern, commercial, developed agricultural land. The continuities between the two projects also suggest that these boundaries between traditional and modern areas, or first and second economies, which loom so large in external perceptions and which drive both political and economic policies, are not always as impenetrable as they seem.

The Ezemvelo Farmers' Organization

Neighboring oGagwini was one the primary sites of a development project named the Ezemvelo Farmers' Organization (EFO) that sold organic crops to two major South African supermarket chains named Woolworths and Pick 'N Pay. The EFO was started

Figure 5.2 – An EFO group examining a farm

[47] By this I mean able to make sufficient profit to support themselves, rather than having the income from farming being supplemental.

in 2000 by a professor named Thembinkosi Modi in the School of Agricultural Sciences and Agribusiness at the University of KwaZulu-Natal in Pietermaritzburg. He came up with the idea of taking crops that were customarily grown for subsistence, starting with *amadumbe*[48] and sweet potatoes, and marketing them as organic for commercial farming. He recruited a handful of farmers in oGagwini and eZigeni, and also enlisted an organic farmer named James Hartzell, who owned a packing plant, to serve as a middle man and prepare the produce for sale to the supermarket.

Modi was initially interested in starting a project that would work with community gardens, which are ubiquitous and mostly grow small quantities of higher

[48] Amadumbe are a form of taro that was brought over from Asia and has since become one of the more extensively grown subsistence crops in South Africa, along with maize and potatoes

value crops such as vegetables. However, after noticing their relatively high rates of failure, he turned instead to the commercial marketing of crops that were already being grown on a larger scale for subsistence. This project stemmed out of his interest in how to turn subsistence farmers into commercial ones and also in local understandings of organic farming and of traditional and indigenous crops (Modi 2003). The EFO was started as an organic farming project with the idea that most farming in the area was organic by default because farmers could not afford chemicals, so this would require few changes and tap into a potentially higher-value market.[49]

By 2003 there were 54 EFO members whose lands had been certified as organic, and another 100 or so who had joined but were not yet active. During the two years that followed, these numbers continued to increase dramatically as the project took on momentum. As the first smallholder group organic farming project in South Africa, the EFO attracted a good deal of attention from the government and from researchers. This attention resulted in concrete gains to members such as through the donation of fencing material, transportation, organic certification grants and plans for irrigation, but also gave rise to new disputes over the direction and ideology of the project. When the project started, Modi noted that perhaps 3 people would show up at meetings while the rest would "forget." By the time I left in 2005, the meetings had moved from a small hall to the school and then to the *inkosi*'s large hall in order to accommodate the numbers. The final big meeting that I attended included government officials from the Department of Agriculture, local commercial farmers, singing groups, speeches and demonstrations of plants, and EFO tee-shirts as part of a multi-hour event and celebration.

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[49] A good deal of the details included in this section, including information on the challenges faced by the EFO, was taken from interviews with Dr. Modi who was generous with both time and information.

Figure 5.3 – An EFO meeting

One of the first challenges that faced the EFO group was obtaining organic certification from Africa's Farms Certified Organic (AFRISCO). Although organic may have been "natural" in a location where fertilizers were unaffordable, the process of being certified as such nonetheless cost between R9000 and R10000, an expense that would have more than wiped out any profit generated by the venture. Modi was able to get a grant to pay for the certification the first year, but the following year the group failed to renew it in time for selling the crops as planned. They were granted an extension of 2 months by AFRISCO so that they could continue harvesting, and got another grant to hire

an independent company for R50,000 to test all of the farms and submit the necessary paperwork. After a month, only one farm had been measured and tested, so Modi ended up spending every weekend in oGagwini with several of the young people from the project measuring all of the fields. They made it through the end of the season, but remained uncertified for the following season. Certification was an ongoing struggle that threatened to either derail the project or make it unsustainable due to reliance on external grants.

A second serious challenge to the project was the transportation of crops from oGagwini and eZigeni to the packing plant. After requesting help from the Department of Agriculture, free transportation was provided for the first 18 months. After that the farmers were scrambling, relying on a combination of paying for transport and using vehicles owned by project members. The project also owned a communal tractor that was driven by a young member who was paid a portion of the fee charged to use the tractor. The rest of the fee went into the project's bank account. One of the neighboring sugarcane farmers contributed to the project by maintaining the tractor at his own expense.

Crops were weighed and picked up between the months of March and July every year, and the farmers were paid a good deal later by James, who owned the packing plant. This process took longer than expected, and farmers were not happy about the time lapse between crop delivery and payment. Unlike the sugar industry, with its extensive infrastructure and centralized management, that was able to pay farmers almost immediately for their cane, the EFO had a much longer turnover time. Numerous EFO members also complained that the payment they expected from James was often

considerably higher than what they actually received. Crops would be rejected at the packing stage if they did not conform to certain standards of size and quality, creating ongoing disputes between James and the EFO members. In addition, new markets soon arose as the region became known for large surpluses of *amadumbe*. Hawkers from Isipingo came to the area and although their prices were lower than those offered by James, they would nonetheless harvest the crop themselves and take even the small *amadumbe*. In providing the crop to James, farmers had to dig up and clean the crops themselves, adding significantly to the labor costs.

Thula Ndlovu[50] and a few of her daughters were some of the earliest members of the EFO. Thula had access to a good deal of land and had significantly expanded the amount of land under her cultivation after joining the EFO. She also hired some of her neighbors to help in the fields for a small wage. However after her husband's taxi business collapsed, he began to pressure her for money, saying that it was her turn to pay the bills now that she was generating income. Under pressure to come up with the cash more quickly than was available through the EFO, she sold a significant amount of her crop to hawkers who would arrive, dig up the *amadumbe*, bag them themselves, and then pay her by the pound. This provided a new challenge for the EFO as they had promised James and the packing plant a certain amount of produce and were unable to deliver as *amadumbe* were sold off to hawkers. This created problems for James in scheduling his packing plant and in the contracts with the supermarkets, leading to tension and disputes with different partners in the venture.

The EFO project had significantly more cachet than the sugarcane project because of its status as organic, co-operative, and indigenous, and subsequently experienced a

[50] Ndlovu's wife from the Ndlovu family highlighted in the opening section of this chapter

good deal of publicity and participation by many different actors, once it had generated a certain level of momentum. However this created further disputes about who was benefiting the most from the project and how to determine future directions. The relationship with James, who was essentially the middleman between the EFO members and the supermarket chains, was the most subject to criticism. While widely praised, James was also widely suspected of benefiting to a greater degree from the project than the farmers. From the beginning the project members, including Modi and James, emphasized that the relationship between James and the farmers was a business relationship, and that James too had to make a profit. In practice, however, the amount of profit being made by James was a matter of considerable discussion and debate. As a member of the project, James also received a tender from the government to be a consultant and received money for fencing and irrigation projects.

In the meantime, by 2005, negotiations had begun with Woolworths and the government to possibly cut James out of the project altogether by building a packing plant in the EFO area and supplying directly to Woolworths. Modi was involved in a feasibility study to build a rural packing plant, but had strong concerns as he didn't want to be involved in another "white elephant" development project that would bring little benefit to the community but provide bragging rights for the politicians involved. After all, the region still didn't have electricity and water and it would be very difficult and expensive to run a high quality packing plant under such conditions. He was also concerned that the community still had not become accustomed to the business model necessary to produce and regularly supply a certain tonnage of produce to Woolworths every year.

At the nearby University of KwaZulu-Natal, a group of academics wrote and received a $350,000 grant from the Ford Foundation to study organic farming and food security in the EFO region. Rumors circulated that those involved were working with research assistants from the area that they were not paying and taking credit under the project for much of the work done in forming the EFO. Other researchers have also flocked to the area, producing fatigue among EFO members who are concerned that their meetings are being hijacked and that they are gaining little from this short-term research.

The EFO, unlike the sugar growers projects, was not tied to the reputation of a particular industry, and was therefore much more open to publicly critiquing and analyzing the benefits and challenges of the project. The EFO was a co-operative project, unlike the sugar growers who, for the most part, worked and made decisions individually. In addition, the relationship between the EFO farmers and the companies that they supplied were less paternalistic. The very openness and flexibility of the EFO, however, left it vulnerable to disputes over resources and the future of the project, and to political manipulation.

The small-scale sugar growers project started from the assumption that these former Bantustan areas were underdeveloped, and that while growing sugar may not bring in a living wage, it was better than leaving the land to the weeds. Sugar was therefore seen as modernizing the area by bringing in a commercial crop, teaching farmers how to grow it, and seen as creating links between the region and the so-called "first economy." The EFO, on the other hand, started with the idea that the land was already being utilized and farmed, and that knowledge of organic farming, which had value within a modern economy, already existed and did not have to be brought in from

an external source. Instead, the EFO focused on how to market a product that was already being produced, and to create the networks, infrastructure, and business practices that would allow the product to reach the market.

Figure 5.4 – Discussing the benefits of organic farming during an EFO meeting

The EFO positioned itself very clearly as a development project that was engaged in commercializing farming in the region. However, it also employed words such as communal to describe its organizational structure, and organic, natural, traditional and indigenous to describe both the farming techniques and the crops that were being grown. By tapping into such currently powerful discourses within South Africa, the project

effectively took off in a very short space of time, attracting donors, politicians, partners, and academic researchers. While wildly successful at attracting money earmarked for development, however, the project was less successful in capturing its niche market and selling for a high profit margin that would enable the farmers to make a living wage and be sustainable in the long term without grant money.

A good deal of this section has been spent looking at the context within which these projects evolved and how they perpetuate or break down certain divisions that were created over centuries of economic and political segregation in the region. The EFO project has considerably greater potential than the sugarcane projects on an ideological level to break down the divisions embodied in the terms first and second economy. However, it can be argued that the mandate of the EFO project is more comprehensive and focused on the welfare of the farmers, while the sugarcane projects were designed with the interests of the sugar industry in mind. In addition, the actual economic impacts of these major development projects remain very hard to quantify and to compare, due to lack of accurate record keeping. For most families, the income from the EFO or from sugarcane, as a percentage of total household budget, came in just below pensions and considerably lower than income from wages of those employed in the formal economy, and those with businesses such as stores or taxis.[51] As such, these projects formed an important part of household budgets, but were far from providing sufficient income to sustain those engaged in them.

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[51] I did attempt but was unsuccessful in obtaining records from Illovo which might have enabled me to offer numerical incomes from the small-scale sugarcane projects. The EFO was starting to keep records but their production was still irregular from year to year at the time that I was there due to rapid growth and change. As it is, I had to rely on rough estimates given from memory by the farmers involved in the projects. Income from informal economic activities and as percentage of the total household budget also varied widely due to the wide range of activities covered under this term.

Another impact of the EFO that was yet to be fully felt was the increase in the amount of land under cultivation. OGagwini was not as densely populated as eZimwini, and there was more open land for potential expansion. However, after the EFO started to take off, unused fields were quickly put into production. The Ndlovu family, in particular, who owned a good deal of land that they had not been using, soon cleared and planted these fields. In eZimwini, a similar increase had occurred in the last decade with higher quantities of sugarcane being produced. If unemployment continues to remain high, and more people look to the land as a source of cash income, the potential for conflict over land will undoubtedly increase.

Conflict over Development

Development, like land, was another arena in which conflict could easily arise particularly with its close ties to political rivalries. Although violence had not erupted in conflicts over development in eZimwini and oGagwini, the rhetoric was aggressive enough that there was an undertone of fear and reluctance when people faced potential conflicts over development resources. From the *inkosi*'s threat in a public meeting to kill the man leading the rival land claim, to the suspicions regarding motivations for welcoming the new sugar farmers, the potential for violence seemed to lie close to the surface.

Competition not only for economic resources such as land, but also for business opportunities and local monopolies such as those related to taxis and shops, were notorious for sparking violence. While this violence would often stay confined to those

involved in the industry, there was always the potential for it to spread through political and familial allegiances. Most of the shops and taxis were owned by powerful men with political ties who often counted among their supporters large networks of kin and employees, with Sipho Mkhize[52] being a prime example of this. The Umbumbulu region also had several examples of conflicts over development projects in particular. During the widespread fights of the late 1980s, one local fight was driven by competition over the establishment of a small-scale sugarcane business, as well as the cutters and transporters of the cane in the region. As recently as 2001/2 there was also a big fight over a development project that brought in money for laying out water pipes. Disputes over who the money would be channeled through and who had the authority to determine how it was spent led to violence.

Although most of the development projects described here have been agricultural, during the apartheid period there were several development corporations that planned to set up industrial zones in the region.[53] Similar current ventures might include the plans for the packing plant in the EFO area. These projects did not escape rumors of violence and of complicity on the part of the industrial patrons. One resident suggested that some of the local nodes of political violence in the 1980s occurred in the locations of these proposed industrial sites and that it is likely that the development corporations started them to clear the area of people so that they could then claim the land for themselves.

Conclusion

[52] From Chapter 2.
[53] These were part of the dispersed industrial development that is described effectively by Hart (2002) that involved creating industrial areas within the Bantustans to take advantage of cheap labor in these regions. They were also a part of apartheid schemes to “develop” the Bantustans as politically and economically independent entities.

In this chapter I have described the way in which economic life in eMbo-Timuni has changed in adapting to the decline in employment and the shift to temporary jobs and work in the informal economy. Greater levels of poverty and insecurity have led households to diversify their income generation strategies, and in the post-apartheid period development projects sponsored by everyone from the state to the private sector have proliferated. This chapter evaluated the larger development projects in terms of their economic and political impact, and the way in which they engaged with historical inequalities. These development projects brought in significant amounts of money and with economic opportunities so scare in the region, inevitably political conflicts arose over controlling this income.

Through a closer look at these development projects, this chapter has also examined how neoliberal ideologies of development have shaped the way in these impoverished regions are conceptualized in terms of their place within the national economy and the economic activities of those living in the regions. As can be seen with the small and medium scale sugar projects, while the form of these projects may reinforce the ongoing perceived divisions between commercial farming areas and former reserves, local practice tends to blur these distinctions and break down these boundaries. In addition, the organic farming project is linking tradition with organic in marketing their products.

Chapter 6 - Disobedient Daughters: Debating Culture and Rights

Introduction

In the month leading up to the 2004 provincial elections in KwaZulu-Natal, a rumor spread around the province that the IFP, the ANC's primary political rival in KwaZulu-Natal, had spoken out against the recently established child care grant given to mothers with young children. The IFP, so the rumor went, would stop these child support grants if they won the election because they felt that the grants encouraged unwed mothers to have children in order to receive the monthly sum of R180 from the state. It is not clear if an IFP official actually made this comment or if this was simply a rumor that was used for political gain by the IFP's opponents. However, what is clear is that many residents of KwaZulu-Natal attributed the IFP's declining fortunes during the election to the perceived lack of support for the child support grant. This debate over the role of the child support grant in encouraging pregnancies out of wedlock continued even after the election. In April of 2005, the government ordered an "urgent countrywide study of 14,000 households to find out if women 'and teenage girls' are having babies specifically to cash in on child-support grants" (Sunday Times 2005).

Many of the economic changes described in the previous chapters have also influenced dynamics within households regarding marriage, the division of labor, and control over income and resources. In this chapter I will take a closer look at this concept of the household—who composes the household, how is authority delegated within the household, and what are the emerging points of tension over labor and income within

households. In particular, changing dynamics regarding child care and the mobility of young women engaged in temporary or informal work has led to disputes between older and younger women over child care and money. These issues have also been underscored by the decline of marriage and the continued residence of adult children in the households of their parents while bearing and raising their own children. With the spread of HIV/AIDS, many of these children are also losing their mothers and being left under the care of their grandparents. This has led to radical shifts in control over household land and income.

In the post-apartheid period, these conflicts over income and behavior have begun to be conceptualized locally as a struggle between rights and culture, a dialogue that mirrors similar debates taking place at a national level. This runs counter to the perception that rights discourses are only used by elites. Chanock, for examples, writes that, "those rights discourses in which culture is invoked as an argument against universalism now largely belong to rulers, not to those who may need their rights protected, those who talk in terms of wrongs and needs, not rights and culture" (Chanock 2002:38). I was startled, however, to see debates about rights and culture being evoked in intergenerational arguments within households over control of income, mobility, and labor, particularly child care and work in the fields.

With the end of apartheid, talk of rights has proliferated through the medium of the radio and school curriculums. No longer the discourse only of elites, talk about rights and concern over the preservation of cultural autonomy has spread even to rural women in KwaZulu-Natal. The remainder of this chapter will examine the nature of this

discourse and what it indicates about new changes in social structures, particularly in terms of the composition of households and changes in the institution of marriage.

Culture and Rights in South Africa

> The time has come for us to put an end to this unnecessary tension between human rights and good morals. (ANC MP and president of the Congress of Traditional Leaders Patekile Holomisa, quoted in Business Day 2003)

A considerable amount of attention has been given recently to the term culture and its widespread use in popular and political discourse. While anthropologists have come to regard cultural identities as constantly negotiated and changing, the use of culture in popular discourse has tended towards older anthropological understandings of it as bounded, unchanging and homogenous (Wright 1998). Wright suggests that during the 1990s, the term 'culture' became politicized as "[d]ecision-makers and media commentators often claim legitimacy for their discourses by referring to 'culture, in an anthropological sense' – a phrase which closes off further explanation by claiming that there is *one* (their) meaning of culture which is at once too self-evident to warrant explanation and too deep to be delved into by non-anthropologists" (1998:7). This depiction of culture has been utilized by both the powerful and the marginalized as, "a primordial alibi for *naturally* different identities, each of which warrants respect, recognition, room for self-expression, [and] entitlement" (Comaroff and Comaroff 2004:188). It is this characterization of culture, as an unchanging natural or authentic

identity, that is used in the context of challenges to the universalism of human rights and the embeddedness of rights in Western ideas of liberalism.

As noted by the Comaroffs (2004), this challenge of culture to liberalism is particularly germane in South Africa, where the ANC's version of nationalism has attempted to embrace both a modern nation-state with a long history of liberalism in political and legal structures and to separate itself from the legacies of colonialism and racism first introduced hand in hand with Western ideas of liberalism by valorizing culture and tradition. South Africa has been celebrated recently as having one of the most liberal constitutions in the world with its application of universal rights for as many possible minority groups as the writers could reasonably conceive of at the time of its drafting. Human rights, particularly children's rights and women's rights, are central to the ANC's project of building a unifying nationalism. ANC spokesman Smuts Ngonyama recently said, "[w]e want to make sure that South Africans begin to respect human rights and begin to understand that freedom brings with it responsibilities like respecting the rights of others" (Business Day 2002). The news report went on to paraphrase Ngonyama that the "key to this campaign was the moral regeneration of society, and chief among the issues to be targeted were the rights of children" (Business Day 2002).

Despite this emphasis on rights, however, national leaders are reluctant to challenge aspects of customary law and authority that conflict with the tenets of liberalism and frequently respond to any ambiguity in this context by reiterating their respect not only for culture but also for traditional leaders as guardians of culture. In a governmental draft white paper, a traditional leader was described not only as, "a link

between [his people] and their ancestors but also as a spiritual, cultural and judicial leader, and the custodian of the values of his community" (Republic of South Africa 2000:10). President Mbeki has also reassured traditional leaders that he would not challenge their authority as there "cannot be two bulls in one kraal" (Oomen 2000:1). This "two bulls in one kraal" metaphor is suggestive also of the gendered and rural components of the representation of culture. In KwaZulu-Natal, there has been considerable talk about the need to balance human rights with a respect for and accommodation of Zulu culture, particularly in the context of a strong history of Zulu nationalism in the region. Culture is frequently used interchangeably with concepts such as tradition and custom and is associated with traditional leaders, of whom the government states that, "traditional leadership is one of the oldest institutions of government, both in Africa and the rest of the world. It predates colonialism and apartheid, and it represents early forms of societal organization" (Republic of South Africa 2000:4). Zulu culture, and the traditional leaders as representatives of that culture, is presented in this construction not only as authentic and unchanging but also as outside of or predating colonialism and liberalism. It is in this domain of cultural nationalism where, as Chatterjee (1993) suggests, postcolonial states seek to assert their independence from the West through the creation of an "essential" expression of cultural identity (1993:6).

Pensions and Child Support Grants

The child support grant and other social grants that, in rural areas, are distributed primarily to women, have, as noted in the previous chapter, become a key source of

income for most rural households and a major part of the government's efforts at wealth redistribution. In the 2005/6 financial year, the government was projected to spend R55.4 billion on social security, making up 17% of the total budget (Sunday Times 2005). One study using data from 2000 found that 67% of the reported income of the poorest 20% of the population came from social grants (Woolard 2003). The old age pension is received by more than 80% of elderly South Africans, most of whom are African and studies have suggested that it is effectively targeting and reducing poverty, particularly for the elderly and for children (Case &Deaton 1998; Lund 2006).

While some communities, particularly those in more remote areas of the country, had trouble accessing social grants, this was not the case in eZimwini and oGagwini, where most people lived within easy walking distance of a distribution point. To access a grant, it was simply necessary to have an identity book[54] and to register at the appropriate government office. Many people had obtained identity books specifically to access grants, and those not yet eligible usually knew the exact number of years left before they would reach the appropriate age. In addition, some people confessed that they had added a year or two to their age or a child or two to their family in order to receive state funding. This was easily done for those who did not have birth certificates on record when obtaining their identity books. In addition, some people would use fake birth certificates to claim extra child support grants or use a birth certificate to claim money for a child that another person or family member was raising.

Figure 6.1 – Pension day

[54] Identity books are the successors of the apartheid era pass books. They are commonly used as a government ID in lieu of passports or drivers' licenses.

Pension day, as might be expected, was a day of some significance in eZimwini and oGagwini. Pensions were distributed at the local store and those living further away would get up quite early to walk to the store and wait in line. Around midday a handful of trucks would arrive with the money. Armed guards would position themselves in a perimeter around the truck to guard the money, which was sometimes stolen at gunpoint. A handful of government officials would set up a table with a small sun canopy and prepare to dispense the pensions. The long line of residents, consisting almost exclusively of women with ID books in hand, would then slowly collect their grants. After the line had finished, the government employees would pack up and leave, and those who had not arrived on time would have to wait until the following month to collect

their grant. Pension days also attracted hawkers who laid out their wares on a grass mat or cloth on the packed dirt ground in front of the store, hoping to sell to those recently flush with cash. Although the residents collecting social grants inevitably had to wait outside in the sun for half of the day every month, there was nonetheless a somewhat festive atmosphere to the occasion, almost like a small market day. Most other activities ground to a halt on pension day as a majority of residents were absent from home.

As noted by Lund (2006), there has always been controversy over the potential effect on fertility rates and family structures of financial support to women, and with the introduction of the child support grant in South Africa, these concerns spread rapidly. The child support grant can be received by men, as it is given to the primary caregiver, but in one study of just under 5,000 recipients, 87% of those applying were mothers, 11% were aunts or grandmothers, and only 0.2% were fathers (Case et al. 2005).

Pensions for the elderly are also received in a much higher proportion by women. Studies have consistently found these pensions to be a reliable source of household income that leads to better familial health, higher enrollment of children in school, food security, and, particularly when received by women, are pooled for the purchase of household goods (Van der Berg 1997; Case & Deaton 1998; Case et al. 2005; Moller & Ferreira 2003; Lund 2006). Despite this, Lund suggests that pensions and grants are overestimated relative to other sources of income because of the difficulty in estimating income from informal, illegal, and agricultural sources, as well as the irregular remittances from migrants. Lund also argues that this leads towards a tendency to see state pensions as more generous than they actually are, particularly in light of the absence

of other services for the elder and the long history of intentionally distorted markets in rural areas.

Lund also notes that not enough is yet known about the effect of pensions on intra-household dynamics, such as status, gender and generational household roles and decisions about how to spend income. She writes that there is an association between women receiving the pension, and younger women in the household going in search of work, although it is not clear if the pension pays for the job search, or changes household dynamics regarding child care, or enables young women to leave children in care of older women. Some of these questions will be examined in this chapter, with a focus on the ways in which older and younger women negotiate income and household roles. It is clear that in Umbumbulu, the combination of social grants and the shift towards forms of employment, such as informal and temporary, that women are more likely to engage in, has increased female mobility and control over income. This has led to renewed conflict between genders and generations over the distribution of income within the household and the behavior of the youth, particularly of daughters.

The Changing Structures of Households

For most of the twentieth century, the ideal held by residents of eMbo-Timuni has been of a Zulu household organized around principles of patrilineal descent and virilocal residence. Patrilineal kinsmen prefer to live close together, while women, upon marriage, would move far from the home of their birth, setting up a household on the land of their in-laws, or living in the household of their in-laws where they were expected to provide

labor and eventually inherit the household. Unmarried women, of whom there were few, would remain in the household of their patrilineal kinsmen.

Marriage remains central to the developmental cycle of households, being the point at which new households are established or previous ones are perpetuated. However, as the migrant labor system has collapsed due to economic shifts, and new patterns of economic activity and movement are emerging, marriage has all but disappeared, and power dynamics between multiple generations within households have become increasingly fraught. Men are expected to earn money for bridewealth or *ilobolo* payments and then set up a household and support their wives and children through wages earned by work in a full-time job in the formal economy in an urban area. While this ideal has always been difficult to sustain, it has become virtually impossible in times of high unemployment. Bridewealth is currently out of reach of most young men, and marriage, if it happens at all, tends to occur at much later ages than previously. Most children are now being born out of wedlock, and young people continue to live at home, unmarried, well into their thirties. Shortages of land for establishing new households near to the road and the virtual disappearance of marriage have meant that few new households are being established in rural areas.

Households generally consist of anywhere from 2 to 4 generations, with the oldest man in direct line of descent named the head of the household. Adult sons are expected to bring their wives home after marriage while daughters of the household, on the other hand, leave the home upon marriage and live with their in-laws. The adult married sons will then eventually either leave the household of their parents to set up a new household,

Figure 6.2 – Money given to the bride during a pre-wedding umemulo ceremony

Figure 6.3 – Gifts given in return during the umemulo

Figure 6.4 – The final wedding ceremony

or remain and inherit that of their parents. Whether or not married sons stay in the household or leave to set up their own depends on factors such as the amount of land available at home and the number of sons. Parents may require their sons to stay at home if they need the domestic and agricultural labor of their daughters-in-law. Frequently, upon the death of their father, married sons will divide the land among themselves, setting up several new households in close proximity. Often the eldest son will remain in

the original household and take care of any remaining members, such as a mother or unmarried sisters.

Marriage was historically characterized by an elaborate series of negotiations and the eventual exchange of money, gifts and livestock between the families of those to be wed, setting up a relationship between the families. *Ilobolo*, or bride wealth, refers to the largest payment which is made by the groom's family and is usually understood as an acknowledgement of the role of the woman's parents in raising her up until this point. However, *ilobolo* is as much about children and the perpetuation of the lineage as it is about the women. *Ilobolo* essentially establishes all subsequent issue of the woman being married as members of the groom's lineage. The payment is also received by the men of the bride's lineage, usually her father, one of his brothers, or her older brother. Illegitimate children are considered members of the woman's lineage unless a smaller part of the bridewealth, known as *inhlawulo*, is paid for them. *Inhlawulo* is essentially a part of *ilobolo*, as it is subsequently subtracted from *ilobolo* payments. Therefore *ilobolo* for one woman may be spread out among several men who have parental rights over different children. Upon wedlock, if a woman has children from another man, those children are either claimed by their fathers, or they are claimed by the woman's father or elder brother and remain in the household of her birth. *Ilobolo* was officially set by the colonial state in Natal at 11 cattle, and remains as such today. However, cattle are now paid as cash and the amount of each cow is negotiated by the families. This allows for some variation in the final sums exchanged, despite the set rate of 11 cows. One of the 11 cows is for the mother of the bride and is paid only once, either at marriage or when *inhlawulo* is paid for the first child.

Figure 6.5 – Preparing to speak to the ancestors before paying inhlawulo

Figure 6.6 – Arriving at the house of the young woman's parents

The most frequently cited issue affecting rural households in South Africa has been the development of a system of migrant labor. Early migration during the 1800s was limited to smaller numbers of young men earning money for taxes and weapons, but during the 1900s, high proportions of men and smaller numbers of women migrated for employment and rural households became dependent on migrant wages for their very subsistence (Guy 1990). The recollections of older informants from eMbo suggest that this region had a well developed system of migrant labor from the time of their earliest recollections in the 1920s until around the early 1970s. Both eZimwini and oGagwini are close to Isipingo and Durban, and most of the men worked in these urban centers, and less frequently traveled to Johannesburg for employment. Women remember both their fathers and husbands working as migrant laborers and employment opportunities during their youth as relatively easy to obtain.

Women, on the other hand, were actively discouraged from traveling to or working in urban areas by their fathers and husbands. One woman recollects that the first time she went into town was when her boyfriend took her as a young adult. Once they were married, however, he prevented her from traveling to town. She added, though, that now that he was no longer with her, she went to town frequently, because she enjoyed going there after being prevented for so long.[55] Current older residents, unlike Bozzoli's (1991) informants in Phokeng, do not tell of a time in their youth when they lived and worked in urban areas. Instead they speak occasionally of female relatives still living in urban areas or of restrictions on their own movements from husbands or in-laws. In general, the only wage labor open to women living in the region during this earlier period

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[55] While it is undoubtedly true that some women from this region escaped these restrictions and migrated to urban areas, most of them probably moved permanently and therefore did not make it into this sample and were not interviewed.

was in the sugarcane fields of the neighboring white farmers where they were paid extremely low wages. Women also remember working long hours in the fields of their own homes when they were younger. Population levels were lower, fields larger, and rainfall greater, resulting in larger harvests of subsistence crops. Despite this, however, families were still heavily dependent on migrant wages. One woman told of her father dying when she was 11 years old during the 1920s or 30s resulting in her mother, herself and all her siblings going to work for the local farmers planting sugarcane in order to earn enough money to survive.

Control over women's labor and movement during this earlier period seems to have occurred mostly through the practice of living with in-laws after marriage. Even if the husband was not present for much of the time, married women lived under the jurisdiction of their in-laws in rural households and performed a considerable amount of heavy labor in the household and in the fields. For those women who stayed in the rural areas, they often look back on this time as a time characterized by the predominance of ideal households where the breadwinner husband supported his wife and children and social structures within the household clearly exemplified the perpetuity of certain lineages. Young wives did have some independence in terms of controlling their husband's income and the expectation of some day establishing a separate household on their in-laws' land, or even just a separate kitchen within the household and the financial independence signified by the separate kitchen. One informant told me that after marriage her mother-in-law gave her a purse that she said was the purse for her husband's wages, and that now she would take over from her mother-in-law in controlling her husband's wages. While it has been well-documented that male migrants were often

unreliable in sending home income or abandoning their rural families, nonetheless this image of the male breadwinner sustaining his traditional family in the rural areas was a powerful one for many of the women who did stay in rural locations and attempt to create families within this model.

The heavy burden of domestic and agricultural labor put upon women in rural areas to maintain rural social systems, Bozzoli suggested, must have involved "some conflict, some vast social, moral and ideological reorganization" (1983). However, it seems that during this period of intensive male migration, the primary struggle, as is also seen in the concerns of Zulu nationalists, was to control younger unmarried women and prevent female migration. Once women were married and established in the homes of their in-laws, there were few opportunities for them to renegotiate the terms of their labor within the household of their residence, at least while their husband was still living and contributing to the family. This was due to several factors including control by fathers and in-laws of children, state laws restricting female migration, and the restrictions of customary law. Another less frequently mentioned measure of patriarchal control, however, was through education. Most older women in eZimwini and oGagwini have only a Standard 1 education because, as they phrased it, their fathers were afraid that they would become *isifebe*, or loose women, if they remained at school after this point. Withdrawing young girls from school at an early age limited their opportunities for employment in the formal economy.

This system of migrant labor, however, has been breaking down over the last three decades leading to greater female mobility and changes in power dynamics within households. With the loosening of restrictions for participation in the informal economy

after 1994 and the sudden rash of farm evictions in the early 1990s,[56] places such as eZimwini have seen population booms. The shortage of land and the decrease in marriage has meant that few new households are being established. Of the 113 households interviewed in this study, 87 had at least three generations present, suggesting that the large majority of households in this region are at later stages in their developmental cycle.

Households in eMbo are also characterized by the absence of older men and a high number of households that are headed by older women. The term "head of household" is used somewhat loosely here since women are never heads of household in the context of patrilineal descent, such as when ceremonies honoring the ancestors are required. However, in terms of controlling income and determining daily activities, there are many households that are controlled by women. Households that consist of a widowed, separated or unmarried woman as the primary caregiver for minor or adult unmarried children I have labeled as female-headed households for the purposes of this chapter. The presence of a developmental cycle within households can also make it difficult to determine whether or not to characterize a household as female-headed. For example, should a household with a widow and her unmarried children, including one son who has just brought home his fiancée, be classified as a female-headed household with unmarried children or as a young couple living together with their paternal mother as a pensioner and the unmarried paternal siblings? In cases such as these, it is necessary to make a judgment call. For the most part, I have classified such households according to the number of people from each generation. If a woman is living with only one or two

[56] As apartheid was ending, many white commercial farmers evicted labor tenants from their land for fear that these same tenants might claim rights to the land their were living on after apartheid ended. This led to a rise in the number of evictions in the early 1990s. Most of these people moved onto reserve land.

of her adult children, and one of these children is a son with a wife and children, the household will be seen as having moved on to this adult child as the head of household. However, if most of the woman's children are still at home, but one or two or her sons have brought home very young wives or fiancées, these households are classified as female-headed. Under this scheme, out of 113 households in this study, 54 are female-headed, 53 have a man and a woman in a domestic partnership at the head of the household, two are headed by men with no wives, and four have other arrangements. Of the 54 female-headed households, 40 of the women are widowed, while the other 14 are either separated from their husbands, never married, or their marital status is unknown.

The 53 households headed by a man and a woman in a domestic partnership tend to be younger households on average, with a lower percentage of three generational families and fewer married children. However, it remains the case that 38 of these families had grandchildren present, while only three of the families had married children living elsewhere and two had married sons living in the household with their wives. This shows a dramatic increase in the number of children being born outside of marriage, and of women who had not left the household of their parents. The patrilineal nature of these households is also evident in the prevalence of grandparents and siblings related to the male lineage rather than to any of the women who married into the household. In addition, while many women looked after and counted as their children those born to their husband by other women, there were no cases of children that were born by the women from a different father. When women did leave the household of their parents to be married, they usually left behind any children they already had from previous boyfriends. The head of the household had a permanent job in only 15 of these

households, suggesting that the previous ideal of the male breadwinner as head of household is no longer prevalent. Overall, within these households, the principles of patrilineal descent and virilocal residence remain strong, but the decline in marriage has threatened the establishment of new households and led to the dominance of households at later stages in the developmental cycle.

The 54 female-headed households show considerably less inclination to follow the strict lines of patrilineal descent. Many widowed women have returned to the households of their birth and requested land from their male siblings to set up independent households. While much has been written about the inability of women to access land under customary tenure, or to inherit property, in practice, widows seem to command considerable ability to claim a part of their father's land. Informants usually justify this, according to "tradition," as claiming land on behalf of their male sons. Female-headed households tend to be older, with 49 of them containing three generations. Also 15 of these families had one or more married children living elsewhere and 13 had one or more married or engaged sons living with their wives or girlfriends in the household. Besides being older families, these figures also suggest that sons are more likely to remain at home to care for their mothers when their fathers are deceased. Younger women living alone with very young children rarely constituted an entire household. In one such case, the deceased husband's brother moved into the household. As older widowed women return to their father's land or become the head of their households with the death of their in-laws and spouses, there is an increase in the presence of siblings living together that are related through descent to a women rather than through the male line.

Of the remaining six households, two consisted of widowers living with their children and grandchildren, one consisted of a woman pensioner and her unmarried older son, another of a woman with no children in a polygamous relationship with a husband who spent only a portion of his time in the household, and the final two consisted of young unmarried siblings whose parents had died and who continued to live together with their own children. In the cases of young sibling households, the extended family often sent a paternal uncle to look after the siblings temporarily or permanently, depending on the age of the eldest. Out of the various configurations of households in this study, there are two issues that arise that reflect both the rise and decline of migrant labor and shifts in the nature of domestic struggles. Firstly, the prevalence of female-headed households, particularly those headed by widows, has corresponded, I would argue, with both the beginnings of a shift in the patrilineal nature of rural households and with shifts in the power of women in the household. Secondly, the decline in marriage has led to a huge increase in the number of young people between the ages of 15 and 35 who have children themselves and yet are forced to remain in or affiliated with their parents' household. This, along with the decline in the role of the male breadwinner, has broken down the sanctions on female migration over the last three decades and dramatically increased the general mobility of the youth. In this chapter I use the term 'youth' loosely as a catch phrase for these men and women between 15 and 35 who are unmarried and remain affiliated with the households of their parents. This usage corresponds with general perceptions in the region under study that accords full adult status to young people only when they marry or set up an independent household.

Gender and Mobility in the Household

While it is relatively easy to label households as female headed in terms of women's position as the oldest members of the household, it is harder to determine whether or not this position has increased their power within the household with respect to their adult sons, or their power to defend the household against outside forces, such as in the context of accessing or holding onto land. Murray's (1981) study of labor reserves in Lesotho found that a considerable number of households had a permanently resident senior wife or widow that formed the anchor of the household and that these widows were seen as entitled to land. However, he also suggested that these women were highly dependent on their sons to be able to hold onto their land. In eMbo, households varied in terms of how much control a mother has over the land compared to her adult sons. However, many widowed women seem to have complete control over their land and claimed that they may or may not give it to their sons upon marriage depending on availability and the level of interest expressed by their sons. Most women do not speak of conflict with their sons over land, but rather speak in terms of wanting to give land to their sons but being prevented either by land scarcity or lack of interest on the part of young men to settle in rural areas. In addition, the high numbers of widows returning to their birth homes and claiming their father's land also suggests that women who are senior within a household are gaining recognition within the community that they are acting as heads of households.

Despite this, the fact that women's access to land is still spoken of as through her sons disadvantages those women without children, or those who have never been married.

Also, widowed women rarely speak in terms of giving land to their daughters, married or not, and vary considerably in their answers if pressed on this point. There is evidence of change even here, however, as is seen in the story of Thobile[57] in eZimwini. Never married, without any living children, and with only one grandchild living elsewhere, Thobile's attempts to claim a part of her father's land upon his death were denied by her brother. Her appeals to the *induna*, however, resulted in the division of the land between all of the siblings, male and female, and the *induna's* stated claim that all children have a right to inherit their father's property. Unfortunately this ruling did not go so far as to divide the land equally, but it did allow Thobile to claim a separate residence and fields from her brother. This may also suggest a recognition on the part of the *induna* of changes at the national level, and traditional leaders may be more likely to back up women's claims of inheritance over the property of their fathers under the new dispensation. Most unmarried women, however, continue to live within the household of either their father or brother and do not have their own residences.

Urban studies of female-headed households in South Africa have also led to considerable debate as to whether or not women's position of seniority actually confers decision-making powers upon them (Niehaus 1994). While there is no doubt that widowed women in eMbo frequently see their status within the household as emerging from their role as mothers, there nonetheless seems to be an increase in the de facto power of these women that corresponds, I would argue, with the breakdown of the migrant labor system. With few men holding permanent employment, and the high levels of mobility among younger people seeking jobs, older women have become central in sustaining the household through a combination of subsistence agriculture, their own

[57] Pseudonyms used throughout this section.

income from pensions and engagement in the informal economy, and through their co-ordination of the bits and pieces contributed irregularly by their highly mobile children.

Although subsistence agriculture does not have the importance that it used to, it is nonetheless a crucial piece of the survival strategies of rural households without which many households would find themselves unable to meet the basic survival needs of its members. In many female-headed households, older women are the only ones earning a reliable income in the form of government pensions. While small, pensions are nonetheless considered valuable due to their consistency, as shown in the occasional accusations that young women are only looking after their mothers-in-law in order to gain her pension for the household. In addition, the lessening of government restrictions over informal activities has meant an increase in women's engagement with the informal economy. Essentially, rising unemployment has meant the erosion of male control over wealth, first through control over cattle, and then through control over migrant wages. While permanently resident widows or older women have been a feature of rural households throughout the height of rural reliance on migrant labor, I would suggest that these women have gained in power within their households over recent decades although ironically it is likely that these households have also become poorer with this gain in status. The income brought in by women engaged in the informal economy, subsistence agriculture, and through the significantly higher governmental pensions means that women now contribute a higher proportion of a rural family's total income. In addition, this income is seen as more reliable that that of male household heads. Most women report that the pensions and income of mothers and grandmothers is more likely to be

used to sustain the household than the income generated by male heads of households or adult sons.

High death rates among older men have also led to young women, on rare occasions, finding themselves in positions of authority within households. In the case of Nomusa, for example, her parents died just under a decade ago leaving her the eldest sibling of four. While the second eldest sibling Zenzele is understood as the head of the household for events such as speaking to the ancestors, it is clearly Nomusa who runs the household on a day to day basis and has been responsible for initiating a majority of the income generating activities upon which the household depends. This includes negotiating with her younger siblings to ensure that a portion of their income is contributed to the household, negotiations that have at times become acrimonious. Nomusa's role as major contributor and supporter of the household is publicly acknowledged by her younger female sibling and also by the extended family elders, who raise no objections to her inclusion in negotiations over issues such as *inhlawulo* payments that affect her younger siblings, negotiations which are usually conducted by the elders and involved parties. Nomusa herself observes, however, that in eZimwini there is considerable variation in the extent to which elders will allow younger women to be involved in decision-making processes on issues affecting the lineage.

The other striking feature of present day households is the decline in marriage and the corresponding decline in the establishment of new households in rural areas. Statistics on marriage are somewhat tricky to relate, due to the many informal relationships and long-term engagements among young people today. Due to the strong social sanctions against having children out of wedlock, it is perhaps useful to compare

how many members of the second or third generation within households are reported as having children out of wedlock compared with how many are either married or living in a domestic unit with their partner. Under these definitions, 206 second or third generation household members have children outside of marriage while 75 are married or reported as living with their fiancée or boyfriend. It is likely that a few of the 206 are living with partners in urban areas but not reported as such by their parents. In sum, 73% of young people with children continue to live in or be attached to their parents' household and live separately from the child's other parent.

Most of these second and third generation household members are between 15 and 35 and have high levels of mobility. Some live permanently in town, others move between households, and the remainder live full time with their extended family in the rural areas. Young women are more likely to be living with family in the rural areas, but female mobility has nonetheless increased considerably according to most residents. Of the 113 households in this study, 20 reported female children living in urban areas while 29 reported male children in the same circumstances, suggesting that the proportion of male to female mobility has changed significantly in the current generation.[58]

While few of the unmarried young adults in eZimwini and oGagwini are employed, large numbers of them have held temporary jobs and one point or another. Many also find employment in the informal economy, most frequently through hawking. Without permanent employment, young job seekers are unable to afford rent and services in urban areas, leading to a renewed commitment to rural households, particularly in areas such as eMbo with their easy access to urban areas. Rural households have always

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[58] These total figures for adult children living in urban areas may seem low, but they only count those with long term residences. EZimwini and oGagwini were close enough to Durban that many people, particularly when in between temporary jobs, would return to the rural area full time.

been seen as a form of security in the context of the apartheid state's laws on urban migration. Now, however, mobile youth see rural households as important protection against economic insecurity and periods of unemployment while rural households depend on the occasional and intermittent contributions from far-flung members. Niehaus (1994) notes the presence in urban areas of sibling households, which he suggests are more harmonious and allow for more flexibility in gender roles than households focused around conjugal unions. From the perspective of rural areas, however, these sibling households are mostly seen as subsidiary to the rural household, and relationships between the members can only be understood by referencing the patrilineal rural household.

Controlling the wages of young men has always been a point of contention within households. However, with young women the concern has usually been control over their domestic labor and mobility. As we have seen in eZimwini and oGagwini, women's mobility has increased over the last few decades. Most unmarried women today have considerably more education than their mothers and with this has come a change in expectations about the type of labor that they should engage in. Senior women often complain of young women's dislike of working in the fields, and younger women spend considerably less time in the fields than their mothers. Despite the complaints, however, this change is grudgingly accepted by senior women as they comment that younger women are now educated, and their labor should correspond with this fact. At the same time, fathers are beginning to see their daughters as potential sources of income. Young women say that their fathers do not mind if they travel to urban areas to work, but the women are concerned that once they are married, their husbands and in-laws may try to

prevent them from working. Female-headed households also rely on the income from daughters as they are more likely to contribute to the household than sons. The income generated by sons has a wider spectrum of demands upon it, and a high proportion goes to girlfriends and children or their own consumption. Daughters, however, never forget their mothers even after they are married and, as the saying goes, and will even "steal" money behind their husband's back to send home to their mothers. As daughters become educated and engage in income-generating activities while remaining at home unmarried, it is accessing their income that becomes a new point of struggle within households.

Disobedient Daughters and the Idiom of Culture and Rights

> Things were much better when we were younger because people had respect and they knew their culture. People were not having children while they were still young and the women were not wearing pants. The young people did not drink as much and there was no hard alcohol. The new government gives the children freedoms and rights. So the young ones are allowed to wear pants; they are allowed to do whatever they want. The government allows them to do whatever they want. When I was young my father would not let girls go to school because he said that they would get boyfriends there. Now the young people all go to school and come back with AIDS from there and then they all die and leave the older generation to take care of their children. (Excerpt from an interview conducted on October 15, 2003)

> [AIDS] could be a God-given opportunity for moral and spiritual growth, a time to review our assumption about sin and morality. (Quote from national Health Minister Manto Tshabalala-Msimang)

Senior women frequently complain about the disobedience of their daughters, and these complaints are phrased as a disrespect for culture within the younger generation because they have been given rights either by the courts or the government. Of particular concern to parents is the pregnancies of their unmarried daughters. As one mother stated,

> What I can see now is only pregnant women. They get pregnant but they don't get married. It is the negligence of us as women, the mothers, that the girls are not getting married. Our mothers beat us a lot but we don't do that with our daughters. They even go anywhere and come back at any time. We don't beat our daughters because the whites say it is not good for parents to beat a child. They say that children have rights so if you beat them they are supposed to arrest you. I am saying 'whites' because it is the magistrate's court which says this. Our children are beating the teachers now. (Excerpt from an interview conducted on October 17, 2003)

Parents often feel that their daughters' pregnancies are evidence of disrespect towards parental authority and the decline in cultural ideas of morality. Senior women frequently cite the dating behavior of the youth as evidence of the decline of *inhlonipho*, the Zulu code of respect within families. Apart from the issue of disrespect towards parental

authority, these children born outside of marriage also placed a considerable economic burden on households. Young unmarried women who were occupied with the care of children would no longer be contributing monetary income to the household from work, and, even if they got married at a later stage, it is unlikely that their husbands would take in children born to previous boyfriends. Daughters are seen as potentially more reliable contributors to households and the loss of their income would be a blow. Senior women point out that when they were younger, women worked in the sugarcane farms and gave all of their wages to their parents because there was nothing to buy, while daughters today are tempted by the availability of consumer goods. Concerns over unemployment are also now directed at female unemployment. Women frequently express sadness that their daughters will not be able to buy them clothes because the government is not giving them jobs.

While elders speak of rights with a negative connotation, younger women speak of rights in a positive way. As one young woman told me, “before 1994 we didn’t know about our rights, we were just oppressed.” Definitions of rights vary considerably but tend to have at their center the freedom of youth from forms of authority, most frequently that of their parents. Rights, as defined in eMbo, have included standard issues such as the right to an education and the right not to be beaten, to more unusual descriptions such as the right to go to a concert, or to disobey your parents. Beyond the rhetoric, there are two areas in which this discussion of rights has had practical implications. Young women are clear on their right to an education and see this as crucial in their aspirations to be employed in the formal sector so that they don’t have to work in the fields as their mothers did. This working in the fields includes both subsistence farming and working

as farm workers in the sugarcane farms. Secondly, young women are beginning to see themselves as having the right to set up independent households outside of the jurisdiction of their fathers, husbands or brothers. Facing few marriage prospects, women talk of claiming land from their brothers in the household of their birth or of setting up households in urban areas if they are employed. This reflects a recognition that changing legal circumstances have made it easier for women to independently own land. Apart from the oft cited reasons for women to remain single such as the unreliability of male financial contributions and the submissive gender roles within marriage (see also Niehaus 1994), women in eMbo also talk frequently about their desire to care for the children they already have and concern that after marriage they will be unable to care for these children by different fathers due to the continued emphasis on patrilineal descent in households headed by men.

Rights are also understood to be backed up by the government and the courts. Elders often complain that if they discipline their daughters, they will be arrested, a complaint that appears to be a legitimate fear as young people speak easily of going to the magistrate if their rights are violated. One 30 year old woman named Nosipho[59] told me of an incident where she took her father to court. After the death of her mother five years earlier, her father, who is employed, requested that she take over buying the groceries. Nosipho's father would give her money and she was supposed to keep receipts on all expenditures. However, as she noted to me, keeping receipts was not feasible as some were inevitably lost. After the totals did not add up one day when he was at home, her father beat her with a whip. The next day Nosipho went to the Magistrate's Court and a month or so later she and her father were summoned to court. She might not have taken

[59] This is a pseudonym.

him to court, she said, if he had beaten her with a stick, but the whip was unacceptable as it had caused significant bodily damage. While being questioned in court, it emerged that her father was angry at her primarily because she had recently been pregnant without being married or even engaged, a topic which her father had not previously discussed with her. The father told the judge that his daughter did not respect him and he was going to throw her out of the house. The judge, however, told him that he could not kick out his daughter or whip her again and informed Nosipho that if he threatened her further, she should return to the court. As a result of this case, Nosipho's brother now buys the family groceries and her father has not beaten her again. Those community members who heard of this case were angry at Nosipho, both because she was threatening the breadwinner of the family and because of the precedent set for wives and daughters to rebel against their husbands and fathers.

While younger women, facing few marriage prospects, turn to the issue of rights to claim independence from parental authority, elders have responded through a revival of tradition that emphasizes their roles as fathers and mothers or as widows. Newly instituted virginity testing ceremonies in eMbo have been initiated primarily by senior women, who are attempting to reestablish their role as the guardians of young women's virginity. Men have at times turned to issues such as *ilobolo* to assert power over the wages of their daughters. One father attempted to include a payment within *ilobolo* negotiations for his daughter that would compensate him for the money he spent on educating his daughter as a teacher. In response the prospective groom threatened to ensure that once married, the daughter would no longer send any money to her parents, resulting in the father dropping his original request. In this case, however, it remained a

struggle between the men over the woman's wages, particularly as it took place in the context of a marriage.

Conclusion

This concept of rights has been picked up readily in rural areas such as eMbo as a means of conceptualizing local domestic struggles in part because of its connection with the legal system and politics. Historically, the law has often been the space where domestic disputes are played out. Civil court cases throughout the last century and a half are overwhelming focused on disputes over parental authority and marriage. With the codification of customary law during the colonial period under indirect rule, tradition and culture were defined and fought out within the legal system. As the Comaroffs (2004) have recently noted, this trend of debating and defining culture and tradition within the courts has continued within postcolonial states.

While rights are a relatively new concept in rural areas, they have entered local discourse quickly in part due to their connection with debates occurring within national politics. The idea that there is tension or conflict between culture and rights has been discussed extensively in public forums throughout South Africa due to the association between certain political parties such as the African National Congress (ANC) and the IFP and their respective perceived agendas of promoting rights and culture. This association of rights and culture with different forms of nationalism has also emerged at previous historical moments as can be seen in the work of scholars such as Mamdani and the Comaroffs on the colonial state's rule through the creation of both citizens and

subjects, and the way in which these two contrasting discourses of entitlement were then utilized by independence and nationalist movements (Mamdani 1996; Comaroff 1998).

Within post-apartheid South Africa, rural people were listening to discussions about the relative merits of rights and culture over the radio, in the schools, and during political rallies. This discourse was then being used in struggles within households over controlling the income and reproductive behavior of young daughters. This use of culture and rights also went beyond discourse as young people took their parents to court, to challenge parental authority in an arena that has historically been the place where customary law was contested, while parents, on the other hand, were re-inventing traditional controls over young women's behavior such as in the revival of *inhlonipho* codes of behavior and virginity testing ceremonies. As households have adapted yet again to new economic conditions, the themes of tradition and modernity have re-arisen as a means of struggling over power, which, at the local level, has centered on the issue of parental authority, particularly over daughters.

Chapter 7 – Conclusion

Introduction

The end of apartheid in South Africa was a historic moment with considerable potential for changing the conditions of inequality that have characterized South Africa for so long. Since the ANC has come into power, the direction of economic and political change has shifted due to widespread debates, negotiations and contestations over the direction of national policies. These national policies have also been shaped by the global context of neoliberalism and the struggle to balance the demands of global markets with social obligations to alleviate poverty and reduce inequality.

These larger questions of democratization and development also need to be grounded in an in-depth knowledge of the way local conditions have been shaped by long histories of colonialism and apartheid. The reserves were a quintessential symbol of apartheid and minority rule, and the people living in these reserves have had to contend with rural poverty and discriminatory practices under apartheid that have not only denied them opportunities for economic advancement but also put tremendous strain on families due to the disruptions of migrant labor. In the post-apartheid period, however, migrant labor is being transformed as economic opportunities are now available primarily in the informal economy and in development projects.

Instead of dramatic changes dismantling previous forms of rule and reversing the economic neglect of the apartheid-era reserves, change in these rural areas has been a slow but nonetheless ongoing process that has emerged out of a dynamic interplay

between local, national and global negotiations and struggles over power and meaning. These struggles rely on claims of authenticity, indigeneity and community membership – what Sara Berry refers to as the "politics of belonging" (Berry 2004).

There have also been many areas of continuity in people's lives during this transitional period. The power of the chiefs in the new regime, for example, has arisen in part out of the need to consolidate power quickly after a long period of political instability. In this dissertation I have traced these continuities and reconfigurations of power through several major themes that emerged in my fieldwork, namely memories of political violence, land tenure and land reform, development projects, and tension within households over the behavior of daughters. These local histories and local configurations of power have created spaces in which neoliberalism is being re-worked and contested in ways that challenge basic assumptions about state formation and economic development.

These changes and continuities are often experienced as tensions and contradictions that people are living with in the post-apartheid era. These points of tension also help bring to light the way in which a new hegemony is being formed—in the Gramscian sense of the organization of consent and the universalization of the interests of the ruling group to the interests of everyone. They illustrate how certain configurations of power have persisted or reinvented themselves in the post-apartheid era and the areas in which they are being contested and resisted.

Customary Authority

One of the contradictions that lies at the heart of this dissertation is the continuing power of hereditary chiefs within a new post-apartheid regime that is celebrated for its liberal constitution and strong emphasis on democracy and human rights. These unelected authorities are associated with gender and age inequalities that seem to contradict the emphasis on women and youth evident in human rights discourses and social welfare policies. Despite this, after almost a decade of negotiation around the form of local government and land rights, recent legislation has given chiefs significant power to influence land and local government.

Mamdani (1996) describes chiefs as "decentralized despots" due to the ways in which indirect rule consolidated power and authority in the figure of the chief and stripped away decentralized forms of power within existing African societies. His thesis has much validity in describing KwaZulu-Natal where chiefs have been incorporated into colonial and post-colonial states for more than a century and a half. KwaZulu-Natal provides a particularly good window into issues of chiefly authority and local government due to the rise of Zulu nationalism in this area and the political violence that was associated with this movement. Chiefs and customary authorities derived their power from political control and the allocation of land in these reserve areas and potentially had much to lose from political reform that would install new local government structures and elected councilors. In this dissertation, I have also illustrated the ways in which customary authorities have repositioned themselves and shaped these processes of reform.

In eMbo-Timuni, regard for the chief was ambiguous. While the power of the chief to allocate land has slowly been eroded over time, their ability to reinvent

themselves as representatives of tradition has been a powerful tool in claiming a place in the new structures of local government and in the political imagination. In addition, chiefs have been working to insert themselves into processes of economic development and have competed with local government councilors to be seen as responsible for bringing various development projects into the communities under their jurisdiction.

Social Welfare and Gender

The very masculine power of the chiefs often seems in direct contradiction to the emphasis of social welfare policies on women. The system of social grants has overwhelmingly put money into the hands of women in rural areas, who receive money both as caretakers of children and as pensioners. This money has granted a new level of independence to women who are increasingly able to control their own households and land. This power has come at a time when poverty is increasing, leaving women in charge of the most impoverished households. With rising levels of unemployment, people are forced to rely on kin networks and a broader set of strategies for bringing income into households. Women are also entering the work force in larger numbers and taking on lower status work, particularly temporary jobs and work in informal sector.

Marriage has also rapidly declined as young people no longer have the means to establish independent households. Young people are unable to start new households because they don't have the income for bridewealth payments and independent living. As marriage is collapsing, youth are finding themselves living in the households of their parents and raising their children within them while their fiancées live elsewhere. This

has led to conflict between generations, particularly mothers and daughters, over control of income, child care labor, and sexual behavior. As many young people die of AIDS, their children are often being left in the care of their grandparents.

These new tensions within households over division of labor and income are being presented as a debate between culture and rights. As older generations have used the language of tradition to try and gain some measure of control over the behavior of their sons and daughters, younger people have adopted the language of rights to argue for their freedom from parental control even while continuing to live in the household of their parents.

Neoliberalism and Development

The sugarcane and organic farming development projects in eMbo-Timuni also contain within them very different and often conflicting views of how to develop or modernize the economic practices of people living in the reserves. In addition, these discourses of development also reflected new discourses about political participation and entitlement for those living in poverty. Many of the differences between these projects stemmed from their different approaches to economic development and their reflection of national agendas of market reform and redistribution.

Meanwhile these development projects, meant to increase the participation of rural communities in the modern economy and eventually make the participating farmers competitive in the market economy and able to make a living wage, were somewhat less successful on these terms, at least up until this point. The projects were a political

success in generating legitimacy for the private and public institutions sponsoring them, and in bringing income into the area in the form of funding for the projects. This was particularly true of the Ezemvelo Farmers Organization, with its ability to draw on popular ideas of tradition, indigeneity, and community. Development projects also varied considerably in the extent to which they subscribed to or attempted to break down the divisions between the "first" and "second" economies, as recently outlined by the national government.

Controlling the way in which these projects were represented was not just of concern to political interests, but also to the private sector sponsors, as businesses such as the sugar industry had to prove that they were complying with the government's goals of Black Economic Empowerment and redistribution of land. The neoliberal national economic policies as well as the way in which the commercial sector is structuring its more recent "development" projects has led scholars such as Marais (2001) and Seekings and Nattrass (2005) to argue that what is changing is the race-based nature of stratification in South Africa, rather than stratification itself. These scholars suggest that the transition was allowed by the business sector as a necessary political change to inspire further economic growth but that the business sector has since shown considerable influence over the policies of the new government, restructuring the economy in a way that has potentially made it more competitive in global markets and encouraged new sectors to emerge but that has also kept class divisions intact.

Hein Marais (2001:2) writes that the transition from apartheid needs to "be understood less as a miraculous historical rupture than as the (as yet inconclusive) outcome of a convergence of far-reaching attempts to resolve an ensemble of political,

ideological and economic contradictions that had accumulated steadily since the 1970s." The resolution of these contradictions, however, remains an ongoing process. The loud criticisms of the neoliberalism of the recent ANC policies is also a reflection of the tensions within the party of the direction of economic and political reforms. Gillian Hart, for one, has argued that South Africa is not as neoliberal as it seems and that the newer discourse of first and second economies, for all of its troubling aspects, is also a reflection of a potentially more interventionist turn in economic policies (2006).

Conclusion

It is perhaps in these very contradictions and tensions within the post-apartheid period that there exists space for contestations and re-workings of neoliberalism, of human rights and of various other ideologies and discourses at the local level. In this dissertation I have also tried to illustrate some of the strategies and the ways in which the local is shaping the national, and how people are struggling to make a living and to access resources in such economically insecure times, and with the memories of recent political violence. This is occurring through claims on land and power that hinge on struggles over identity and belonging in the post-apartheid period.

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