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TOWARDS THE CO-MANAGEMENT OF NATURAL RESOURCES IN PROTECTED AREAS IN SOUTH AFRICA: A STUDY OF THE SILAKA NATURE RESERVE, IN EASTERN CAPE PROVINCE

by

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Thesis

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Doctor of Philosophy

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at the

University of Witwatersrand

Supervisor: Prof. Mulala Danny Simatele

Co-Supervisor: Dr Thabiso Michael Mokotjomela

Ethics Clearance Number: H18/09/11

January 2024

DECLARATION

I **Mzwabantu Richard Kostauli** hereby declare that this thesis, together with data, diagrams, tables, graphs, and any other information contained in it, is my own work and investigation. The thesis is being submitted for the purpose of the Degree of Doctor of Philosophy to the Faculty of Science at the University of the Witwatersrand, Johannesburg. It has not been submitted for examination at any University before.



Mzwabantu Kostauli Date: 30 May 2024



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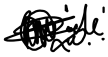
Co-Supervisor: Dr Thabiso M Mokotjomela Date: 30 May 2024



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ABSTRACT

The pressure in the management of South Africa's natural resources in protected areas has led to the development of land policy and the process has undergone important changes since the dawn of democratic rule in 1994. This process started when land claimants were expected to interact with the Department of Rural Development and Land Reform to submit land claims based on land dispossession since 1913. The Silaka Nature Reserve as a research site is one of the protected areas on the Wild Coast Region of the Eastern Cape Province that has seen the land restitution process completed. Considering the land being claimed, the study aimed to investigate the management effectiveness as a protected area while promoting sustainable community development.

A combination of different ethnographic methods was applied to collect data for this study. The study largely followed a qualitative research approach for data collection. The research questions were aligned with the community involved in the land restitution processes, applicable legislative frameworks, co-management activities, roles and responsibilities of key stakeholders and the alternative strategies suitable to promote sustainable use of natural resources, and community development to reduce conservation conflicts.

This study applied a purposeful and snowball sampling strategy to acquire primary data to select research participants from the relevant government institutions, traditional leadership, local community structures and specific individuals who gave specific views or opinions on specific issues relevant to the study.

Interpretivism research philosophy has then been used to demonstrate the application of qualitative research approaches for improving complex and controversial issues and to highlight some land reform and natural resource co-management challenges. Interpretivism was used to demonstrate the present understanding of complex and controversial issues.

The findings revealed several gaps and deficiencies in the land restitution processes including the implementation of co-management activities pursued. The uncertainties with the neighbouring communities are a result of the limited involvement of the key stakeholders during the land restitution process. The findings also pointed to partial implementation of co-management activities. Simultaneously, the participants also viewed the protected area as an important community asset from which benefits can be derived. The significance of this study was aimed at influencing South Africa's policies on land restitution and co-management of natural resources in protected areas. The limitations of the study were that it only focused on land restitution processes and co-management of natural resources at Silaka Nature Reserve.

It is recommended that the natural resource management plans need to be reviewed to create reasonable access to natural resources by local communities, and the inclusive co-management agreement must be developed and implemented. It is also recommended that the reserve should venture into a Community Public Private Partnership with a private investor for commercial activities to reinforce capital to diversify mechanisms for income generation and job creation for local people. For future research studies, it is recommended that further investigation on socio-economic impacts of protected areas on adjacent local communities be pursued.

Key words: Co-management; collaborative governance; natural resources; and protected areas

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LIST OF ABBREVIATIONS AND ACCRONYMS

ACHPR	African Commission on Human and Peoples Rights
CBD	Convention on Biological Diversity
CBNRM	Community Based Natural Resource Management
CCP	Chinese Communist Party
CPA	Communal Property Association
CTC	Caguba Traditional Council
CAMPFIRE	Communal Area Management Programme for Indigenous Resources
DEA	Department of Environmental Affairs
DEAT	Department of Environmental Affairs and Tourism
DLA	Department of Land Affairs
DRDLR	Department of Rural Development and Land Reform
ECPTA	Eastern Cape Parks and Tourism Agency
ECSECC	Eastern Cape Socio-Economic Consultative Council
FAO	Food and Agricultural Organization
GAO	Government Accountability Office
ILO	International Labour Organization
IUCN	International Union for Conservation of Nature
LCC	Land Claims Commission
MLH	Ministry of Land and Housing
MEA	Millennium Ecosystem Assessment
MPA	Marine Protected Area
MOA	Memorandum of Agreement
NDDPILRSD	New Delhi Declaration of Principles of International Law Relating to Sustainable Development
SD	Sustainable Development
NEMPAA	National Environmental Management: Protected Areas Act
OHCHR	Office of High Commissioner for Huma Rights
PA	Protected Area
PPP	People and Parks Programme
PSJLM	Port St Johns Local Municipality
SDG	Sustainable Development Goals
SSA	Sub-Saharan Africa

UNCED	United Nations Conference on Environment and Development
UNDESA	United Nations Department of Economic and Social Affairs
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
UNDRIP	United Nations Declaration on Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
RAMSAR	Convention on Wetlands
WCED	World Commission on Environment and Development
WCPA	World Commission on Protected Areas
WPC	World Parks Congress

CHAPTER ONE
FRAMES OF REFERENCE

1.1 Background of the study

Globally, the co-management of natural resources has emerged as a desired biodiversity conservation approach (Berkes, 1994). This is because of its potential to balance ecological goals and livelihood needs (Berkes, 1994). Thondhlana *et al*. (2016) also argue that co-management of natural resources offers a promise in efforts to achieve ecological integrity and livelihoods. This is often called collaborative natural resource management and it is widely accepted to resolve conflicts among communities with different interests in a natural resource (Dandy et al., 2014). Experts view collaborative resource management that involves public and private stakeholders in natural resource decisions as an effective approach to managing natural resources (GAO, 2008). It is also viewed as an effective approach for addressing natural resource problems compared with the traditional approaches (GAO, 2008). Dandy *et al.* (2014) further argue that collaborative natural resource management offers several benefits such as better natural resource results, shared ownership and authority, increased trust, and communication. However, reviewed literature also suggests that collaborative resource management does have limitations, such as the fact that building relationships and reaching consensus takes time and resources (GAO, 2008).

In Sub-Saharan Africa communities, predominantly in rural areas, they rely on natural resources such as water, soil, and animals to sustain their livelihoods (Fabricius, (2013) in Rampheri and Dube, (2020). Most of these areas have since been designated or declared as protected areas. Over the past years, biodiversity conservation depended on protected areas controlled by central governments through a centralized management approach, which is characterized by a top-down resource management approach (Vodouhe et al., 2010). This approach isolated the local people from nature as it restricts access to natural resources (Rampheri and Dube, 2020). Rampheri and Dube (2020) further argue that this also restricted local communities from key decision-making concerning natural resources management in protected areas. This approach escalated conflicts between communities and protected area management (Andrade, 2012). In responding to such conflicts, community-based natural resource management (CBNRM), or collaborative natural resource management, emerged as a possible solution and has since evolved over the past three decades (Fabricius et al., 2013).

The new South African government adopted a similar position (Cocks, 2001). New and emerging policies relating to conservation and land management strongly articulated the need for the participation of local people in the management of natural resources, both in communal

and on state-owned land (Cocks, 2001). The dawn of democracy has had implications for the sustainable management of biodiversity in protected areas (De Koning 2010). Following the advent of democracy in South Africa, the land tenure issue became one of the top transformational agendas for the government (Department of Environmental Affairs, 2006). The new constitution (of 1996) provided the enabling framework to deal with disparities of land ownership created by the 1913 Land Act (Department of Environmental Affairs, 2006). The South African government promulgated the Restitution of Land Rights, no 22 of 1994. The aim of this legislation is to provide the restitution of rights for land in respect of which persons or communities were dispossessed, or for furthering the objectives of any racially based discriminatory law (Department of Environmental Affairs, 2006).

This process was followed by the lodging of several land claims from previously displaced populations. State Protected Areas were no exception to this land claim process. At the time, the government had no policies to guide restitution in protected areas. To mitigate this gap, in May 2007 the government concluded a Memorandum of Agreement (MoA) between the Minister of the former Department of Land Affairs (DLA) and the Minister of the former Department of Environmental Affairs and Tourism (DEAT). This Inter-Ministerial MoA provided a mechanism to facilitate the following (DEAT):

- *A cooperative national approach to resolutions of land claims in protected areas*
- *A definition of roles between the two departments regarding the restitution of rights to land within Protected Areas*
- *Continued environmental protection for Protected Areas under land claim, and*
- *Optimum participation and beneficiation of land claimants and broader communities in and around the Protected Areas*

Protected areas contribute meaningfully to the economic, social, and environmental aspects of the nations; this suggests that their existence is important. Economic contributions of protected areas include providing job and business opportunities to local communities through tourism activities (International Union for Conservation of Nature, 2012). Socially protected areas provide livelihoods in the form of natural resources, while environmentally protected areas contribute towards climate change mitigation strategies and provision of ecosystem services (IUCN, 2012)

In South Africa, most state protected areas are a subject of the land restitution process (Thondhlana and Cundill, 2017). In response to this, the South African government adopted a

co-management system through the development of a National Co-Management Framework. This framework has been used as a guiding tool for the settlement of land claims in protected areas. The framework gives various options of co-management arrangements that can be entered into between land claimant communities and management authorities after the land restitution process has been concluded in protected areas.

Several Protected Areas under the management of the Eastern Cape Parks and Tourism Agency were also affected by the land claims as early as the year 1999 (Eastern Cape Parks and Tourism Agency, 2017). Section 42 D of the Restitution of Land Rights Act no 22 of 1994 provides the Minister of the former Department of Land Affairs (DLA), currently Minister of the Department of Rural Development and Land Reform (DRDLR), that, when satisfied a claimant is entitled to restitution of a right in land, the Minister can enter into an agreement with interested parties in the claim (Department of Land Affairs, 2012). The Caguba land claim was settled in 2008, with Silaka Nature Reserve being part of this.

Since 2013, Silaka Nature Reserve has been experiencing relationship challenges with neighbouring land claimants, particularly the adjacent Sicambeni Village. This community, amongst other things, demanded an equal share of revenue profit and preference during recruitment for vacant positions. Those challenges led to the closure of the nature reserve on two occasions. This suggests that the co-management system and its successful implementation form an integral part of natural resource management in South Africa. This means that an understanding of the co-management framework and its implications by stakeholders involved is key to the successful implementation of co-management in protected areas. It is therefore clear that the effective management of natural resources in South Africa will depend on strong co-management institutional arrangements. Although South Africa has institutions, it appears there are still gaps in the management of natural resources.

1.2 Problem Statement

For decades, the consumption and use of natural resources has been a source of controversy and contention among diverse public and private interests (GAO, 2008). Demographic and economic changes have caused competing interests in the use of natural resources (Krampe, 2017). Furthermore, complicating these interests in use are ecological problems such as invasive species, loss of wildlife and plant diversity (Duffy, 2006). Most protected areas in South Africa are surrounded by villages, which are characterized by poverty, environmental degradation, low or non-existence economic activity, high unemployment, and poor infrastructure (Cocks, 2001). Silaka Nature is not immune to this situation. The shift to a

participatory approach is strongly linked to an era where local people have progressively demanded greater rights, access, benefits, and decision-making power in their ancestral land (Thondhlana et al., 2016). This phenomenon, to some extent, contradicts the former business models applied by conservation institutions (Krampe, 2017. This suggests that the demands put pressure on conservation authorities to implement strategies informed by the co-management framework, which could yield benefits that are more tangible to communities irrespective of the consideration for the capital investments in the running costs of the nature reserves. Conflicts between protected areas and communities revolve mainly around accessing financial benefits, natural resource use and decision-making.

Communities feel that conservation activities should justify their existence within their land and have renewed interests in benefit-sharing mechanisms (Malo et al., 2010). Local communities are likely to support protected areas to the extent that such areas provide benefits to them, especially in the form of the continued availability of the resources contained in those protected areas (McNeely, 2013). However, the question is, do all protected areas have the potential to yield tangible financial benefits to local communities as expected? The economic benefit to local communities from areas managed for sustainable use can be considerable, without long-term disruption (McNeely, 2013). In 1982, Indonesia earned US$ 200 million in foreign exchange from non-wood forest products (McNeely, 2013). It has been apparent that different nature reserves under the management of the ECPTA have different financial return potentials and, subsequently, a new clustering that considers commonalities of the natural attributes (e.g., biodiversity, heritage, game, and recreation).

Conflicts between the communities and conservation on financial benefits may affect the ecotourism industry negatively because many business activities often adopt maximized benefits models, which could conflict with conservation principles of sustainability (Werner, 2000). Indeed, the maximized approach of acquiring profits from the natural capital have been blamed for the ongoing global climate change and the impaired ecological infrastructure in many parts of the world (Feyerabend, 2003). Tourism and visitation in protected areas generate a host of impacts on the environment, economy, local community, and visitors themselves (Leung et al., 2014). This could be linked to maximization of benefits through developing sensitive areas, which may negatively affect the environment such as pollution and sensitive habitat destruction (Leung et al., 2014). This may then result in conflicts between conservation and communities. A good example of such impacts and conflicts is the case of a study in China, where it was revealed that major economic development led to the considerable impact on wildlife populations (Liu et al., 2017). Elephant distribution appeared to occur in unbroken

natural forest only (Liu et al., 2017). Over a 40-year period, the distribution ranges of elephants became smaller and fragmented, with natural forest also declining by 16 per cent (Liu et al., 2017). This was mainly because of the conversion of natural forest to tea and rubber plantations for commercial purposes (Liu et al., 2017). Consequently, there is an urgent need for a better understanding of the protected areas' governance models, and the complexities associated with the implementation of the co-management framework. Whereas the said co-management approaches are new in South Africa, their impacts on the sustainability of the ecological systems and ecotourism business are also not yet understood.

Protected areas are defined as areas managed through legal or other effective means to protect and maintain biological diversity and natural associated resources (McNeely, 2013). They are a central part of global, regional, and national long-term conservation strategies (IUCN and UNEP-NCMC, 2014). These protected areas are important because they secure ecosystem services (IUCN, 2012). The main purpose of the protected areas (Pas) is to effectively protect, develop, and support existing biodiversity (Rampheri and Dube, 2020) effectively and sustainably. They can also create job opportunities and provide livelihoods for local communities. According to Andrade and Rhodes (2012), the costs to protect areas rise when conservationists fail to observe other important factors such as social, traditional, cultural, and political issues. The costs therefore result in people resenting Pas and developing negative perceptions and attitudes towards biodiversity conservation (Rampheri and Dube, 2020).

As a means of promoting a positive relationship between inhabitants and the protected areas, the IUCN's system of categories for protected areas recognizes that humans and protected areas can co-exist productively under management regimes (McNeely, 2013). All protected areas have human habitation abutting their boundaries, which intricately interact with wildlife and habitats therein (Zeeshan et al., 2017). Protected areas are under pressure from human population growth and land use intensification (Zeeshan et al., 2017). This affects the existence of protected areas because these developments put them under threat. The community also complicates this by demands for benefits in these protected areas. The importance of managing such interplays is either positive or negative and is vital in sustaining ecological settings of the protected area (Zeeshman et al., 2017).

During 2002, the Johannesburg summit on sustainable natural resources use concerns in terms of human activities and outcomes, global warming, biodiversity loss and deforestation, were raised (Kant and Berry, 2005). The role of protected areas and their sustainable management in society can be gauged from the fact that protected areas are a critical component

of sustainability related to international agreements (Kant and Berry, 2005). This suggests that protected areas should be managed in ways and processes that enable them to meet the societal economic, social, and ecological needs today, and in future (Kant and Berry, 2005). The quality and structural capacity of institutions is critical to stand the natural resource dependency (Couttenier, 2009). Successful co-management structure is part of such institutions, in that it can bring together a diversity of people with distinct strengths from different institutions (IUCN, 2012).

In such an arrangement participants bring their knowledge, views, and interests to the table (IUCN, 2012). The Millennium Ecosystem Assessment (2005) notes that what is needed to sustain natural resources are strong institutions across different scales, with the central government providing an appropriate enabling framework (Chevallier, 2016). Community-Based Natural Resource Management (CBNRM) requires strong local rights over resources, which must be conferred to local people by the state and which the state has the right to withdraw (Chevallier, 2016). However, the degree of decentralisation and devolution can take place depending on political priorities and influences, as well the capacity of all governance stakeholders (Chevallier, 2016). This requires a delicate balance to accommodate broad stakeholder priorities and capabilities (Steiner and Rihoy, 1995).

Protected areas in South Africa face several issues, including the decentralization trend that presents a new challenge on how to make decentralization work for conservation processes such as protected areas (Luts and Caldecott, 1996). In the past, the management of natural resources was centralised by national governments (Chevallier, 2016). The process of decentralization sought to establish more devolved models known broadly as community based natural resource management CBNRM (Chevallier, 2016).

In view of the above observations, it is evident that issues of natural resources management in South Africa, particularly relating to land restitution have taken a position of controversy, which requires a comprehensive understanding of how they can be resolved and managed to contribute to the social and economic transformation of communities and the country. With this backdrop in mind, the current study investigated the land restitution process and how this influenced the nature of natural resource management in the Silaka Nature Reserve of the Eastern Cape. Of particular interest to this study was the need to ascertain the effectiveness and sustainability of the processes that were embarked on in the implementation of the co-management framework. Understanding the effectiveness and challenges of collaborative natural resource management has wider implications for the management of natural resources and community development in South Africa's protected areas.

1.3 Research Questions

In view of the above thematic considerations, the following questions guided the research process:

- Were the grass-root communities involved in the land restitution processes at Silaka Nature Reserve?
- What legislative structures and frameworks exists whereby land and natural recourse management can be pursued in South Africa?
- Were the co-management activities implemented in the reserve to balance the conservation of the protected area and community development activities?
- Who were the key stakeholders in the post land claim settlement, and what were their roles and responsibilities in maintaining the functional relationships among the stakeholders?
- What are the alternative strategies that could be used to promote sustainable use of natural resources, community development and reduce conservation conflicts?

1.4 Research Aim and Objectives

The aim of this study was to investigate the land restitution process (pre- and post-land restitution process) in the Silaka Nature Reserve as a protected area, particularly in terms of how it has been executed since its inception in 2008, and the implications on natural resource management. In view of the above, the objectives of the study were:

- To establish the extent of community involvement in the land restitution processes at Silaka Nature Reserve.
- To identify the legislative structures/and or frameworks that exist for the comprehensive management of land and natural resources management in South Africa, taking the Silaka Nature Reserve as a case study.
- To determine the effectiveness of the co-management activities (i.e., land claim post-settlement process) and implementation at Silaka Nature Reserve to balance the biodiversity conservation of the protected area and community development interests.
- To identify key stakeholders in the post land claim settlement stage, and how their roles and responsibilities were pursued in maintaining the functional relationships among themselves and natural resource management.
- Identify alternative strategies that could be used in a protected area to promote sustainable use of natural resources, community development and reduce conservation conflicts.

1.5 Rationale of the Study

In view of the increased co-management arrangements of natural resources globally, and in South Africa, there is a need for a better understanding of co-management and its processes. During the year 2013, one hundred and fifty (150) land claims had already been lodged in protected areas in South Africa (Department of Land Affairs, 2014). This was a clear indicator that the co-management of natural resources in South Africa will be on the increase. Therefore, success, and or, effective management of natural resources will, to a certain extent, depend on the establishment of strong and viable local governance institutions for co-management of natural resources. According to IUCN (2012), the success of co-management of natural resources depends on strong partnerships at a local level. Important to note is that most protected areas in South Africa are affected by land restitution processes. These land restitution processes eventually lead to co-management arrangements through local governance structures. Globally, co-management of natural resources has emerged as a desired conservation approach because of its potential to balance ecological goals and livelihoods (Borrini-Fereyabend et al., 2000). Published literature also suggests that the existence and sustainability of protected areas will largely depend on the effective co-management arrangements between conservation agencies and land claimant communities. Dube (2018) also argues that the survival of protected areas will depend on them being highly valued, not only by the nation, but by local communities. According to Thondhlana et al. (2016), co-management agreements have been slow in addressing land claims in South Africa since 1994. This, therefore, provides a suitable context within which to conduct a study analysing how relevant processes, strategies and policies followed may impact the co-management of natural resources.

Thondhlana et al. (2016) stated that most co-management cases are premised on the discourse of "benefit sharing", focusing on benefits such as access to natural resources, profit from ecotourism, employment opportunities and other forms of local development. Adams et al. (2003) also indicate that the dominance of the "benefit sharing" discourse" implies that the root causes of conflicts in co-managed protected areas are understood from a materialistic aspect of conflicts, while less attention is paid to the non-materialistic aspects. In this context, this study also seeks to understand the real causes of such conflicts and to ignite the debate of land restitution in South Africa.

The study explored the weaknesses of the land restitution process and constraints in implementing policies that seek to safeguard the protection of natural resources in protected

areas. The study further detailed extensively the land restitution process and activities geared towards effective collaboration between government, businesses, and communities towards effective and sustainable management of the Silaka Nature Reserve. Additionally, this study formulated strategies that promote effective co-management implementation to improve the overall governance of the protected area. The study therefore contributes important information that can be used to improve the effectiveness of co-management implementation and thus influence natural resource management policies. The following sections give the scope of the study, ethical considerations, and the structure of the thesis.

1.6 Scope of the Study

The study focuses on processes towards co-management at Silaka Nature Reserve, which is a biodiversity protected area located in the Eastern Cape Province of South Africa. According to Berliner and Desmet (2007), this nature reserve falls within the terrestrial, critical biodiversity areas of the Eastern Cape. The site is also the subject of a land restitution process, and the land claim settlement agreement was concluded in 2008. After the land claim was settled, processes in various forms towards co-management arrangements were initiated by the management authority (Eastern Cape Parks Board at the time) in collaboration with the Caguba land claimant communities. In the process, there were tensions between some sections of the land claim communities, which led to a full-blown community protest in 2013 and, consequently, that resulted in the closure of the protected area.

The above aspects drew the attention of the researcher to investigate further with the intention of generating more knowledge and seeking to improve co-management of natural resources in protected areas of South Africa. The processes towards co-management implemented by the management authority and the community dynamics that prevailed were the leading factors for choosing Silaka Nature Reserve as the suitable study site. The co-management processes included the establishment of an interim co-management structure, which was comprised mainly because of the Management Authority (Eastern Cape Parks and Tourism, currently), the Land Claimant communities represented by members of the Communal Property Association and the Traditional Council, the Department of Environmental Affairs, and the Department of Land Affairs. The structure is called interim because there was no co-management agreement in place. Other stakeholders were involved only when necessary. This interim governance structure has been engaging through meetings and workshops, where the most common issues discussed were natural resource management, tourism development and community beneficiation processes. The above processes also

presented that the site had the potential to generate sufficient knowledge about the phenomena under investigation compared to other possible sites.

The study was limited in investigating processes followed during the land restitution, and how processes towards co-management arrangements of natural resources were pursued by parties involved in the Silaka Nature Reserve. The focus was on public protected areas, which are state and community land, and not privately owned nature reserves. Also, the study focus was on land as a natural resource. The study participants were also limited only to land claimant communities and relevant government institutions. In view of the above scope, the study sought to establish how co-management can be implemented in a more effective and sustainable manner.

1.7 Ethical Consideration

In a qualitative study of this nature, ethical issues may arise. According to Bryman and Bell (2007), in academic writing, the code of ethics principles is important to ensure the quality of the thesis or paper, and to ensure that participants are treated with the dignity they deserve. The protection of human subjects through the application of appropriate ethical principles is important in all research studies (Arifin, 2018). In a qualitative study, ethical considerations have a particular resonance due to the in-depth nature of the study (Arifin, 2018). According to Steffen (2016), ethics translates to the study of morals, and it is the term that is used synonymously with moral philosophy.

In respect of this study, ethical considerations such as confidentiality, obtaining informed consent, acceptance and anonymity were considered. An ethics clearance certificate, number **H18/09/11,** was obtained from the University of Witwatersrand to ensure that the study would be carried out in an ethical manner. According to Arifin (2018), the process of obtaining participant informed consent consists of the following:

- Consent should be given freely (voluntary)
- Participants should understand what is being asked of them and must be competent to consent.
- To participate in the research study, participants need to be adequately informed about the study and have the freedom of choice to allow them to decide whether to participate or decline.

In this study, raw data was obtained through interaction with the participants using semi-structured interviews. Participant's agreement to participate in this study was obtained after a thorough explanation of the research purpose. All participants were required to provide written, informed consent. Potential participants were approached individually, and the study and data collection processes were explained. They were given reasonable time to ask questions and address any concerns. It was also explained to them that their participation was voluntary and that there would be no consequences should they decide to refuse or withdraw while the study was in progress.

Participant information sheets were developed and provided to further explain the study. The participants were given enough time to read the information sheet and to decide whether they wanted to participate in the study or not. For easy understanding, the participant information sheets, and consent forms were written in both English and Xhosa. The participants were then required to sign the informed consent sheet before the interview to indicate their permission to participate in the study. An explanation was also given to the participants that they had a right to withdraw from the study at any time, even after the consent form had been signed. Participants were assured of confidentiality and anonymity and that gave them confidence to express their views freely. As there are also protocols to follow in the rural communities, written permission to conduct interviews in the villages was obtained from the traditional Chief of Caguba. Research permission, in the form of an agreement, was also obtained from the managing authority, Eastern Cape Parks and Tourism Agency. The semi-structured interviews were also conducted in English and Xhosa and were carried out individually in participant's homes or offices.

1.8 Structure of the Thesis

The **first chapter** details the frames of reference for the study by providing the study background, research questions, study aims and objectives. In this chapter, the study is also positioned by providing a summary of theoretical considerations, research rationale, the scope illustrated and ethical considerations that were considered. The **second chapter** presents an in-depth theoretical review of the co-management of natural resources from global, Sub-Saharan and South African perspectives. This chapter also details the land restitution process in South Africa, with a focus on protected areas. The **third chapter** provides a brief description of the study site and provides methods that were used to collect and analyse study data. The **fourth chapter** provides study results obtained from the analysis of the data. The **fifth chapter** provides a critical discussion of the research findings and the implications for the protected

areas' governance in the context of the Eastern Cape Province of South Africa, and similar areas. **Chapter Six** outlines the study's conclusions based on an analysis of the findings and discussions. The chapter also provides recommendations for effective implementation of co-management at Silaka Nature Reserve that can promote sustainable use of natural resources, while also supporting the socio- economic development of the communities.

CHAPTER TWO
THEORETICAL CONSIDERATION AND LITERATURE REVIEW

2.1 Introduction

This chapter is dedicated to the review of literature on land reform programmes and natural resource governance in South Africa.

A literature review is a synthesis of materials in a coherent and purposeful way so that it reports the story of the topic to the readers and identifies the potential gaps in the current body of knowledge on the topic (Vijayamohanan, 2020). Hut (2022) also defines a literature review as literally a "re" view or "look again" at what has already been written about the topic, wherein the researcher analyses a segment of published body of knowledge through summary, classification, and comparison of prior research studies. A literature review must show both what is known and what is missing about the research topic (Vijayamohanan, 2020). It must summarise and synthesize the arguments and ideas of others without adding new contributions (Hut, 2022).

In this study, the literature review has been used to: (1) Learn how others in the field of natural resource management and land restitution have measured key concepts (2) Demonstrate the researcher's understanding and ability to critically evaluate research in the field (3) To see what has and has not been investigated about the research topic, and (4) To put the research work into perspective.

There has been a paradigm shift in terms of land ownership in the country in the past three decades by the democratic governments post-independence attempt to rectify the past injustices whereby it has embarked on a process of land reform, which also includes land restitution, and to give equal access to land ownership. Land reforms in the South African context, include protected areas that are co -managed by the state and landowner-communities (Agrawal, 2000).

To put this study into perspective, this chapter is structured as follows:

- Introduction, wherein definition and purpose of literature review is summarised.
- Defining key concepts; in this section key concepts and how they were used is outlined.
- Review literature on land reform experiences globally, in Sub-Saharan Africa and in the South Africa context, wherein arguments on land reform process in Sub-Saharan Africa and South Africa have been summarised and synthesised.

- Contextualising natural resource management in protected areas at global, Sub-Saharan and the South African context by doing a re-look again at what has been written about the research topic.
- Identifying gaps on the literature reviewed.

2.2 Definition of Key Concepts

In this study key concepts have been used to conceptualise the research topic. These key concepts are:

- Land Restitution
- Natural resource Governance
- Community-based natural resource management
- Top-down management approach
- Bottom-up management approach
- Co-management of natural resources
- These key concepts are briefly defined below and are contextualised to the research topic

2.3 Land Restitution

Land reforms, generally, are efforts to correct what are seen as historical distortions in the allocation of land ownership and use rights (Agrawal,2000). According to Davies et al. (2020), land reform is a broad term that encompasses a variety of different interventions and three are worth distinguishing:

- ***Land redistribution*** *entails transferring ownership or use rights from existing owners or users to others. It is generally, but not always, aimed at providing more inclusive access to land for smaller farmers.*
- ***Land restitution*** *can be seen as a narrower form of land redistribution. The motivation is generally to redress historical injustices perpetrated through dispossession. While land redistribution might target a broad group of beneficiaries, land restitution typically identifies specific beneficiaries based on specific historical instances of dispossession.*
- ***Land tenure reform*** *targets changing the legal system surrounding land ownership and use land in the context of South Africa. Land restitution is defined as a programme based on social justice targeting people who have been, and/or, were forcefully removed from their land by the apartheid state (Atuahene, 2014 p 15).*

Many protected areas in South Africa are a subject of land restitution process which is normally followed by entering co-management arrangements between conservation agencies and land claimant communities. Consequently, the study site (Silaka Nature Reserve) is also a subject of the land restitution process. Kepe and Hall (2016) also define land restitution as a programme based on social justice targeting people who have been forcefully removed from their land by the apartheid government. Legally the South African Land Restitution Act defines restitution as either 'the restoration of a right in land' or 'equitable redress'. Through the restitution, those dispossessed of their land are given it back. In South Africa, following centuries of colonial rule and decades of apartheid rule, the democratic government set out to redistribute rights in land as a strategy to remedy past racial injustice and establish a basis for more equitable development (Kepe and Hall, 2016).

2.3.1 Natural Resource Governance

The IUCN (2012) define natural resource governance as norms, institutions, and processes that determine how power and responsibilities over natural resources are exercised, how decisions are taken and how citizens, indigenous peoples and local communities participate and benefit from the management of natural resources. The effectiveness and equity of governance processes critically determine both the extent to which ecosystems contribute to human well-being and long-term prospects for the successful conservation of natural resources (IUCN, 2012). Therefore, securing rights and sharing power and responsibilities through strengthened natural resources governance benefits both people and biodiversity. This definition suggests that natural resource management can only be successful when it is inclusive of indigenous peoples.

2.3.2 Community-Based Natural Resource Management

Community-Based Natural Resource Management (CBNRM) describe the management of land, forests, wildlife, and other natural resources as being by local institutions for the local benefit (Chevallier, 2016). Gruber (2008) highlights that CBNRM includes both process and strategy. According to Gruber (2008), the strategy in pursuit of natural resource management seeks to enhance sustainability through broad participation of community members and resource users in decision-making (Gruber, 2008). CBNRM has expanded through Africa over the past three decades as a response to the failure of centralized colonial

and post-colonial policies to effectively manage the natural resources, promote equitable benefit sharing and secure co-operation of communities in sustainable resource governance practices (Chevallier, 2016). CBMRM aimed to conserve biodiversity while taking into consideration local people's needs and aspirations (Rampheri and Dube, 2020). It allows local communities to be involved in decision making in the management of Pas and benefit from the natural resources (Rechlin et al., 2008).

On the other hand, the process seeks to encourage better participation of communities and resource users in decision-making (Armitage, 2005). Building capacity within the communities is critical for the successful implementation of CBNRM programmes. Community capacity building is critical for both policymakers and the community (Mare, 2007). It is an essential condition for the development, implementation, and maintenance of effective community development (Aref and Redzuan, 2013). Capacity building assists to develop leadership skills within the communities. In this study, CBNRM is understood to be a situation where grass-root communities are responsible for the management of their own natural resources.

2.3.3 Top-Down Management Approach

The top-down approach to environmental management presumes that natural resource management should be performed solely by experts who are objective and have in-depth knowledge, instead of local people and communities in the public sphere (Owens, 2000 in Marshall, 2005). In this study, the top-down management approach is used in situations where decisions on natural resource management are taken without the involvement of local people; in other words, decisions are made from top down to the local people.

It also defines the top-down approach as being solely that of values and appreciating expert scientific knowledge and analysis concerning environmental issues and management options; it is commonly paternalistic and alienating to local communities and their local environmental knowledge and experience (Car, 2002; Hickey and Mohan, 2004; Dryzek, 2005).

2.3.4 Bottom-Up Management Approach

Cooks-Campbell (2021) defines the bottom-up management approach as a way of making management decisions from the bottom of the hierarchy rather than from the top. Malsam (2019) also defines bottom-up management as a structure where the whole organization participates in the process of leading the organization. This collaborative method

gives participants a say in how to accomplish the overall goals and objectives of a business. Cooks-Campell (2021) further states that this approach brings a sense of autonomy to individuals, which offers the ability to be innovative in their own roles and to gain an understanding of what they need from management to move forward. This approach has led to conservation approaches that may better recognise the rights of local people to manage and benefit from communal natural resources (Chevallier, 2016). This approach has shifted from the top bottom to bottom-up approach where at least communities are engaged in natural resource management and are allowed to have a say, The benefits of bottom-up management lead to increased collaboration and trust amongst stakeholders. However, there are still challenges on its implementation, especially in decision making processes (Thondhlana et al., 2016). In this approach, it takes longer to make decisions because the consultation process is lengthier. In the context of this study, this term was used to elaborate on situations where decisions on natural resource management are taken with the involvement of local communities and grass-root organizations.

2.3.5 Collaborative Management Approach

Collaborative management (also referred to as participatory management, joint management, shared management, multi-stakeholder management or roundtable agreement) is used to describe a situation in which some or all the relevant stakeholders in a protected area are involved in substantial management activities (Kepe, 2008; Lane, 2001). Borrini-Feyerabend *et al.* (2004) also defined it as a situation in which two or more social stakeholders negotiate, define, and guarantee amongst themselves a fair sharing of the management functions, entitlements and responsibilities for a given territory, area or set of natural resources Gray (1989) is of the view that effective collaborative processes could reduce adversarial relationships and redress power and resource disparities among stakeholders. Franks and Booker (2015) define the collaborative management approach as being where decision-making authority and responsibility rest with one agency but is required by law or policy to inform or consult other stakeholders and rights holders during the planning and implementation. This suggests that there is no equal decision-making process in collaborative governance, but at least relevant stakeholders are consulted before making decisions.

2.3.6 Co-Management of natural resources

Feyerabend (2000) defines co-management as the pluralist approach to managing natural resources, incorporating a variety of partners in a variety of roles, generally to the end goals of environmental conservation, sustainable use of natural resources and the equitable sharing of resource-related benefits and its responsibilities. Mohamed (2002) further defined co-management as a middle-range management option situated somewhere between the state and the community. The other definition is that co-management is the expression of a mature society, which understands that there is no "unique" solution to manage natural resources, but rather a multiplicity of different options compatible with both indigenous pieces of knowledge and scientific evidence, and capable of meeting the need for conservation and development (Feyerabend, 2000). Mc Cay and Jentoft (1996) in Zurba et al. (2012), also defines co-management as a relationship between two spheres: for example, an exchange of information, goods and services but falling short of power sharing. Co-management can be defined as sharing of power and responsibility between the government and local resource users (Galappaththi and Berkes, 2015). It is also defined as being where representatives of various interests sit on a governance body with decision-making authority and responsibility and make decisions together (Ferebend,2000). In this study the term is used to elaborate situations where local institutions (including local communities) are involved in the management of natural resources, making decisions and assuming accountability. The concept of co-management in the study is understood to be in the sense that, after the settlement of the land claim, it is expected that the state (conservation authority) should negotiate and enter into a co-management agreement with the land claimant communities. This co-management agreement should stipulate the roles and responsibilities of both parties.

2.4 Overview of Legislative Frameworks for Land and Natural Resources Management

Both land reform programmes and management of natural resources are regulated by applicable legislations and policies globally, and in the South African context. In South Africa, the legislative framework that informs land reform and co-management of natural resources is grounded in the country's constitution.

2.4.1 Constitution of the Republic of South Africa, 1996

Chapter 2 of the SA constitution comprises the Bill of Rights. It became critical for this study to then explore what this Bill of Rights entails on environmental management and

landform. Section 24 of the Bill of Rights focuses on environmental rights on page 9, which says everyone has the right:

a) *To an environment that is not harmful to their health or well-being, and*
b) *To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other means that:*
   i) *Prevents pollution and ecological degradation.*
   ii) *Promotes conservation, and*
   iii) *Secures ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*

The above are the environmental rights upon which environmental management is anchored to, and it includes management of protected areas. Then Section 25 of the Bill of Rights on page 10 focuses on the property ownership and emphasizes on the following:

i) No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.

(ii) Property may be expropriated only in terms of law of general application—

(iii) for a public purpose or in the public interest; and

(iv) subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court.

(v) The amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all relevant circumstances, including—

(vi) the current use of the property

(vii) the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources.

(viii) A person or community whose tenure of land is legally insecure because of past racially discriminatory laws or practices is entitled to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress.

(ix) A person or community dispossessed of property after 19 June 1913 because of past racially discriminatory laws or practices is entitled to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.

(x) No provision of this section may impede the state from taking legislative and other measures to achieve land, water and related reform, in order to redress the results. of past racial discrimination, provided that any departure from the provisions of this

section is in accordance with the provisions of section 36(1).

These property rights put emphasis on ownership of property by citizens. Secondly the emphasis is on restitution of property or equitable redress to the communities that were disposed of their property after 19 June 1913.

2.4.2 Restitution of Land Rights Act No 22 of 1994

Emanating from the South African Constitution, the land reform programme is further regulated through the Restitution of Land Rights Act No 22 of 1994. This piece of legislation provides for the restitution of rights in respect of which persons or communities were dispossessed under, or for the purpose of furthering the objects of racially based discriminatory law. This legislation also provides for the establishment of a Commission on Restitution of Land Rights and a Land Claims Court.

The land claim settlement process is stipulated on Section 42 (D) of this piece of legislation. It stipulates that the Minister may enter into an agreement with the parties who are interested in the claim providing for one or more of the following:

(a) The award to the claimant of land, a portion of land or any other right in land : Provided that the claimant shall not be awarded land, a portion of land or a right in land dispossessed from another claimant or the latter's ascendant, unless - (i) such other claimant is or has been granted restitution of a right in land or has waived his or her right to restoration of the right in land in question; or (ii) the Minister is satisfied that satisfactory arrangements have been or will be made to grant such other claimant restitution of a right in land.

(b) The payment of compensation to such claimant.

(c) Both an award and payment of compensation to such claimant.

2.4.3 South African Land Policy of 1997

The South African government, as a means of implementing land reform, developed a White Paper on Land policy in 1997. This was informed or triggered by land ownership and land development patterns that strongly reflect the political and economic conditions of the apartheid era. Racially based land policies were a cause of insecurity, landlessness and poverty amongst black people, and a cause of inefficient land administration and land use (Department of Land Affairs,1997). The objectives of this Land policy (page 6) were to deal with the following in both urban and rural environments:

- *the injustices of racially based land dispossession*

- *the inequitable distribution of land ownership*
- *the need for security of tenure for all*
- *the need for sustainable use of land*
- *the need for rapid release of land for development*
- *the need to record and register all rights in property, and*
- *the need to administer public land in an effective manner*.

2.4.4 National Environmental Management Act 107 of 1998

Natural resource management in South Africa is guided by the National Environmental Management Act (NEMA) 107 of 1998. This legislation provides for cooperative environmental governance by establishing principles for decision making on matters affecting the environment. However, there is another piece of legislation that specifically regulates the establishment and management of Protected Areas. This is the National Environmental Protected Areas Act (NEMPA) 57 of 2003. NEMPA provides protection and conservation of the ecologically viable areas representative of South Africa's biological diversity and its natural landscapes and seascapes. It is also providing for the establishment of a national register of all national, provincial, and local protected areas, for the management of those areas in accordance with national norms and standards, and lastly, this legislation provides for intergovernmental co-operation and public consultation in matters concerning protected areas.

2.4.5 National Environmental Management Protected Areas Act of 2003 (NEMPA)

Co-Management of protected areas is also regulated through the NEMPA; section 42 of the NEMPA deals with co-management. Section 42 (1) (a), (Page 38) states that the management authority may enter into an agreement with other organs of state, a local community, an individual or other party for the co-management of the area by parties for:

(i) the co-management of the area by the parties, or

(ii) the regulation of human activities that affect the environment in the area.

(b) The co-management contemplated in paragraph (a) may not lead to fragmentation

(2) A co-management agreement may provide for- 10 or duplication of management functions.

(a) the delegation of powers by the management authority to the other party to the agreement

(b) the apportionment of any income generated from the management of the protected area or any other form of benefit sharing between the parties

(c) the use of biological resources in the area

(d) access to the area

(e) occupation of the protected area or portions thereof

(f) development of economic opportunities within and adjacent to the protected

(g) development of local management capacity and knowledge exchange; 20

(h) financial and other support to ensure effective administration and implementation of co-management agreement-

(i) any other relevant matter.

(a) provide for the harmonisation and integration of the management of cultural heritage resources in the protected area by the management authority; and

(b) be consistent with the other provisions of this Act.

2.5 Contextualising Land Reform- A Global Perspective

Land reform has been undertaken in many parts of the world and in many different periods. Bhattacharya *et al.* (2019) revealed that there have been 372 major land reforms or land enactments in 165 countries between 1900 and 2010. In all these countries, the main aim of the land reform programmes has been to benefit poor people. To support the assertion, Cousins (2019) also attested that most land reforms globally have involved transferring rights of ownership from wealthy landlords to the poor. Power and wealth were concentrated in the hands of the elite (Cousins,2019). Radical distributive land reforms were driven from below, and large areas of land transferred to the rural poor (Davies et al.,2020). These land reforms featured strongly in many liberations struggles across the world (Cousins, 2019).

In China, after the establishment of the communist regime in 1949, the country experienced three waves of land reforms, respectively characterized by land redistribution, collectivization, de-collectivization, and improving tenure security (Bhattacharya *et al.* (2019). Prior to 1949, with a massive population and scarcity of arable land, large landowners were rare, and tenant farming was prevalent. High land rents galvanized widespread discontent in rural China (Davies et al., 2020). Faced with pressure from competition with the ruling party, communist leaders viewed redistribution of land as a great opportunity to modify the political structure of the villages, secure the support of a mass of poor peasants, and suppress the opposition (Zhou and Bourguignon, 2009). As a result, in 1947, the Chinese Communist Party (CCP) started to implement radical land reform in areas they controlled, seizing all landholdings in reformed villages, and transferring an equal amount of land to each peasant (Zhou and Bourguignon, 2009). Between 1947 and 1952, this land reform movement

redistributed 46.7 million hectares of land to 300 million landless population, which accounted for 60 percent of the total rural population (Prosterman et al., 1996). The land redistribution was politically motivated and characterized by high levels of violence. But it was followed by an economic success; each year, 30 million tons of grains that in prior years would have been paid by peasants as rent for their land were retained by the peasants, and between 1949 and 1952, rural income and food production increased by 48 percent and 36 percent, respectively (Zhou and Bourguignon, 2009). In the early 1980s, the Household Responsibility System (HRS) was introduced nationwide, and land was distributed to individual households (Xu, 2009). According to Davies et al. (2020), the second wave of China's land reform is widely acknowledged as a disaster. However, China's land reforms after 1978 contributed to the country's economic miracle. The adoption of HRS, which led to de-collectivization, was particularly a success (Xu, 2009). The state has been willing to allow considerable discretionary power at the local level to test the efficacy of policies via pilot projects (Davies et al., 2020).

A similar case was experienced in Russia between 1917 and 1990; land in the Soviet Union was all state-owned (Davies et al., 2020). Some 30 000 collective and state farms contained approximately 98 per cent of agricultural land following the forced collectivization of 1929–1930 (Lerman and Shagaida, 2007). Problems of collective and state farms, including mass opposition to collectivization, excessive state extraction to support industrialization, unduly large scale, over-mechanization and inefficient use of production factors, and unviable incentive structures, all led to the land reforms of Russia in the wake of the collapse of the Soviet Union (Lipton, 2009). This privatization of the land held by collective and state farms began in 1991 through the distribution of "land shares" to rural households (Lerman and Shagaida, 2007). The land shares were paper certificates of land ownership with specified size but unspecified location and, in principle, the shareowners could withdraw physical land plots from the collective farms (Lerman et al., 2004). Through the distribution of land shares, around 12 million people legally owned 119 million hectares of prime agricultural land (Swinnen, 2006). The experience of Russia's recent land reforms brings out the importance of political will in policy design. Land reforms in central and Eastern Europe have achieved great success and contributed to growth. Their privatization of land has been a process of restitution to former owners, rather than distribution to agricultural workers, and allocation of physical land instead of paper certificates (Lerman, 2001).

In Brazil, since the 1960s, there have been a series of land reform attempts, focused on redistributing land to the rural poor and improving tenure security. According to Bhattacharya et al. (2019), the Land Statute of 1964 provided the legal basis for land expropriation (with

compensation in government bonds) and state-led land redistribution. With democratization and growing social pressure for land redistribution, the state-led land reform was accelerated from 1995 (Abdulai, 2011). This suggests that the democratization processes and social pressures from communities across the world has led to an acceleration of land reform programmes. In the late 1990s, with help from the World Bank, the Brazilian government introduced market-assisted redistribution programmes. As a result, through the Land Bank, between 1999 and 2003, 1.4 million hectares of land was distributed to 34 500 families (Sparovek and Maule, 2009). The Brazilian experiences with land reform highlight the potential of adopting multiple solutions to complicated land issues. Not only are market-assisted land reforms more budgetarily feasible, but they also allow for easier negotiations and fewer grievances than in the case of state-led reforms (de Janvry and Sadoulet, 2002)

When India gained its independence from British rule in 1947, it had a high level of scarcity of land in relation to population and highly unequal land distribution (Davies et al., 2020). Rural poverty was high and persistent in areas where intermediaries between the individual cultivators and the government collected tax on land revenue and extracted surplus from the cultivators (Banerjee and Iyer, 2005). Under the Indian Constitution of 1949, the authority to enact and implement land reforms was vested in states. According to Besley and Burgess (2000), between 1950 and 2000, a total of 79 land reform legislations were enacted in 16 major states. The central government promoted land reforms in various five-year plans but, as per the constitutional arrangement, the enactment and implementation of land reforms were largely influenced by the state government's political will, as well as the relative power of various key stakeholders (Besley and Burgess, 2000). Despite experiencing problems, the Indian land reforms have delivered big results (Davies et al, 2020). The intermediaries were formally abolished. As of 2000, approximately 10 million hectares of land had been redistributed under the land ceiling and redistribution laws, and 7.35 million hectares had been transferred under tenancy reforms (Deininger et al., 2006). Studies of the causal impacts of the land reforms have been conclusive that land reforms in India contributed to poverty reduction (Davies et al., 2020). Besley and Burgess (2000) estimate that land reforms explain 10 percent of the reduction in poverty in India from 1958–1992. At the household level, the tenancy reforms, which affected around 10 percent of rural households, are estimated to have contributed to an increase of 0.9 percentage points in the growth rate of per capita income, 0.7 percentage points in the growth rate of per capita consumption, and 1.2 percentage points in the growth rate of total assets between 1982 and 1999 (Deininger et al., 2006). And, importantly, from a development perspective, these reforms disproportionately benefited the

poor (Deininger et al., 2009). Land reforms in India reveal the enormous potential of land reform for poverty reduction and income growth in rural area (Davies et al., 2020). India also provides a good example of the importance of central government guidance on local legislation and implementation.

In Mexico, the recent land reform efforts have focused on improving tenure security. After the 1917 revolution, Mexico gradually redistributed, over 75 years, more than 100 million hectares, or 50 percent of the country's arable land area, from large landowners to peasant families (Binswanger-Mkhize et al., 2009). Beneficiary households of these land reforms were organized in rural communities known as ejidos; ejido members owned the land collectively, but individuals held inheritable usufruct rights to parcels, conditional on their continued cultivation of the parcel (Binswanger-Mkhize et al., 2009). According to Davies et al. (2020), accompanying the constitutional reform, between 1993 and 2006, a large-scale land certification programme, known as the Programa de Certificación de Derechos Ejidales Titulación de Solares, (PROCEDE), was implemented nationally to regularize tenure in ejidos and issue certificates of ownership over ejido lands to individuals. The certificate owner could make decisions about the use of the land, sell the certificate to other ejido members with community approval, and use the certificate as collateral (Sadoulet, 2018). The implementation of PROCEED was largely considered smooth and successful (Davies et al., 2020). Prior to the implementation of certification, the ejido boundary was formally mapped, and external land conflicts were identified and addressed (Sadoulet,2020). Between 1992 and 1999, approximately 350 000 land conflicts, which arose before and during the reform, were resolved by the system of mediation and courts, and the cost of conflict resolution was low because many of the conflicts were mediated outside the court (Binswanger-Mkhize et al., 2009). By August 2006, PROCEDE had provided approximately 9.2 million certificates of ownership spanning across 93 percent of all ejidos (Barnes, 2009). The Mexican land tenure reform suggests that improving tenure security by delinking land rights from land use, which is a common way to establish usufruct rights on customary land, and removing constraints to land rental and transaction, has the potential to lead to a more efficient allocation of labour and land, improvement of land markets, and welfare gains for households (Davies et al., 2020). In addition, the implementation of Mexico's tenure reform programme implies the crucial role of institutional support and well-structured procedures in a successful reform (Davies et al., 2020).

The lessons learnt from these countries suggest that none of them was "land reform", a single event which was completed and had a definite, straightforward end. Rather, there were a series of attempts at land reform over the years, with varying motivations and trajectories

(Davies et al., 2020). The manifest failure of a particular approach sometimes spurred governments to reverse policies, as in China (Xu, 2009). Both the successes and the failures of various reforms in these countries point to the need for complementary actions to support any reform ((Binswanger-Mkhize et al., 2009). In conclusion, the land reform programme requires a great deal of support for them to be implemented successfully.

2.6 Contextualising Land Reform in Sub-Saharan Africa

As a form of land reform, land restitution is not a common practice globally. In some sub-Saharan countries (SSA), the option of restitution was either prevented by the difficulties of identifying the borders of overlapping ancestral lands of pastoral groups (Werner and Kruger, 2007). Kenya's National Land Policy, adopted in 2009, proposes the development of a legal framework for land restitution to address historical injustices (Ministry of Lands, 2002); progress, however, has been minimal and there has been no further legislation. According to Davies et al. (2020) addressing inequality in land ownership through restitution thus remains a complex challenge throughout the region. In SSA, land redistribution and tenure reform are far more common types of land reform than restitution. The appropriation of land for European settlers during the colonial period led to a highly unequal distribution of land ownership in the independent countries (Werner and Kruger, 2007.). The post-colonial and post-apartheid land-related legislations aimed at increasing land rights for the poor. Apart from the legislations, land issues are often dealt with in countries' constitutions (Agrawal,2000). In some cases, these simply adopted colonial land dispensations; in others, such as Zimbabwe, the constitution precluded radical reform or set out the methods by which land could be redistributed (Davies et al.,2020). In most SSA countries, land reform continues to be on the agenda. Kenya, which became independent in 1963, passed legislation on land in 1968, but has had a series of subsequent Acts between 2012 and 2016; Lesotho, independent in 1966, passed its first Land Act 13 years later, and a second one in 2010, 44 years later (Agrawal, 2000).

In Malawi, the historical accounts indicate that the original inhabitants were Akafula or Abathwa 300AD-1500AD (Kandondo,2001). In the 9th century pastoral and agricultural groups from the Great Lakes began to enter the country (Berge et al., 2014). According to Kandodo (2001), these groups are believed to have chased the Akafula to Namibia. New groups continued to enter the country. With the largest influx in the 19th and 20th century, namely Yao, Ngoni, Sena and Lomwe (Kandodo, 2001). Malawi had been under the British rule for 73 years from 1891-1964 (Berge et al.,2014). The Europeans intent was to set up commercial and agricultural enterprises and established estates through grant concession (Kandodo, 2001). To

indigenous communities, these concessions were essentially in the nature of occupation licences and not all conferring property rights to the foreigners (Chirwa, 2004). The colonial land policy objectives were to appropriate all land in Malawi to the British sovereign (Berge eta al.,2014). As a result, the effects of colonial policies and concessions were such that the indigenous community's lost ownership and control of the land (Kandodo, 2001). All the land was vested in the British sovereign (Kanyongolo, 2005). The question of land reform has been high on the agenda of government since the attainment of independence in 1964 (Chirwa, 2004). Soon after independence, the government embarked on an aggressive process of land reform (Kandodo, 2001). This was followed by the development of a National Land Policy (Chirwa et al., 2006). The primary goal of the policy was to secure tenure security and equitable access to land and to facilitate the attainment of broad-based social and economic development through optimum and ecologically balanced use of land and land-based resources (Policy 5.1). The Malawian Constitution, Article 28, also guarantees secure tenure and equitable access to land to all citizens. On page 9 it states that:

- *Every person shall be able to acquire property alone or in association with another.*
- *No person shall be arbitrarily deprived property.*

However, according to Chirwa et al. (2006), instead of rectifying the adverse of colonial land policies, the post-independence agricultural land reform strategy, pursued for four decades, merely exacerbated the land tenure patterns and ownership. The reforms implemented did not differ with the past, but rather reflected continuity with the colonial framework governing land tenure patterns and ownership. The post-colonial elites simply stepped into the shoes of the departing white settlers (Kanyongolo, 2005). As aa result the government established a Presidential Commission of Enquiry on Land Reform in 1996 whose mandate was to promote scholarly discourse, gather the opinion of the private sector, ordinary citizens, and non-governmental organizations, and to gather their findings in such a manner as to aid the land reform policy efforts (Chinisinga, 2008).

In Zimbabwe, during its independence in 1980 the country inherited a highly skewed pattern of land distribution (Chitsike, 2003). The better agricultural land was owned and farmed by small minority of white large-scale farmers (Thomas, 2003). Most of the population, black Zimbabweans, were confined and farmed in the lower rainfall and poorer soil areas (Chinsinga, 2008). This skewed land distribution pattern was as result of various pieces of legislation introduced during the colonial period, which resulted in a huge expropriation of prime

agricultural land by colonial settlers and the marginalization of black people into reserves known as communal areas (Chitsike, 2003). The issue of access to land then became the root cause that led to the war of liberation in Zimbabwe (Van den Brink, 2002). The first uprising known as the first Chimurenga exploded in 1893 (Chitsike, 2003). The uprising was bloodily suppressed, and its leaders and instigators were executed (Thomas, 2003). In 1914 the division of land became vastly disproportionate, three percent of the population-controlled 75 percent of the land, while the majority population was restricted to 25 per cent of the worst land (Thomas, 2003). According to Chitsike (2003), at the time, there were twenty-eight thousand white settlers to nearly one million Africans. Discontent gradually took shape within the liberation movement, which emerged as a major challenge in the 1960s (Chinsinga, 2008). The armed struggle (referred to as second Chimurenga) moved from towns into villages and communal areas (Van Den Brink, 2002). The second Chimurenga led to the Lancaster House Conference in 1979 which ultimately led to the birth of the Republic of Zimbabwe on 18 April 1980 (Thomas, 2003). Soon after independence in 1980, land redistribution was high on the agenda of the new government (Chitsike, 2003). According to Thomas (2003) the government established an Intensive Resettlement programme which aimed at among others the following (Page 11):

- *Alleviate the population pressure in the communal areas.*
- *Improve the standard of living of the poorest majority.*
- *To address the plight of the people who have been adversely affected by the war.*
- *To provide, at lower end scale, opportunities for the people who have no land and are without employment.*

In 1996 the government of Zimbabwe produced a revised policy paper on land redistribution and resettlement (Kanyongolo, 2005). Through this programme the government had purchased up to 2,9 million hectares of land for the resettlement programme by 1998 (Chinsinga, 2008). In fast-tracking the land reform programme, numerous amendments to the Constitution and Land Acquisition were done to improve the amount of land being given up for resettlement (Thomas, 2003). According to Chitsike (2003), in the year 2000, the government appointed a commission to investigate drafting of the new Constitution. According to the new Zimbabwean Constitution, the government was no longer forced to pay compensation for the acquired land except for infrastructure improvements. The Zimbabwean ruling party adopted a slogan “Land is the Economy, and the economy is land”. After the

country's elections the President of Zimbabwe appointed a Cabinet which was often referred to as the "War Cabinet", who's major responsibility was to push the completion of land reform called the 3rd Chimurenga (Chitsike, 2003). The government became impatient with the slow rate at which the land for resettlement was being acquired and, as a result, the previous landowners were given a time limit (in accordance with the Land Acquisition Act) to vacate the land (Gonese et al., 2006). Moyo et al., 2000 also attest to this by revealing that the rate of land transfer under the land reform programme was painfully slow, and this led to the fifteen major land invasions between 1997 and 1998. The occupation by war veterans started on a small scale but lessened as the government reassured them that the resettlement would be fast-tracked (Van Den Brink, 2000).

According to Gonese et al. (2006), history informs us that successful land reform entails change of government legislation to facilitate land reform program implementation.

In the case of Botswana, land administration can also be divided into three discernible periods: pre-colonial, colonial, and post-independence (Khama, 2017). During the pre-colonial period before 1895, the land was administered by Chiefs who allocated land to their tribesmen for both residential and subsistence agriculture (Khama, 2017). According to Gonese et al. (2006), between 1895 and 1966, the colonial period, land in Botswana was categorized into three land tenure systems of administration namely: native reserves, free hold, and crown lands. The native reserves remained under the control and administration of Chiefs (Khama, 2017). Free hold lands were allocated to white settlers, for commercial livestock farming, while crownlands belonged to the state (Chitsike, 2003). To date, land policy and governance are based on the types of land tenure systems, namely: tribal land, which comprise seventy one percent of the total land area in Botswana, free hold lands which accounts for three percent and state land which accounts for twenty six percent of total land (Khama, 2017). This suggests that the land tenure systems in Botswana have not changed. The tribal lands include leasehold ranches and some areas designated for wildlife (Gonese et al., 2006). According to Khama (2017), the land allocated through the Tribal Act can be expropriated by the government for any purpose as it sees necessary with compensation determined by government (Davies et al., 2020). This has negatively affected the tenure security for those with customary land rights and act as a disincentive for the land development (Davies et al., 2020). As a result, land governance in Botswana has continued to face numerous challenges since its independence (Khama, 2017). To respond to these challenges the Botswana government took a bold step towards administering the tribal lands in 2008 (Davies et al., 2020). The Ministry of Land and Housing (MLH) started a process in partnership with the Swedish government through Swedish

International Development Cooperation Agency (Khama, 2017). The land tenure administration project was named Improvement of Land Administration Procedure Capacity and Systems (Gonese et al., 2006). The land administration process was undertaken to identify all land parcels in the country, the size, location, and owners (Khama, 2017). According to Davies et al. (2020), the process resulted in a data base of plots and was expected to bring benefits to the plot owners as they will have title to their land and easily access financing from commercial banks and other relevant institutions to develop their properties.

Many Southern African countries undertook land redistribution right before or immediately after their independence for the stated purpose of addressing the inequality of land ownership between European settlers and indigenous peoples, which had resulted from the long-lasting discriminatory institutions and policies of the colonial period (Davies et al., 2020). With the financial support of their former colonial powers, some young democracies undertook to implement land redistributions based on market mechanisms, as in Kenya, Namibia, and initially in Zimbabwe (Byamugisha, 2014). In contrast, land redistribution programmes led by the state, as in the case of Ethiopia's reform in 1975, usually involved nationalization of the land previously owned by settlers and corporations, with the land then being redistributed to landless people (Meldrum, 2003). Zimbabwe is an interesting example of a combination of both the market-assisted and state-led approaches; following its independence, the country initiated a land redistribution programme based on the principle of "willing-buyer-willing-seller", where the government acted as the willing-buyer (Davies et al., 2020). However, after the regime slid into autocracy, President Robert Mugabe's government accelerated the land redistribution by expropriating land without compensation and forbidding landowners from challenging this decision in court - the so-called "fast-track land reform" after 2000 (Byamugisha, 2014). Zimbabwe also abandoned the willing seller willing buyer principle and followed an approach of invasions (Khama, 2017). Land tenure reform in SSA, in both the colonial and post-colonial era, thus aimed to secure and formalize rights to land. These reforms usually failed to recognize that the customary tenure system is more acceptable among indigenous people, and that the customary authorities fill in the gap in state administration (Knight, 2010). Zimbabwe's pre-independence Native Land Husbandry Act (1951) led to disastrous results as the reform deprived many individuals of their rights to land, was fiercely resisted by peasants, and eventually led to an ungovernable state (Thompson, 2004). Similar actions by the British government in Kenya were also unsuccessful (Toulmin and Quan, 2000). In post-colonial tenure reforms, land reforms have broadly sought a statutory recognition of existing customary tenure systems. They typically target people occupying communal land

legally owned by the government and aim to extend customary tenure to more formalized rights, as in Botswana, Malawi, Mozambique, Tanzania, and Uganda (Knight, 2010; Toulmin and Quan, 2000).

Most land reforms are targeted to improve the livelihoods of the rural poor. These are often landless people who occupy communal land without a formal title in tenure reforms, such as pastoralists, as in Botswana (Basupi et al., 2017), However in some countries such Zimbabwe, it was revealed that the targeted communities were not the sole beneficiaries even after the land reform programmes, which then created tensions. According to Davies et al., (2020) wealthy, powerful, and well-informed people often benefitted most. In Botswana's land tenure reforms, with the assistance of a highly decentralized system of land administration, the well-connected political elites and cattle-owners obtained the most valuable land and they effectively restricted other people's access under the new tenure system (Peters, 1994).

According to Khama (2017), Southern African countries that had legal barriers to some citizens accessing productive land have more complex challenges in reforming their land tenure systems. In South Africa and Namibia, the main problem was the complex and unstructured nature of laws governing customary tenure (Adams et al., 1999). The land governance in South Africa evolved through a similar pattern from pre-colonial, colonial and post -colonial periods (Davies et al., 2020). Most countries in Southern Africa were colonized by the British namely, Swaziland, Lesotho, Botswana, Malawi, South Africa, and Zimbabwe. Countries such as Mozambique and Angola were colonized by the Portuguese. Countries such as Lesotho, Madagascar, Swaziland, Tanzania, Botswana, and Malawi gained their independence through negotiated arrangements (Khama, 2017)., While countries such as Angola, Mozambique, Zimbabwe, Namibia, and South Africa gained their independence through an armed struggle (Adams et al., 1999). Zimbabwe and former apartheid South Africa faced extensive land expropriation and settler occupation (Davies et al.,2020). In these countries, prime agricultural land was allocated to the minority white settlers while the indigenous black population were allocated land of poor quality in terms of agricultural usage (Khama, 2017). Countries such as Mozambique and Angola experienced internal conflicts in the form of civil wars that displaced many people from their land (Basupi, Quinn and Dougill, 2017). The land reform process in southern Africa has been through the formulation of land policies and the enactment of laws (Kleinbooi, 2010). However, land reform has largely been unsuccessful because of persistent social and cultural attachment to the land, in some cases contestations and conflicts as witnessed in countries such as Zimbabwe, Malawi, South Africa and Namibia (Khama, 2017). Land reform efforts have therefore neither adequately restructured the dualistic land holding

system resulting from colonization, nor have they improved government support for the development of disadvantaged Indigenous land tenure systems (Davies et al., 2020).

2.7 Contextualising Land Reform: A South African Perspective

The years of apartheid in South Africa manifested itself through oppression and racially based dispossession of black communities of their land (Musavangane and Simatele, 2016). As a result of the Natives Land Act (1913) and the Natives Trust and Land Act (1936), when apartheid ended in 1994, whites owned 87 percent of the nation's land although they constituted less than 10 percent of the population (Atuahene, 2014). To rectify the legacy of land dispossession, the democratic government adopted a three-pronged land reform strategy, which included land tenure reform, land redistribution, and land restitution (Hall, 2004). This was made possible by section 25.7 of the South African constitution which states that "a person or community dispossessed of property after 19 June 1913 as a result of racially discriminatory laws or practices, is entitled to the extent provided by the Act of Parliament either restitution of that property or equitable share" (South African Constitution, 1996).

South Africa's land restitution programmes date back to the Restitution Act in 1994 and the opening of the land claims process in 1995, which was followed by the establishment of the Commission of Restitution of Land Rights to undertake the process (Department of Land Affairs, 2012). However, the democratic government conceded to the apartheid government's demand to provide the constitutional protection for existing property rights regardless of how the owners acquired the property (Atuahene, 2010). This made the restitution process on privately owned land challenging because there was resistance and money involved, where the state had to buy the land at market value and give it back to the rightful owners. This led to the democratic government focusing more on restitution of land on state owned properties such as protected areas which are pursuing conservation activities. The successful land restitution on conservation areas by previously oppressed communities have often resulted into co-management arrangements with external stakeholders (Musavangane and Simatele, 2016). This forms part of the land claim settlement support. Land restitution is an inherently complex process, as it needs to resolve vexed historical injustices in a manner that entrenches property rights and the rule of law, while also respecting budgetary limits (Hall, 2004) The restitution process is long and often it creates frustrations on land claimants, which, at times, lead to conflicts between claimant communities and conservation authorities. This is because communities view the delays as a way of delaying benefits due to them.

For the land restitution process to be effective, adequate communication is an important tool. However, in most public service agencies such as the commission, communication becomes extremely difficult. As a result, the commission usually encouraged land claimants from each community to elect a leadership committee (Atuahene, 2014). These committees should act as intermediaries between the commission and the land claimants. The Restitution of Land Rights Act (1994) stated that "the commission shall advise claimants of the progress of their claims at regular intervals and upon reasonable request". In addition, Section 195 of the South African Constitution (1996), which describes the principles that apply to administration in every sphere of government, states that "respondent's needs must be responded to, and the public must be encouraged to participate in policymaking; public administration must be accountable; and transparency must be fostered by providing the public with timely accessible and accurate information". According to Atuahene (2014), the Commission adopted the following communication strategy:

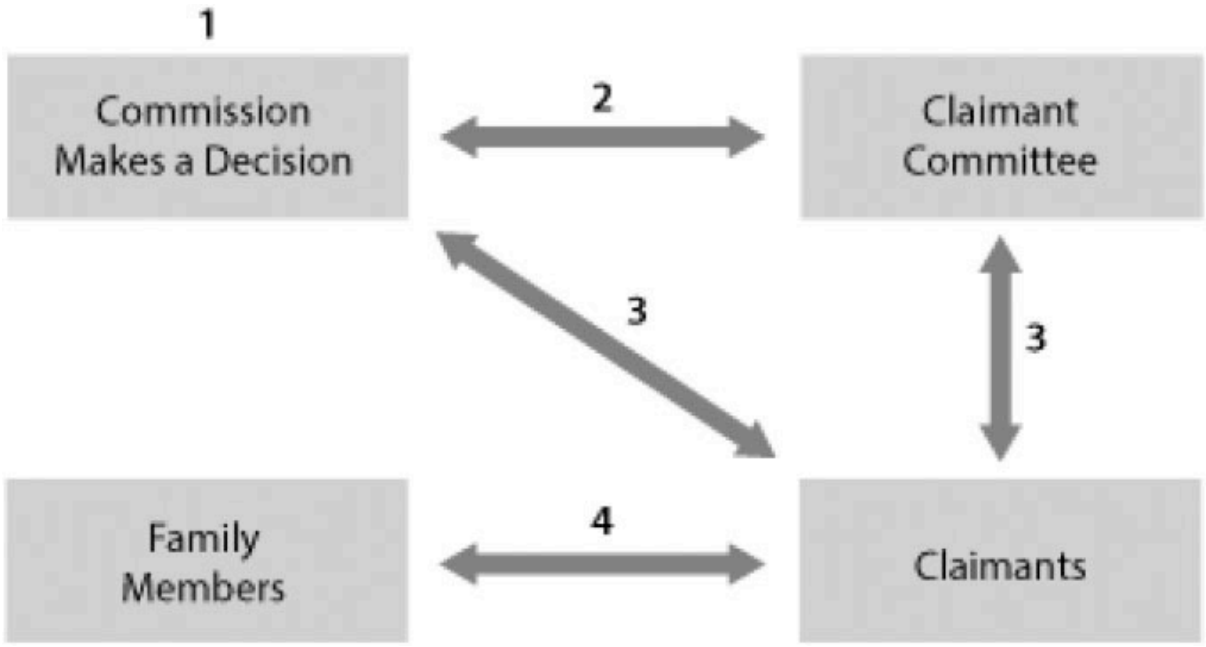

FIGURE 2.1: LAND CLAIMS COMMISSION COMMUNICATION STRATEGY. SOURCE: ATUAHENE, 2014

Based on the strategy above, the commission is expected to develop a clear and effective plan of action. The plan should then be communicated to the land claimant committees by the Commission. The plan then gets communicated with the land claimants by

the claimant committees or Commission. Then the land claimants communicate with the family members.

2.7.1 Land Restitution and Biodiversity Conservation

Globally, the proclamation of protected areas has often resulted in the estrangement of indigenous people from their ancestral land and resources. According to de Villiers (1999) government, non-governmental organizations and scholars are concerned about how to reconcile people's rights with biodiversity conservation. Despite a long time of efforts at achieving this goal, more lessons still need to be shared regarding what works and what does not work (Kepe et al., 2005). Importantly, is the improvement of understanding between those dealing with human and land rights (Kepe et al., 2005). Consequently, the major problem for the state is to reconcile the land reform and biodiversity conservation. To overcome mistrust and lack of understanding between historical disadvantaged communities and the conservation sector, it requires adequate attention (Kepe et al., 2005).

As with other countries, South Africa has often had to negotiate the conflicting goals of biodiversity conservation and land rights (Hughes,1998). The experiences globally have shown that land reform is not a single event but a process. The experiences in the reconciliation of biodiversity conservation and land rights differ from one country to another depending on socio-economic conditions and political dynamics (Kepe et al., 2005). According to Hughes (1998), the efforts to reconcile the land rights of indigenous communities with conservation objectives have ranged from financial compensation for non-utilization of natural resources. Such efforts also included the devolution of authority regarding land management in protected areas (Suchet, 1998). The comprehensive land reforms also include the restitution of land rights to indigenous people and increasing access to the land (Steenkamp, 2000). According to Stratede and Helles (2000), the practice of allowing local people limited access to natural resource use inside the protected areas, generally known as 'grass cutting programme" as a strategy to resolve conservation conflicts, has been largely unsuccessful.

In other countries such as Canada and Australia, the reconciling of land rights and biodiversity conservation has been linked on aboriginal rights (Kepe et al., 2005). In these countries, the land claims are linked to the dispossessions that took place while these countries were under colonization by Europe (Suchet, 1998). Suchet (1998) further argues that the socio-economic and political dynamics in Canada at the time resulted in the government disregarding recognised rights from the 1800s onwards. Consequently, after the repeal of the National Parks Act, the government of Canada did not allow indigenous use of natural resources in protected

areas (Johnston,1996). As a result, many parts of Canada are subjected to aboriginal land claims (Kepe et al., 2005). These dynamics brought about tensions between aboriginal rights groups and conservationists. The conservationists felt that the aboriginal rights should come to an end, while the indigenous people emphasized their rights and the need for access to natural resource use (Kepe et al., 2005).

Two protected areas in Australia (Kakadu and Uluru) are widely mentioned as good examples of cases where land rights and biodiversity were successfully reconciled (Roe et al., 2000). These two protected areas are managed through a co-management arrangement, including tourism enterprise by local people (Roe et al., 2000). However, numerous challenges still exist because whereas landowner communities are handed over title deeds, control and management of the protected areas is still in the hands of conservation authorities (Kepe et al., 2005). In addition, there is the reality that they can only offer limited job opportunities for the local people. According to Wynberg and Kepe (1999), one must wonder whether the efforts to reconcile land rights and conservation in Africa are not complicated by the fact that the struggle is between the powerful state and poor rural communities. In South Africa, this is also likely to be same situation because most land claims are against the government by the rural communities.

2.7.2 The Challenges of land restitution in South Africa

Land restitution in South Africa is a drawn-out and complicated process that often frustrates the land claimants' initial expectations for quick and fair settlement (Beyers and Fay, 2015). Even where leaders successfully articulated the claimant's aspirations in collective projects, and tirelessly worked to bring the promises of land restitution to fruition, they have often met with serious challenges as the process dragged on (Beyers and Fay, 2015). One of the key challenges during the restitution process has been communication. For the restitution process to move forward commission officials and land claimants needed to give and receive communication constantly, but there were several obstacles that prevented the sustained conservation from happening (Atuahene, 2014). While community meetings are the most effective way to communicate with the land claimants, informing the claimants of the meetings was a challenge (Atuahene, 2014). The commission relied on committees, which are typically unable to call claimants or send letters due to costs associated with the process. Consequently, committees rely on word of mouth, which is often ineffective, especially in geographically dispersed communities (Gibson,2010). Even in cases where community members received meetings notices, the lack of availability of transport prevented their attendance in most

meetings. Hall (2004) also argues that some community members, although aware of the meetings, still do not attend because they become weary from the restitution process, that they found frustrating, drawn-out, and riddled with communication breakdowns.

The other issue has been that the commission had a high staff turnover, which negatively affected its ability to maintain constant communication with the land claimants (Lahiff, 2009). Every time the project officer stop working, their replacement not only had to get up to speed, but also had to build new relationships of trust and cooperation. Building such a relationship takes time and contributes to the dragging of the restitution process. According to Atuahene (2014), the commission took several months to recruit the staff, which often put the claims in limbo and left the claimants confused and agitated. The employee turnover was caused by the temporal nature of the jobs at the commission (James, 2009). Later, the commission tried to address the problem by shifting from one to three-year employment contracts, but the project officers continued to search for permanent jobs elsewhere (Gibson, 2010). Most analysts accept that South Africa's post-apartheid land reform programme is in disarray (Walker,2012). Unhappiness with the unimpressive results of the programme feeds off the wider mood of disillusionment with the achievements of formal democracy in the fight against poverty, inequality, and social exclusion (Walker, 2012). The restitution process necessitated the creation of legal structures to represent the land claimants and enable landownership, which is a requirement to foster unity among claimants (Beyers and Fay, 2015). However, the unity required to achieve full settlement of the claim may not be achieved due to lengthy post settlement process of compensation and development planning (Beyers and Fay,2015). According to Beyers and Fay (2015), these processes are shaped by internal dynamics among claimants, but also by their relations with the state and private sector.

The negotiations resulted in institutional arrangements comprising the Commission for Restitution of Land Rights (CRLR), the Department of Land Affairs (DLA) and the Land Claims Court (LCC) (Walker, 2012). Of the three bodies, the CRLR was the public face of land restitution. The members of the CRLR were appointed by the Minister of Land Affairs. According to Beyers and Fay (2015), the CRLR lacked both the resources commensurate to its mandate and clearly defined responsibilities in relation to the DLA. Although the CRLR was envisaged to be an autonomous institution, the Restitution Act identified the Director General of DLA as its accounting officer, with final responsibility of financial management. This means that the DLA exercised considerable *de facto* power over the CRLR operations, and this was structural ambiguity, which soon became a nagging point of irritation between the two institutions (Walker, 2012).

While the CRLR, DLA and LCC were assigned the primary responsibility of the restitution, various other government institutions are also involved along the lengthy route that land acclaims must traverse to reach the settlement. Also, while land is a national competency, important sectors such as Agriculture, Environment, Regional planning, and traditional leadership have concurrent responsibilities that straddle both national and provincial government (Atuahene, 2014). This implies that implementing restitution requires the cooperation of many government agencies, each with its own priorities, lines of accountability and internal measure of performance (Walker, 2012). Building effective relationships among them has proved to be a huge challenge (Beyers and Fay, 2015).

As the land claim fails to deliver the expected rewards, unity between stakeholders pulls apart. Across the South African landscape, there is fracturing of land claimant communities, which is manifesting into litigations and other appeals to courts (Beyers and Fay, 2015). Members of land claimant groups are suing the law to make claims and levy accusations against one another, and challenging legal institutions created through restitution (Beyers and Fay, 2015) The arguments above suggest that restitution programmes are complex and require multiple rounds of information exchange at different points and times to resolve a land claim. Also, the ability of the commission officials to sustain conversations with the land claimants through these multiple rounds become a key variable (Fay and Deborah, 2008).

2.8 Contextualising the literature on Natural Resource Management

This section is dedicated to give perspectives on theoretical issues with a specific focus on natural resource management and land reform processes. As the core of the study is focusing on co-management of natural resources and the land reform processes in protected areas, it is crucial to give contextual framework on relevant theoretical issues at global, African, and South African context. Both concepts are not new, and work and literature has already been documented globally. Various countries have approached natural resource governance in various ways. Therefore, for this research study, it became crucial to explore what other countries have been doing in dealing with natural resource management programmes. The intention is to draw experiences and identify gaps on the existing body of knowledge. This has been done to analyse what has worked and what has not worked on co-management practices of natural resources.

2.8.1 The Tragedy of the Commons

Nature provides resources that can be used or consumed by the public at large. How these resources are used often determines their sustainability. For this study, it is important to engage on the theory "Tragedy of the Commons" because it is about the management and use of natural resources. Arguments by various authors about this theory will be explored starting with its definition. According to Hardin (1968), the "tragedy of the commons" develops when the pasture is opened to all. In such situations it is to be expected that each herdsman will try to keep as many cattle as possible on the commons (Hardin, 1968). Anukwonke (2015) defines the tragedy as a scenario in which commonly held land is inevitably degraded because everyone in a community is allocated to graze livestock. This suggests that this may ultimately lead to overstocking and exceeding of the veld carrying capacity. At this point, Hardin (1968) argued that the inherent logic of the commons remorselessly generates tragedy. Spiliakos (2019) refers to the tragedy as a situation in which individuals with access to a public resource act in their own interests and, in doing as such, ultimately deplete the resource. The concept was first conceptualised in 1833 by the British Writer William Forster Lloyd (Spiliakos, 2019). The theory explains the individual's tendency to make decisions based on their needs regardless of the negative impact it may have on others (Spiliakos,2019). While the use of natural resources is an important part of how society maintains themselves and builds relations with other nations, the" Tragedy of the Commons" focuses specifically on the inappropriate and abusive use of natural resources. If one person or a group overuses the resources, others are likely to get the impression that it is theirs to do the same as well. The tragedy is that the abuse of natural resources spirals out of control and results in a broader impact that can become a global issue.

Anukwonke (2015), also argued that the concept of the" Tragedy of the Commons" has been used time again to justify the stealing of indigenous people's land and other social services, giving the corporations tradable permits to pollute the air, water, and the environment. Anukownke (2015) further argued that the" Tragedy of the Commons" is quite a malicious myth as Hardin's main purpose was that the only answer to the tragedy was to move all common land or rights to use by private ownership. Jansen (2007) also argued that the common land is used as a propaganda for private ownership.



FIGURE 2.2: ABOVE SHOWS A SCHEMATIC DIAGRAM OF THE" TRAGEDY OF THE COMMONS" THEORY. SOURCE: CFI TEAM, 2019

The following are some of the consequences of inappropriate and abuse use of natural resources (Spiliakos,2019)

- **Deforestation**: Overexploitation of the earth's forest has had enormous consequences on the environment. As a result of a lack of resource management, our forests have disappeared at a rapid rate over the last century.
- **Animal extinction**: Overfishing and overhunting are examples of a common pool resource being depleted by individuals acting in their own self-interest.
- **Depletion of natural resources**: When common resources are consumed with an eye towards short-term gain, the result can be a" Tragedy of the Commons". For instance, when water is drawn from an aquifer faster than it refills, the immediate gains are undercut by the long-term danger of drought.

- **Climate change**: Global warming is, on some level, a result of a" Tragedy of the Commons", as governments, corporations, and individuals fail to consider the cumulative effect their actions have on our shared environment.

  Angus (2008) argued that questions arise from the concept of" Tragedy of the Commons", and these are:

  - Will shared resources be always misused or overused?
  - Is community ownership of land, forests and fisheries guaranteed road to ecological disaster?
  - Is privatisation the only way to protect the environment?

These are pertinent questions to ask when engaging on the concept of the "Tragedy of the Commons". The common is important because it provides a way of regulating activity without the involvement of the state. According to Anukwonke (2015), Elinor Ostrom has documented how various communities manage a common resource such as grazing land, forests, irrigation waters, and fisheries, equitably in the long term. Ostrom further demonstrated that, within communities, rules and institutions of non-market and not resulting from public planning, can emerge from the bottom up to ensure a sustainable, shared management of resources. This suggests that Ostrom found that the commons are not as difficult as Hardin maintained. Anukwonke (2015) further argues that Hardin simply ignored what happens in a real common, where self-regulation by communities involved happens. Cox (1985) also argued that what existed, in fact, was not a" Tragedy of the Commons" but rather a victory because, for hundreds of years, and perhaps thousands, although records do not exist for a longer era, land was managed successfully by communities. The establishment of protected areas was done in areas that have not been degraded, were self-regulated by the communities for years and years, but later were fenced off from the people who looked after them for the longest time.

According to Neeson (1993), the only significant cases of overstocking found on the English commons involved wealthy landowners who deliberately put more livestock onto pastures to weaken their much poorer neighbours' position in dispute over the privatization of common lands. Linebaugh (2008) further argued that to speak of the commons as if it were a natural resource, is misleading at best, and dangerous at worst. Commons is an activity which expresses relationships in society that are inseparable with relations to nature. The application of the tragedy of commons in the management of natural resources can be considered in relation to environmental issues such as sustainability (Anokwonke, 2015). Some of the examples of

potential and actual tragedies is uncontrolled population growth, habitat degradation and poaching (Cox, 1985). Enunciating solutions to the tragedy of commons is one of the main problems of political philosophy (Anokwonke, 2015). It is therefore important that a form of authority is required to solve the collective action problem. This, then suggests, that the use of state regulations developed with the involvement of local people can be used to manage the use of the common good. Ballet et al. (2009) argue that in the natural resource management field, studies running counter to the tragedy of commons have constituted the real need for development of the concept of participation. Considerable literature has been developed, highlighting the fact that local institutions and the communities who support them, have an essential part to play in efficient and sustainable management of natural resources (Barnard, 2008).

2.8.2 The Collaborative multi -stakeholder partnerships

Co-management arrangements involve multi-stakeholders who are expected to work together towards achieving a certain common goal. The researcher found it key to also review literature on the multi-stakeholder partnerships definition and how they should work effectively. Bramwell and Lane (2000) define partnerships as regular, cross-sector interactions between parties based on some agreed rules and norms, intended to address a common issue, or achieve a specific goal. Loban et al. (2021) also defines multi-stakeholder partnerships as "voluntary and collaborative relationships between various stakeholders from different organizations, in which all participants agree to work together to achieve a common goal or purpose, or undertake a specific task and to share risks, responsibilities, resources, competencies and benefits. According to Wondolleck and Yaffee (2000), collaborative partnerships involve the pooling of appreciation or tangible resources by two or more stakeholders to solve a set of problems that neither can resolve individually. As a process, collaborative partnership occurs when a group of autonomous stakeholders engage in an interactive process using shared rules, norms, and structures to act or decide on issues related to a particular problem (Wood and Gray, 1991) These definitions suggest that co-management arrangement is also a partnership between various stakeholders who should work together to achieve a common goal. Partnerships can help people and organizations to generate outcomes that are greater than those that can be achieved when working independently (Loban et al., 2021).

Partnerships continue to be widely embraced by governments and funding institutions. mandating partnerships to be an essential element of the programmes and initiatives that they

support (James and Berry, 2011). However, in practice, partnerships can create a great deal of frustration, as different organizations and individuals frequently struggle to achieve measurable and mutually beneficial outcomes (Selin and Chavez, 1994). According to Loban et al. (2021), these problems are not surprising because partnerships are resource intensive, take time and require governance, procedures and processes that are different from how independent organizations are run.

Makopondo (2006) also argues that partnerships are viable mechanisms for enhancing racial and ethnic diversity in natural resource management. Many public agencies experiment with collaboration to promote inclusiveness and diversity in resource planning, and to increase access to a broader user base and to gain greater public support (Makopondo,2006). One form of collaborative partnership that has gained recognition and acceptance as a mechanism for planning and managing recreation and tourism is the public-private partnership (Bramwell and Lane, 2000). This is the partnership currently used in protected areas as the driver of a commercialisation strategy.

The greatest appeal of collaboration and partnerships is that they promise to be inclusive and allow different interest groups to dialogue and interact in a way that facilitates mutual collaborative learning and joint decision making (Bramwell and Lane,2000). Generally, failures and difficulties in establishing effective partnerships may result from a lack of opportunities and incentives, conflicting goals, inflexible policies and procedures, constraint resources, mistrust, unfamiliarity with processes and lack of process skills (Wondolleck and Yaffee,2000). These manifest themselves into conflicts between stakeholders involved.

Scholars have argued that various dimensions of partnerships functioning including partner relationships, governance, leadership, management, use of resources and the external environment, influence the achievement of planned partnership outcomes (Loban et al., 2021). The notion of partnership synergy has recently been proposed as an intermediate outcome between partnership functioning and the achievement of the planned ultimate outcome (Jones and Barry, 2011). Synergy is viewed as the key mechanism on the pathway by which partnerships gain advantage over the independent work of individual stakeholders working towards the same goal (Loban et al., 2021). According to Loban et al. (2021), partnerships are synergetic when they leverage resources successfully and mobilise the complementary knowledge and expertise of all partners.

2.8.3 Contextualising the literature on Natural Resources Management in protected areas: A Global context.

The United Nations have reiterated that competition over land, water, minerals, and other natural resources will continue to be a source of conflict unless resources management prioritises equity and benefits for local communities (Gobena,2020). Shared resources can be a co-operation among communities and countries (UN Security Council, 2018). The United Nations Department of Economic and Social Affairs (UNDESA, 2017) data gives a snapshot of some challenges facing humanity; for example, in 2013, for seven hundred and sixty-seven million people living below the poverty datum line, natural disasters caused economic losses worth an average of USD 250-300 billion (Gobena, 2020). The calls for sustainable development intensified following the World Commission on Environment and Development (WCED) report titled "Our Common Future" (Gobena, 2020). This suggests that the global community has noticed the environmental degradation, hence the call for securing the future through effective sustainable development.

The WCED report called for actions around key themes:
"We have, in the past, been concerned about impacts of economic growth upon the environment. We are now forced to concern ourselves with impacts of ecological stress, degradation of soils, water regimes, atmosphere, and forests upon our economic prospects" (WCED, 2017)

Sustainable development has been defined as development that meets the needs of the present without compromising the ability of future generations to meet their own (WCED, 2017). Sustainable development also underpinned the discussions at the 1992 United Nations Conference on Environment and Development (UNCED), which is also known as the Rio Earth Summit. A negotiated consensus among one hundred and fifty countries resulted in Agenda 21, a global action for sustainable development (Gobena, 2020), Another milestone came in 2002 at the World Summit on sustainable development held in Johannesburg South Africa to renew global a commitment towards the implementation of Agenda 21.

In 2015 the United Nations General Assembly (UNGA) formally adopted the 2030 agenda for sustainable development, "*a plan of action for people, planet and prosperity*". A set of seventeen sustainable development goals (SDG) were developed (2030 Agenda, 2015). Goal fifteen (15) of these goals put emphasis on the protection of terrestrial ecosystems:

"Protect, restore, promote sustainable use of terrestrial ecosystems, sustainably manage forests. Combat desertification, halt reserve land degradation and biodiversity loss" (2030 Agenda, 2015) This goal has a specific focus on the sustainable management of natural resources globally.

This approach was taken further into developing some international instruments to ensure effective natural resource governance at a global level. Multilateral agreements formed an over-arching legal obligation to address environmental management issues. The environment-focused Convention on Biological Diversity (CBD) makes many references to the sustainable use of biological resources such as:

The use of components of biological and diversity in a way and at a rate that does not lead to long term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations (CBD, 1992). Non-legal binding instruments also recognize sustainable development. The United Nations Declaration on Rights of Indigenous Peoples (UNDRIP) calls for the recognition that indigenous knowledge, cultures, and traditional practices contribute to sustainable and equitable development and proper management of the environment. The above arguments suggest that local indigenous communities play a major role in the effective and sustainable management of natural resources.

The New Delhi Declaration on Principles of International Law Related to Sustainable Development (NDDPILRSD, 2002), identified a list of non-exhaustive principles for pursuing sustainable development. One of these principles focuses on the duty of states to ensure sustainable use of natural resources. The declaration also focused on the principle of public participation, access to information and justice (Gobena, 2020). These principles sought to highlight mechanisms to enable access to resources to be more equitable, to prevent arbitrary loss of tenure rights and discrimination, and to enhance participatory decision-making and to enable swift resolution before conflicts spiral into significant political and social crisis (NDDPILRSD, 2002). The arguments above suggest that a change in natural governance approach was necessary to avoid social and political crisis globally.

The worldwide failure of centralised approaches to managing natural resources led to a search for a viable and sustainable alternative approach by conservationists to achieve sustainable management (Nabane and Matzje, 1997). Community based natural resource management (CBNRM) has been an international model for natural resource management since the 1960's (Gruber, 2008). It has become an increasingly popular resource management approach to address both social justice and environmental protection globally (Agrawal and

Gibson, 1999). It aimed to create conditions under which communities stood to benefit from the sustainable utilization of natural resources. According to Songorwa (1999), this would happen through a bottom-up participatory management approach. Zanetell and Knuth (2004) argued that core to CBRNM definition, is an approach to natural resource management that seeks to support long term sustainability through broad participation of community members and resource users in decision making. Songowara (1999) also argued that there must be willingness to embrace traditional values and ecological knowledge in management of natural resources, and the need to associate and resolve the objectives of social and economic growth for the protection and conservation of natural resources.

For this study, it is important to pay attention to the management of protected areas during this century globally. The International Union for Conservation of Nature (IUCN), 2012 defines a protected area as "an area of land and/or sea especially dedicated to the protection of biological diversity, and of natural and associated cultural resources, managed through legal or other effective means". IUCN (2012) divides protected areas into six categories, depending on their objectives as follows:

a) Category 1a – strict nature reserve

A strict nature reserve is an area which is protected from all but light human use to protect its biodiversity and possibly its geological/geomorphical features. These areas are often home to dense native ecosystems where all human disturbance except scientific study, environmental monitoring and education is prohibited. Because these areas are so strictly protected, they provide ideal pristine environments that enable measurement of external human influence by means of comparison with other areas.

In some cases, strict nature reserves are of spiritual significance for surrounding communities and are also protected for this reason. The people engaged in the practice of their faith within the region have the right to continue to do so, providing it aligns with the area's conservation and management objectives.

Human impacts on strict nature reserves are increasingly difficult to prevent because climate and air pollution and newly emerging diseases do not stop at the boundaries of protected areas. If perpetual intervention is required to maintain these strict guidelines, the area will often fall into category IV or V. For description of these categories please see below.

b) Category 1b – wilderness area

A wilderness area is similar to a strict nature reserve, but generally larger and protected in a slightly less stringent manner.

These areas are a protected domain in which biodiversity and ecosystem processes (including evolution) are allowed to flourish or experience restoration if previously disturbed by human activity. These are areas which may buffer against the effects of climate change and protect threatened species and ecological communities.

Human visitation is limited to a minimum, often allowing only those who are willing to travel by their own devices (by foot, by ski, or by boat), but this offers a unique opportunity to experience a wilderness that has not been interfered with. Wilderness areas can be classified as such only if they are devoid of modern infrastructure, though they allow human activity to the level of sustaining indigenous groups and their cultural and spiritual values within their wilderness-based lifestyles.

c) Category II – national park

A national park is similar to a wilderness area in its size and its main objective is protecting functioning ecosystems. However, national parks tend to be more lenient with human visitation and its supporting infrastructure. National parks are managed in a way that may contribute to local economies through promoting educational and recreational tourism on a scale that will not reduce the effectiveness of conservation efforts. The surrounding areas of a national park may be for consumptive or non-consumptive use but should nevertheless act as a barrier for the protection of the protected area's native species and communities to enable them to sustain themselves in the long term.

d) Category III – natural monument or feature

A natural monument or feature is a comparatively smaller area that is specifically allocated to protect a natural monument and its surrounding habitats. These monuments can be natural in the whole sense or include elements that have been influenced or introduced by humans. The latter should hold biodiversity associations or could otherwise be classified as a historical or spiritual site, though this distinction can be quite difficult to ascertain.

To be categorized as a natural monument or feature by IUCN's guidelines, the protected area could include natural geological or geomorphological features, culturally influenced natural features, natural cultural sites, or cultural sites with associated ecology. The classification then falls into two subcategories: those in which the biodiversity is uniquely related to the conditions of the natural feature, and those in which the current levels of biodiversity are dependent on the presence of the sacred sites that have created a modified ecosystem. Natural monuments or features often play a smaller but key ecological role in the operations of broader conservation objectives. They have a high cultural or spiritual value that

can be utilized to gain support of conservation challenges by allowing higher visitation or recreational rights, therefore offering an incentive for the preservation of the site..

e) Category IV – habitat or species management area

A habitat or species management area is similar to a natural monument or feature, but focuses on more specific areas of conservation (though size is not necessarily a distinguishing feature), such as an identifiable species or habitat that requires continuous protection rather than that of a natural feature. These protected areas will be sufficiently controlled to ensure the maintenance, conservation, and restoration of a particular species and habitats through traditional means, and through public education of such areas, and is widely encouraged as part of the management objectives.

Habitat or species management areas may exist as a fraction of a wider ecosystem or protected area and may require varying levels of active protection. Management measures may include (but not limited to) the prevention of poaching, creation of artificial habitats, halting natural succession, and supplementary feeding practices.

f) Category V – protected landscape or seascape

A protected landscape or protected seascape covers an entire body of land or ocean with an explicit natural conservation plan, but usually also accommodates a range of for-profit activities.

The main objective is to safeguard regions that have built up a distinct and valuable ecological, biological, cultural, or scenic character. In contrast with previous categories, Category V permits surrounding communities to interact more with the area, contributing to the area's sustainable management and engaging with its natural and cultural heritage.

Landscapes and seascapes that fall into this category should represent an integral balance between people and nature and sustain activities such as traditional agricultural and forestry systems on conditions that ensure the continued protection or ecological restoration of the area.

Category V is one of the more flexible classifications of protected areas. As a result, protected landscapes and seascapes may be able to accommodate contemporary developments, such as ecotourism, at the same time as maintaining the historical management practices that may procure the sustainability of agrobiodiversity and aquatic biodiversity.

g) Category VI – protected area with sustainable use of natural resources

Though human involvement is a large factor in the management of these protected areas, developments are not intended to allow for widescale industrial production. The IUCN recommends that a proportion of the land mass remain in its natural condition, a decision to be

made on a national level, usually with specificity to each protected area. Governance must be developed to adapt the diverse and growing range of interests that arise from the production of sustainable natural resources.

Category VI may be particularly suitable to vast areas that already have a low level of human occupation, or in which local communities and their traditional practices have had little permanent impact on the environmental health of the region. This differs from category V in that it is not the result of long-term human interaction that has had a transformative effect on surrounding ecosystems.

The study site (Silaka Nature Reserve) and most provincial nature reserves fall under IUCN category VI.

These various categories of protected areas are managed using different governance approaches. IUCN also divides protected area management into four governance types as shown on Table 2.1 below:

TABLE 2.1: IUCN PROTECTED AREA MANAGEMENT GOVERNANCE TYPES

Governance Type	**Governance Arrangements**
A Governance by Government	National ministry or agency Government delegated, e.g., NGO.
B Shared Governance	Transboundary governance Collaborative Governance Joint Governance
C Private Governance	Conservation areas established and managed by individual landowners. Managed by non-profit organizations such universities and NGOs. Managed by profit organizations such corporate landowners.
D Governance by Indigenous People and Local Communities	Indigenous peoples conserved areas and territories, established, and run by indigenous peoples. Community conserved areas and territories established and run by local communities

Source: IUCN 2012: IUCN Protected area management governance types

The first governance type A, which is primarily governance by the state seemed not to have worked as it has been characterised by the top-down management approach. The global conservation community has since moved towards type B governance, the shared approach, characterized by a bottom-up management approach. The study site (Silaka Nature Reserve) is going towards governance type B, which is called shared governance or co-management. Natural Resources governance refers to norms, institutions and processes that determine how power and responsibilities over natural resources are exercised, how decisions are taken and how citizens, indigenous peoples and local communities participate and benefit from the management of natural resources (International Union for Conservation of Nature, 2012); and where decision making processes include the participation of local communities, trust and cooperation increases, while conservation conflicts decrease.

Though the co-management approach seeks to achieve the same principles in management of protected areas, my research is grounded only on state-owned protected areas. The type D governance approach, which emphasises indigenous people, is common in communal lands. Indigenous communities have conserved communal lands and territories for some time, but there seems to be little or no recognition, yet there are vast territories conserved by indigenous communities. The effectiveness and equity of governance processes critically determine both the extent to which ecosystems contribute to human well-being and long-term prospects for successful conservation (IUCN, 2012). Securing rights and sharing power and responsibilities through strengthened natural resource governance benefits both people and biodiversity. The Food and Agricultural Organization (FAO) (2013), defines governance as the concept that constitutes formal and informal rules, organizations and processes through which public and private actors articulate their interests, frame, and prioritize issues, and make, implement, monitor and enforce decisions. This definition indicates that actors in governance should have equal decision-making rights and equal accountability.

The public relationship with the state is under constant evolution, with trends towards greater regulation in some sectors and some countries, or de-regulation in other areas (FAO,2013). The focus of interventions may be particularly considering shared or trans-boundary resources, or certain resources may also require devolution of management to local levels or co-management arrangements (FAO, 2013). United Nations Office of the High Commissioner of Human Rights (OHCHR) indicated that while there is no universally accepted definition of good governance, the concept includes:

"Respect for human rights and rule of law, effective participation, multi-sector partnerships, political pluralism, transparent and accountable processes and institutions, an efficient public sector, legitimacy, access to knowledge, information and education, political empowerment of people, equity, sustainability and attitudes and values that foster responsibility and tolerance"(Office of High Commissioner for Human Rights,2011) This suggests that good governance is rather a set of recognized principles applicable to varying contexts and circumstances. The key principles of participation, transparency, accountability, legitimacy, equality and fairness, efficiency and effectiveness and the rule of law should be applied in natural resource legislation (FAO, 2013). This study stressed on some of these principles:

- **Participation**: Individuals should participate in planning, design, monitoring and evaluation of decisions that affect their rights (Gobena,2020). The principle of participation should mean that people should be able to determine their own well-being. In the context of environment, principle 10 of the Rio Declaration of United Nations Conference on Environment and Development (1992), affirmed that environmental issues are best handled with the participation of all concerned citizens; this suggest that natural resources can be best managed with the involvement of local communities.
- **Transparency**: Transparency means that legislation must be made public. Rights of holders must be provided with essential information about the decision-making process. Transparency is a pre-condition for meaningful participation (FAO, 2013:). This translates to the fact that where there is no transparency there will be no meaningful participation.
- **Empowerment**: The principle of empowerment promotes the idea that persons have the means to change their own lives (Reo Declration,1992). In legislation this may mean including provisions for awareness-raising, including education campaigns and capacity building. This therefore means that local community empowerment is key to enhance their ability to manage natural resources and to participate in decision-making meaningfully.
- **Rule of Law**: Sustainable Development Goal (SDG) 16 seeks to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and to build effective, accountable and institutions at all levels. Without access to justice and rule of law, all other rights are endangered (OHCHR,2011). The United Nations Security Council (UNSC,2004) defines rule of law as:

"A principle of governance in which all persons, institutions, and entities public and private, including the State itself, are accountable to the laws that area publicly promulgated,

equally enforced, independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well as measures to ensure adherence to the principle of supremacy of law, equality before the law, accountability to law, fairness in application of the law, separation of powers, participation in decision- making, legal certainty, avoidance of arbitrariness and procedural, and legal transparency",.

- **Accountability**: Accountability means ensuring that rights are protected and fulfilled by holding to account those responsible for implementation (Gobena,2020). Public officials are answerable to the people they serve for their actions and decisions. This suggest that players responsible for implantation in a project set up are all accountable for the decisions and actions they take.

The above defined principles are key to effective natural resource governance. The role of local communities in management of protected areas has changed over time (Fedreheim and Blanco, 2017). The 20th century reliance on traditional, hierarchal management to secure biodiversity has gained criticism (Castro et, al.,2006). As of today, there is a trend towards decentralization of management rights to local communities and public (Borrini-Fereyabend et al., 2008). Reed (2008) argued that the approach gives value to the critical knowledge of local communities in improving the management of protected areas and consequently encourages local participation. This view was formalised into the so called "Malawi Principles" from the Convention of Biological Diversity, which emphasized that management should be decentralized to the lowest appropriate level (United Nations, 1993). Also, the International Labour Organization (ILO) Convention 169 states that indigenous people should be considered when decisions are made related to their livelihoods (International Labour Organization, 1991). The above arguments suggest that participation of local communities in natural resource management is recognized at global level.

Hovick and Hongslo (2017), argued that co-management is believed to relieve conflicts between central and local as it generates increased accountability upwards and increased legitimacy downwards. Richards et al. (2004) further argued that public trust in decisions is increased if the processes are perceived to be transparent and considerate of conflicting views. The arguments above clearly suggest that transparency is a critical principle for effective co-management of natural resources. Other benefits associated with involving non-government stakeholders in natural resource management include empowering of non-governmental stakeholders (Greenwood et al., 1993). Blackstock et al. (2007) also pointed out that it leads to increased social learning, related in that various stakeholders learn from each other. Berkes

et al. (1991) also emphasized that the other benefit is increased economic and social development of local communities, while it also promotes an ecologically sustainable use of natural resources. This suggests that through the above-mentioned effects of co-management, it has the potential to make protected areas more effective because of their ability to reduce conservation conflicts.

Literature on self-organization for co-management of common-pool natural resources in general, not restricted to a protected area, consistently finds that the degree of dependence of stakeholders on the resources and their knowledge of protected areas and mental models on conservation are important factors in collective action (Ostrom, 2009). In a study undertaken in Norway in 2017, the results have shown that, higher dependence of stakeholders on an area for livelihoods, as well as stronger knowledge of the protected area and shared mental models on conservation, enhances belief in the potential of co-management to decrease conflicts related to protected areas (Fedreheim and Blanco, 2017). Recreationists have a general concern for biodiversity preservation and sustainable ecosystem management, while tourism operators supported the notion of sustainable development and non-tourism operators, particularly livestock owners, had various concern for species conservation. (Fedreheim and Blanco, 2017).

In Asia, most natural resources were formerly either local owned or exploited. In many places wild natural resources were not merely harvested but were also gradually domesticated and made more productive (Person et al., 2003). Over time, these natural resources were appropriated from local communities by colonial governments (Vayda, 1996). Large tracts of land were transformed into plantations for industrial crops or into agricultural land either by government or European or American entrepreneurs. (Wiersum, 1996). The European states claimed jurisdiction over uncultivated lands as well as shores and open seas (Lynch and Talbott, 1996). Rights of local communities were limited to land showing clear signs of human cultivation.

Following independence, most national governments did not change this system of state-owned resources, but they re-enforced it with new legislation, often based on a colonial legal system (Ghee and Valencia, 1990). In most cases the national park ideology was incorporated as was developed in the United States towards the end of the nineteenth century (Ghee and Valencia,1990). An exception was in Papua New Guinea, where 90-97 percent of the land is still owned by tribal communities (Lynch and Talbott, 1996). The implications of state ownership of poorly managed resources increased tremendously (Fedreheim and Blanco, 2017). The poor management of many of these natural resources can be attributed to inadequate

government staffing with inadequate equipment, poor legislation, and law enforcement (Fedreheim and Blanco, 2017).

In Asia, co-management of natural resources, whereby responsibilities are shared among government and individual or collective users, is becoming increasingly common (Fedreheim and Blanco, 2017). This has come about because of limited success of a top-down conservation approach and the continuing deterioration of the environmental conditions in many countries in Asia (Persoon et al., 2003). The trend is inspired by the feelings that local people were unjustly treated in the past. This situation resonates with the African communities on land ownership and the treatment of Africans by Europeans. In many of the countries in Asia, currently they are undergoing decentralization by granting rights to local communities and indigenous people as of the social reforms and political agendas (Sajise, 2003).

The creation of 30,000 protected areas around the world has been one of the great achievements of the 20th Century (World Commission on Protected Areas, 2000). This is a great inheritance for the 21st Century. Together they cover about 12.8 million sq. km, which amounts to 9.5 per cent of the planet's land area, an astonishingly large extent, larger in fact than China and India combined (Word Commission on Protected Areas, 2000**).** However, they face challenges as never before and many are not effectively managed. Some have great and growing financial difficulties as governments cut their subventions, forcing protected area managers to raise their own revenue (GAO, 2008). Many still have conflicts with the people who live inside them or alongside (Wallenstein and Swain, 1997). A growing number suffer from their own success as visitors pour in. Most protected areas are under pressure at their edges from the need to extend farmland, build roads and so forth. Protected areas have a long and worthy tradition as beautiful places and a refuge for wildlife (Duffy, 2006). But now there is a need to see protected areas in their wider context – as vital reservoirs of biodiversity for the world, often as a key component of national prosperity, and as providers of sustainable benefits for people living nearby (GAO, 2008). They should not be seen as isolated areas where no one may tread, but as an integral and valued part of the land use of a country; not as land or water set for conservation but as areas that fulfil a wide range of functions and provide benefits to the locality, the nation, and the world (WCPA, 2000). The WCPA (2000) highlighted that the challenges for the twenty first Century are as follows:

- To bring benefits to people, embedding protected areas more firmly in local economies so that communities, local, national, and international, benefit from a range of material and non-material of protected areas.

- To develop the global network, using the full range of protected area types, planned as elements of whole landscapes, and
- To strengthen the capacity to manage, improving the quality of management by setting standards and by monitoring, evaluation, and reporting.

According to Addison et al. (2019), CBNRM and co-management have been embraced globally as governance mechanisms attending to environmental management whilst allowing local. higher levels of control over natural resources. Ostrom (1990) argues that well defined and respected local control over natural resources use is more likely to lead to strong social balance and rules over resource use. Scholars such as Brooks et al. (2013), observed that community based natural resource conservation promoted the idea that long term success required engaging with and providing the benefits for local communities. In country such as Indonesia, in recent years, the role of communities and local government have been re-emphasized and roles of central government steadily decreased (Yoneriza et al. 2008). These changes were attributed to the decentralization policies. Luts and Caldecott (1996), argued that protected area management in developing countries are faced with several issues, including the recent decentralization trend that presents new challenges on how to make decentralization work for conservation processes such as protected area management. Along with the paradigm shift in relationships between protected areas and local community, issues concerning communities' livelihoods of the local people have emerged most substantially in conflicts on issues of partnerships affecting all stakeholders (Elliot, 1996). da Silva (2004) argued that central to this is the recognition and legitimization of traditional or informal local-level management systems.

2.8.4 Contextualising Natural Resource Management: A Sub-Saharan Perspective

In the Sub-Saharan Africa, rural communities have historically regulated their local resource use through traditional systems. According to Roe et al. (2009), local people have managed their land and natural resources in millennia. Over time these institutions, norms and rules have been weakened through the centralisation of authority in colonial and post-colonial government systems, increased conflicts, and instability (Fedreheim and Blanco,2017)). As a result, many common properties *de facto* "open access"., with few communal management rules and no specific traditional institutions enforcing rules based on monitoring systems

(GAO, 2008). Over the years, community arrangements have altered to adapt in changing and dynamic natural systems as well as shifting governance discourse (Chevallier, 2016). Many communities in the region were disposed of their land and resettled elsewhere, often with little or no compensation (Borrini-Fereyabend, 2008). The management of the land and natural resources was placed under central regulatory authorities and sealed off from resident communities, and their rights for consumptive use limited by means of strict enforcement (Chevallier, 2016). Conservation activities at the time focused almost exclusively on the ecological character of the ecosystems and environmental threats posed by infrastructure development and growing populations (Chevallier, 2016). Little recognition was given to the role that humans had always played in altering or maintaining what appeared to be untouched wilderness (Roe et al., 2009). Natural resources suffered from over utilization and illegal exploitation. As a result, wildlife numbers in South and East Africa started to decline, especially outside protected areas and instances of human-wildlife conflicts increased (Chevallier, 2016). Natural resource management policies in the colonial era were a central component of the project of extending European political control into rural landscapes (Newman, 1998). Colonisation in the 18th and 19th centuries did not bring with it respect for traditional rights (Colchester, 1994). According to Roe et al. (2009), in the last few decades there has been a growing awareness of the understanding of collective natural resource management practices and institutions, and the recognition of the historic forces have disrupted the local people's ability to manage the resources they depend upon.

In the 1960's and early 1970s, the user rights over wildlife on free land in Zimbabwe, South Africa, and Namibia (all then under the rule of contested white minority regimes) were devolved to landowners through a series of legislated reforms (Chevallier, 2016). These reforms laid the basis for extending the model of local management to communal lands resulting in the development of Zimbabwe's Communal Area Management Programme for Indigenous Resources (CAMPFIRE), Zambia's Administrative Management Design Programme in the 1980's and Namibia's Communal Conservancies in the 1990's. CAMPFIRE provided grounds for replication of other CBNRM approaches and related policy development in other parts of the region.

Since the 1990s the development–conservation paradigm in the Southern African region has shifted from an approach that emphasised centralised management and wildlife protection, to one that better incorporates socio-economic development and promotes inclusive management and sustainable livelihood strategies (Chevallier, 2016). This has led to conservation approaches that may better recognise the rights of local people to manage and

benefit from communal natural resources. Community-based natural resource management (CBNRM) has had mixed results since the first programmes were initiated in Southern Africa (Chevallier, 2016). The foundations of CBNRM – economic incentives, devolution, proprietorship, and conservation – have been applied in varying degrees with different institutional models, many governments favouring co-management and revenue sharing approaches, retaining some control over natural resources and a large share of the income from their use (Roe et al., 2009).

National experiences in the region show that projects most likely to succeed have effective institutional frameworks; are supported through legislation and natural resources management policy; and focus on transparency and good governance at government level and within community and private sector partnerships (Chevalier, 2016). Community-based organisations with technical, organisational, and institutional capacity are better able to assume management responsibilities and enhance partnerships with public- and private-sector stakeholders (Chevallier, 2016).

Across Sub-Saharan Africa, natural resources remain central to rural people's livelihoods. Local norms and customs shape the people's everyday forms of resource use (Chevallier, 2016). In contrast, the commercial uses of natural resources often remain highly centralised, conditioned by government policies of colonial and post-colonial eras (Roe, Nelson and Sandbrook, 2009). In more recent years, natural resources and wildlife discussions have largely been centred in financing for conservation and on promoting to economic value of wildlife and other resources, often to justify conservation as a viable land-use choice (Chevallier, 2016).

The Millennium Ecosystem Assessment (2005) notes that, what is needed to sustain natural resources are strong institutions across different scales with government providing an appropriate enabling framework for security of tenure and management authority at local level. Communities often lack the necessary skills, resources and technical capacity required to effectively govern natural resources themselves (Millennium Ecosystem Assessment, 2005). In some cases, communities have the skills to manage the resources but not the skills to manage the complex administrative compliance requirements enforced by government.

While national government has a legitimate mandate to protect public goods and to ensure the sustainable management of natural resources in the interest of the entire population, communities living in the vicinity of natural resources are equally important in monitoring and enforcing regulations at local level (Millennium Ecosystem Assessment, 2005). Consequently, many CBNRM activities in the region demonstrate characteristics of co-management rather

than largely autonomous community management. Conflicts between local groups and other more powerful stakeholders, including both state agencies and private sector investors, remain widespread across the sub-continent and are often intensifying (Roe, Nelson and Sandbrook, 2009). Effective CBNRM relies on more effective partnerships through trust building, which is only possible if the communities have the mandate and authority to carry it out (Millennium Ecosystem Assessment, 2005).

Most African countries joined the global community in several environmental issues. Several regional level instruments integrate human rights in natural resource governance for a sustainable development approach (Gobena, 2020). Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998) affirmed human rights principles in the context of the environmental dimension of sustainable development. It also enshrines the right to participate in environmental decision-making; public authorities must allow stakeholders opportunity to comment on proposed policies, laws or projects and such inputs are to be considered during the decision making (FAO, 2013).

The African Commission on Human and People's Rights (ACHPR) Resolution of a Human Right Based Approach to Natural Resources Governance (2012) recalls several principles found in other international instruments affirming that:

"The State has the responsibility for assuring natural resources stewardship with and for the interests of the population and must fulfil its mission on conformity with international human rights norms and standards" (ACHPR, 2012). It also confirms that the State must take measures to ensure public participation in decision -making related to natural resource governance. This instrument calls upon the states to establish clear legal framework for sustainable development as it impacts on natural resources in such a manner as would make the realization of human rights a pre-requisite for sustainability (Gobena, 2020). This resolution promotes a regional effort to promote natural resources legislation that respects human rights (ACHPR, 2012)

The Rio Conference of 1992 strengthened the Implications or importance of participatory governance and emphasized the need to take all stakeholders into account in managing natural resources (Ballet and Boniface, 2009). In the field of natural resources, studies have developed a considerable volume of literature, which highlight that local institutions and communities have an essential role to play in efficient and sustainable management of natural resources (FAO, 2013). However, there must be at least a partial devolution of skills to local communities (Ballet and Boniface, 2009). This is a critical aspect for the local communities to participate meaningfully in natural resource governance, because if communities are not properly skilled, the likelihood will be that discussions may be

dominated by managing authorities. This implies that communities responsible for natural resources have some level of responsibility. According to Taylor (1996), the ability to manage natural resources depends on the models of intervention between central government and local communities. Conley and Moote (2003), argued that co-management projects are far from always leading to intended positive outcomes, as they can be time consuming and expensive, and later can cause illegitimate conflicts.

In most developing countries, colonial and post -colonial periods have been dominated by bureaucratic state control of natural resource management, to the detriment of local communities (Ballet and Boniface, 2009). The focus has been on the protection of natural resources, while the rights of indigenous populations to exploit resources were curtailed. This was also the case in Madagascar in the 1930s, which led to the institutional violence (Montagne and Ramamonjisoa, 2006). The approach also significantly contributed to the destruction of natural resources such as the deforestation of Nepal (Agrawal and Ostrom, 1999).

The order of managing resources was not questioned in many developing countries until the 1990s. Some examples of natural resources management by communities occurred in Asia from the 1970s (Glasmere and Farigan, 2005). The most illustrative example being that of Nepal in 1978, where government legislation recognised the right of local communities to manage forest resources (Acherya, 2002). However, in most developing countries such as Africa and Asia, the approach took off in the 1990s, where the field of reforms and innovation in environmental legislation with participatory tools came to the fore ((Ballet and Boniface, 2009). According to Shackleton et al. (2002), the lack of any real decentralization is a recognised barrier to the introduction of co-management of natural resources.

Decentralization and co-management are not synonyms, but they both refer to the principle of subsidiarity and co-operation between players of different levels of responsibility (Ballet and Boniface 2009). These could be central government, traditional authorities, and local communities. The principle of subsidiary signals the end of monopoly if the state is in management of natural resources (Mors, 1993). It basically implies both recognition of rights of decentralised communities over resources in their territories and re-distribution of management rights and powers by their transfer from government to legitimate, decentralised representative communities (Mors, 1993). According to Chambers et al. (1989), an essential challenge facing participatory management approach is the sharing of power between players involved. The involvement of local populations gives rise to a need for coordination between members of local communities and players responsible for governance of natural resources (Chambers et al., 1989).

2.8.5 Contextualising Natural Resource Management: A South African Perspective

In the case of South Africa, biodiversity conservation goes back many centuries, long before the arrival of European settlers. The Sanqua (Bushman) people, some of the earliest communities in Southern Africa, had a uniquely symbiotic relationship with their environment, which minimized the impact of human settlement while exploiting the country's flora and fauna (Department of Environmental Affairs, 2005)

In contrast to the European policies, there are records of wise use of natural resources amongst indigenous societies in South Africa dating back centuries. When European settlers arrived to colonize the country, correspondents wrote of the huge abundance of predators, antelope, elephants, and rhinoceros. However, hunting for sport, food, and products such as leather and ivory led to a rapid depletion of wildlife (Department of Environmental Affairs, 2005). By the end of 1800s, hunters and others were becoming seriously concerned about the decline of wildlife numbers. This eventually resulted in the establishment of first National Parks such as the Kruger and Kalahari Gemsbok.

The apartheid era took a particularly heavy toll on the South Africa's communities, biodiversity, and ecosystems. In addition to widespread impoverishment and social dislocation, such policies caused significant ecological damage. Most of the population was squeezed into 13 per cent of the land in overcrowded homelands; these areas suffered massive deforestation, soil erosion and loss of biodiversity (Department of Environmental Affairs, 2005). The establishment and expansion of national and provincial parks in many parts of South Africa was accompanied by severe hardship for the people. For example, in the 1960s the Tsonga-speaking Maluleke community in the north of Kruger National Park were forcibly removed so that the park could extend towards Limpopo River. Similarly, thousands of people were removed from Ndumo Game Reserve and Tembe Elephant Park in northern KwaZulu Natal (Department of Environmental Affairs, 2005)

The conservation policies typically mirrored apartheid policies of the day and were aimed at restricting access to protected areas (Borrini-Fereyabend, 2008). As a result, there was a perception that conservation was only for the elite and of no benefit to ordinary people. This perception was re-enforced by the military background presence in many protected areas, fences, and fines approach of conservation rangers (Department of Environmental Affairs, 2005). This approach to natural resource management led to various conflicts between

conservation agencies and local communities. The bone of contention mainly being access to natural and other benefits associated with management of these areas.

Since the dawn of independence in South Africa in 1994, the protected area governance approach has changed (De Konning, 2010). To address the tensions between the state and affected indigenous communities, the democratic South African government introduced land restitution process to address the displaced sections of the population (Ntshona et al., 2009). Section 25 (7) of the Constitution of the Republic of South Africa provides for a person or community dispossessed of property after 19 June 1913 because of racially discriminatory laws or practices, that they are entitled to restitution or equitable redress (Constitution of Republic of South Africa, 1996). This section of the constitution has allowed communities to claim back their lands and protected areas with no exception. Most of the re-claimed land is being done in areas used for conservation practices (Musavange and Simatele, 2016). In these situations, co-management is perceived as a sustainable route in governing common pool natural resources in re-claimed areas (Travers et al., 2015).

It is also considered that co-management can help to augment public support and build a strategic partnership with local communities and indigenous people (Frank and Booker, 2015). This can be made possible through collaborative efforts, participation, and collective management decisions. Musavange and Simatele (2016) also argue that social capital can be instrumental in promoting collaborative management of CBNRM initiatives and it is an indispensable tool for successful co-management, as strengthening those aspects normally brings about sense of ownership among partners.

The co-management framework developed by the South African National Department of Environmental Affairs seeks to inform the said co-management agreement and policies developed by conservation organisations. This framework aims to provide amongst other things, the following (Department of Environmental Affairs, (2005):

- *The delegation of powers by the management of protected area to the other party in the agreement (land claimant communities in this case)*
- *Access to the protected area and use of natural resources*
- *Development of economic opportunities within and adjacent to the protected area*
- *Development of local management capacity*

The government has also developed several CBNRM principles encapsulated in a range of laws, regulations, and programmes across various government institutions. Fabricius et al.

(2003) argued that. in many cases. government departments have limited capacity to implement the policy objectives. According to Fabricius et al. (2003), these policies have several aspects in common in that they seek to address the following:

- *The need to improve the livelihoods of impoverished people making a living from common property.*
- *The requirement of community participation.*
- *The need to address historical and cotemporally imbalances in access to natural resources and capital.*
- *The problem of unsustainable use of natural resources.*

The intentions of these policies are good; however, the question is if these such intentions have been successfully implemented. The research evidence shows as such that there are inconsistences between these policies (Cocks, 2001). Some policies emphasize economic empowerment and do not seriously consider the impact of development activities on the natural base (Fabricius et al., 2003).). Many policies talk of interdepartmental co-operation, but none specify the institutional mechanisms that would achieve this. Farbricius et al. (2003), also argued that South Africa has among the clearest and most progressive natural management policies, but these have several short comings that still need to be addressed. To date, local and indigenous knowledge is rarely afforded a status (Cocks,2001). Existing local institutions are at times ignored (Fabricius et el., 2003). According to Musavange and Simatele (2016), trust, reciprocity and co-operation can be regarded as the three main features of social capital. Musavange and Simatele (2016), therefore argue that the stronger these three elements within a community are, the greater the collaborative output. Ostrom (1990) also argued that well defined and respected local control over natural resources use is more likely to lead to strong social norms and rules over resource use. According to Mulupi (2017), communities' high level of ownership tends to have effective CBNRM programmes. Bannet and Deaden (2014) argued that a local community will only be empowered if devolution is fully achieved.

Effective management of protected areas relies on good governance. As the amount of land and water in protected areas continues to grow, it is important that such areas be managed effectively and sustainably, particularly as they often have insufficient financial and other resource inputs (Oli et al., 2014). As a result, good governance becomes a fundamental requirement to their success (Shields et al., 2016). Limited resources can only be effectively used if they are allocated wisely, based on careful evaluation of the past performance and

prediction of the future needs. Good governance is essential for the successful management of all plants in protected areas. Today it is no longer solely a government's responsibility and is often a process undertaken by several parties (Borrini-Feyerabend et al., 2015). Good governance of protected areas has been summarized as a set of principles, which are legitimacy and voice, performance, accountability, fairness, and rights (Borrini-Feyerabend and Hill, 2015). These principles have a particularly strong focus on including all stakeholders and a concern of equity.

There is a strong belief that the successful management of protected areas is dependent on sound cooperation between different stakeholders (Borrini-Feyerabend and Hill, 2015). Collaborative management has therefore been the preferred management approach in several protected areas across the country. In this approach, various stakeholders agree on sharing among themselves the management functions, rights, and responsibilities for territory or a set of resources under protected areas (Borrini-Fereyabend, 1996). It would therefore be expected that the communities living adjacent to the protected areas share the responsibilities of management of these protected areas. Policy and development that adopts a bottom-up framework where local communities are actively involved in decision- making, better facilitate the achievement of target objectives (Chirenje, Giliba and Musamba, 2013). Collaborative approaches are seen as leading to efficient agreements between parties (Dube, 2018). Proponents of collaborative planning maintain that the best management processes involve stakeholders working together to make decisions, instead of government institutions taking resource management decisions on their own (Borrini-Fereyabond, 1996). This means that collaborative approach must not just be theory but also be practical. In collaborative management arrangements, different stakeholders develop a partnership that is relevant to specify and guarantee perspective functions, responsibilities and rights concerning the protected area, and this is normally called a co-management agreement (Borrini-Feyerabend, 1996, in Dube 2018). Benefits and costs therefore must be equally shared regarding the protection and management of protected areas, as this is important when one speaks of co-management of protected areas (Dube, 2018).

The IUCN and World Wildlife Fund (1999) adopted principles and guidelines for protected areas management (Dube, 2018). The guidelines stipulate that:

- *One way of showing respect for the rights of local people residing adjacent to protected, is by awarding the complete involvement in co-management resources in a sustainable manner.*

- *People who were the first inhabitants of the area have indigenous knowledge and have ways of doing things that can serve as a basis for protected area management.*
- *Country leaders and those responsible for managing protected area, should include customary and indigenous tenure and resource use, and control systems as a means of enhancing biodiversity conservation.*
- *The survival of protected areas depends on them being highly regarded not only by the nation, but by local communities.*

Dressler et al. (2010) argues that, despite the paradigm shift in resource management from top-down to bottom-up strategies, research evidence seems to suggest that community-based approaches to natural resource management can be problematic (Dressler et al., 2010).

2.8.6 National People and Parks Programmes in South Africa

The People and Parks Programme (P&PP) in South Africa was born out of the World Parks Congress held in Durban in 2003. On the eve of this congress, The Department of Environmental Affairs (DEA) [the then Department of Environmental Affairs and Tourism (DEAT)] organised for communities from the Richtersveld, Khomani San, Riemvasmaak, Makuleke areas and communities from iSimangaliso (then known as St Lucia) to meet at Cape Vidal (DEAT, 2012). They represented the people who had been removed or directly threatened with removals from protected areas (Pas) to make way for wildlife and conservation.

The congress highlighted the important role PAs play in sustainable development, conservation and fighting poverty. It also highlighted the importance of involving local people as equal partners in Pas, which should include decision making, management and sharing of benefits (DEAT, 2012). The World Parks Congress and the Programme of Work on Protected Areas at the Convention on Biodiversity Diversity (CBD) showed strong commitment of the international conservation communities and governments to protecting and upholding the rights of communities affected by conservation programmes (DEAT, 2012).

The People and Parks Programme has certainly come a long way since the World Parks Congress held in Durban in 2003, and the first People and Parks Forum session held in Swadini in October 2004. Since then, the programme has gained momentum in identifying specific activities and processes that address issues at the interface between conservation and the communities. The aim was to promote and protect the country's resources, but also to highlight and implement the rights of communities affected by conservation processes. It is only when

the mutual harmony and agreement between all involved parties is settled that one can rightfully call the foundation 'successful'.

According to DEAT (2012), there is a robust People and Parks Programme with strong community involvement, solid policies, structures, and frameworks in place to ensure further success of the programme in future. Since 2004, several national People and Parks (P&P) conferences have been held. At these conferences, all people with interests in Pas were invited to participate. They shared their experiences, discussed the challenges they faced and highlighted best practice examples for everyone to learn from. These conferences shaped the progress of the P&PP in South Africa. Following these conferences, an Action Plan was developed. It provides a structure and framework for the implementation of the P&PP.

The P&P Programme in South Africa was designed to facilitate active participation of rural communities by:

- *Support resolution of land claims in Pas.*
- *Strengthening governance, participation, access to and benefit sharing from Pas.*
- *Develop and implement a capacity building and awareness raising strategy.*

The overall aim of the People and Parks Programme was to address issues at the interface between conservation and communities and the realization of tangible benefits by communities who were previously displaced to pave way for the establishment of protected areas. However, communities have not been properly involved in planning or decision-making (DEAT, 2012). Whilst projects were established with good intentions, few have been able to show significant improvements in either conservation or human well-being, or both. Most difficulties are due to set ideas about how conservation and community development issues should work together.

The People and Parks Programme led to the establishment of National and Provincial community forums. The provincial forums meet annually to consolidate the developments at provincial level which are aligned with the National People and Parks conference resolutions. These are then reported at National Conferences to assess progress in terms of implementation of national policies on people and parks. The co-management of protected areas is one of the key programmes under people and parks. One of the key resolutions that was taken by the National Department of Environmental Affairs seven years ago was that the communities must be represented in decision making bodies of the conservation agencies (DEAT, 2012). The Eastern Cape Parks and Tourism Agency is one of the institutions that implemented the resolution in 2016, wherein one community member representing the interests of the community was appointed as a Board Member, which is the highest decision-making body in

the agency (ECPTA, 2017). This board member is also the chairperson of the provincial people and parks forum. Figure 2.3 below shows the 2022 Eastern Cape provincial people and parks conference in progress in Silaka Nature Reserve.



FIGURE 2.3: EASTERN CAPE PROVINCIAL PEOPLE AND PARKS CONFERENCE, 2022

2.8.7 Understanding the Link Between Benefits from Protected Areas and their Relationship with Surrounding Communities.

Protected areas are essential strategy in preserving natural resources (Adam et al., 2010). A central aspect of protected areas management is to maintain and improve their relationship with surrounding communities given that local conflicts often occur over the existence of or expansion of protected areas due to land-use restrictions (Molina et al., 2016). Protected areas are vital in addressing climate change. They are also effective implements for conserving biodiversity and contribute to local communities by providing ecosystem services and sustaining cultural values (Molina et al., 2016). However, when the evaluation of biodiversity conservation might help local communities reduce their direct pressures on natural resources, many protected areas struggle in maintaining and improving their relationship with communities, given resource and land use-use restrictions, unequal benefit sharing and

equivocal governance approaches (Molina et al., 2016). Understanding the relationship between protected areas and their surrounding communities is critical for the success of long-term management and conservation of natural systems (Adam et al., 2010).

For a community to maximize potential benefits provided by protected areas and for the protected area management to work effectively with the community on conservation outcomes, there must a thorough understanding from both entities of the status of relationships (Marshall and Simpson, 2008). Although it is commonly conceived that the only purpose of protected areas is to conserve natural landscape and its biodiversity, today the importance that protected areas have in promoting public understanding and fostering the socio-economic wellbeing of their respective local communities is recognized (Marshall and Simpson, 2008). Achana and O'Leary (2000) argue that in addition to an ecological relationship between protected areas and neighbouring communities, strong social relationships have proven to be mutually beneficial. If communities' benefit from the existence of a protected area, they will support the protected area and the continued conservation of the area (Mackenzie et al., 2013). This, in turn, may lead to the progress of a community and support the protection of biodiversity (Chandra and Idrisova, 2011). Some studies have found negative implications of protected areas in surrounding communities leading negative community-protected areas relationships. Additional studies have pointed to community members who perceive benefits from wildlife and/ or tourism who have positive attitudes towards conservation (Sirakaya et al, 2002). Lepetu et al (2008) also argues that through CBNRM programmes, communities involved have access to socio-economic benefits, while ensuring sustainable use of natural resources. In the process, protected areas acquire ecological benefits that enhance biodiversity conservation through a reduction of illegal activities (Rampheri and Dube, 2020).

To improve the community socio-economic benefits in protected areas, the concept of Private-Public Partnership (PPP) has come to the fore in many countries. South African National Treasury (2004) defines PPP as a contract between a public sector institution and a private party, in which the private party assumes substantial financial operational and technical risk in the financing, design, building and operation of a project. The concept of PPP originated from the United States of America (Manyani, 2019). PPP approach is an ideal framework that can support the public sector to deliver on its mandate while the resources are limited in terms of its fiscal budget allocation (Litheko, 2022). The approach benefits both parties as the private sector contributes resources, technology, and management skills, while the public sector implement the necessary regulatory aspects and safeguards the public interest (Litheko, 2022). Errichiello and Marasco (2017) state that PPPs have brought significant development in rural

areas, such as eco-tourism development in the Kruger National Park, South Africa. In South Africa eco-tourism is one of the strategies adopted by the government to draw financial resources and assist improve economic development among societies (Department of Environmental Affairs, 2018). However, the involvement of local communities on eco-tourism PPPs has been very limited, if not lacking in many parts of South Africa (Adeleke, 2015). It is against this backdrop that the government of South Africa developed a conceptual framework that aimed at facilitating the inclusive and active participation of local communities in ecotourism development. This concept is called Community Public Private Partnership (CPPP) (Litheko, 2022). This framework is aimed at promoting sustainable ecotourism development in public protected areas (Adnyana et al., 2025).

Calabro and Spina (2019) emphasized that a successful partnership enhances the impact and effectiveness of action through combined and more efficient use of resources, innovation promotion and it is distinguished by strong commitment from both parties. This suggests that the partnership between conservation agencies, communities and the private sector can only be effective and successful when all parties commit to their roles and responsibilities.

2.8.8 Overview of Case studies on some of the successful protected area land claims in South Africa

For this study, it became important to explore land reform cases on protected areas in South Africa. The aim is to explore if these were implemented successfully or not. This is done to understand what contributed to the success or failure of each case.

a) The case of Makuleke

The Makuleke case features high value resources and therefore greater tourism potential than most other cases. The community decided early on that while hunting could provide a quick source of income, they would use eco-tourism as the main economic earner from the land (Makuleke, 2004). The community received a large amount of assistance in securing a beneficial tourism agreement with a private sector partner. Such assistance was received from consultants who were funded by grants from donors. The community also managed to access pro bono legal assistance to conclude the tourism agreement. The key aspects of private sector partnerships, which holds lessons for other similar cases, are as follows: the Communal Property Association (CPA) receives 10 per cent of revenue; the community is guaranteed a

high proportion of the jobs, as well as skills training to be able to take up the jobs; and the arrangement is a Built-Operate-Transfer (BOT) one, which means that partners will build and operate a lodge for a specific number of years and then they will transfer the ownership of the lodge to the CPA (Makuleke, 2004). Some of the benefits from tourism revenues include skills development and tertiary education opportunities for members of the Makuleke community (including full student bursaries), electrification of villages, construction of four school classrooms, feeding schemes for the poorest families, a village tourism heritage centre and a controversially purchased 4-wheel drive vehicle for the chief (Weideman, 2011). Apart from direct job creation for local community members, other local people are involved in downstream livelihood activities such as craft making. Such have been the benefits arising from the negotiated agreement that the Makuleke case is widely celebrated as a 'successful' co-management model in South Africa and beyond (Steenkamp and Uhr, 2000). However, questions related to unsustainability of jobs have been raised. For example, Tapela and Omara-Ojungu (1999) reported that though 52 per cent of Makuleke household heads were employed by SANParks, they were generally employed as unskilled and low-wage labour. More recently, Robins and van der Waal (2008) reported that there is little direct evidence of the benefits of the 'grandiose plans' outlined in the original co-management agreement.

b) The Case of Mkhambati

At Mkhambathi, some eight years after the signing of the Settlement Agreement, and despite a continuing strong relationship between the Mkhambathi Land Trust (MLT) and the conservation agency, few benefits have derived to the landowners, or their neighbouring beneficiary communities (Ntshona et al., 2010). The financial benefits that do flow to the landowners come directly from the conservation agency (ECPTA). These include both a negotiated 15 per cent of 'gross profits', a 15 per cent surcharge on the operational budget, which is paid to the Land Trust to support them for attending meetings and undertaking other Land Trust activities. For the conservation agency these expenses add to the costs of running the reserve. Other additional costs for the conservation agency include considerable staff time, travel, and accommodation, often for quite senior personnel to attend the co-management and other meetings. Furthermore, day-to-day co-management issues consume a lot of time for Mkhambathi's operational staff, especially for the reserve manager (who spends as much as a quarter of his time dealing with co-management related tasks over and above his participation in meetings). Cumulatively, this represents a considerable opportunity cost for the ECPTA, both at its strategic level and at the level of the reserve, because key staff members have less

time available to fulfil their other duties. A Tourism Concession Agreement covering a portion of the reserve was signed with a private sector partner in August 2010 and includes provision for profit sharing with the land trust (6%) and the conservation agency (3%), with the Land Trust also being granted a 20 per cent shareholding in the enterprise. To date nothing has materialised in terms of tourism development although that looks to be imminent (Nthsona et al., 2010). The reality is that the income from any tourism development will be quite low (Nthsona et al., 2010). Indeed, when presented with a highly optimistic prediction (from the Mkhambathi Tourism Feasibility Study of 2006) of a potential for landowner earnings of some R2 million a year (from a private sector investment of R85 million), the Land Trust members considered this low, considering the number of people that needed to benefit (~30 000). In terms of access to natural resources, out of eighteen species considered of value by the landowners, only two were considered by resource scientists to be of sufficient quantity to be harvested (Shackleton et al., 2010). These cases highlight that despite very promising and accommodating benefit sharing provisions in Settlement Agreements, co-management has not yet delivered on the promises of financial benefits, resource utilisation or indeed (therefore) on the promise of shared decision making. This evidence contradicts arguments put forward in what Wilshusen et al. (2002) refer to as the "resurgent protection paradigm". In the protection paradigm, it is frequently suggested that biodiversity conservation suffers in people-oriented approaches to conservation. The experience in South Africa has been quite the opposite. Co-management in South Africa may be a relatively new approach to harmonising livelihood needs and ecological interests.

c) The Case of Kgalagadi

While the San communities are allowed to visit the Kgalagadi Transfrontier Park (KTP) for symbolic and spiritual purposes on a permit system, harvesting of resources such as medicinal plants, fuelwood and hunting of wild animals has not yet been fully implemented in the ten years since co-management began, despite provision for this in the agreement (Thondhlana et al., 2011). Analysis of the Kalahari Heritage Park agreement shows that South African National Parks (SANParks) largely uses the 'traditional' narrative to minimise or restrict resource use in the Contract Park (Thondhlana et al., 2011). For example, hunting in the Contract Park is not allowed without culture and traditional dance. Traditional hunting methods (bow and arrow) and materials should be used, including assegai and knobkerries, while long bows and taking hunted meat out of the park are forbidden (to avoid the threat of overuse and degradation). Further, the San people are not permitted to roam along tourist routes

in the park, since this would spoil the tourist experience (Thondhlana et al., 2011). Ironically, it is the widely marketed San legacy and traditional way of life that is partly employed to attract tourists to the park. Despite being landowners and partners in a co-management agreement, in this case, the communities do not appear to have had any real influence on decision making. A tourism agreement was signed with a private partner who would run the community lodge (!Xaus Lodge) in the Contract Park (Ntshona et al., 2010). The profits from the lodge are supposed to be shared equally between the conservation authority SANParks and the San and Mier communities. However, while the community lodge is a positive effort towards the welfare of the community through tourism revenue sharing and the creation of jobs, evidence shows that no real benefits have trickled down to household members, apart from a few temporary jobs and opportunities for craft selling (Thondhlana et al., 2011). The generated revenue is low and is used for the development and maintenance of the community lodge and the Contract Park. In 2009, the National Lottery Trust Distribution Fund awarded a grant of ZAR4.8 million (US$686 000) to the Peace Parks Foundation to support the development of the Contract Park. These ecotourism initiatives have, however, not improved livelihood security, as the money has so far been used for eco-tourism infrastructure development with no real tangible benefits cascading to household level (Thondhlana et al., 2011).

d)The Case of Dwesa-Cwebe

According to Ntshona et al., (2010), in Dwesa-Cwebe, benefits for the community have failed to materialise on several fronts. In terms of financial benefits, the Land Trust was supposed to receive compensation of R1 600 000 as part of the land settlement agreement and two-thirds of revenue accrued from tourism. The compensation was expected to be invested in several development projects that would yield benefits to all members of the claimant communities (Ntshona et al., 2010). However, rather than going to the Land Trust, the money was transferred to the Amatole District Municipality, a local government body (Palmer, 2005, cited in Fay, 2007). In August 2012 this, as well as most of the financial compensation agreed to in the Settlement Agreement (Table 1), was still being held by ADC. In terms of sustainable utilisation and access to natural resources, a permit-based system for rotational harvesting of shellfish, the collection of medicinal plants, grass collection and the employment of local field guides was not implemented despite a negotiated agreement in this regard (Ntshona et al., 2010). In response to this, the local Nqwaneni and Madakeni communities continued to defiantly graze their cattle in the reserve in late 2005. Grazing of cattle, cutting of fences, and poaching of resources have been reported in the reserve, and continue to this day. Palmer et al.

(2006) argue that post-settlement land rights have failed to improve livelihoods in the area and that there has been no discernible development at Dwesa-Cwebe beyond reticulated water and public works projects. Rather, greater exclusion of local communities is more the norm than the exception, inevitably resulting in conflicts between local communities and conservation authorities. Indeed, this case highlights the fact that landowners can have little say on the conditions under which they may access resources. In Dwesa-Cwebe, despite land claim negotiations having taken place under the understanding that utilisation of natural resources from the reserve would continue (Fay, 2011), and sustainable utilisation being mentioned in both the vision and mission statements of the Settlement Agreement, in 1998, the reserve closed access to all community members and failed to reopen six months later as agreed with community leaders (Timmermans, 2004). Access to resources was therefore almost entirely curtailed following the signing of the Settlement Agreement. However later there were some amendments where a natural resource use plan was developed by the conservation agency. This included the re-zoning of the marine protected area (MPA), allowing access to controlled fishing in some zones of the MPA.

e) The Case of Tsitsikamma

Tsitsikamma Marine Protected Area (MPA) was declared in 1964 and it is the oldest MPA that was created in South Africa (Muhl et., 2022). In South Africa, the history of MPAs is one that has resulted in the dispossession for many local communities and has been embedded on to-down conservation enforced by external state-led authorities that adopts a "fence and fines" approach (Muhl et al., 2022). Due to declining commercial fish stock in the 1890s, there were pressure on the state to protect coastal and estuarine by complicated collection of marine tenure arrangements in the 1900s (Mann-Lang, 2021). As a result, the colonial administration slowly started dispossessing local communities form access to certain resources. Historically the communities in Tsitsikamma have been dependent on marine resources for food security, livelihoods, and cultural practices (Faasen and Watts, 2007). The level of unemployment in communities adjacent to Tsitsikamma is above 55% (Muhl et al., 2020). The South African MPAs reflected colonial apartheid interests where only white, commercial interests were considered and valued (Muhl et al., 2022). In 1994, the first democratic government began intensive reforms to re-dress the past injustices by drafting new laws and policies.

In 2016 the MPA was rezoned from "no take zone" to partially opened protected area with aim to address the historical exclusion and to provide managed access and benefits to adjacent

communities (Muhl et al., 2020). However, the participation and consultation processes at Tsitsikamma did not occur among stakeholder groups as was expected despite the importance of decision being made to rezone the MPA and access for adjacent communities (Muhl et al., 2020). Consequently, the exclusion of certain stakeholders led to the rezoning process perceived as illegitimate, and further exacerbating enforcement and compliance challenges (Jones et all., 2019). The key impediment to effective participation has been inappropriate use of communication tools, for example the MPA management authority prepared a zoning plan to receive input for fishers, but they made plan only available only via the management authority website yet. However, many adjacent community members do not have access to internet. To date, many concerns of communities at Tsistikamma are linked to general dissatisfaction with historical ineffective or incomplete consultation and participation processes (Muhl et al.,2022). The lack of consultation has had a direct effect on the extent to which different stakeholders felt their values on access to the MPA were not considered in the current management processes. Consequently, a sense of mistrust by stakeholders against the management authority prevailed (Muhl et al., 2022).

Sowman and Sunde (2018) also state that, the inability to overcome historical different value priorities about development and conservation in Tsitsikamma MPA and the implication of lack of trust meant that tensions among conservation management authorities and communities has persisted. According to Muhl et al., (2022) the communities still felt that the current management approach remains inherently linked to years of exclusion enforced during the apartheid years. This is mainly because they felt excluded in making decisions about which areas should be opened for fishing. Community also believed that there was no compromise around value priorities in the re-zoning processes, which should be aimed at balancing biological and social-economic values (Muhl et al., 2020). Despite post-Apartheid conservation changes in South Africa, creating tangible benefits to vulnerable communities adjacent to protected areas seem to remain a challenge. The key challenge facing South Africa conservation efforts is the need for balancing economic, social, and ecological objectives. However, the link between ecological health and livelihoods of adjacent local communities is often overlooked (Muhl et al., 2022). This ultimately requires participants in South African conservation community to focus on issues on issues of access and rights (Chan et al., 2016).

f) The Case of Kosi Bay

The people of Kosi Bay have long history of weaving together their livelihoods strategies using coastal resources (Muhl et al., 2022). However, in the post- apartheid South Africa, the area has been subject to intensified conservation interventions governed through instruments such as United Nations Educational, Scientific and Cultural Organization (UNESCO) and RAMSAR conventions (Song et al., 2013). This had become an issue of contention due to mismatch between conservation expansion plans and rural development plans that are meant to improve the livelihoods of local people (Mann – Lang et al., 2021).

In South Africa, the national development plan seeks to fight poverty and promote food security in rural areas (Muhl et al., 2022). A t the same time, the state's conservation targets are increasing, which necessitate the establishment of new protected areas. This together with the existence of old protected areas, affects the same rural areas in one way or another. This therefore creates conflicts between conservation and development goals, which is a prevalent issue in the Kosi Bay (Mann-Lang., 2021). The forced removals led to the local people loosing physical access to natural resources important to their livelihoods, cultural and spiritual well-being (Muhl et al., 2020). At Kosi Bay, these issues remain a challenge and a root cause for ongoing conflicts between conservation authorities and adjacent communities (Muhl et al., 2022). The communities felt that conservation governance practices are to their exclusion and not accommodating to their economic, social, and cultural well-being.

These situations require further engagements between conservation authorities and local communities. International, engagements have been endorsed as the appropriate tool contributing to trust building and leading to improved management (Chan et al., 2016).

2.9 Lessons learned from the literature and research gaps.

The literature reviewed in this chapter has provided the context on land reform implementation at global, Sub-Saharan and South African level. The literature has revealed land reform experiences in various countries. These experiences have shown that land reform is not a single event but a process. Also, the literature reviewed has demonstrated that the successful implementation of the land reform depends on each country's socio-economic and political dynamics. Furthermore, the literature reviewed articulates the natural resource governance pre- and post-colonial eras globally, in Sub-Saharan Africa and in South Africa. The top-down governance approach did not work but created conflicts between conservation authorities and local communities. Previous studies came strongly on the fact that pre-colonial era natural resource governance practices were characterised by exclusion of indigenous people

from participating. While government saw the need for change on governance to a more inclusive approach during post-apartheid era, recent studies have revealed that meaningful participation on natural resource governance and land restitution processes by local communities remains a challenge. The research direction of previous studies calls for inclusive co-management of natural resources as a tool for better governance. Literature reviewed suggest that the exclusion of traditional ecological knowledge, local knowledge and indigenous knowledge in conservation planning emanates from a lack of meaningful engagement with local communities. Recent studies have strongly suggested the need for further engagements, where local place -based knowledge and traditional ecological knowledge should be included on conservation goals. Recent research further reveals that protected areas are not just simply conservation tools but have the potential to contribute to local community needs, address broader societal challenges and provide opportunities for generations to come. Knowledge on understanding socio-economic effects of protected areas is a major gap that needs to be addressed. Further research studies that will explore social and livelihoods impacts of protected areas on marginalised local communities is strongly recommended.

CHAPTER THREE
METHODOLOGICAL CONSIDERATION

3.1 Introduction

This chapter is dealing with the methodology of the research. Vosloo (2014) defines methodology as a general approach in conducting the research activity. Similarly, Rajasekar et al. (2013) define research methodology as a logical and systematic search of new and useful information on a topic. Similarly, Kotasicas (2009) defines methodology as the designed process for conducting research, while Rajasekar et al. (2013) defines research methodology as a systematic way to solve a problem. Chinnathambi (2013) defined methodology as the study of methods by which knowledge is gained and its aim is to give the work plan of the research. It is important to understand that even if the method considered in two research problems may be the same, the methodology may be different Igwenagu (2016) defines research as an investigation of finding solutions to a scientific and social problem through objective and systematic investigation and analysis of information about the problem.

This chapter provides a full description of the research paradigm, design and methodologies that were used in collecting data to achieve the study objectives. The quality of the research findings is greatly influenced by the research methodology and design. The study made use of interviews, secondary data analysis and questionnaires for collecting the data. For the researcher to undertake a study, it is important that the research designs a robust research methodology for the research problem, because the research methodology outlines the way in which the research activity is to be undertaken (Igwenagu, 2016). This study was based on qualitative research methods. This chapter starts by discussing the research philosophies and methodological perspectives that explained the choice of the research approach. This is followed by a discussion on the study population, sampling, and data collection techniques.

3.2 Philosophical approach

According to Wilson (2014), in research, understanding research philosophy is important. The research philosophy is belief about the ways in which data should be collected, analysed, and used (Lukka, 2003). Every researcher should familiarise, understand, and develop a stance or position that will eventually reflect in the mechanics of the research method (Yasir, 2019). The selection of the philosophical paradigm emerges from the understanding of ontology, epistemology, and paradigm choices (Denzin and Lincoln, 1988).

Berker (2003) argued that a paradigm is a model or pattern containing a set of legitimate assumptions and design for collecting and interpreting data. Defining the paradigm reveals that

the selection of qualitative or quantitative research methodology is dependent upon the underlying assumptions that constitute a valid research boundary of the social world and identification of problems and their solutions (Yasir et al., 2019). These are based on our own understanding of ontological and epistemological assumptions (Coll and Chapman, 2000). Ontology is concerned with the nature of reality and existence, as it addresses the question of question of "what is out there to know about" (Kant, 2014: 3). In social sciences the ontologies concern the question "what is the nature of social reality" (Kant, 2014: 3). Epistemology studies the theories of knowledge, how knowledge is derived. Marsh and Stocker (2002:11) view and depict ontology and epistemology as follows "Ontology is concerned with what can know about the world and epistemology is concerned with how we can know it". Grix (2002:175) concurs with Marsh and Stocker (2002:11) when he asserts that ontology means "what is out there to know about, and epistemology refers to what and how can we know about it". Grix (2002: 177-178) refers to objectivism and constructivism as ontological positions, while positivism and interpretivism as epistemological positions. Objectivism as an ontological stance state that social entities and their meanings exist independently of human beings. Constructivism hold that social phenomena are social constructed and subject to revision by observers and researchers. Positivism as an epistemological position applies the methods of natural sciences to social sciences (Kant, 2014). Interpretivism again distinguishes between the methods of the natural sciences and those applicable to social sciences (Kant, 2014). Similarly. Furlong and Marsh (2010) identify interpretivism as an epistemological position. The research then applied constructivism and interpretivism research philosophy.

This study has followed a qualitative research approach for data collection. This study is about the environment and the people, and therefore means it is about engagements and or interactions with human beings. Interpretivism research philosophy was used to demonstrate the application of qualitative research approaches for improving complex and controversial issues and to highlight some land reform and natural resource co-management challenges in South Africa. Interpretive methods of research are meant to produce an understanding of the context and processes of phenomena under investigation (Gichuru, 2017). In this study, this research paradigm was used to generate or produce an understanding of context and processes on land reform and co-management of natural resources in protected areas in South Africa. The interpretive paradigm helped the researcher to dissect the research objectives one, two, three, four and five. The method of using the interpretive paradigm varies from the use of interviews, from a structured fixed set of questions to unstructured and open-ended discussions (Gichuru, 2017). For this study, semi-structured interviews and secondary data analysis were used for

gathering information. The nature of this study is interactive, whereby the researcher interacts with research participants to collect the study data.

Interpretivism allows the researcher to have multiple views of the research problem because it allows the researcher to see the world through the eyes of the participant. Therefore, interpretivism aims to achieve a deep understanding of the social phenomena under study and recognises the importance of participant's subjectivity as part of the process (Yasir et al, 2019). Interpretive research does not predefine dependent and independent variables but focuses on the complexity of human sense making as the situation emerges (Kaplan and Maxwell,1994). Interpretive research attempts to understand the phenomena through the meanings that people assign to them (Boland, 1985). The critical element of interpretivism is based on how humans interpret their reality through social interaction and in explaining the meaning of something from a specific view. According to Chowdhury (2014), interpretivism emphasizes the importance of an insider's viewpoints to an understanding of social reality. Mason (2002) indicates that the truth lies within the human experience. Within this study, interpretivism is used to demonstrate the application of a qualitative approach for improving the understanding of complex and controversial issues and to highlight some challenges of land reform and co-management of protected areas in South Africa. Furthermore, this paradigm was useful in gaining insights into complex and technical reform and co-management challenges. This translates into gathering in-depth knowledge and information through qualitative research methods. The paradigm also assisted the researcher in analysing the implementation of land reform and co-management of natural resources in protected areas. Interpretivism philosophy further helped the researcher in understanding the context and background of research participants. This was achieved through visiting and gathering the information personally. Lastly, this philosophical principle assisted in interpreting the study findings, which also shaped the researcher's own experience in the field of study.

3.3 Research Design

For the research to be conducted successfully, a research design had to be developed first. According to Creswell (2014), a research design is an enquiry which provides specific direction for the research. Asenahabi (2019) also defines a research design as a plan adopted by a researcher before data collection commences to achieve the research objective in a valid way. The essence of research design is to translate a research problem into data for analysis to provide relevant answers to the research questions (Asenahabi,2019). Design is concerned with the aims, uses, purposes, intentions, and plans within the practical constraint of location, time,

money, and the researcher's availability (Hakim,2000). It is a reflection upon the researcher's ideas.

In this study, qualitative research methods were applied. Qualitative research design emphasizes on exploring and understanding the meaning that a person or group of people ascribe to a social or human problem (Creswell, 2014). This research design produces data that is not quantifiable using open ended questions. This approach enables the researcher to comprehend issues by investigating them in their own specific context and the meaning that individual brings into them (Denzin and Lincoln,2005). In this study, this design was used through applying semi-structured interviews, where participants were asked open-ended questions to get their understanding on the land restitution processes and co-management implementation at Silaka Nature Reserve. The justification of using semi structured interviews was that it allowed participants to give as much information as possible.

3.3.1 Description of the study site

Silaka Nature Reserve is a small nature reserve (340 ha) situated on the east coast of South Africa, in the Eastern Cape province, approximately 7 km southwest of Port St. Johns (see Figure 1 below). Pre 1994, this nature reserve was under the homeland called Republic of Transkei, and it was managed by the then Transkei department of Agriculture and Forestry. The conservation strategy before 1994 in South Africa was characterised by forceful removals of indigenous communities to pave the way for conservation. Silaka is one of those nature reserves where indigenous communities were removed forcefully for its establishment during the apartheid era. The reserve is made up of a forested valley located between Second Beach and Sugar Loaf Rock. The reserve is accessed through Port St Johns, and the main entrance is located at the end of the road that passes Second Beach and crosses the Bulola River. The north and western areas of the reserve provide one of the finest examples of coastal forest in the Eastern Cape. The high-water mark of the Indian Ocean forms the eastern boundary, and the rest of the reserve is bounded by a 2.4-meter-high game fence of about 10 km. The Port St. Johns Town and eleven land claimant villages, Sicambeni, Chwebeni, Bolani, Vukandlule, Mthumbane, Sijunqwini, Mthalala, Hlamvana, Ludume, Sihlanjeni and Maplotini, surround the reserve.

Although the reserve is small, it forms part of the Maputaland-Pondoland -Albany biodiversity hotspot which is characterised by high levels of endemic and threatened species. The dominant vegetation is coastal forests covering about 172 ha of the reserve, while dune forest is limited to approximately 28ha and are not well represented (ECPTA Integrated

Reserve Management Plan, 2012). Clumps of milkwood forest occur on the coast above the high-water mark. Grasslands currently comprise about 40ha of the reserve and occure on top of the hills and down the spurs to the coast. Larger mammals indigenous to the area include vervet and samango monkey, blue and common duiker, bushpig, bushbuck, mongoose, and tree dassie. The climate of the area is described as moderate, humid, and sub-tropical climate (ECPTA Integrated Reserve Management Plan, 2012). Generally summer temperatures range from 20 to 25 degrees Celsius. The rainfall is high with annual rainfall average of 1150mm per anum (ECPTA Integrated Reserve Management Plan, 2012).

The reserve has a mini-conference facility, seventeen tourist accommodation (bungalows) and staff accommodation. These attributes are the main attraction for the attention of the local community demanding benefits. The map below (Figure 3.1) depicts the study site (Silaka Nature Reserve and surrounding communities.

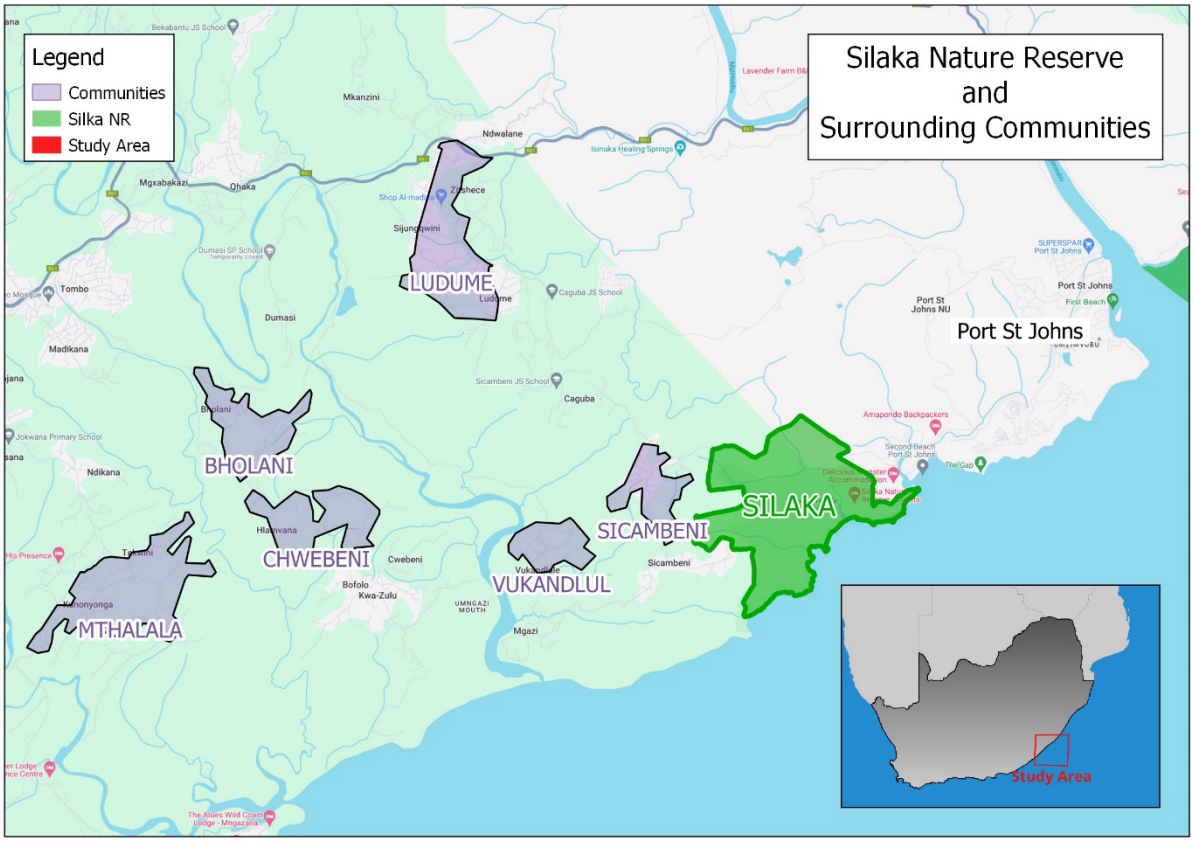

FIGURE 3.1: MAP OF THE STUDY AREA: SILAKA NATURE RESERVE, LOCATION EASTERN CAPE PROVINCE, SOUTH AFRICA. SOURCE: EASTERN CAPE PARKS AND TOURISM AGENCY, 2019.

The primary purpose of the Silaka Nature Reserve is the *conservation of the biodiversity of a near pristine example of the Eastern Cape Coastal Forest* (Eastern Cape Parks and Tourism Agency, (2012). While conserving this biodiversity, the secondary purpose is to sustainably use the biodiversity of the reserve for:

- *The development of high-quality nature-based tourism infrastructure, facilities, and services.*
- *The delivery of socio-economic benefits to local communities on communal landholdings immediately adjoining the reserve.*
- *Better integration of the Reserve into adjacent land use planning and development, and*
- *The development of opportunities to increase income generation without compromising the integrity of the area's biodiversity.*

The above primary and secondary purpose of the protected area set the scene for areas of collaboration between the local communities and the conservation agency. For this study, it is also important to understand the socio-economic factors of Port St Johns Local Municipality where the study site is located, because these factors may have direct impact on how the protected area is managed and how the surrounding communities view it.

The population in 2022 was 179 325 (Port St Johns Local Municipality, 2022). Only 21 900 were economically active, which was 13.04 per cent of the total population (Eastern Cape Socio-Economic Consultative Council (ECSECC), 2017). The labour force rate was 24.4 per cent in 2016 and has declined compared to 29.5 per cent in 2006 (Port St Johns Local Municipality, 2017). The unemployment rate has risen from 30.8 per cent in 2006 to 40.7 per cent in 2016 (ECSECC, 2017). Port St Johns contributes about 6.35 per cent GDP to the district, and 0.71 per cent to the provincial GDP (ECSECC, 2017). The Port St Johns Local Municipality's labour force participation rate decreased from 29.44 to 24.38 per cent, which is a decrease of -5.1 percentage points. The O.R. Tambo District Municipality decreased from 35.49 to 34.15 per cent%, Eastern Cape Province increased from 47.58 to 47.93 per cent and South Africa increased from 56.37 to 58.77 per cent from 2006 to 2016 (ECSECC, 2017). The Port St Johns Local Municipality labour force participation rate exhibited a lower percentage point change compared to the Eastern Cape Province from 2006 to 2016. The Port St Johns Local Municipality had a lower labour force participation rate when compared to South Africa in 2016.

The rate of unemployment is high in the Port St Johns area and in the Eastern Cape Province. Under these circumstances, communities are likely to depend heavily on natural resources for survival. Institutions such as the nature reserve may serve as a beacon of hope for community beneficiation. Currently there are no major environmental issues on the study site (Silaka Nature Reserve), except for some small-scale illegal poaching and harvesting of natural resources.

The reasons for choosing this nature reserve as a study site are as follows:

- During the apartheid era, indigenous communities were forcefully removed in the area to pave way for conservation.
- The community were excluded from participating in management of the nature reserve.
- The livelihoods benefit there before forced removals, were no longer available.
- Tensions between conservation and community was created.
- The reserve is surrounded by poor people who are largely dependent on government social grants.
- The dependence on natural resources for livelihood benefits is high.
- Community -conservation conflict was experience in 2013.
- Under the above circumstances it is highly likely that today the nature reserve is seen as beacon of hope for community livelihoods.

The nature reserve falls within Caguba Traditional Authority, under Chief Ntombizandile Tumeka Fono. Consistent with other villages, people in the area are poor (Thondhlana et al., 2016). This has been demonstrated by high dependence on government social grants and natural resources (Vedeld et al., 2012). Before forced removals, indigenous communities used to have direct access to natural resources for their livelihoods (Thondhlana et al., 2016). These included firewood, wild foods, grazing, medicinal plants, and crafts (Vedeld et al., 2012). The dominance of "benefit-sharing" discourse implicitly implies that the root causes of conflicts in co-managed protected areas is predominantly understood from a materialistic perspective, while little attention is paid to non-materialistic aspects of conflicts (Vedeld et al., 2012).

3.3.2 Study Population and Sampling Procedure

Shukla (2020) defines a sample as any subset of the population which represents all types of elements of a population. Population refers to the set or group of all the units on which the findings of the research are to be applied (Shukla, 2020). This study applied a purposeful sampling strategy to acquire primary data. Creswell and Clerk (2011) define purposeful sampling as a process that involves identifying and selecting individuals or groups of individuals that are knowledgeable or experienced with the phenomenon of interest. Purposeful sampling is widely used in qualitative research for identification and selection of information rich cases related to the phenomenon of interest (Palinkas et al., 2013). This means that participants are selected because they are likely to generate useful data for the research project (Patton and Cochran, 2002). Lawrence et al. (2013) also indicate that it is widely used in qualitative research for identification and selection of information–rich cases related to the phenomenon of interest. In addition to the knowledge, the importance of availability and willingness to participate, and the ability to communicate experience and opinion in an articulate, expressive, and reflective manner must be noted (Bernard, 2002. In both instances, study participants are drawn from agencies, organizations or the community involved in the implementation process (Palinkas, 2013). Individuals are selected on assumption that they possess knowledge and experience with the phenomenon of interest and thus will be able to provide information that is both detailed and generalizable (Palinkas, 2013).

For this study, purposive sampling was then used to select 20 research participants from the relevant government institutions, traditional leadership, local community structures and specific individuals who could give specific views or opinions on specific issues relevant to the study. To ensure that these groups represent diverse interests on land reform and co-management of natural resources, these individuals were selected from the Eastern Cape Parks and Tourism Agency (ECPTA), Provincial Department of Economic Development Environmental Affairs and Tourism (DEDEAT) Department of Land Affairs (DLA), Caguba Traditional Council (CTC), and the Community Property Association (CPA). The selected officials were serving in managerial positions in government departments and were therefore responsible for decision making processes. Also, other participants were selected from community members who served on community governance structures. The community members serving in these structures are also responsible for decision making at local level.

The purposive sampling was then augmented by undertaking the snowball sampling technique. Nikolopoulou (2022) defines snowball sampling as a non-probability sampling method where new units are recruited by other units to form part of the sample. This method

helped the researcher to be referred and interview participants that may have relevant information on land restitution and co-management of natural resources. This method is also known as chain sampling or network sampling (Nikolopoulou,2022). The study sample size was determined and computed using the formula by Abu-Salih (2016). The formula assisted the researcher to establish a sample for each village while employing the snowball technique. The formula is demonstrated below:

$$(\boldsymbol{N = \frac{n}{e}})$$

(N= Sample size; n= Estimated population on the study area, and e= Margin of tolerance error of proportion to the population size)

For the implementation of study interviews, the researcher focused on the land claimant communities, and these are namely: Sicambeni, Chwebeni, Bolani, Vukandlule, Sijunqwni, Mthalala, Hlamvana, Ludume, Sihlanjeni, Maplotini and Mthumbane. All these villages were chosen because these are the communities that were forcefully removed to pave the way for conservation (now Silaka Nature Reserve) during the apartheid era. Today these communities are the landowners. Within each village, the participants included ordinary community members, traditional leaders, natural resource users, and individuals who serve in community structures such as development committees. The inputs from these research participants assisted the researcher in gaining in-depth knowledge on the processes followed during the land restitution and activities implemented towards co-management at Silaka Nature Reserve

Sicambeni Community: The ECSECC (2017) study estimated that the population in this community is 522. Using the above formula and a margin of error which is estimated at forty percent, the sample size was computed as follows:

$$(\boldsymbol{N = \frac{n}{e}})\ \mathbf{e}=\frac{\mathbf{522}}{\mathbf{40}}=\mathbf{13}$$

(Margin of error is 13)

$$\mathbf{N}=\frac{\mathbf{522}}{\mathbf{13}}=\mathbf{40}$$

(The sample size for Sicambeni community is 40)

The 40 research participants were purposively drawn from Sicambeni community. Their inputs further assisted the researcher in gaining more knowledge on relations between stakeholders participating on Silaka Nature Reserve co-management arrangements.

Chwebeni Community: The ECSECC (2017) study estimated that the population for Chwebeni community is 303. Using a margin of error estimated 15 percent, the sample size for Chwebeni community was computed as follows:

$$(N = \frac{n}{e})\ \mathbf{e}=\frac{303}{15}=\mathbf{20}$$

(Margin of error is 20)

$$\mathbf{N}=\frac{303}{20}=\mathbf{15}$$

(The sample size for Chwebeni community is 15)

The 15 research participants were purposively drawn from Chwebeni community. These respondents also gave an in-depth input to enhance the understanding about the processes followed.

Bolani Community: The estimated population for this community is 281 and the estimated margin of error is 12 percent.

$$(N = \frac{n}{e})\ \mathbf{e}=\frac{281}{12}=\mathbf{23}$$

(Margin of error is 23)

$$\mathbf{N}=\frac{281}{23}=\mathbf{12}$$

(The sample size for Bolani community is 12)

The researcher then drew a sample of 12 participants from the Bolani community. The participants gave in-depth input on the understanding around community expectations, stakeholder relations and community beneficiation.

Vukandlule Community: According to ECSECC (2017) the population size for this community is estimated at 297. Using a margin of error of 12 percent, the calculation of sample size is as follows:

$$(N = \frac{n}{e})\ \mathbf{e}=\frac{297}{12}=\mathbf{25}$$

(Margin of error is 25)

$$\mathbf{N}=\frac{297}{25}=\mathbf{12}$$

(The sample size for Vukandlule community is 12)

At Vukandlule community, a sample of 12 participants were drawn using a combination of purposive and snowball sampling methods. From these participants, useful information was obtained on the processes followed during land restitution and roles and responsibilities of parties' post land claim settlement at Silaka Nature Reserve

Sijunqwini Community: The estimated population size for Sijunqwini community is 181, a margin of error of 10 percent was used to calculate the sample size as follows:

$$N = \frac{n}{e}) \; e = \frac{181}{10} = 18$$

(Margin of error is 18)

$$N = \frac{181}{18} = 10$$

(The sample size for Sijunqwini community is 10)

A sample size of 10 participants was drawn from Sijunqwini community to participate in the study. From these participants the researcher gained in-depth knowledge on preferred community benefits expected from a protected area.

Mthalala Community: The population size of Mthalala community is estimated at 322 (ECSECC, 2017). In computing the sample size for Mthalala community, a margin of 15 percent was used, the calculation was done as follows:

$$N = \frac{n}{e}) \; e = \frac{322}{15} = 21$$

(Margin of error is 21)

$$N = \frac{322}{21} = 15$$

(The sample size for Mthalala community is 15)

The researcher then drew 15 participants from the Mthalala community. The respondents contributed in-depth input on how the land restitution process was carried, and how activities towards co-management were implemented at Silaka Nature Reserve

Hlamvana Community: The population size for Hlamvana community is estimated to be 284 (ECSECC, 2017). With a margin of error of 12 percent, the sample size for Hlamvana community was calculated as follows:

$$N = \frac{n}{e}) \; e = \frac{284}{12} = 24$$

(Margin of error is 24)

$$N = \frac{284}{24} = 12$$

(The sample size for Hlamvana community is 12)

Therefore, a sample size of 12 participants was drawn from the Hlamvana community. From these respondents, the researcher gained in-depth knowledge on what the community expectations were post the land claim settlement and whether these expectations were met or not.

Ludume Community: The population size for Ludume community is estimated at 291(ECSECC, 2017). Using a margin of error of 10 percent, the sample size for Ludume community was computed as follows:

$$\boldsymbol{N = \frac{n}{e})\ e = \frac{291}{10} = 29}$$

(Margin of error is 29)

$$\mathbf{N = \frac{291}{29} = 10}$$

(The sample size for Ludume community is 10)

A sample size of ten participants was then drawn from the Ludume community. From these respondents the researcher gained meaningful information on how the land restitution process was carried out and what the relations were between parties post the land claim settlement at Silaka Nature Reserve.

Sihlanjeni Community: The population size of Sihlanjeni community is estimated at 316 (ECSECC, 2017). The sample size was computed using a margin of error of 15 percent:

$$\boldsymbol{N = (\frac{n}{e})\ e = \frac{316}{15} = 20}$$

(Margin of error is 20)

$$\mathbf{N = \frac{316}{20} = 15}$$

(The sample size for Sihlanjeni community is 15)

The researcher drew fifteen participants from the Sihlanjeni community using purposive and snowball sampling methods. The researcher gained in-depth knowledge on activities implemented towards co-management processes followed during land restitution and the community expectations post the land claim settlement from these respondents.:

Maplotini Community: The population size of the Maplotini community area was estimated at 255. Using a margin of error of 10 percent, the sample size for the Maplotini community was computed as follows:

$$\boldsymbol{N = (\frac{n}{e})\ e = \frac{255}{10} = 25}$$

(Margin of error is 25)

$$\mathbf{N = \frac{255}{25} = 10}$$

(The sample size for Maplotini community is 10)

A sample size of ten participants was drawn from the Maplotini community. The respondents gave an in-depth input to enhance the researcher's understanding about the processes that were followed during land restitution at the Silaka Nature Reserve.

Mthumbane Community: The population size of Mthumbane community was estimated at 351 (ECSECC, 2017). A margin of error of 15 percent was used to calculate the sample size as follows:

$$\boldsymbol{N = \left(\frac{n}{e}\right)\ e = \frac{351}{15} = 23}$$

(Margin of error is 23)

$$\mathbf{N = \frac{351}{15} = 15}$$

(The sample size for Mthumbane community is 15)

The Researcher drew a sample size of fifteen from the Mthumbane community. The respondents gave an in-depth input and enhanced the understanding of the researcher on the implementation of activities towards co-management and the relations between stakeholders post the land claim settlement.

This sampling process resulted in an overall study sample that is reflected below in Table 3.1.

TABLE 3.1: STUDY SAMPLE

Institution	Participant's allocation	Focus Area
ECPTA	4 (Reserve Manager, Community Outreach Officer, People and Parks Manager, Regional Manager)	Land restitution and Co-management implementation
DEDEAT	1 (Regional Director)	Land restitution and Co-management implementation
DLA	1 (Project Manager)	Land restitution
CPA	7 (Office Bearers)	Land restitution and Co-management implementation
CTC	7 (Office Bearers)	Land restitution and Co-management implementation

Institution	Participant's allocation	Focus Area
Community participants	166 (Ordinary community members, resource users)	Land restitution and community beneficiation
Total Research Participants for the study		**186**

Source: Based on Field Survey Data (2019).

As alluded, this study applied a purposeful sampling method, where participants who may provide the required useful information were identified. At ECPTA, four people were identified: the Reserve Manager, Community liaison officer, People and Parks Manager and the Regional Manager. The nature reserve is managed in accordance with applicable legislation, policies, protected area management plan and strategies. The reserve manager is the person responsible for the day-to-day implementation of these various guiding documents for effective management of the protected area and was expected to have useful information. One of the key performance areas of protected area management is stakeholder engagement. The community liaison officer (CLO) is the official responsible for stakeholder engagements at nature reserve level. The main stakeholders in protected areas with land claims are the land claimants. The CLO was identified because he may have useful information on stakeholder engagement in particular community engagements. Provincial conservation agencies are required to have co-management and people and parks policies and strategies. The official responsible for their implementation is the People and Parks Manager, hence the people and park manager was identified as a key participant in this study. ECPTA has biodiversity conservation and tourism development policies and strategies. The Regional Manager is responsible for the implementation of these policies and strategies at regional level. This includes effective management of protected areas in the region. The Regional Manager then became an important research participant for the study.

DEDEAT is responsible for the regulatory function of environmental and tourism activities at provincial level. The activities in protected areas are also regulated by this department; the regional director was therefore identified as a key participant for this study as he may provide required useful information on natural resources governance. DLA is responsible for implementation of land restitution processes including those in protected areas. This include pre and post land claim settlement processes. The project manager for DLA was then identified as a key research participant.

CPA is a community structure that gets elected and established post land claim settlement. The members serving in this structure are representing the broader community on all issues related to post land claim settlement, and on co-management arrangements in the protected area. They were then identified as research participants because of the positions they hold within the community, which may translate into useful information for the study. The members of the CTC were identified as research participants because of the leadership role in the community. Lastly, the rest of the participants were identified through a referral process of a snowball sampling technique.

3.4 Data Instrumentation

To collect the required data, this study employed various instrumentation tools. The tools used in the study were semi-structured interviews and document reviews. These are explained below and how they assisted the researcher to acquire the required data during the study.

a) Semi-structured Interviews

The study applied semi-structure interviews as one of the data collections tools. Semi structured interviews involve a series of open-ended questions based on topic areas the researcher wants to cover (Mathers et al., 2002). The semi-structured interview approach was chosen because it is open and allows new ideas to be brought up during the interview because of what the interviewee says, and they also allow the interviewee to feel more comfortable having a conversation with the researcher as opposed to filling in a structured survey (Woods, 2011). The researcher has the freedom to probe the interviewee to elaborate on the original response (Mathers et al., 2002). Semi-structured interviews are useful in collecting attitudinal information (Mathers et al., 2002). Analysing data from open-ended questions is more problematic than from closed questions (Mathers, Fox and Hunn, 2002). However, according to Woods (2011), a great deal of qualitative research uses semi-a structured interview approach.

An interview is an important data gathering technique involving verbal communication between the researcher and the participant focusing on the phenomena of interest (Mathers et al., 2002). The approaches to interviewing range from completely unstructured in which a participant is allowed to talk freely about whatever they wish, to highly structured in which the participant responses are limited to direct questions (Young, 2015). The semi-structured interviews assisted the researcher to get an in-depth knowledge on the level of understanding natural resource management by the research participants. Questionnaires did not provide an

opportunity for the researcher to probe more questions, while the interviews provided such an opportunity. In the communities, the interviews were conducted on research participant's home language isiXhosa so that there were no language barriers experienced, and participants were free to express themselves fully.

b) Document Review

This study also relied on secondary sources such as complementary data sources. This was key in the study because natural resource governance is informed by legislation, policies, plans and strategies. Organizational and institutional documents have been a staple in qualitative research for many years (Bowen, 2009). Document review or analysis is a systematic procedure for reviewing or evaluating documents (Bowen, 2009). As in other analytical methods in qualitative research, document analysis requires that data be examined and interpreted to solicit meaning, gain understanding, and develop empirical evidence (Corbin and Strauss, 2008). According to Bowen (2009), information and insights derived from documents can be valuable additions to a knowledge base. For this study the following documents were reviewed.

TABLE3.2: LIST OF DOCUMENTS THAT WERE EVALUATED DURING DATA COLLECTION.

Document Selected	**Data Analysed**
National Co-Management Framework of 2004, Department of Environmental Affairs	Country's approach to co-management of protected areas in South Africa
ECPTA Natural Resource Management policy	Agency's position on management of natural resources in protected areas
Silaka Protected Area Management Plan	Agency's approach on the management of the protected area
Silaka Co-Management meetings minutes,2010-2019	Protected area's approach to engaging communities towards co-management
Silaka Nature reserve management reports, 2010-2019	Progress implementation on environmental and socio-economic activities by the protected area
National Environmental Management Protected Areas Act of 2003	Country's position on management of protected areas

Document Selected	Data Analysed
Restitution of Land Rights Act no 22 of 1994	Country's position on land restitution in protected areas

Source: Based on Field Survey Data (2019).

3.5 Data Analysis

This study employed a variety of data analysis approaches, and these included statistical modelling of the data on participant responses, thematic, and document analysis.

i. Statistical data analyses of interview and questionnaire responses

The data obtained from the semi-structured interviews was qualitative in nature and only a very small percentage of quantitative data. For the data to make sense, interview questions were designed in a manner that allowed the research participants to put a rating; for example, a scale of 1-3 for rating relations between stakeholders, where 1=poor, 2=fair and 3=good. This quantitative data could only be analysed using a statistical research method. The responses from the interviews and questionnaires were pooled into an excel spread sheet and re-coded to allow drawing the generalisations and hypotheses test in the study. The graded responses were used to generate frequencies, which were compared to evaluate the prevalence each opinion had from the informants. The Generalised Linear Model (i.e., Chi-square statistical model) was applied to analyse differences between the responses from different questions independently. SPSS Version 20 software was used to undertake the analysis of data. Selected and relevant responses were used to test different hypotheses and answer the research questions.

ii. Thematic Analysis

For the analysis of qualitative data obtained from the interviews and questionnaires, thematic data analysis was applied. According to Fereday and Muir-Cochrane (2006), thematic analysis is a form of pattern recognition within the data, with emerging themes becoming categories for analysis. Braun (2012) also defines thematic analysis as a method for systematically identifying, organizing, and offering insights into patterns of meaning (themes). This process involves a careful, more focused re-reading and review of the data (Bowen, 2009). Through focusing on meanings across datasets, thematic analysis allows the researcher to see and make sense of the collective and shared meanings and experiences (Braun, 2012).

In this study, all responses from each research participant under each research question were captured in an excel spreadsheet. The responses were carefully re-read, reviewed, and coded to identify pattens and meaning. This process allowed the researcher to uncover the themes pertinent to the phenomena under investigation.

iii. Document Analysis

The study also undertook document analysis. Document analysis is a research method which is particularly applicable to qualitative case studies (Stake, 1995). It is a systematic procedure for reviewing or evaluating documents both printed and electronic (Bowen, 2009). Hefferman (2013) describes document analysis as analysing data from the examination of documents from secondary sources such as textbooks, magazines and so forth relevant to a study. It involves reading extensive amounts of text data to understand and shed more light on a field of study Document analysis requires that data be examined and interpreted to make meaning, gain understanding, and develop empirical evidence (Corbin and Strauss, 2008). According to Mills et al. (2006), non-technical literature, such as reports, and internal correspondence, is a potential source of empirical data for case studies. Documents provide much needed background information as well as historical insight (Bowen, 2009). Such information and insight assist the researcher to understand the historical roots of specific issues and can reflect the conditions that could intrude upon phenomena currently under investigation (Bowen, 2009). Document analysis was used to supplement data from other sources such as semi-structured interviews (Bowen, 2009). The qualitative data obtained by this method included quotations, descriptions, and extracts of documents resulting in one document called narrative description (Genzuk, 2003). In this study the documents analysed included appliable legislation, organizational policies, strategic plans, management plans, reports, co-management frameworks, land claim settlement agreements and minutes of co-management meetings.

It was important to take this approach to establish the current management approaches on the phenomena of interest. The analysis included checking of relevant documents, then selecting, reviewing, and sighting quotations and passages from those documents. Data, in the form of documents such as legislation, policies, settlement agreement, co-management frameworks, co-management agreement, minutes of co-management meetings, management plans, records on natural resources, finance management, and records of livelihoods programme was also used. Document analysis assisted the researcher to contextualise the land restitution process and co-management of natural resources in protected areas.

3.6 Methodological Reflections

This study applied qualitative research methods to investigate the land restitution processes and co-management implementation in protected areas and how these processes impact on the management of natural resources. The research data was collected through semi-structured interviews in Caguba villages in Port St. Johns, Eastern Cape. The identification of research participants was not difficult because the researcher engaged local governance structures who were involved in management programmes at the study site. The local, traditional leaders (Chiefs and Headmen) were helpful in giving permission for the researcher to undertake the study and referred the researcher to key people for interviews. However, the geographical location of the villages and households was a challenge as they were scattered, which involved a lot of travelling and time. The research study requires stable financial resources, and the researcher was lucky because he was funded by his employer, the Eastern Cape Parks and Tourism Agency throughout his Doctoral journey. Language usage was not a problem because the researcher's home language was the same as that of the research participants. This brought an easy process during interviews because the participants were comfortable and expressed themselves to the best of their ability.

During this academic journey, there were challenges experienced. Undertaking a PhD study fulltime while also a fulltime employee at Senior Management level was not an easy task. The research had to balance both the process of the study while delivering on the expectations of the employer. On top of this, the researcher had to manage and deal with family matters as well. The other major challenge was that the rest of this study was undertaken during a world pandemic of Covid-19. This also made the study journey challenging because when the hard lockdowns were implemented, the researcher's ability to interact physically with research participants and his research supervisor were limited, and sometimes non-existent. The data collection was done during the rainy season, and the researcher had to navigate roads in the villages by foot at times because there were no proper roads on which to drive a vehicle. These were difficult times as the researcher's physical fitness was put on test. Added to this challenge was that, in each village, the houses were scattered, which meant added travelling time between each interview and questionnaire distribution.

To conduct this study, the researcher had to also apply for permission within the Managing Authority to conduct study in one of its protected areas. This entailed submitting a research proposal that clearly outlined the objectives of the study, which was scrutinized by the Agency's scientific department. Once the Managing Authority was happy with the

application, then a research agreement was concluded between the researcher and the managing authority represented by the Chief Executive Officer. Also, the researcher had to request written permission from the Chief of Caguba communities, which was also obtained.

CHAPTER 4
EMPIRICAL EVIDENCE

4.1 Introduction

This chapter is presented to outline the data presentation of the study. The intention is to demonstrate how the study arrived at its findings and conclusions thereof. Therefore, this chapter is organised to present findings which are aligned with the research questions. The research question sought to establish:

- The extent to which the communities were involved in the land restitution process at Silaka Nature,
- Community perceptions on the implementation of co-management activities,
- Perceptions of stakeholder relations, roles, and responsibilities, and perceptions on alternative community beneficiation strategies that could be used to promote sustainable natural resource use, community development and reduce conservation conflicts.

The presented data were collected between January to August 2019. The presented data followed the a) analysis of the statutory documents, b) field observations and c) direct responses from the research participants. It also includes data that was collected from secondary sources. The data presented was structured qualitatively and quantitatively. Therefore, the qualitative data was presented in a thematic approach. For qualitative data, the Statistical Package for Social Sciences (SPSS) version 20 was used for data analysis purposes. The qualitative data followed a descriptive and tabulation analysis where the frequency distribution tables, bar graphs and pie charts were exhibited.

4.2 Demographic information

This section presents the demographic information of the respondents who participated in the interviews by means of administering questionnaires. To obtain a detailed understanding of the respondents, the study sought information on age, gender, and origin as demographic features.

4.2.1 Ages of Participants

The study obtained information across ages and the ages of the participants as per the study approach are categorized as follows: The youth category was between the ages of eighteen (18) to thirty-five (35) years. The elderly category was between the ages of thirty-six

(36) to forty-five (45) years. The old category was from forty- six years and above. Table 4.1 below depicts the age of the Research Participants.

TABLE4.1: AGE OF RESEARCH PARTICIPANTS

Age Category	Number of Participants	% Representation
Youth	48	26%
Elder	39	21%
Old	99	53%
Total	186	100%

Source: Based on Field Survey Data (2019).

4.2.2 Gender of research participants

In this study the researcher ensured that there was gender representation. The collected analysed data demonstrated that the total sample of 186 research participants had 58 per cent female representation and 42 per cent male representation. This means that in this study the female participants had more voice than the male participants.

TABLE4.2: GENDER OF RESEARCH PARTICIPANTS

Gender	No of Participants	% Representation
Female	107	58%
Male	79	42%
Total	186	100%

Source: Based on Field Survey Data (2019)

4.2.3 Origin of the Research Participants

The origin of participants was categorized as “invader “and “native”. The “invader” was referred as to participants who were born in the area from 1994 and afterwards, while “native” referred to participants born in the area before 1994. The origin of the research participants was key for this study to ensure that the people participating originated from the area. The analysed data as demonstrated on table 4.3 below shows that invaders were less than the natives at 19 per cent (N = 186) and 81 per cent respectively. Therefore, the direct interpretation is that most participants in this study had been staying within the study site for the longest time.

TABLE 4.3: ORIGIN OF RESEARCH PARTICIPANTS

Origin	No of Participants	% Representation
Invader	35	19%
Native	151	81%
Total	186	100%

Source: Based on Field Survey Data (2019)

4.3 Community Involvement on Land Restitution Processes at Silaka Nature Reserve

The study was anchored on four research questions and therefore the data is presented in response to each of these research questions. The research questions were along a) Community involvement in the land restitution processes, b) co-management activities implemented in the reserve to balance the conservation of the protected area and community development activities, c) key stakeholders in the post-land claim settlement, including roles and responsibilities in maintaining the functional relationships among the stakeholders and, d) the alternative strategies that could be used to promote sustainable use natural resources, community development and reduce conservation conflicts.

4.3.1 Community involvement in the land restitution process in Silaka nature reserve

The study investigated the extent to which the communities were involved in the land restitution process at Silaka Nature Reserve. This was done considering both qualitative and quantitative methods. This was a close-ended question requiring the respondents to provide a yes or no answer followed by an explanation. Most of the respondents indicated that they were not involved in the land restitution process. As shown in Table 4.4 below, the results indicate that most of the respondents, amounting to 57 per cent of the total respondents disclosed that they were not involved in the process. However, 43 per cent of the respondents indicated that they were involved and participated in the process.

TABLE 4.4: COMMUNITY INVOLVEMENT IN THE LAND RESTITUTION PROCESS, (N=186)

Where No = not involved during the land restitution process, yes= involved during the land restitution process

Type of response	Frequency	% Representation
No= Not Involved	105	57
Yes= involved	81	43
Total	186	100

Source: Based on Field Survey Data (2019).

Further to this finding, direct responses from the participants were recorded. A distinctive example is presented when the ECPTA Manager for the People and Parks programme revealed that: "I *was not involved in the land restitution process at all; it was only after the land claim was settled when I got involved. The exclusion of the management authority during the restitution process was not correct because the land under those discussions was already managed by Eastern Cape Parks Board" (Per.com 2019 a*).

This assertion suggested that, because the People and Parks Manager was not involved, the implication was that the managing authority was also not involved in the land restitution process at Silaka. If community-related issues are meant to be taken into consideration, including participating in land restitution-related programmes, the process by the RLCC can be found to have a gap, which has the potential to lead to a limitation.

4.3.1.1 Perspectives on processes followed during land restitution at Silaka Nature Reserve

This study further investigated the processes followed during land restitution. The key thematic area was the understanding of the process, which was followed during the land restitution process at Silaka nature reserve. The purpose of the question was to further investigate the extent to which the communities were involved in the restitution processes of their land. For the communities to understand the land claim and settlement processes was key to all parties involved, including any elements pertaining to the negotiated settlement agreement. The responses from the participants were then captured and rated based on their responses. The ratings were structured as follows:

Rating score	Rating comment
1	No understanding
2	Partial understanding
3	Good understanding

Based on the data gathering, out of 186 respondents, eighty-three (83) respondents representing 44.5 per cent had no understanding of the land restitution process followed. Seventy-nine (79) respondents representing 42.5 per cent had a partial understanding of the land restitution process, while only twenty-four (24) respondents representing 12.9 per cent had a full understanding of the process. These findings suggested that most respondents were not involved in the land restitution process at Silaka Nature Reserve. The lack of understanding of these processes and the non-involvement of local people are likely to create challenges in reconciling human land rights and biodiversity conservation. The outcomes are shown in Table 4.5 below.

TABLE 4.5: PERSPECTIVES ON THE LAND RESTITUTION PROCESS FOLLOWED (N=186)

Where: 3= good understanding, 2=partial understanding and 1=no understanding

Type of Response	Frequency	% Representation
Good understanding of the restitution process	24	12.9
Partial understanding of the restitution process	79	42.5
No understanding of the restitution process	83	44.5
Total	186	100

Source: Based on Field Survey Data (2019).

The member of the Community Property Association (CPA) disclosed during the interview that: "*The process was to identify the people who were removed from their land and compensate them; however, not all people received compensation. People were given a certain portion of money and were told they will be given the rest of the money later"*>. *(Per.com 2019 b).* Another member of the community also disclosed during the interview that: "*People from land affairs came and asked about the affected families and a trust was formed and people went and wrote their names, so that people get benefits and compensation for their land" (Per.com 2019 c).* Some respondents indicated that *"I do not know the process that was*

followed during the land restitution at Silaka" (Per.com 2019 d), which was the most recurring response coming from the participants.

These direct quotes from the respondents indicated that most respondents did not have an understanding, some had a partial understanding, and only a small portion had a full understanding of the land restitution process followed.

4.3.1.2 Community satisfaction levels with the land restitution process

Following the investigation of community involvement in the restitution process, the community satisfaction levels on the implementation of the land restitution process at Silaka Nature Reserve were ascertained. This being a closed-ended question, the responses were either a yes (meaning satisfied) or no (meaning dissatisfied). Furthermore, the questionnaire allowed the participants to elaborate on their responses. Table 4.6 below presents community satisfaction levels.

TABLE 4.6: COMMUNITY SATISFACTION LEVELS WITH LAND RESTITUTION PROCESS (N=186)

Where Yes= satisfied with restitution process, No= not satisfied with restitution process

Type of response	Frequency	% Representation
"Yes, I was satisfied"	36	19.4
"No, I was not satisfied"	150	80.6
Total	186	100

Source: Based on Field Survey Data (2019).

It is notable that the results from table 4.6 above showed that a significant number of the research participants were not satisfied with the land restitution process followed at Silaka Nature Reserve. Out of 186 participants who were engaged in the study, 150 indicated that they were not satisfied; this translates to 80.6 per cent of the respondents not being satisfied. There were various reasons for each response by the participants and, among others, these included incomplete financial compensation, exclusion of some community members on the claim and, according to them, the land is still not back to its rightful owners. During an interview, one of the community members stated that: *"There has been no inclusive involvement in the restitution process, and, as a result, I am not satisfied because some people were not aware of what was happening*" *(Per.com 2019 e).* Another community member also disclosed that: *"I am not satisfied because land affairs did not engage the community nor explain how the land*

restitution works, also some of the community members were excluded from the land claim although our forefathers were born here; some people were financially compensated but not fully; while others were not compensated at all" (Per.com 2019 f). The other community member disclosed during one-on-one interviews that*: "Yes I was satisfied with the land restitution process because as the family we were financially compensated and that changed our lives for the better" (Per.com 2019 g).*

4.3.1.3 Perspective on Community Expectations post land restitution process.

Responses varied from participant to participant and were recorded and coded to identify recurring common themes. Some of the expectations from the community members did not fall within the mandate of the conservation agency. The following captures the responses from the participants. During the interviews, one community member stated that: *"We are expecting Silaka Nature Reserve to bring us development like roads, and a community hall" (Per.com 2019 e).* This can be classified as one of the high expectations because infrastructure development outside protected areas are not a direct mandate of a conservation agency and may not easily be achieved without collaboration with the relevant government department.

Also, during the interviews, the respondents presented several expectations after the land claim was settled. These expectations ranged from a) financial compensation, b) infrastructure development, c) access to natural resources, d) employment, e) bursary, f) business opportunities, g) being part of co-management of the protected area, and g) youth development and benefit sharing. Not limited to the expectations above, there were some that said: "We *expected development, job opportunities. 50 per cent profit sharing, removal of the nature reserve fence, 90 per cent employment for locals" (Per.com 2019 f).* In addition, another community member indicated that: *"We expected that people will be educated about nature conservation. job opportunities and assist children with funds on higher education*" *(Per.com 2019 g).*

Another community disclosed that: "*It was for small businesses to be built small shelters for them to sell handcrafts to visitors, 60 per cent employment of locals, and youth employment*" *(Per.com 2019 h).* The other community member also alluded that: "*Besilindele amabuthuba emisebenzi, inxaso mali yokufunda, nentsebenziswano nesikhokelo somyezo wezendalo, ukuxhamla kwi ngeniso nakwi kwimithombo yezendalo, nelungelo lokukudlisa imfuyo"*. The English translation means "we expected job opportunities, bursaries, co-operation with protected area management, profit sharing, access to natural resources use and

grazing rights, said one of the respondents *(Per.com 2019 i)".* This was the most recurring response from the participants that they needed jobs, bursaries for the youth, co-operation with the nature reserve, profit sharing, access to natural resources and grazing rights. These expectations can be classified as the mandate of the conservation agency. It was at this point that it was evident that communities had various expectations during post land restitution process.

The study further investigated whether these community expectations were met or not met. The responses to the question were: *"the expectations met during post-land claim settlement were recorded*". The responses from the participants were structured as a) yes, b) no and c) I do not know. The study finding revealed that a significant number of the respondents indicated that the expectations during post-land claim settlement were not met. Out of 186 research participants, 148 respondents indicated that the expectations were not met; this amounted to 80 per cent of the total respondents. Only twenty-five respondents indicated that the expectations were met, which amounted to 13 per cent of the respondents, while 7 per cent did not know whether their expectations were met or not; it was evident that the community expectations during post land restitution process at Silaka Nature Reserve were not met. These findings are shown in Figure 4.1 below.

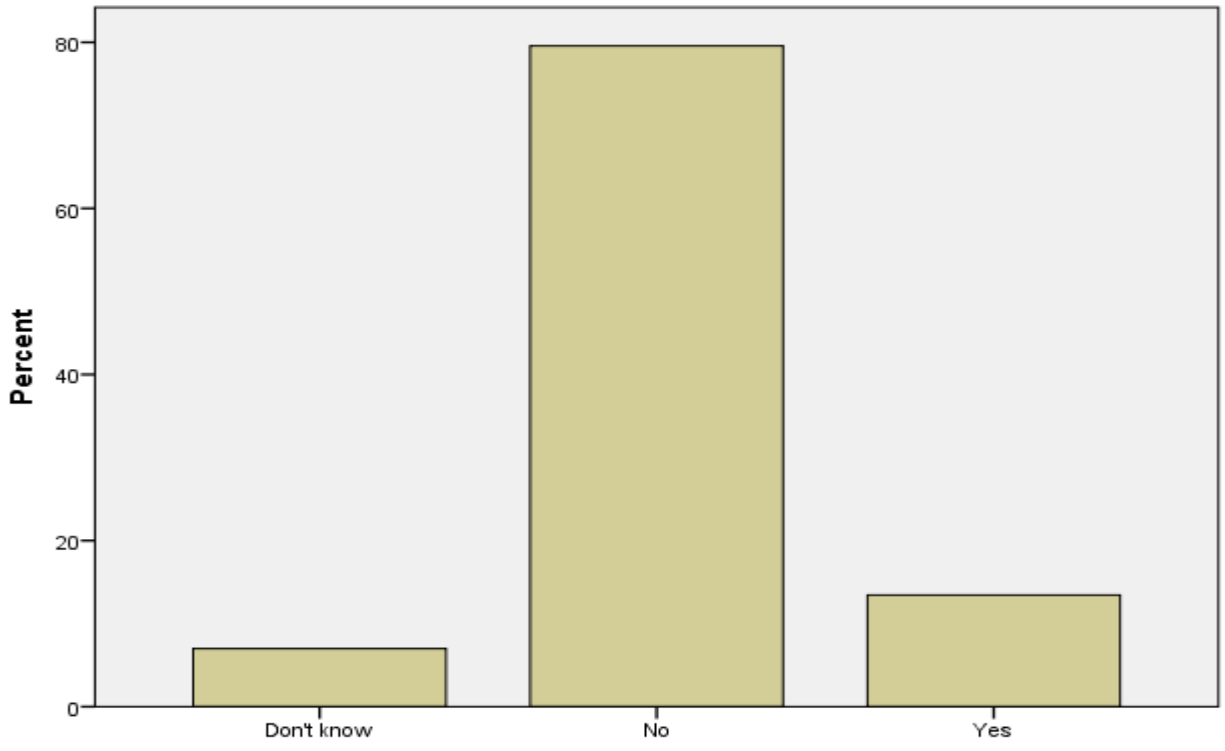

FIGURE 4.1: PARTICIPANTS' PERSPECTIVES ON COMMUNITY EXPECTATIONS POST LAND RESTITUTION WHERE, *YES=EXPECTATIONS MET, NO=EXPECTATION NOT MET, DO NOT KNOW=*

DO NOT KNOW WHETHER EXPECTATIONS ARE MET OR NOT. **SOURCE: BASED ON FIELD SURVEY DATA (2019)**

4.3.2 Towards implementation of co-management activities at Silaka nature reserve

4.3.2.1 Perspective on community understanding of co-management concept.

On the understanding of co-management, the responses varied. These responses were recoded and rated, using *1=no understanding, 2=partial understanding and 3= good understanding.* The ratings of participants responses were not based on 100 per cent understanding of the co-management concept definition as documented in the literature review, but rather based on the understanding of co-management concept principles. The principle that co-management is about the partnership between two parties (local communities and conservation agencies in the case of this study), who equally work together towards achieving a common goal or vision. Table 4.7 below depicts some of the direct verbatim responses received from some of the participants and their ratings during the interview process where 1 = no understanding, 2 = partial understanding and 3 = good understanding.

TABLE 4.7: DIRECT VERBATIM RESPONSES FROM SOME OF THE PARTICIPANTS

Interviewee number	Direct verbatim responses	Rating
1	*"It is co-operation between stakeholders"*	2
6	*"It means working together to manage an area with the same vision"*	3
10	*"It means two parties communicating about the needs of the community"*	2
12	*"It means unity between two or more parties with one productive goal"*	3
16	*" It is an agreement between the company and land claimants"*	2
17	*" It is the management between two parties, agreeing to equally manage a protected area"*	3
19	*"It means protecting that certain area so as to keep it in good standard"*	2

Interviewee number	Direct verbatim responses	Rating
21	*"It means fairness when employment opportunities come, working hand in hand and the availability of services to everyone*	2
26	*It means working together and sharing ideas to reach a common goal"*	3
28	*"It means that the community together with the parties involved take collective decisions working hand in hand"*	3
30	*"Co-management is an arrangement of power sharing between the community of resources and the other parties"*	3
31	*"It is a way of working together between two parties or more for example co-management between government and the public to achieve a certain goal"*	3
32	*"It means when decisions are taken, all parties are supposed to be involved"*	3
35	*"It means that our needs are taken seriously and that as a community we also get involved with what is happening at Silaka"*	2
37	*"It means that people must work together and not hide things from each other and work in harmony"*	3
41	*"I do not know what co-management means"*	1
47	*"It means those who governed with the power or management working together with the community members in achieving their goals"*	3
118	*"It means working together and listening to the needs of the community"*	2
124	*"I don't know "*	1

Interviewee number	Direct verbatim responses	Rating
126	*"I don't know"*	1

(*Based on field surveys,2019)*

The results of the study showed that most participants had a partial understanding of what co-management meant. Out of 186, 114 participants displayed that they had a partial understanding of co-management, this constitutes 61 per cent of the total participants, 51 participants at 28 per cent showed that they had full understanding while 21 participants at 11 per cent had no understanding of co-management at all. These results indicate that the number of participants who had a full understanding of what co-management is about was low at 11 per cent. The results are shown in Table 4.8 below where 1 = no understanding, 2 = partial understanding and 3 = good understanding of the co-management concept.

TABLE 4.8: PERSPECTIVES ON COMMUNITY UNDERSTANDING OF CO-MANAGEMENT CONCEPT (N=186)

Type of Response	Frequency	% Representation
Good understanding	51	27.4
Partial understanding	114	61.3
No understanding	20	10.8
Total	186	100

(Based on field surveys, 2019)

4.3.2.2 Perspectives on implementation of activities towards co-management at Silaka Nature Reserve

The study sought to investigate the level of implementation of activities towards co-management arrangements. The research participants were then asked to rate the implementation of co-management activities on scale of 1-3 where *1=No implementation, 2=partial implementation, 3=full implementation.* The participants responses were captured and analysed. The study results show that out of 186 participants, 80 indicated that there is a partial implementation of co-management activities at Silaka Nature Reserve, this amounts to 43 per cent of total participants, while 75 out of 186 participants indicated that there is no implementation of co-management-related activities. Only thirty-one participants indicated that there was the full implementation of co-management-related activities, this constitutes 17 per cent of the total participants. These results indicate that most respondents felt that the

activities towards co-management arrangements at Silaka are implemented partially. Table 4.9 below depicts the study results on co-management activity implementation where 1= No implementation, 2 = partial implementation and 3 = full implementation.

TABLE 4.9: PERSPECTIVES ON IMPLEMENTATION OF CO-MANAGEMENT ACTIVITIES AT SILAKA NATURE RESERVE (N=186)

Type of Response	Frequency	% Representation
Full Implementation	31	16.7
Partial Implementation	80	43.3
No implementation	75	40.3
Total	186	100

(Based on field surveys,2019)

4.3.2.3 Perspective on the role of co-management implementation in promoting sustainable use of natural resources in a protected area.

The published literature suggested that co-management of natural resources is the way to go to promote sustainable use of natural resources, but do local communities have the same view and understanding? It then became of critical importance for the study for further investigation of the views of the locals around this concept. In establishing whether the management promotes sustainable use or not of natural resources in a protected area, the responses from the research participants were captured and recorded. In the main, the responses aimed at the understanding of the participants if they understood co-management as promoting sustainable use of natural resources or otherwise. The findings showed that 159 respondents indicated that, yes, co-management can promote sustainable use of natural resources; this constitutes 85 per cent of the total respondents. While twenty-seven of the respondents indicated that they did not know whether co-management can promote sustainable use of natural resources or not, and that amounted to 15 per cent of total respondents.

During the interviews, one of the respondents stated that: "*Yes, co-management can promote sustainable use of natural resources because the community will be educated on how to sustain the use of natural resources and the importance of the environment" (Per.com 2019 j).* Another respondent stated: "Yes*, because the community needs are expected to be met under co-management, and that makes the community respect nature conservation rules, which then leads to sustainable use of natural resources" (Per.com 2019 k).* While the other respondent

disclosed that: *"Yes, co-management can promote sustainable use of natural resources, especially when the communities take part in decision making and are benefiting from the protected area" (Per.com 2019 k).* From these responses, it became evident that most respondents felt that co-management implementation can promote sustainable use of natural resources because everyone can get involved.

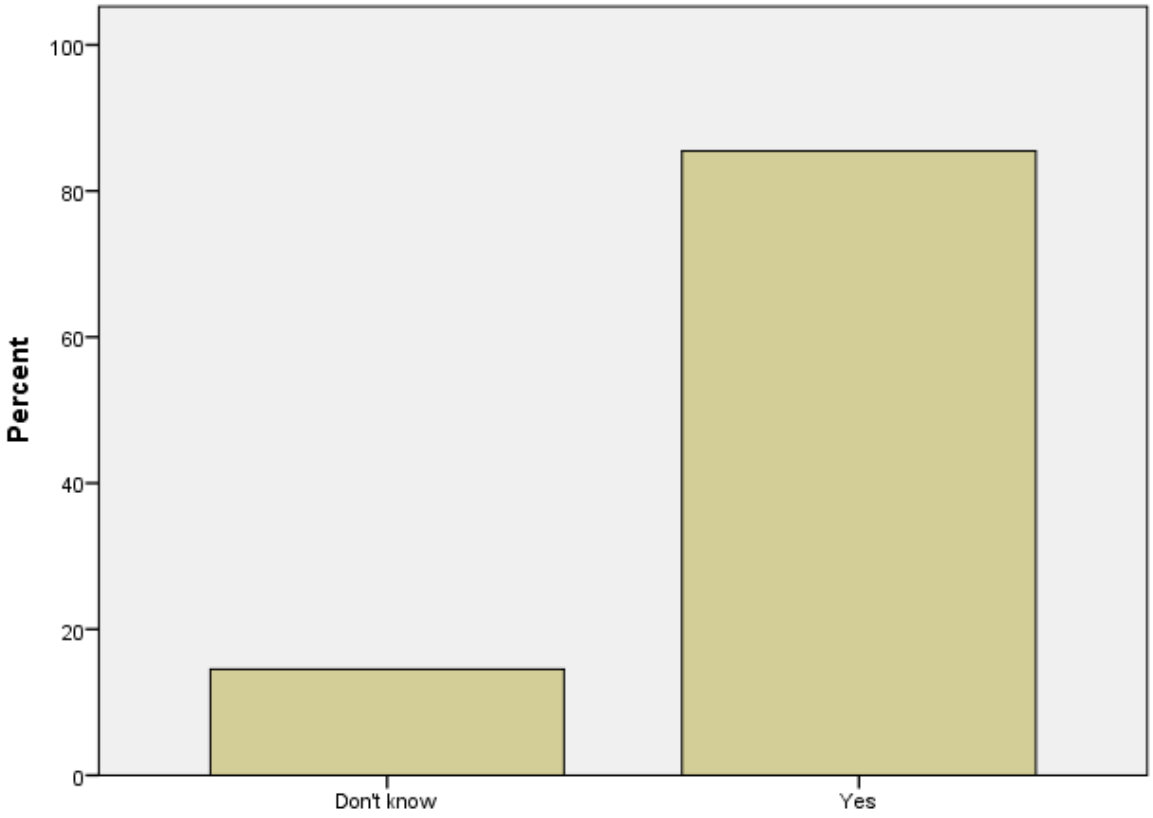

FIGURE 4.2: PARTICIPANTS PERCEPTIONS ON WHETHER CO-MANAGEMENT CAN PROMOTE SUSTAINABLE USE OF NATURAL RESOURCES. SOURCE: BASED ON FIELD SURVEY, 2019

The perception of the participant's on whether co-management can promote sustainable use of natural resources or not where, yes=co-management can promote sustainable use of natural resources, don't know= do not know if co-management can promote sustainable use of natural resources or not was ascertained.

4.3.3 Key stakeholders during land restitution post-settlement implementation at Silaka Nature Reserve

Through interviews and questionnaires, the study investigated the key stakeholders, what their roles and responsibilities were, were these roles and responsibilities fulfilled, how

were the relations between stakeholders, were there conflicts amongst stakeholders, and, if so, what were the causes of such conflicts.

4.3.3.1 Perspectives on who were the stakeholders during post-land claim settlement at Silaka Nature Reserve

Regarding the involvement of the key stakeholders during post-land claim settlements at Silaka Nature Reserve, various responses were received from the respondents. These responses were rated to check the level of understanding of the participants on the stakeholders involved during post-land claim settlement. These responses were recorded and rated to assess the level of understanding of each research participant. The ratings were as follows: *1 = no understanding, 2 = partial understanding,3=full understanding.* Table 4.10 below shows some of the direct verbatim participants responses on who they understood were the stakeholders.

TABLE 4.10: VERBATIM RESPONSES FROM SOME OF THE STUDY PARTICIPANTS

Interviewee number	Direct verbatim responses	Ratings
4	*"Traditional council, land trust "*	2
7	*"Claimants, CPA, Land trust, traditional leaders*	2
8	*"Silaka, Local municipality, DAAF, community"*	2
12	*"Local municipality, Land affairs, SAPS, and the chief of Caguba"*	2
18	*"Dept of Agriculture, Forestry and Fisheries, Port St Johns LM, ECPTA, DRDLR and CPA"*	3
28	*"CPA, land trust, ECPTA, the Royal house, Silaka local municipality and Dept of land affairs "*	3
64	*"Regional land claim commission, Local Municipality, Chief land claim commission, ECPTA, Caguba community"*	3
148	*"Land Trust, CPA, chiefs and the community"*	2

Interviewee number	Direct verbatim responses	Ratings
152	*"SANCO, SPCA and chiefs all played a role in land restitution".*	2
155	*"Land Affairs and CPA"*	2
164	*"Municipality, CPA, Royal house"*	2

(Based on Field Survey 2019).

The study findings have shown that most of the respondents had a partial understanding of whom the parties involved were as per the settlement agreement. Table 4.11 below indicated that 176 respondents had a partial understanding of which stakeholders were involved during post land restitution at Silaka nature reserve, which amounted to 94.5 per cent, while only 9 respondents had a full understanding, which amounted to 5 per cent of the total respondents, and 0.5 per cent of the respondents had no understanding at all. These findings clearly show that there is a lack of understanding of the stakeholders involved. The rating was where 1 = no understanding, 2 = partial understanding,3=full understanding.

TABLE 4.11: PERSPECTIVES ON WHO ARE THE STAKEHOLDERS (N=186)

Type of Response	Frequency	% Representation
Full understanding	9	5
Partial understanding	176	94.5
No understanding	1	0.5
Total	186	100

(Based on Field Surveys,2019)

4.3.3.2 Perspectives on roles and responsibilities during land claim post settlement

This study also investigated if the stakeholders involved understood their roles and responsibilities during post-land restitution. The question asked was: "*what the roles and responsibilities of stakeholders are?".* The responses from the respondents were recorded and rated on a scale of 1-3, where *1 = no understanding, 2 = partial understanding,3=full*

understanding. These ratings were informed by the concluded land claim settlement agreement which documented some roles and responsibilities of the stakeholders involved.

The study results on Figure 4.3 below have shown that 136 respondents had partial understanding of what the roles and responsibilities were of parties/actors involved at Silaka Nature Reserve; this constitutes 73.1 per cent. Only 16 respondents had full understanding, which translates to 8.6 per cent, while 34 respondents had no understanding at all, which constituted to 18.3 per cent. During the interviews, one respondent disclosed that the role and responsibilities of the stakeholders was "*to ensure that every development happening benefits the landowner communities, also to protect and look after the land" (Per.com 2019 i).* Another respondent disclosed that the responsibility was to make sure that *"people are compensated for being moved from their places and the land must be brought back to its rightful owners" (Per.com 2019 j).*

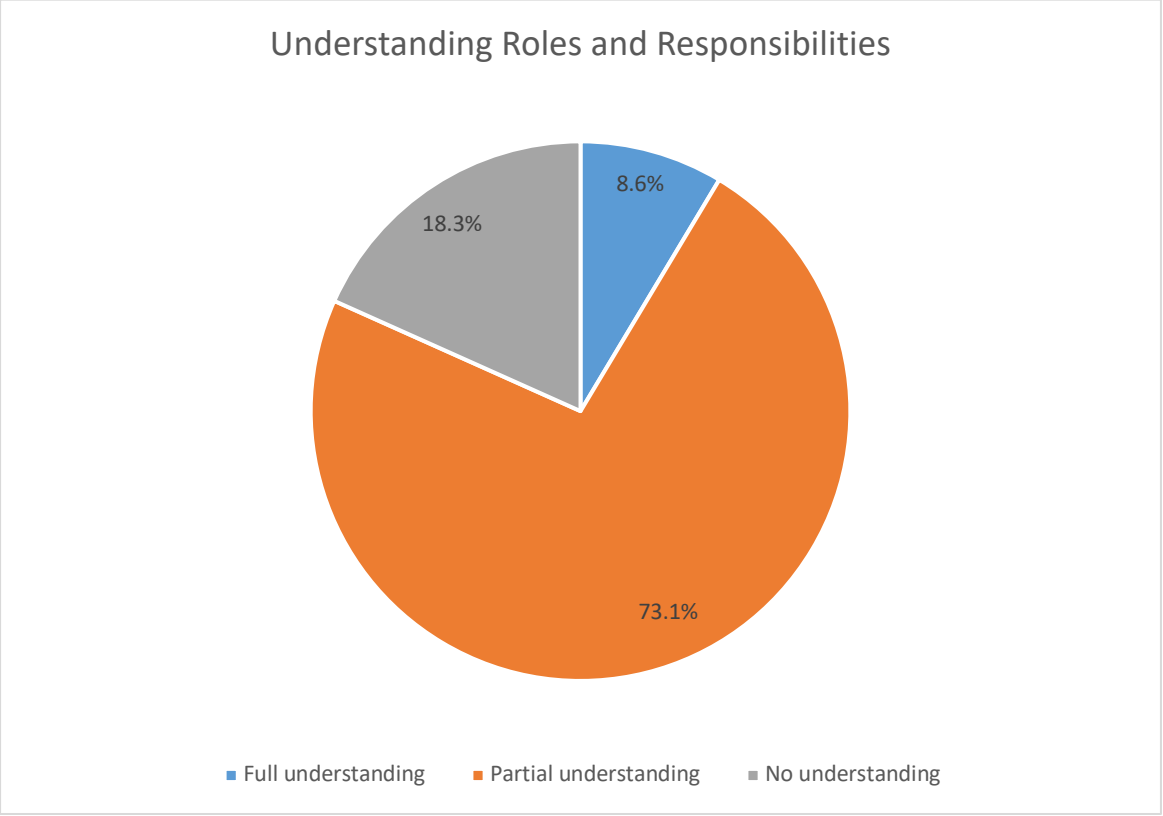

FIGURE 4.3: PERSPECTIVES ON ROLES AND RESPONSIBILITIES

Source: Field surveys, 2019: Understanding Roles and Responsibilities

4.3.4 Perspectives on fulfilment of roles and responsibilities

The study further investigated if the roles and responsibilities were fulfilled by those responsible. The question asked of participants was, "*were the roles and responsibilities*

fulfilled by the parties involved?". Partnerships can only be successful when roles and responsibilities assigned to parties are fulfilled. During the interviews the following responses came directly from some of the participants: "*No, not all people have received their compensation and land affairs says there is no money"; Some are fulfilled, some are not"; "Yes, they are honoured because we know some of the things that are happening at Silaka through the committee"; "They did fulfil them even though it was difficult" (Per.com 2019 k).*

The study results on Table 4.12 below indicate that out of 186 participants, 80 indicated that roles and responsibilities were not fulfilled at all, this amounts to 43 per cent of the total participants, 60 participants amounting to 32 per cent indicated they were partially fulfilled, and 46 participants amounting to 25 per cent indicated that they had been fulfilled.

TABLE 4.12: PERSPECTIVES ON FULFILMENT OF ROLES AND RESPONSIBILITIES (N=186)

Type of Response	Frequency	% Representation
Roles and Responsibilities fulfilled	46	25
Roles and Responsibilities partially fulfilled	60	32
Roles and Responsibilities not fulfilled	80	43
Total	186	100

(Based on Field Surveys, 2019)

4.3.4.1 Perspectives on stakeholder relations at Silaka Nature Reserve post land claim settlement

Stakeholder relations are a key component in partnership arrangements. It, therefore, became critical for the researcher to assess and evaluate the level of relations among parties at Silaka Nature Reserve. On a scale of 1-3 where, 1= poor relations, 2= fair relations, and 3 = good relations, the research participants were asked to rate the stakeholder relations. The study result in results show out of 186 research participants, ninety-nine respondents indicated that the relations amongst stakeholders post land claim settlement at Silaka nature reserves were poor, this amounted to 53.2 per cent of total respondents. Fifty-three respondents indicated that the relations among stakeholders were fair, which translates to 28.5 per cent of total respondents, while only thirty-four respondents indicated that the relations were good, and this amounted to 18.3 per cent of total respondents. Figure 4.4 below depicts such findings.

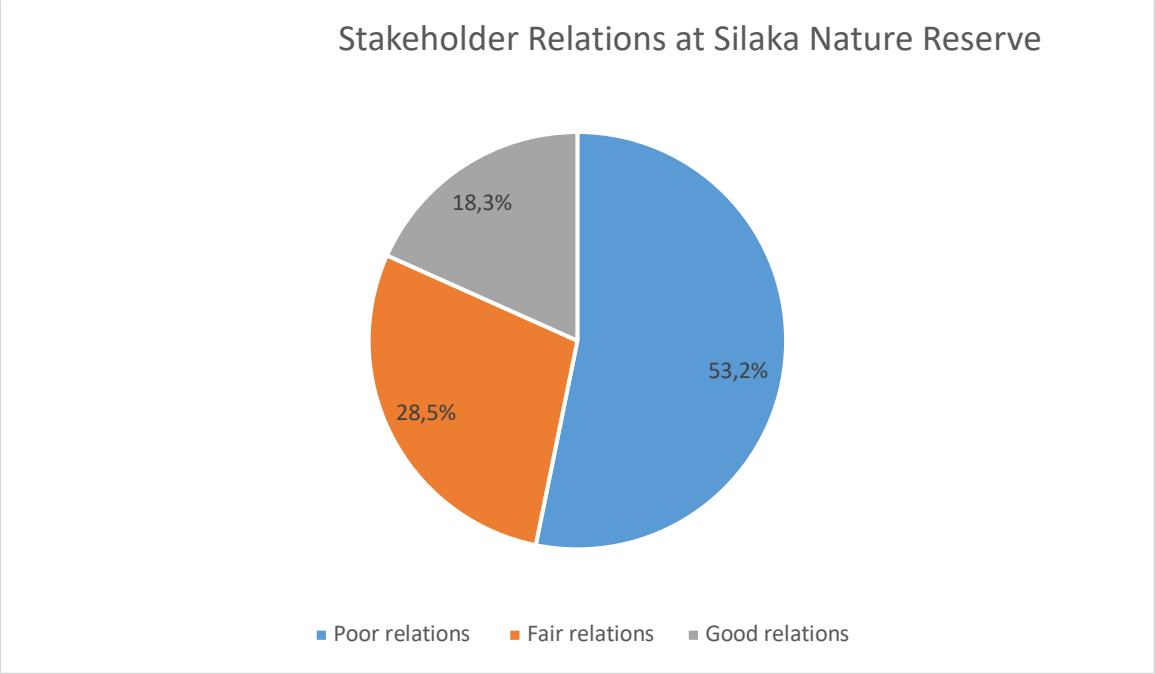

FIGURE 4.4: PERSPECTIVE ON STAKEHOLDER RELATIONS AT SILAKA NATURE RESERVE

Source: Field Survey, 2019

The respondent's ratings were not the same based on how they see the relations among stakeholders. During the interviews, community members disclosed that:

"*There are no good relations; the royal house says that CPA is the reason the money that compensation is still not paid to other claimants" (Per.Com 2019 l).*

"*The relations are good because the residents did get what they were claiming for" (Per.Com 2019 m).*

"*Yes, because they have the same goal which is to bring back the land and they also want to elect a new CPA" (Per.Com 2019 n).*

"*The relations are not good because Department of Land Affairs did not deliver on their promises, also there is no communication between the CPA and Traditional leaders*", said one of the respondents *(Per.Com 2019 n)*

It was evident that there were stakeholder issues that led to relations not being good among them.

4.3.4.2 Perspective on conflicts amongst stakeholders in Silaka Nature Reserve

This study also investigated if there were conflicts between stakeholders during post-land restitution at Silaka Nature Reserve. In the event of known conflicts, what could have caused them. The responses from the participants varied where others disputed, and some admitted about knowing conflicts existed between stakeholders. The data showed that most respondents indicated that there are areas of conflict caused by mistrust, dishonesty, poor relations, conflicts between community structures, and lack of communication among stakeholders. Table 4.13 below shows that out of 186 participants, 137 indicated that yes, there are conflicts between parties, and this constitutes 73.7 per cent of the participants. Only 49 of the participants indicated that there were no conflicts, and this amounted to 26.3 per cent of the total respondents.

TABLE 4.13: PERSPECTIVES ON CONFLICTS AMONG STAKEHOLDERS AT SILAKA NATURE RESERVE (N=186)

Type of Response	Frequency	% Representation
No, there are no conflicts	49	26.3
Yes. there are some conflicts	137	73.7
Total	186	100

(Based on Field Surveys,2019)

As a response from respondents, verbatim, community members indicated that:

"*There are conflicts because land affairs never did what was expected from them; the protected area management is also not communicating with the community; the CPA doesn't want to let go of power and give a chance to other people and they are selling other pockets of claimed land outside the nature reserve, there is too much favouring or nepotism in play. Lastly, they hire people from other places to work at Silaka when there are people with the same skills in the surrounding areas" (Per.com 2019 o)".*

"Zikhona ingxabano ngoba abantu base Sicambeni bafuna kuqeshwe bona bodwa abafuni kuqeshwe abantu base Mthumbane nasedolophini" meaning, people from Sicambeni village want to be the only ones who get employed, they do not want people from Mthumbane and from town to get employed *(Per.com 2019 p).*

In the midst, the people and Parks Manager indicated that:

"Yes, there are conflicts that are caused by a lack of communication or understanding between land claimants about what to expect in the main, some demanding to get a bigger share than others" (Per.com 2019 q).

While another community member disclosed that:

"There are no conflicts observed between the parties except noticing that the structures are working together" (Per.com 2019 r).

TABLE 4.14: PARTICIPANT DIRECT VERBATIM RESPONSES ON FUNDAMENTAL CAUSES OF CONFLICTS AMONG STAKEHOLDERS

Interviewee number	Participant Direct verbatim responses
1	*"There is no title deed for the claimed land".*
4	*"Conflicts are caused by having no community members that can go represent community demands".*
5	*"Lack of communication".*
6	*"Favouritism, for example, job opportunities are only given to certain people".*
7	*"Silaka management does not communicate with the community".*
8	*"No transparency among stakeholders".*
9	*"I do not see any conflicts".*
17	*"The conflicts are between claimants; one village wants special treatment than other villages".*

Interviewee number	Participant Direct verbatim responses
18	*"Lack of communication or understanding between claimants about what to expect in the main, some demanding to get a bigger share than others. High levels of illiteracy and unemployment expectation for the reserve to provide livelihoods for all the land claimants".*
23	*"Maybe I would say it is mistrust among stakeholders".*
27	*"It is mistrust between members of the CPA, and they do not want to retire".*
30	*"CPA is not working together with the land claimants from Caguba and the royal house, hence there was conflict".*
32	*"It is caused by the royal house thinking that the claimed land is theirs".*
34	*"They all want to lead, and no one wants to listen to the other".*
38	*"The CPA does not want to let new young people to be in power".*
40	*"Stakeholders were being dishonest to each other".*
44	*"Misunderstanding and miscommunications among stakeholders".*
52	*"People from Sicambeni want only their people to be hired at Silaka".*
54	*"The people did not get all their money for the land claim".*
64	*"We have different interests".*
69	*"They hire people from other places to work at Silaka of which there are people with the same skills in the surrounding areas".*

Interviewee number	Participant Direct verbatim responses
94	*"They do not have the same goals".*
97	*"Having no signed paper that states that the land has been given back to its rightful owners".*
103	*"Stakeholders do not have the same vision".*
117	*"The CPA wants to cling to power".*

(Based on Field Survey,2019)

The responses from participants indicated that the conflicts manifested themselves into various aspects among stakeholders. The conflicts manifested themselves into parties getting into disagreements in several areas. During the interviews, a respondent disclosed that:
"*Because of the conflicts, the people now force themselves into CPA issues because the CPA is not reporting or giving updates back to the community as a result the royal house has called for an interim committee to take over the CPA" (Per.com 2019 s)*

Another respondent disclosed during the interviews that:
"*There were community protests that were caused by the conflicts, and this resulted to the closure of the nature reserve for months, there is also lack of co-operation between stakeholders, there is also some illegal poaching of animals in the nature reserve*" *(Per.com 2019 t)*

Based on these findings it is evident that conflicts existed among stakeholders during post-land restitution at Silaka Nature Reserve.

4.3.5 Perspectives on alternative strategies that could be used in a protected area to promote sustainable use of natural resources, community development and reduce conservation conflicts.

4.3.5.1 Assessing if the Protected Area is an asset to the community or not.

The last thematic area of the study sought to investigate if the protected areas were perceived as an asset for the community. It can be assumed that human beings take care of their assets based on how they value them. It was, therefore, important to investigate if the participants, who are the land claimants, see the value of the protected area. The responses of the participants were therefore recorded. Out of 186 participants, 147 respondents indicated that Silaka nature reserve is an asset to the community; this constitutes 79 per cent of the total respondents; 32 respondents indicated that the protected area is not an asset, this amount to 17.2 per cent of total respondents, while 7 respondents indicated that they did not know whether it is an asset or not, and this amounted to 3.8 per cent. The data is holistically presented in Figure 4.5 below.

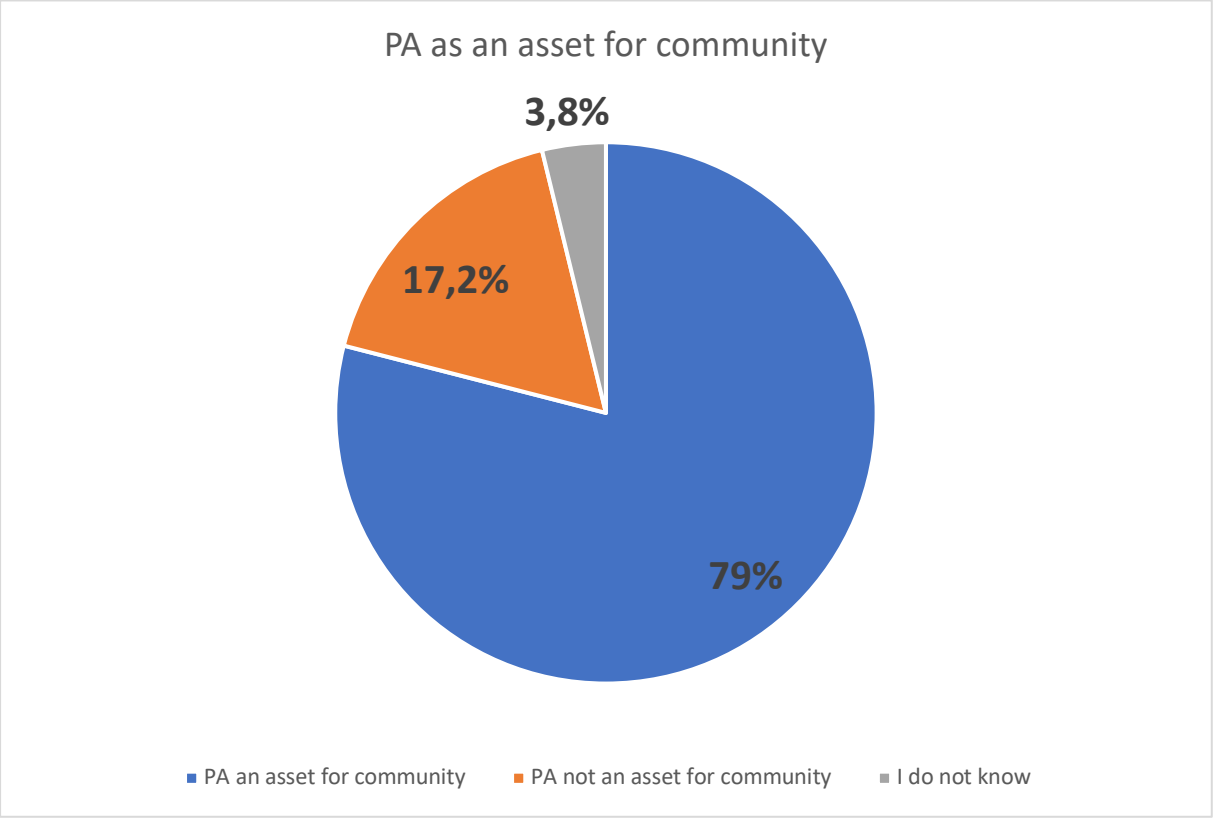

FIGURE4.5: COMMUNITY PERSPECTIVES TO THE PA AS AN IMPORTANT ASSET

Source: Based on Filed Surveys, 2019

4.3.4.2 Perspectives on whether there can be benefits in a protected area or not.

The study sought to investigate the understanding of participants on what could be community benefits that can be derived from a protected area. The intention was to establish the degree of benefits having to be derived from the protected area. This was found to be an

important question to ask because conservation authorities and the communities needed to be on the same understanding on what community benefits should be to eliminate conservation conflicts.

The study results showed that out of 186 participants, 155 respondents indicated that they agreed that there can be benefits in a protected area, this amounted to 83 per cent of total respondents, while 31 respondents indicated that they did not know whether there can be benefits or not, and this constitute only 17 per cent of the total respondents. It is interesting that there was that no single respondent who indicated that the PA is not an asset. These results are shown on Table 4.15 below.

TABLE 4.15: PERSPECTIVES ON WHETHER THERE CAN BE BENEFITS IN A PROTECTED AREA OR NOT (N=186)

Type of Response	Frequency	% Representation
Yes, there can be benefits from protected area	155	83.3
I do not know	31	16.7
Total	186	100

(Based on Field Surveys,2019)

During the interviews, a respondent disclosed that "*Yes, there can be community benefits such as job opportunities, funds for co-ops for the community of Caguba and bursaries for our children, Educating the young people of the surrounding communities about the importance of natural resources and equipping them with relevant skills" (Per.com 2019 u).*

Another respondent disclosed during the interview that: "*We need natural resources such as shellfish and also be allowed to harvest wood inside the nature reserve, more job opportunities; the vendors benefit because the tourists buy from them, revenue sharing, and the benefits should flow to the people of the surrounding communities" (Per.com 2019 v)*

A government official also stated during the interviews that "*Yes there can be benefits such as creating or improving tourism development that will increase the level of tourism which would then present more job opportunities for the communities* "*(Per.com 2019 w).*

The most recurring response from the participants was creation of jobs as the ideal benefit for the communities.

4.4 Conclusions

This Chapter has presented the detailed results from the data obtained during semi-structured interviews and survey questionnaires. The main objective was to look at how land restitution and processes towards co-management were dealt with at Silaka Nature Reserve. The study findings can be summarised as follows: 1). The respondents were clear on haw the land restitution process was being handled, with most of the respondents not satisfied because they were not adequately involved in the process and some promises were not fulfilled by government department responsible, 2). On the implementation of co-management activities, the respondents had different views, with the majority indicating that there was partial implementation of co-management activities at Silaka Nature Reserve, 3). The respondents were emphatic that co-management can promote sustainable use of natural resources, 4) The stakeholders did not fully understand their roles and responsibilities, 5) Roles and responsibilities were not fulfilled, 6) Relations between stakeholders were not good, 7). There were conflicts that existed between stakeholders and respondents stipulated what caused such conflicts, 8). The protected area is an asset for the community and, lastly, 9). There can be benefits derived from the protected, especially job creation.

CHAPTER FIVE
DISCUSSION

5.1 Introduction

This chapter presents the analysis and discussion in response to matters pertaining to the co-management of natural resources at Silaka Nature Reserve. The findings revealed several gaps and deficiencies in the land restitution process. The findings concerning an approach towards co-management in protected areas were also discovered. The deeper analysis is aligned with the objectives of the study where it sought to: a) establish community involvement in the land restitution processes, b) determine the co-management activities that were implemented when balancing biodiversity conservation and community development, c) determine the key stakeholders that were involved in the post-land claim settlement stage, including their roles and responsibilities that were pursued in maintaining the functional relationships, and d) investigate alternative strategies that were used to promote sustainable use of natural resources for community development aiming to reduce unwarranted conflicts in protected areas, typical of Silaka NR. In the main, the analysis and discussions are structured by presenting the rationale of each research question/objective, stating the findings and to end, presenting the argument to validate each core element of the research.

5.2 Community involvement in the land restitution processes.

The rationale was entrenched in community involvement in the land restitution processes. In line with this objective, the study investigated the level of involvement of stakeholders in the land restitution process. As pointed out in Table 4.1 of Chapter 4, fifty-seven (57) per cent of the participants were involved during the restitution process, while forty-three (43) per cent of the participants claimed not to have been involved. This was found to have lacked an important element of alignment with the prescripts when pursuing the restitution process. This aspect is validated by the Restitution of Land Rights Act No 22 of 1994, which prescribes that the procedure is a consultative process that requires the full participation of stakeholders in every stage of the undertaking. Arguably, the level of involvement that was meant to be a participatory engagement with the stakeholders during the Silaka land restitution process had limitations. A counterargument could still be presented where the respondents that claim to have not been consulted may have been out of the village during this process, and some who responded at the time of consultations, may have been underage enough not to understand and participate in these processes in compliance with the full expectation in following the regulatory framework. However, by quantitative measures, any rating between

forty (40) per cent to forty-nine (49) per cent is regarded as a poor rating in the context of the score guide. Therefore, the fact that the response rate of forty-three (43) per cent of the participants who claimed poor consultation, is classified as having exhibited negative value-creating performance and has, in another context, exhibited lower expectations. This fact is therefore recommended, and the RLCC is advised to note this finding to improve future engagements with the communities.

By means of advancing argument to validate the finding, the observation confirmed the views of Beyers and Fay (2015), which highlighted that, over the years, various challenges were experienced that eventually led to ineffective implementation of the land restitution programmes nationwide. Beyers and Fay (2015) also stated that one of the key challenges of the land restitution process has largely been placed on communication. In the instance of the study, this assertion is therefore valid to Beyers and Fay (2015) that even at Silaka, a similar trend of lack of communication was observed and validated, hence the larger percentage of participants who denounced the practice of proper and intense engagement clearly. Because of poor communication, many people were left out of the process. Community meetings are the most effective ways to communicate with land claimants. This platform of communication is recommended for informative sharing with the land claimants. Respondents revealed that there were significant challenges regarding communication with the land claimants and this was attributed to cost implications in executing this function. This was mainly attributed to affordability and the defeating factor was unemployment, whilst the provisions by the government were limited. The lack of communication led to information gaps, which later manifested into non-participation and uncertainties between the parties involved. The common reasoning is that when uncertainties, either through mistrust or otherwise exist between stakeholders, the relations often get affected negatively and have the potential to lead to a conflict situation. Gibson (2010) is quoted in support of this statement that, for the land restitution process to move forward effectively, the expectation was that the RLCC and land claimant communities had to give and receive communication constantly.

The other observation was that during the review of the co-management meetings held between the years 2009 and 2019, the records of proceedings documented as minutes of the meetings on numerous occasions reflected the consistent non-attendance of RLCC officials. This absenteeism also added to various challenges, mostly bordering on communication with the land claimant communities. This conduct often did not serve to advance them in the planned hierarchy of processes to be undertaken. Atuahene (2014) is quoted that where an expectation on the part of the RLCC as per their communication strategy, it was to: a) develop a clear and

effective plan of action, b) a plan that should then get communicated to the land claimant committees by the Commission, and c) a plan that should be communicated with the land claimants by the claimant committees or commission and land claimants to communicate with the family members. As per the data gathering, table 4.1 presented empirical evidence by pointing out the significant number of respondents who were not involved in the land restitution process. This evidently suggested that the communication strategy was not well executed. Arguably, this is in contrast with the land restitution prescripts because the Restitution of Land Rights Act (1994) stated that "the Commission shall advise claimants of the progress of their claims at regular intervals and upon reasonable request".

To augment this regulation in the context of involvement, one may equally be attracted to quote Section 195 of the South African Constitution (1996), which describes the principles that apply to administration in every sphere of government, stating that the needs of the respondents must be responded to, and the public must be encouraged to participate in policy-making; public administration must be accountable; and, transparency must be fostered by providing the public with timely, accessible and accurate information. There is a need to balance observations because the other challenge discovered that needed to be accepted by the RLCC was that there was a high staff turnover, which had negatively affected its ability to maintain constant communication with the land claimants. Since the RLCC officials were rarely available for co-management meetings, accounting for high staff turnover, James (2009) therefore argues that employee turnover can be caused by the temporal nature of the jobs at the commission. This occurred because every time the project officers resigned or retired, their replacement turnaround time was low, and relationships and morale was lowered. The RLCC may have experienced challenges and the staff replacement programme contributed to numerous challenges.

Lahiff (2008) also had a finding on the RLCC where the commission was found to have taken months before staff replacements, which often put the land claim process in limbo and left the land claimants confused and unattended to. Accordingly, the Standard Operational Procedure (SOP) in an organization is expected to give guidance to avoid a vacuum, hence the lack of communication may inhibit the principle of transparency. This critical element is supported by FAO (2013) where transparency was declared to be a pre-condition for meaningful participation. This translates to the fact that where there is no transparency, the chances to achieve meaningful participation are equally limited. The Rio Declaration of 1992 has been emphatic on the fact that the principle of empowerment promotes the idea that people have the means to change their own lives.

The Caguba land claim settlement agreement (which includes Silaka Nature Reserve), was also analysed to investigate who was involved in the process. The settlement agreement was signed by the Department of Land Affairs, Port St Johns Local Municipality and Caguba Community. The remarkable element is that some key stakeholders were left out of the process. The protected area management authority (ECPTA) was one of the key stakeholders that were left out; as a result, it was not a signatory on the land claim settlement agreement. By virtue of the ECPTA as a management authority, and yet quoted and expected in the settlement agreement to manage in perpetuity but was not involved, was a mistake. This aspect is argued strongly because the agency is responsible for the management of the protected area and was expected to negotiate and enter into a co-management agreement with the land claimant communities at a later stage. The implication of excluding the management authority in the land restitution process may have dire consequences, wherein this key stakeholder may not understand its responsibilities and obligations as per the settlement agreement because it was not involved. Also, the conservation agency may possibly not have prioritised the co-management programme because it may not have been aware that there was a restitution process underway.

To further address this research objective, the researcher also investigated if the participants understood the process that was followed during land restitution at Silaka. The study findings have revealed that most of the participants had no understanding of the process that was followed. During the study interviews, some of the respondents alluded to the fact that the process was to identify the people who were removed from their land and compensate them; however, not all people received compensation and were told they will be given the rest of the money later. These respondents had a partial understanding of the process followed as they did not disclose all the stages of the restitution process. Most of the respondents had no understanding at all as they could not even indicate a single stage of the process that was followed. The study findings indicated that the capacity building on the land restitution process did not occur properly as it lacked communication, which manifested itself in participants not understanding the processes followed during land restitution at Silaka Nature Reserve. As pointed out in table 4.2 of Chapter 4, forty-six percent of the respondents had no understanding, while barely 12.9 percent had a good understanding, and lastly, 42.5 had a partial understanding. In other international forums such as the Reo Declaration (1992), the principle of empowerment promotes the means to change their own life. This may mean including provisions for awareness-raising, including education campaigns and capacity building. This suggests that local community empowerment is key to enhancing their ability to manage natural

resources and to participate in decision-making meaningfully. Again, such results further suggest that there was inadequate involvement of the participant during the land restitution process at Silaka nature reserve, hence most respondents had no understanding of the process that was followed. Land restitution is defined as a programme based on social justice, targeting people who have been forcefully removed from their land by the apartheid state (Atuahene, 2014). This suggests that all the targeted people must then be involved in the process, while the study findings have proven that it was not the case. This assertion yields a potential to assume that during the land restitution process, there was a lack of community empowerment or capacity building, which would have intended to maximise meaningful participation by all parties involved. Even though that could be the understanding, there is yet another element where communities themselves may have been new to the process as it was generally new in South Africa at that time. If there was a lack of community empowerment, the RLCC is encouraged to re-structure continuous or periodical community empowerment sessions to workshop communities about all the founding documents. Ordinarily, the statutory documents are meant to be a periodical review over a given period, and that applies to this scenario.

The risk associated with the lack of understanding of the land restitution process followed was that most people lacked an understanding of the negotiated settlement agreement. Such lack of understanding may possibly cause problems in proceeding to the next level of agreements, such as a co-management agreement and the implementation of the settlement agreement itself. The RLCC is therefore encouraged to present a risk matrix analysis register and apply risk mitigation measures accordingly.

Once more, as part of addressing this research objective, the study investigated to what extent the participants researched were satisfied by the land restitution process followed at Silaka nature reserve. The land question in South Africa is a sensitive issue, where the previously disadvantaged communities are still undergoing historical imbalances. The expectation would therefore be that the processes of land restitution should be undertaken in a manner that would satisfy the land claimant communities, those who are the victims of those unjust laws. This is precise because high levels of satisfaction would then contribute to bringing balance in socio-economic dimensions through land claimant communities. The study findings have shown that most respondents were not satisfied with the process followed during the land restitution process, as pointed out in Table 4.3 and Figure 4.3, as more than 80 percent of the respondents indicated that they were dissatisfied with the process followed, while only 19.4 percent of respondents were satisfied. This is a huge margin of dissatisfaction, which indicates that there was a significant problem with the process followed.

As raised by respondents during interviews, there were various reasons that led to such dissatisfaction levels. Amongst others, these varied from lack of involvement in the land restitution process, slow pay-outs of compensation, no clear mapping of land parcels under claim, and lack of communication from the Department of Land Affairs. Also, one of the respondents alluded to not being satisfied because land affairs did not engage the community and explain how the land restitution worked.

Some of the community members were excluded from the land claim although their forefathers were born there. Some people were financially compensated, but not fully, while others were not compensated at all. Other respondents raised the fact that they were not satisfied with the land restitution process because there has been no inclusive involvement; as a result, some people were not clear about what was happening. The small portion of respondents who were satisfied alluded to the fact their satisfaction was linked to the fact that they were compensated financially, which changed the financial situation of their families.

The list of findings of the study revealed that the land claimant communities had expectations post the land claim settlement. Respondents also indicated that they had expectations and, again, these expectations varied from community infrastructure development, job and business opportunities, educational bursaries, profit sharing, access to natural resources, participation in decision making, and cooperation with protected area management.

However, the most dominant expectation, as alluded to by respondents, was job opportunities, and this might have been informed by the high levels of unemployment in the area. What had been alluded to by the respondents was found to be consistent with the minutes of a co-management meeting held on 15 July 2010 at Silaka Nature Reserve, where the CPA members made it clear that the land claimant communities had expectations from the protected area following the completion of the land restitution process. The recorded minutes reflect that the CPA indicated that communities had various expectations ranging from job opportunities, access to natural resources, business opportunities, profit sharing, capacity development, and access to grazing and community infrastructure development. Most respondents disclosed that most of what they expected post the land claim settlement did not happen. Some respondents alluded that they were expecting Silaka Nature Reserve to bring them development such as roads, farming projects and a community hall, but this did not happen. Other respondents alluded that the community protests in 2013 were a clear indication of expectations that had not been met.

However, a smaller number of respondents alluded to the fact that community expectations post-land claim settlement had been met as the community were getting jobs at Silaka Nature Reserve. As pointed out in table 4.4 and figure 4.4, most of the respondents (79.6 percent of total respondents) indicated that the expected community expectations were not met, only 13.4 percent of respondents indicated that expectations post land claim settlement were met, and 7 percent of total respondents did not know if the expectations were met or not. The rate of unmet expectations was high and would likely cause problems in the successful implementation and relations of stakeholder post-land claim settlement.

With the analysis of the land claim settlement agreement of Silaka Nature reserve, the researcher observed that one of the causes of this problem was the ambiguity of the settlement agreement. For example, clause 3.1.9 of the Caguba land claim settlement agreement refers to the "Management Authority" as a competent authority or conservation agency, or any other body designated by a competent authority or conservation authority, to which management responsibility of the nature reserve has been delegated or assigned at any specific point in time and, in this case, it was Eastern Cape Parks Board (ECPB). Because these challenges are precise, as listed, the undertaking is that they warrant consideration. Again, under the circumstances, the RLCC is therefore encouraged to present a risk matrix analysis register and apply risk mitigation measures accordingly.

In conclusion, the empirical findings have shown that these community expectations were largely not met. While the definition of co-management refers to parties in equal decision-making status, the definition of a management authority on the settlement agreement suggests that the state agency has some form of authority over the land claimant communities. Also, it has been pointed out by various scholars that despite the much-publicized handover ceremonies and ownership certificates to the successful claimants, the land claim settlement agreements were not clear on land tenure rights (Kepe, 2008). If the responses had a direct bearing to exhibit a negative sentiment, this fact is therefore recommended for further consideration and the RLCC is advised to note these findings to improve the future engagements with the communities.

5.3 Legislative Structures and Frameworks on Land and natural resource management in South Africa

The protection and management of the environment are justified by the Constitution of South Africa under Section 24 (a) and (b) of Chapter 2 of the Bill of Rights. Section 24 further states that "everyone has the right to an environment that is not harmful to their health or well-

being, and "to have the environment protected for the benefit of the present and future generations, through reasonable legislative and other measures. Such measures must prevent pollution and ecological degradation, promote conservation and secure ecologically sustainable development, and use natural resources while promoting justifiable economic and social development" (SA Constitution No 108 of 1996). The constitution also states that government must take reasonable legislative and other measures to ensure cooperative environmental governance. The National Environmental Act No 107 of 1998 provides for cooperative environmental governance by establishing principles for decision-making on matters affecting the environment, institutions that will promote cooperative governance and procedures for co-ordinating environmental functions exercised by organs of state; and to provide for certain aspects of the administration and enforcement of other environmental management laws; and to provide for matters connected therewith. Chapter 1 section (2) (2) of this Act states that "environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably".

Protected areas are governed under the National Environmental Management: Protected Areas Act No 57 of 2003. This Act provides for the protection and conservation of ecologically viable areas representative of South Africa's biological diversity and its natural landscapes and seascapes; for the establishment of a national register of all national, provincial and local protected areas; for the management of those areas in accordance with national norms and standards; for intergovernmental co-operation and public consultation in matters concerning protected areas; and for matters in connection therewith. One of the purposes of protected areas, as stipulated in section 17 (k) of the Protected Areas Act is that, generally, protected areas must contribute to human, social, cultural, spiritual, and economic development. It is this piece of legislation that requires that a declared protected area must have a management plan. In addition, Section 39 (3) stipulates that when such a protected area management plan is prepared, the management authority concerned must consult municipalities, other organs of the state, local communities, and other affected parties. A management plan therefore guides the management of a protected area by the parties involved as this piece of legislation also provides for the co-management of protected areas. Section 42 (1) (a) of the Protected Areas Act also stipulates that the management authority may enter into a co-management agreement with other organs of state, a local community, an individual or another party. The Act further gives guidance in terms of what a co-management agreement may contain: for example, Section 42 (3) (c) of this Act stipulates that the co-management agreement must contain financial and other support to ensure effective administration and

implementation of the co-management agreement. This implies that the co-management of protected areas, based on the land restitution process, is a legislative requirement.

The study did not find adverse elements on the part of co-management activities that were implemented in the reserve when focusing on the conservation of the protected area. Even though this finding does not emerge as a concern, the ECPTA is encouraged to ensure that co-management activities are implemented where the communities or the land-holding entity participate in the conservation management of the Silaka Nature Reserve.

5.4 Co-management activities implemented in the reserve.

While there was no co-management agreement in place, the research question sought to establish the extent of effectiveness of co-management related activities that were implemented in the reserve to balance the conservation of the protected area and community development activities. The determination was aligned with the land claim post-settlement process that is aimed at community development interests.

5.4.1 Implementation of co-management activities for community development

The co-management activities for community development are an imperative aspect based on the research objective. This was presented by the study to establish ways in which management activities or land claim post-settlement processes were implemented at Silaka Nature Reserve in pursuit of community development interests. The investigation was based on the understanding of the co-management concept by the participant. The information that was solicited from various scholars proved that in the main, co-management is about the equal sharing of power and responsibility by the state and local resource users. The critical factor about this aspect is that to the core, it validates that the equal sharing of power is an important aspect that parties involved in co-management arrangements need to understand thoroughly.

The study revealed that most respondents had a partial understanding of the co-management concept. Reference is made aligned to Table 4.5, indicating that of 186 respondents, 114 respondents had a partial understanding of co-management. This amounted to 61 per cent of the total respondents. It is worth noting that about 51 respondents, accounting for 27 per cent, had a full understanding of the co-management concept. Based on this outcome, a percentage analysis was therefore invoked where the ratio was expressed as a fraction of 100 to provide an appropriate interpretation. The meaning of partial understanding has a limited connotation. As the outcome was presented, the partial understanding of the co-management concept amounted to 61 per cent of the total respondents that might have a direct bearing on

restrained understanding. Only 27 per cent had a full understanding of the co-management concept. The interpretation is that 27 per cent is a low fraction and is graded below excellency. The concluding interpretation is that there was a gross limitation on the understanding of the co-management agreement. This finding has a potential to the lack of capacity building for the communities, which should be intended to enhance meaningful participation. The RLCC may present a counterargument, contending what could have been a limitation on their part. However, the fact that there is an undesirable finding proves that capacity building and communication are major building blocks towards meaningful participation. This undertaking proved not to be ideal and negatively affected efforts towards the implementation of co-management activities. The RLCC is therefore advised to consider such limitations aligned to the co-management agreement and apply remedial plans using a revised process planning aligned to the standardized operational procedures to realize the broader community development plans.

Owing to the resolution of land claims in protected areas in South Africa, co-management arrangements are meant to be created between relevant management authorities for nature conservation and the land claimant communities who are legally awarded tenure rights for the land (Kepe, 2008). However, according to Kepe (2008), it is doubtful that these partnerships would constitute success for the new landowners (land claimants). In the full presentation, co-management activities revolve around the following principles: decision making process, beneficiation, responsibility, and accountability, which should be the fundamental focus in the development of a co-management agreement. During the data collection stage, it was observed that there was no co-management agreement in place between the management authority and the land claimant communities. This was on the back of the parties still in a process of negotiating a co-management agreement. However, it was also observed that, since the signing of the land claim settlement agreement in 2008, several sessions termed “co-management meetings” were held between the CPA and the ECPTA where the protected area management programmes were discussed. Given that there were mixed responses from the respondents about the implementation of co-management activities at Silaka Nature Reserve, hence the partial implementation of co-management activities, there was some community representation and involvement in the discussions about protected area management through co-management arrangement meetings. This was observed through the review of minutes of meetings held since 2009. Though there is no co-management agreement in place, there were expectations, especially from the landowner communities for the implementation of activities that would contribute positively to their sustainable livelihoods.

The study findings have shown that most respondents indicated that there has been a partial implementation of co-management activities at Silaka Nature Reserve. Table 4.7 and Figure 4.7 depicts such results, wherein, 80 out of 186 respondents, which is 43 per cent, indicated that there was a partial implementation of co-management activities at Silaka Nature Reserve. However, thirty-one respondents accounting for 17 per cent indicated that there was a full implementation of co-management activities. The study finding also revealed that a significant number of respondents did not see any implementation of co-management activities, where 75 respondents out of 186 respondents amounting to 40 per cent. In the main, the interpretation is that 17 per cent is a low fraction and is graded below excellency. The concluding interpretation is that there was a major limitation in the implementation of the co-management agreement. The Management Authority, referred to as ECPTA, is encouraged to advance the co-management meetings to yield the co-management agreement that should give a full outline on account of community beneficiation and the scale of magnitude of such development portfolios. This implies that the business development plans should be supported by an effective co-management agreement to guide, support, and advocate change for the better.

During the data collection period, it was also discovered that community participation was also escalated into having a representative at the ECPTA's Board of Directors, where a community member was appointed by the Member of the Executive Council (MEC) . This is the highest decision-making body of the managing authority. Also, the respondents indicated that partial implementation referred to the reality that, there were job and community capacity development opportunities created within the protected area. However, these opportunities were not enough to serve the entire community. In addition, some of the expected co-management activities such as profit sharing were still not implemented, pending the mobilisation of investment programmes as stipulated in the land claim settlement. The above arguments suggest that there was a partial implementation of co-management activities at Silaka Nature Reserve. As per the definition of co-management about equal sharing of power and responsibility, from this context, one would expect that both the government and land claimant community have equal decision-making powers and responsibility to ensure the full implementation of co-management activities. The ECPTA is encouraged to approach other Management Authorities in South Africa and abroad to benchmark the successes which were earned by other sectors, entities, and structures across the divide.

In support of this suggestion, the settlement agreement was crafted in such a manner that recommends that the state has an obligation in the decision-making. On the contrary, as

observed, the participants did not consider themselves responsible for the implementation of co-management activities. This understanding was found to be incorrect and not supportive. By virtue of this assertion, a strong argument may be attributed to culminate from a lack of understanding of the co-management concept by the parties involved. Considering that there was also an element of financial resource allocation from both the state and the landowner communities, such an understanding could be limited and therefore efforts to manage this must be made for effective implementation of co-management.

Clause 5.3.2.1.4 of the Caguba (including Silaka) settlement agreement indicates that the *"ECPB and the CPA shall endeavour to enter into long-term lease agreement/s with a private investor to bring the nature reserve to its full potential as an eco-tourism area on such terms and conditions as may be informed by the reserve management plan and tourism feasibility for the benefit of the community".* This clause means that it is the responsibility of both parties to search for investments with the intention to bring the nature reserve into its full ecotourism potential. Again clause 5.3.2.1.7 of the settlement agreement indicated that "*Until such time as the necessary agreements with private investor have been concluded, the division of any income from and for the operational costs from or for the management of the reserve shall be apportioned between the management authority and the CPA, as shall be set out in the co-management agreement*". This clause suggests that only after the concession agreement has been concluded will there be apportionment of profit and operational costs between the state and the land claimant community**.** As there was no concluded investor agreement in place, this clause was not applicable. Considering that the co-management agreement has not yet been concluded, such grand plans are hard to realize and therefore the CPA and the ECPTA bear an obligation to conclude this phase. Borrini-Feyerabend et al. (2015) argued that effective co-management of protected areas relies on good governance and cooperation between the stakeholders involved. Today, it is no longer solely a government's responsibility and is often a process undertaken by several parties. Good governance of protected areas has been summarized as a set of principles, which are legitimacy and voice, direction, performance, accountability, fairness, and rights. These principles have a particularly strong focus on including all stakeholders and concerns about equity. Considering this assertion, the argument is further validated by Berkes (1997, p6), arguing that co-management is feasible only if at least four conditions are met. These are the presence of appropriate institutions, trust between partners, legal protection of local rights and economic incentives for local people (Berkes, 1997).

Given that the Caguba land claim (which includes Silaka Nature Reserve) was concluded in 2008, to date, there has been no outstanding achievement by the institution and the co-management agreement has thus far not been realized. With certainty, this would result in challenges in the implementation of co-management activities as has already been pointed out in the study findings. The study deduced that there has been poor interdepartmental coordination and human resources problems are some of the key challenges facing the Dept of Rural Development. On the part of the ECPTA, financial problems are also another problem facing the agency. The critical holdup, as observed, has been on the part of the RLCC, because fund transfer agreements are entered into between the RLCC and Chaguba CPA.

Lastly, the investigation on the implementation of co-management has the potential to promote sustainable use of natural resources in protected areas. The inclusion of local communities in the natural resource management approach needs to be considered to promote sustainable natural resource use.

The argument is anchored to the United Nations General Assembly in 2015 that adopted the 2030 agenda for sustainable development, as being "*a plan of action for people, planet and prosperity*", where a set of seventeen sustainable development goals (SDG) were developed. Goal fifteen (15) of these goals emphasized the protection of terrestrial ecosystems: *"Protect, restore, promote sustainable use of terrestrial ecosystems, sustainable manage forests. Combat desertification, and halt reserve land degradation and biodiversity loss".* This goal has a specific focus on the sustainable management of natural resources globally, which can only be achieved through the involvement of local people through programmes such as co-management arrangements.

Considering the study findings, co-management can promote the sustainable use of natural resources. As pointed out in Table 4.8 and Figure 4.7, out of 186 respondents 159 (85%) indicated that "yes", co-management can promote sustainable use of natural resources. There were no respondents who indicated that it cannot promote sustainable use, while 27 (15%) out of 186 respondents did not know whether co-management can promote sustainable natural resource use or not. In the main, however, the findings show that sustainable natural resources can only be achieved through the involvement of local people through collaborative initiatives such as co-management. The study did not find adverse elements on the part of co-management activities that were implemented in the reserve when focusing on the conservation of the protected area. Even though this finding does not emerge as a concern, the ECPTA is encouraged to ensure that co-management activities are implemented where the communities or the land-holding entity do participate in the conservation management of the Silaka Nature

Reserve. This aspect is emphasized because it bears spin offs on the biodiversity economy which responds to community development needs. The land claim post-settlement does support this because eco-tourism and nature-based economic activities are a definite channel of ancient wealth that is aimed at community development interests.

5.5 Stakeholder roles and responsibilities during post-land claim settlement implementation at Silaka Nature Reserve.

The primary focus is on the key stakeholders in the post-land claim settlement and their roles and responsibilities in maintaining the functional relationships. The study realized that it is important to undertake an assessment of stakeholder roles and responsibilities during land claim post-settlement implementation at Silaka Nature Reserve. First and foremost is for the stakeholders to understand the purposes of partnerships.

This was done by assessing the understanding of participants on who the stakeholders were during the land claim post-settlement stage. The participant's responses were rated using *3= Full understanding, 2=partial understanding and 1=no understanding.* The study findings have shown that most respondents had a partial understanding of who the stakeholders were. As pointed out in table 4.10 and figure 4.8, out of 186 respondents ,176 (94.4 percent) had a partial understanding of who the stakeholders were during post-land claim settlement at Silaka. Table 4.9 shows some of the direct verbatim responses from the respondents, which also clearly showed that most respondents had a partial understanding. Only nine out of 186 respondents (5 percent) had a full understanding of who the stakeholders were during post-land claim settlement, while only one respondent (0.5 percent) out of 133 had no understanding at all. The settlement agreement reflected only the signatory stakeholders as the Department of Agriculture and Land Affairs, the Caguba community and Port St Johns Local Municipality.

It should, however, be noted that the stakeholders during the post-land claim settlement were not only limited to those contained in the settlement agreement. As also stipulated in the Protected Areas Act, during the preparation of a protected area management plan, several stakeholders such as municipalities, other organs of state, local communities and other affected parties must be consulted and involved. The respondents who had a full understanding of the stakeholders involved were able to mention the Department of Agriculture, Forestry and Fisheries, Port St Johns Local Municipality, ECPTA, DRDLR and CPA. Those respondents with partial understanding were able to mention some of the stakeholders such as the Local municipality and DRDLR, SAPS, and Tribal authority. The understanding of all stakeholders involved in a partnership become key during post-land claim settlement implementation. The

partial understanding of stakeholders can be problematic because it has the potential to translate to some stakeholders being left out during engagements on key programmes, or non-relevant stakeholders being on board. In these partnerships, stakeholders involved should have roles and responsibilities to deliver and, most importantly, such roles and responsibilities must be fully understood by all. To further this, respondents were asked, what were the roles and responsibilities of parties during post-land claim settlement?

The land claim settlement agreement stipulated the roles and responsibilities assigned to the parties involved. This was also reflected in the minutes of the co-management meeting held on 2 June 2010, where a representative official from the DRDLR made a presentation and indicated that the land claim was settled in 2008 and resulted in a settlement agreement which assigned different responsibilities to various institutions. The successful execution of roles and responsibilities starts with the ability of the parties involved to fully understand what those roles and responsibilities are. The 2010 third-quarter Wild Coast Project Report indicated that the roles, functions, and responsibilities of implementing partners were not understood at the grassroots level.

Because of the research, the empirical evidence has shown that most of the respondents had a partial understanding of roles and responsibilities. As pointed out in Table 4.11 and Figure 4.9, out of 186 respondents 136 (73.1 percent) had a partial understanding of the roles and responsibilities of stakeholders. According to the study findings, only 16 (8.6 percent) out of 186 respondents had a full understanding of the roles and responsibilities of stakeholders during post-land claim settlement. While 34 out of 186 respondents (18.3 percent) had no understanding at all.

During the interviews, one of the respondents alluded to the fact that one of the roles and responsibilities of stakeholders was to ensure that every development happening the landowner communities, to protect and look after the land. Another respondent disclosed that the responsibility was to make sure that people were compensated for being moved from their places and that the land must be brought back to its rightful owners. Another respondent indicated that the responsibility of the CPA was to bring development about the claimed land on behalf of the Caguba claimants. Loban et al, (2021) advanced that the primary purpose of partnerships is about working together to achieve a common goal or purpose and to share risks, responsibilities, competencies, and benefits. This suggests that the most important partnerships are about having a common goal and the fulfilment of the roles and responsibilities by the stakeholders involved. The study has already discovered that most respondents had a partial understanding of the roles and responsibilities of stakeholders during post-land claim

settlement at Silaka nature reserve. To further address this research objective, the study went further to evaluate if the roles and responsibilities were fulfilled.

To recap, the respondents have reflected on what they thought were the roles and responsibilities of stakeholders. In their reflections, they indicated that the stakeholder responsibilities were about bringing development that will benefit landowner communities in various forms. These roles and responsibilities included creating job and business opportunities, investment opportunities, undertaking environmental awareness, community capacity building and community participation in protected area management.

The empirical evidence has shown that most of the respondents indicated that the stakeholders did not fulfil their roles and responsibilities during post-land claim settlement at Silaka Nature Reserve. As pointed on Table 4.12, out of 186 respondents 80 (43 percent) indicated that roles and responsibilities were not fulfilled. Sixty (60) (32 per cent) respondents indicated that the roles and responsibilities were partially fulfilled. Forty-six (46) out of 186 respondents indicated that the roles and responsibilities were fulfilled by the stakeholders. The empirical evidence suggests that while there were some activities being implemented largely expected activities were not being implemented.

One respondent also alluded that these should be honoured and fulfilled, but if they are not in the plans they cannot be honoured and, what is key, is that other entities should play their roles in the context of their mandates: for example, Port St Johns Municipality should provide services and local economic development to the communities. These discussions point back to the fact already discussed that, as indicated in table 4.11 of Chapter 4, only 8.6 percent of the respondents had a full understanding of the roles and responsibilities. The non-fulfilment of the roles and responsibilities can be primarily linked to this reality, where key stakeholders did not understand what was expected of them. This suggested that there must be a focused and intensified approach by the state to clarify stakeholder roles and responsibilities during the land claim post-settlement stage.

Some scholars have argued that one of the key dimensions for successful partnerships is stakeholder relations. In addressing this objective, the researcher also assessed the relations between stakeholders. Good relations between stakeholders normally lead to the achievement of planned partnership outcomes. Poor relations are likely to lead to the non-achievement of planned outcomes. As argued by Loban et al, (2021), the notion of partnership synergy has recently been proposed as an intermediate outcome between partnership functioning and the achievement of the planned ultimate outcome. Partnerships are said to be synergistic when they leverage resources successfully and mobilize complementary knowledge and expertise (Loban

et al, 2021). The above arguments suggest that partnerships can be successful where there are good relations between the stakeholders involved.

The results from this study have shown that most respondents indicated that the relations between stakeholders during post-land claim settlement at Silaka Nature reserve were poor. This is pointed out in Table 4.13 and Figure 4.10, where out of 186 participants, 99 respondents (53.2 percent) indicated that the relations were poor between stakeholders. The question is, what causes these poor relations between stakeholders? The respondents, in their responses, highlighted several things that led to such poor relations. One respondent alluded that, the relations were poor because the stakeholders were pushing their own agendas and dishonoured what they were elected to do as representatives. Another respondent indicated that a lack of confidence in the elected representatives led to the formation of factions among communities such as the CPA versus the new formations. Another separate incident that suggested poor relations was the Sicambeni community protest that took place in the year 2013. A documented petition was submitted to the conservation Agency Eastern Cape Parks and Tourism Agency (ECPTA). In the petition, the community demanded that they get job opportunities at Sicambeni Village. Among the list, they alleged that, a) they do not get communication on reserve activities from management, and b) they were not represented in the structures, and c) the nature reserve was full of people that they do not know and, d) they demanded 50 per cent profit sharing.

While most respondents indicated that the relations were poor, some respondents indicated that the relations were fair, and some indicated that relations were good. As pointed out in Table 4.13 and Figure 4.10, out of 186 participants fifty-three respondents (28.5 percent) alluded that the relations were fair, while thirty-four respondents (18.3 percent) indicated that the relations between stakeholders were good. The study outcome suggested that more effort still needs to be made to strengthen the relations between stakeholders. When the relations are poor in a partnership, the partnership outcome may not be achieved. The relations are likely to be poor because communities have different expectations and interests. Therefore, building collaborative leadership capabilities, and challenging non-collaborative attitudes, behaviours and mindsets, is key to the implementation of a partnering strategy.

In conclusion, responding to the status of conflicts during post-land claim settlement at Silaka Nature Reserve that was undertaken, conflicts are likely to occur in partnerships that are characterised by poor relations. Owing to the meeting held by the stakeholders dated 2nd June 2010, there was a strong emphasis that there should be a good working relationship among all the stakeholders involved as articulated in the settlement agreement. However, the community

protests that took place in 2013 at Silaka nature reserve suggested that there were areas of conflict between the parties involved. The research participants were asked if there had been areas of conflict between stakeholders and the study findings have shown that there were conflicts amongst stakeholders during the post-land claim settlement at Silaka Nature Reserve. As pointed on Table 4.14 and Figure 4.11 of Chapter 4, out of 186 participants, 137 (constituting 73.7 percent) indicated that there were conflicts that existed among stakeholders. However, 26 per cent indicated that no conflicts existed between stakeholders. These findings are definite evidence that conflicts existed, and several respondents attested to conflicts, alleging that the RLCC had never met their expectations. Among the listed challenges were, a) the CPA does not want to relinquish power, and b) some land parcels on the claimed land outside the nature reserve were being sold, and c) there was too much favouritism or nepotism in play. The respondents further indicated management hired people from other places to work at Silaka Nature Reserve, while there were people with the same skills in the surrounding areas.

5.6 Alternative strategies used to promote sustainable natural resource use to reduce conservation conflicts.

Under this objective, the study first sought to investigate if the protected areas were perceived to be an asset for the community or not. It can be assumed that human beings take care of their assets based on how they value them. It was, therefore, important to investigate if the participants who are the land claimants, saw the value of the protected area. As indicated in Chapter 4, most of the respondents indicated that the nature reserve is an asset for the community. As pointed out in figure 4.5 of chapter 4, out of 186 participants, 147 respondents indicated that yes, Silaka nature reserve is an asset to the community; this constitutes 79 per cent of the total respondents. Thirty-two respondents indicated that the protected area was not an asset; this amounted to 17.2 per cent of total respondents, while seven respondents indicated that they did not know whether it was an asset or not; this amounted to 3.8 per cent. This was a positive sentiment to the existence of the protected area. The researcher further investigated why the respondents saw the protected area as an asset for the community. The responses were that that there can be benefits derived the protected area. As shown on table 4,15 in chapter 4, out of 186 participants, 155 respondents indicated and agreed that there can be benefits in a protected area; this amounted to 83 per cent of total respondents, while 31 respondents indicated that they did not know whether there could be benefits or not, and this constituted only 17 per cent of the total respondents. This was found to be an important theme because conservation authorities and the communities needed to be of the same understanding of what

the community benefits should be to effectively work together and eliminate conservation conflicts.

Protected areas are an essential strategy in preserving natural resources. Molina et al. (2016) argued that a central aspect of protected areas management is to maintain and improve their relationship with surrounding communities given the local conflicts that often occur over the existence of or expansion of protected areas due to land-use restrictions. Protected areas are vital in addressing climate change. They are also effective implements for conserving biodiversity and to contribute to local communities by providing ecosystem services and sustaining cultural values (Molina et al., 2016). However, when the evaluation of biodiversity conservation might help local communities reduce their direct pressures on natural resources, many protected areas struggle in maintaining and improving their relationship with communities given resource and land use-use restrictions, unequal benefit sharing and equivocal governance approaches (Molina et al., 2016). Understanding the relationship between protected areas and their surrounding communities is critical for the success of long-term management and conservation of natural systems (Adam et al., 2010).

For communities to maximize potential benefits provided by protected areas and for the protected area management to work effectively with the community on conservation outcomes, there must be a thorough understanding from both entities of the status of relationships (Marshall and Simpson, 2008). Although it is commonly conceived that the only purpose of protected areas is to conserve the natural landscape and its biodiversity, today the importance that protected areas have in promoting public understanding and fostering the socio-economic wellbeing of their respective local communities is recognized (Marshall and Simpson, 2008). Achana and O'Leary (2000) argue that in addition to an ecological relationship between protected areas and neighbouring communities, strong social relationships have proven to be mutually beneficial. If communities' benefit from the existence of a protected area, they will support the protected area and the continued conservation of the area (Mackenzie et al, 2013). This, in turn, may lead to the progress of a community and support the protection of biodiversity (Chandra and Idrisova, 2011). Studies have found negative implications of protected areas in surrounding communities leading to a negative community-protected areas relationship. Additional studies have pointed to community members who perceive that benefits from wildlife and or tourism have positive attitudes towards conservation (Sirakaya et al., 2002). Lepetu et al. (2008) also argue that through CBNRM programmes, communities involved have access to socio-economic benefits, while ensuring sustainable use of natural resources. In the process, protected areas acquire ecological benefits that enhance biodiversity conservation

through the reduction of illegal activities (Rampheri and Dube, 2020). To maintain a strong social relationship between protected areas and neighbouring communities, it is necessary to identify and implement alternative strategies that work. These strategies must facilitate mutual beneficial arrangements between protected areas and neighbouring local communities. It is important to understand what is perceived to be real benefits by local communities. As alluded to in Chapter 4, most respondents highlighted jobs, access to natural resources, participation in decision making, and profit sharing as being real benefits that should accrue to local communities. This suggests that alternative strategies should therefore seek to address reasonable access to natural resources, improve participation in decision making, maximise profit generation to realise profit sharing and, lastly, to maximise relevant activities to create more jobs for the local communities.

5.7 Conclusions

Regarding community involvement in the land restitution processes, the recommendation is that further consideration requires the RLCC to note these findings to improve future engagements with the communities. This is due to the high level of concern as presented by the communities, and such views need to be considered. Because the Silaka NR matters are regulated, it is recommended that the transgressions under any circumstance that they may have propelled need to be adhered to given that these are matters of compliance. Because co-management activities need to be implemented in the reserve to balance the conservation of the protected area and community development activities, and any challenges that the ECPTA may be experiencing, the recommendation is that this needs to be addressed and other dependable variables be dealt with where the ECPTA mandate is executed whilst the hold-ups are dealt with. Such an approach distinguishes what is proper and improper. Because of the key stakeholders in the post-land claim settlement, their roles, and responsibilities in maintaining the functional relationships among the stakeholders is crucial. On the back of the response from the communities, the response was on the low side. The direct implications are that the stakeholder matrix needs consideration. This should indicate the phase of engagement through taking stock of mutual benefits, committing through agreements, understanding or collaborations, and seeing through the anticipated outcomes and applying the disengagement.

CHAPTER SIX
RECOMMENDATIONS AND CONCLUSIONS

6.1 Introduction

The study aimed to investigate pertinent elements towards the co-management of natural resources in protected areas in South Africa, using, as a study, the Silaka nature reserve in the Eastern Cape Province. Therefore, recommendations and conclusions are based on research questions that were responded to and further analysed through a comprehensive analysis and interpretation aligned to the quality and reliable outcomes of the study. In a much-detailed presentation, recommendations are thus presented and validated.

6.2 Recommendations of the Study

The study revealed several gaps and deficiencies in the land restitution process. The findings concerning an approach towards co-management in protected areas were also discovered. The findings are aligned with the recommendations of the study which sought to: a) establish community involvement in the land restitution processes, b) legislative structures/and or frameworks that exist within which land and natural resource management can be pursued in South Africa, c) determine the effectiveness or extent of co-management activities that were implemented when balancing biodiversity conservation and community development, d) determine the key stakeholders that were involved in the post-land claim settlement stage including their roles and responsibilities that were pursued in maintaining the functional relationships, and e) investigate alternative strategies that could be used to promote sustainable use of natural resources for community development aiming to reduce unwarranted conflicts in protected areas, typical of Silaka NR. In this chapter, the findings provide the ultimate recommendations of the study.

6.2.1 Establish community involvement in the land restitution processes.

Preface:

The objective was to assess the level of community involvement during the land restitution process. The study findings revealed that 43 per cent of participants were not involved in the process. To compound matters, 57 per cent of participants who were involved still claimed not to have understood the process that was followed during land restitution at Silaka. In the main, there was a lack of communication and understanding of the processes of land restitution at Silaka Nature Reserve. Furthermore, the study findings have shown that 80 per cent of the respondents were not satisfied with the process followed during the land

restitution process. This is huge dissatisfaction which indicates that there was a significant problem with the process followed, and 79.6 per cent of total respondents indicated that the community expectations were not met.

Recommendation:

Based on this finding, the study then concludes that the level of involvement that was meant to be a participatory engagement with the stakeholders during the Silaka land restitution process had limitations. It is recommended that the RLCC should improve future engagements with the communities so that all targeted people within the population of beneficiaries are involved in the process. This can be made possible through the development of a well-resourced communication strategy. It is also recommended that the RLCC roll out programmes to capacitate targeted local communities and other stakeholders. This can be done through continuous restructuring or periodical empowerment sessions to workshop communities about all founding land restitution documents. Again, under the circumstances, the RLCC is therefore encouraged to present a risk matrix analysis register and apply risk mitigation measures accordingly.

6.2.2 Legislative Structures and Frameworks on Land and natural resource management in South Africa

Preface:

The objective was to investigate what legislative structures/and or frameworks exist within which land and natural recourse management can be pursued in South Africa. The protection and management of the environment is justified by the Constitution of South Africa under Section 24 (a) and (b) of Chapter 2 of the Bill of Rights. The constitution also states that government must take reasonable legislative and other measures to ensure cooperative environmental governance. In parts, the National Environmental Act No 107 of 1998 provides for cooperative environmental governance for co-ordinating environmental functions and provides for matters connected therewith. Environmental management places people and their needs at the forefront of its concern and serves developmental interests equitably. Protected areas are governed under the National Environmental Management: Protected Areas Act No 57 of 2003 for the protection and conservation of ecological viability. One of the purposes of protected areas (as per Protected Areas Act) is that protected areas must contribute to human, social, cultural, spiritual, and economic development. It is this piece of legislation that requires that a declared protected area must have a Management Plan. In addition, Section 39 (3)

stipulates that when such a Protected Area Management Plan (PAMP) is prepared, the management authority concerned must consult municipalities, other organs of the state, local communities, and other affected parties. A management plan therefore guides the management of a protected area by the parties involved, as this piece of legislation also provides for the co-management of protected areas. Section 42 (1) (a) of the Protected Areas Act also stipulates that the management authority may enter into a co-management agreement with other organs of state, a local community, and an individual or another party. The Act further gives guidance in terms of what a co-management agreement may contain: for example, Section 42 (3) (c) of this Act stipulates that the co-management agreement must contain financial and other support to ensure effective administration and implementation of the co-management agreement. This implies that the co-management of protected areas based on the land restitution process is a legislative requirement.

Recommendations:

The study did not find adverse elements on the part of co-management activities that were implemented in the reserve when focusing on the conservation of the protected area. Even though this finding does not emerge as a concern, the ECPTA is encouraged to ensure that co-management activities are implemented where the communities or the land-holding entity participate in the conservation management of the Silaka Nature Reserve. The land restitution process, in terms of the applicable Acts and the Land Restitution Court, presented the settlement agreement in favour of the land claimants. It is recommended that all parties must, at all material times, understand the prescripts of the settlement agreement to align their development programmes and governance issues. Such an approach stands to sustain their progressive activities and plans.

6.2.3 Determination of the extent of effectiveness of co-management activities in balancing biodiversity conservation and community development

Preface:

Primarily, this study looked at a general understanding of the co-management concept by the research respondents. The study findings revealed that 61 per cent of the total respondents had a partial understanding of the co-management concept. The concluding interpretation is that there was a gross limitation on the understanding of the co-management concept. This finding has a potential to cause the lack of capacity building for the communities,

which should be intended to enhance meaningful participation. Forty-three percent (43%) of the respondents indicated that there had been a partial implementation of co-management activities at Silaka Nature Reserve. The conclusion is that there was a major limitation in the implementation of the co-management activities, and this could be associated with the lack of a co-management agreement in place. The study findings have also shown that, if co-management activities had been implemented effectively, sustainable use of natural resources could have been promoted, in that, 85 per cent of the respondents indicated that co-management could promote sustainable use of natural resources. In the main, the findings show that sustainable natural resources can only be achieved through the involvement of local people through collaborative initiatives such as co-management. The study did not find adverse elements on the part of co-management activities that were implemented in the reserve when focusing on the conservation of the protected area.

Recommendations:

It is therefore recommended that the ECPTA, as a protected area management authority, has an opportunity to intensify community capacity building on co-management to assist the communities to have meaningful participation in the implementation of co-management activities and decision-making processes. However, it should be acknowledged that during the data collection period, the researcher discovered that community participation was also escalated into having a representative at the ECPTA's Board of Directors, where a community representative was appointed by the Member of the Executive Council (MEC). This is the highest decision-making body of the managing authority. It is recommended that the Board Member who represents communities must support the Provincial Conservation Forum to reach its desired expectations, particularly in yielding socio-economic benefits.The ECPTA is also encouraged to advance the co-management meetings to realize the co-management agreement that should give a full outline on account of community beneficiation and the scale of magnitude of such development portfolios. This implies that the business development plans should be supported by an effective co-management agreement to guide, support, and advocate change for the better.

6.2.4 Determination of the key stakeholders that were involved in the post-land claim settlement stage and roles and responsibilities that were pursued in maintaining the functional relationships.

Preface:

The assessment of the understanding of participants on the existing stakeholders during the land claim post-settlement stage was done. As such, 94.4 percent had a partial understanding of who the stakeholders were during the post-land claim settlement at Silaka.The interpretation is that some stakeholders did not know each other and therefore could not engage and communicate as expected. Seventy-five percent (75%) indicated that roles and responsibilities were not fulfilled by the stakeholders. Fifty-three percent (53%) of respondents indicated that the relations were poor between stakeholders, and 73.7 per cent indicated that there were conflicts among stakeholders. The respondents listed several challenges that were experienced that led to conflicts. Among the list, these were: a) the CPA does not want to relinquish power, b) some land parcels on the claimed land outside the nature reserve are being sold, and c) there is too much favouring or nepotism in play.

Recommendations:

Stakeholders or partners must know each other. These partners must understand their roles and responsibilities so that they have effective cooperation and work towards the same goals. It is therefore recommended that there must be a focused and intensified approach by the state to clarify stakeholder roles and responsibilities during the land claim post-settlement stage. When the relations are poor in a partnership, the partnership outcome may not be achieved. The relations are likely to be poor because communities have different expectations and interests which were not met. A structured stakeholder engagement process is recommended to rebuild trust and commitment among stakeholders. Therefore, building collaborative leadership capabilities, and challenging non-collaborative attitudes, behaviours, and mindsets, is key to the implementation of a partnering strategy.

6.2.5 Investigation of alternative strategies to promote sustainable use of natural resources for community development.

Preface:

The objective was to investigate what alternative strategies can be implemented to promote sustainable use of natural resources for community development. The study results revealed that the respondents saw the protected area as an asset for the community. The respondents further elaborated that there can be benefits derived by the community from the protected area. The key benefits identified were access to natural resources, meaningful participation in decision-making, profit sharing and job opportunities.

Recommendations:

For access to natural resources inside the protected area, it is recommended that the conservation authority considers developing or reviewing a natural resource plan to create reasonable access to natural resources by local communities; the plan should be to focus on available natural resources and such resources must be used in a sustainable manner. For participation in decision making, it is recommended that the community and managing authority facilitate negotiations towards reaching a co-management agreement. The co-management agreement must be clear in terms of roles and responsibilities of each signatory. The conclusion of a co-management agreement must immediately be followed by the formalisation of a co-management committee structure. It is recommended that the ECPTA and the community structure venture into Community Public Private Partnership (CPPP). CPPP is defined by the South African Treasury Regulation 16 as being an arrangement where the landowner (community trust or communal property association) enters into a co-management agreement (CMA) with the relevant conservation institution and enters into a separate community-private party agreement (CPP) with a private investor or operator. The private operator or investor will then undertake relevant permissible commercial activities within the protected area where, in a structured way, revenue will be shared, and jobs created.

6.4 Conclusions

Regarding community involvement in the land restitution processes, the RLCC should note these findings to improve future engagements with the communities. This is due to the high level of concern presented by the communities and such views need to be considered. Because the Silaka NR matters are regulated, there is a dire need to adhere to regulatory frameworks considering that these are matters of compliance. Because co-management

activities need to be implemented in the reserve to balance the conservation of the protected area and community development activities plus any challenges that the ECPTA may be experiencing, this needs to be addressed. Any other dependable variables should be dealt with where the ECPTA mandate is executed whilst the hold-ups are dealt with. Such an approach distinguishes what is proper and improper. Because of the key stakeholders in the post-land claim settlement, roles and responsibilities need to be maintained with the functional relationships among the stakeholders. The imminent consideration is that the stakeholder matrix needs consideration. This should indicate the phase of engagement through taking stock of mutual benefits, committing through agreements, understanding or collaborations, and seeing through the anticipated outcomes and applying the disengagement strategies. In common with the perspective of the responses based on the research questions, the context of the respondents is pointing towards the low - end of the understanding of all major operations at the reserve. This suggests that serious remedial actions need to be affected and that the role players are urged to note and provide requisite support aligned to dedicated functions and responsibilities. This shall be accomplished when all the relevant community involvement is strengthened, legislative structures and frameworks and regulations are complied with, and rendering effective co-management activities, the involvement of key stakeholders and application of effective and multiple strategies to promote sustainable practices and ultimately derive the required socio-economic benefits. For future research studies, the researcher recommends that the socio-economic impact of protected areas on surrounding local communities be pursued.

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APPENDICES

SCHOOL OF GEOGRAPHY, ARCHEOLOGY AND ENVIRONMENTAL STUDIES

TITLE OF RESEARCH: Towards the Co-management of Natural Resources in Protected Areas in South Africa: A Study of the Silaka Nature Reserve, in Eastern Cape Province.

APPENDIX A

Research Interview Guideline targeting government officials and Community Members

The study interview guideline was used for the purpose of collecting empirical data for partial fulfilment of a degree Doctor of Philosophy in Geography and Environmental Studies. It seeks to investigate the processes followed during the land restitution and approaches pursued towards co-management of natural resources in protected areas in South Africa.

Research Question 1: Investigate what processes were followed during land claim restitution process.

1.1 In your understanding, what process is followed during land claim restitution process in protected areas?

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1.2 Who are involved during the land restitution process in a protected area and how?.....
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1.3 Is the restitution process functional and effective? Please explain……
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1.4 Were you satisfied with the process followed during the land restiutution?.....
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Research Question 2: Investigate What legislative structures /and or Frameworks exists whereby land and natural resources management can be pursued.

This question will be addressed through analysis of secondary data.

Research Question 3: Investigate Co-Management activities implementation in protected areas to bring balance between conservation and community development.

3.1 In your understanding what is co-management of protected areas?
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3.2 Are the existing co-management structures functional? Please explain

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3.3 Are there co-management related activities implemented protected areas in line with national co-management framework? Please explain.

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3.4 On a scale of 1-5, can you rate the implementation of co-management activities in protected areas (1=below expectation, 2=does not meet expectations in some areas. 3= fully meets expectations in all areas, 4= fully meets expectations and exceed in some areas, 5= consistently and significantly exceeds expectations in all areas).

3.5 Do protected areas presents some development opportunities for the communities, and how?

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3.6 Do you think community members/government officials are fully capacitated to participate meaningfully in co-management? Please explain

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3.7 What shared governance approach do you think can bring balance to both conservation and development efforts in protected areas.

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Research Question 4: Investigate Who are the actors in land claim post settlement, what are their roles and responsibilities, how can relationships between actors be maintained functional?

4.1 Who are the parties in post land claim settlement?

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4.2 What are their roles and responsibilities?

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4.3 Do parties understand these roles and responsibilities?

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4.4 Are these roles and responsibilities honoured? Please explain.

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4.5 In your own view, how are the relations between the parties in post land claim settlement (or co-management), please explain?

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4.6 On a scale of 1-5 (1=very poor, 2=poor, 3 fair, 4= good, 5= excellent), how do you rate the relations amongst actors?

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4.7 Are there areas of conflicts between parties? If yes what are those conflicts?

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4.8 What do you think are the fundamental causes of such conflicts?

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4.9 How do these conflicts manifest themselves?

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4.10 Do you think parties in co-management have a common goal? Please explain

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Research Question 5: Investigating the beneficiation model for rural communities in a protected area and in what ways co-management system can promote the sustainable use of natural resources.

5.1 What are the community expectations after the land claim settlement in protected areas?

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5.2 Are these expectations met? Please explain your answer.

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5.3 Do you see the protected area as an important asset for the community? How?

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5.4 Can there be benefits derived from the protected area, what are those and who should they flow to?

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5.5 Currently, are there benefits for the community and what are they?

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5.6 Can co-management promote sustainable use of natural resources? Please explain how?

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5.7 In your own view, what will be the ideal beneficiation model in a protected area for rural communities?

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SCHOOL OF GEOGRAPHY, ARCHEOLOGY AND ENVIRONMENTAL STUDIES

TITLE OF RESEARCH: Towards the Co-management of Natural Resources in Protected Areas in South Africa: a Study of the Silaka Nature Reserve, in Eastern Cape Province.

APPENDIX B

The Participant Information Sheet for government officials

Good day Sir/Madam

My name is Mzwabantu Richard Kostauli STUDENT number 1325391, I am a registered PhD student at WITS University. I am conducting a research study on land restitution and co-management implementation in protected areas with a specific focus on Silaka nature Reserve. As part of this study, I am required to collect data in the form of semi structured interviews and questionnaires. The focus of data collection will be on government departments and or institutions related to land restitution and environmental management. The information gathered will only be used for the purpose of the study.

The study will focus on the implementation of co-management framework at Silaka Nature Reserve in conservation management regime of this reserve for sustainable use of natural resources. The benefits of the study will be a better understanding of co-management concept and how it can be implemented to achieve both conservation and development goals and promote sustainable use of natural resources.

You are therefore requested to participate in this research. I would also like to highlight the fact that in this research there will be no treatment or payment involved. Anonymity and confidentiality of participants is guaranteed as their names will not be divulged. Please be informed that you may refuse to answer questions about which you feel uncomfortable, and you may withdraw from the study at any time without penalty or loss of benefits. Should you have questions please don't hesitate to contact myself on the contact details that I will furnish below. A summary of the research will be made available to on your request.

If you have any queries, concerns or complaints regarding the ethical procedures of this study, you are welcome to contact the University Human Research Ethics Committee (non-medical), telephone + 27(0)11 717 1408, email Shaun.Schoeman@wits.ac.za

Yours Sincerely

……..

M. Kostauli

Researcher: M. Kostauli: Cell 079 4967971

Supervisor: Prof Simatele: Cell 083 3836884

Co-Supervisor: Dr T. Mokotjomela Cell 073 3246118

Ethics Committee: Shaun Schoeman: 011 717 1408

SCHOOL OF GEOGRAPHY, ARCHEOLOGY AND ENVIRONMENTAL STUDIES

TITLE OF RESEARCH: Towards the Co-management of Natural Resources in Protected Areas in South Africa: a Study of the Silaka Nature Reserve, in Eastern Cape Province.

APPENDIX C

The Participant Information Sheet –Community Members

Good day Sir/Madam

Igama lam ndingu Mzwabantu Kostauli inombolo yokufunda ngu 1325391, umfundi kwi Dyunivesiti yase WITS. Ndenza uphando okanye izifundo ngolawulo bambiswano kumyezo wezendalo iSilaka.Njengenxalenye ezizifundo kufuneka ndiqokelele ulwazi ngosubenzisa udliwano ndlebe, amaqela akhethekeilyo, nokuqaphela inkqubo ezithile. .Oluphando lwezifundo luyakungqala kubahlali, namagosa ka Rhulumente kwaye ululwazi luzakukuqokelelwa, luyakusetyenziswa kuphela ngenjongo yezizifundo..

Ezizifundo ziyakungqala ekusetyenzisweni kommiselo obekiweyo wolowalo lokubuyekezwa komhlaba no bambiswano kwimiyezo yezendalo. Inzuzo yoluphando ejongiswe ekunekeni ulwazi olungcono ngalommiselo nokuba ungasetyenziswa njani ukukhuthuza ulondolozo ndalo kunye nophuhliso, ukuze imothombo yendalo isetyeziswe ngendlela engcono

Ukwenjenje kukumema wena ukuba ubeyinxalenye yoluphando, ukhethwe kuba ilali yakho iyingxenye yobuyiso mhlaba eSilaka. Ukuthatha inxaxheba kwakho kuyaba ngodliwanondlebe olungathatha isuthuba seyure, kwaye luyakwenziwa ushicilelo lelizwi nokuthatha imifanekiso nge camera. Ukuthabatha inxaxheba kwakho akusayi kuhlawulwa okanye. Umntu uthabatha inxaxheba ngokuzithandela kwaye unelungelo longathathi nxaxheba okanye urhoxe ekuthatheni inxaxheba, kwaye ngokwenza oko akusayi kohlwaywa nangalo naluphina uhlobo.

Kwindibano zamaqela akhethekileyo kuyakumenywa abantu abayinxelenye yemibutho yolawulo, namagosa karhulumente abandakanyekayo. Kusisiqinisekiso ukuba olu dliwanondlebe luyimfihlo kwaye lukhusulelekile, kwakhona alusayi kuchazwa igama lakho. Xa uthe wanemibizo, ungalibazisi yoibuze ngoko nangoko ukuze iphendulwe, kwaye ushwankathelo loluphando luyakufumaneka xa uthe walicela. Ukuba onezinto ofuna uziqonda malunga noluphando ounakho ukuqhagamshelana ne University Human Research Ethics Committee (non-medical), telephone + 27(0)11 717 1408, email Shaun.Schoeman@wits.ac.za

Ozithibileyo
M. Kostauli

Researcher: M. Kostauli: Cell 079 4967971
Supervisor: Prof Simatele: Cell 083 3836884
Co-Supervisor: Dr T. Mokotjomela Cell 082 923 9222
Ethics Committee: Shaun Schoeman: 011 717 1408

SCHOOL OF GEOGRAPHY, ARCHEOLOGY AND ENVIRONMENTAL STUDIES

TITLE OF RESEARCH: Towards the Co-management of Natural Resources in Protected Areas in South Africa: a Study of the Silaka Nature Reserve, in Eastern Cape Province.

APPENDIX D

Consent Form

I …….. ……..acknowledge that I was told that due to the nature of the study anonymity cannot be guaranteed and that I can withdraw my participation at any time. Mna……*ndiyvuma ukuba ngenxa yobume boluphando , intetho bucala ayinakuqinisekiswa, nokuba ndikurhoxisa ukuthatha inxaxheba naninina*

I agree to participate in this research project. Ndiyavuma ukuthabatha inxaxheba koluphando. The research has been explained to me and I understand what my participation will involve. *Oluphando lucacisiwe kum kwaye ndiyayazi ukuba ukuthabatha inxaxheba kwam kuthinina*

I agree that the interview may be audio recorded. *Ndiyavuma ukuba oludliwanodnlebe lungashicilelwa* YES NO

I agree that the researcher may take photos of me. *Ndiyavuma ukuba umphandi angathatha izithombe zam* YES NO

…… (signature)
…… (name of participant)
…… (date)

APPENDIX D

Editing Certificate

BRUCE WESSON - Professional Language Editor
8 Quay One
Mitchell Street
SOUTH END 6001
14.11.2023

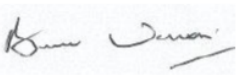
Email bruce@wesson.co.za
Mobile 082 555 5204

TO WHOM IT MAY CONCERN

I, Bruce Wesson, hereby declare that I have proof read and copy edited the thesis by Mzwabantu Richard Kostauli - Student number 1325391

I declare that the content remains solely that of the student, and that any changes made, were only to language and grammar errors.

Yours faithfully,



BRUCE WESSON
NMU Language Editor

APPENDIX E

Ethics Committee Clearance Certificate

Research Office

HUMAN RESEARCH ETHICS COMMITTEE (NON-MEDICAL)
R14/49 Kostauli

CLEARANCE CERTIFICATE	**PROTOCOL NUMBER: H18/09/11**
PROJECT TITLE	Towards co-management in protected areas: A study of the Silaka reserves wild coast in the Eastern Cape Province, South Africa
INVESTIGATOR(S)	Mr M Kostauli
SCHOOL/DEPARTMENT	GAES/
DATE CONSIDERED	14 September 2018
DECISION OF THE COMMITTEE	Approved
EXPIRY DATE	17 December 2021

DATE 18 December 2018 **CHAIRPERSON** _____
(Professor J Knight)

cc: Supervisor : Professor M Simatele

DECLARATION OF INVESTIGATOR(S)

To be completed in duplicate and **ONE COPY** returned to the Secretary at Room 10004, 10th Floor, Senate House, University. Unreported changes to the application may invalidate the clearance given by the HREC (Non-Medical)

I/We fully understand the conditions under which I am/we are authorized to carry out the abovementioned research and I/we guarantee to ensure compliance with these conditions. Should any departure to be contemplated from the research procedure as approved I/we undertake to resubmit the protocol to the Committee. **I agree to completion of a yearly progress report.**

_____ 19 / 12 / 2018
Signature Date

PLEASE QUOTE THE PROTOCOL NUMBER ON ALL ENQUIRIES