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Prosperity Deferred: Conservationism and Conflicts over Development in Dukuduku, KwaZulu Natal, 1980 to the Present

By

Nyathi Patrick

A thesis submitted in fulfilment of the requirements for the degree of Master of Arts in the Department of History, School of Social Sciences, Faculty of Humanities, University of the Witwatersrand.

7 April 2021

Abstract

The research project explores the debates revolving around nature conservation in a unique indigenous forest of Dukuduku, Mtubatuba, in the northern KwaZulu Natal coastal belt between 1980 and the present. Dukuduku area is situated close to and borders the Greater St Lucia Wetland Park (GSLWP), which is a renowned international tourist attraction and the tourism hub of South Africa in general and KwaZulu Natal in particular. The history of this part of the province is characterised by forced displacement of African people who had occupied this area before it was incorporated into the British Natal province. Once annexed by British the area was demarcated as a state land, which marked the commencement of forced displacement in September 1930. Such forced removals led to violent confrontation as the forest dwellers confronted authorities in a fight against unjust displacement. As a result, the study sought to investigate and trace the extent of forced removals in Dukuduku forest, examining the livelihoods of the African families in occupation of the forest over time. Displacement in Dukuduku forest was driven by the potential profit the area would provide the colonial government. Initially displacement was meant to pave way for agricultural activities such as commercial forestry and sugarcane production which commenced in 1911.

In addition, Dukuduku presents a good example of a remote traditional area, which the government claim is a state land but there has been the co-existence of the traditional leadership institution and local democratic structures. This, is believed to have been the cause of conflict between these two leadership institutions at a local level. Land claimants have come into play in the recent past exacerbating conflicts over land administration and social development in the area.

The study was conducted in the Dukuduku Area (Dukuduku Forest, Ezwenelisha and Khula village), Mtubatuba in the northern KwaZulu Natal province and seeks to explore conflicts revolving around conservationism and address the question of land ownership and land administration in the area.

Declaration

This study represents an original work by the author and has not been submitted in any form to another university. It is being submitted for the Degree of Master of Arts by Research, History at the University of the Witwatersrand, Johannesburg. Where use has been made of the work of others it has been duly acknowledged in the text.

Signature  Date: 7 April 2021



Name: Prof Sekibakiba P. Lekgoathi

Principal Supervisor

Date: 7 April 2021

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My friends for unending support and encouragement

Dedication

Mnqobi Nyathi, Nkosinathi Nyathi and Emelina Mthethwa

List of abbreviations

AFRA	Association for Rural Advancement
Amadumbe	*Colocasia esculentia* (potato of the tropics), believed to have been introduced in Southern Africa by Portuguese traders
ANC	African National Congress
Bantustan	a territory set aside for black inhabitants of Southern Africa as part of the policy of apartheid
COGTA	Cooperative Governance and Traditional Affairs
CONTRALESA	Congress of Traditional Leaders of South Africa
DA	Democratic Alliance
DAFF	Department of Water Affairs, Forestry and Fisheries
DP	Democratic Party
DWAF	Department of Water Affairs and Forestry
Enyokeni	KwaNongoma based Royal Palace of the Zulu Kingdom
GSLWP	Greater St Lucia Wetland Park (now known as iSimangaliso Wetland Park)
ICWA	iMfolozi Community and Wilderness Alliance
IFP	Inkatha Freedom Party
Imbumba	Cowpeas
Incema	Kind of grass of used to make sleeping mats

Induna	Headman, appointed by Inkosi in terms of Amakhosi and Iziphakanyiswa Act no 19 of 1993
Inkosi	Chief
Intelezi	traditional *muthi* used in a war, which requires men to abstain from sleeping with their wives or being in direct contact with women when using it in preparation for the war
Izingqoko	Curved wooden trays
KBNR	KwaZulu Natal Bureau of Natural Resources
Khonza fee	According to the KwaZulu Amakhosi and Iziphakanyiswa Act No. 9 of 1990, means a fee payable by a person to an Inkosi or induna to whom he/she wishes to pay allegiance
KZN	KwaZulu Natal
KZP	KwaZulu Police
LCC	Land Claims Court
MEC	Member of the Executive Council
MK	uMkhonto Wesizwe
Mnumzane	a male prominent member of inkosi's traditional council
NCS	Nature Conservation Service
NFP	National Freedom Party
NP	National Party
NPA	Natal Provincial Administration

NPB	Natal Parks Board
NTFP	Non-Timber Forests Products
PA	Protected Area
PAC	Pan-Africanist Congress
RDP	Reconstruction and Development Programme
RBM	Richard's Bay Minerals
RBN	Royal Bafokeng Nation
RLCC	Regional Land Claims Court
SACC	South African Council of Churches
SACP	South African Communist Party
SAP	South African Police
SCA	Supreme Court of Appeal
UDF	United Democratic Front
Umndeni weNkosi	The royal family
UNESCO	United Nations Educational, Scientific and Cultural Organisation
Voortrekkers	member of one of the groups of Dutch speaking people who migrated by wagon from Cape colony into the interior from 1836 onwards, in order to live beyond borders of the British rule.

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Chapter One

Introduction

The Department of Environmental Affairs on 9 December 2011 issued a government notice, listing the national ecosystems that are threatened and in need of protection. Dukuduku was listed in this notice as an endangered grassland and natural forest.[1] The listing of the Dukuduku forest compelled the state to strengthen its attempts to 'save' and 'protect' this unique indigenous forest, which lies in the northern part of the KwaZulu Natal province. Archaeological findings indicate that this part of the province had been inhabited by African people as far back as the 17th and 18th centuries. Later in the 19th century, Natal was taken over by the British and this part of the province became a 'crown land'. As a result, the indigenous people living in the forest became 'squatters' on their own land.[2] However, African people only became aware of this in the 1930s when evictions first commenced in Dukuduku.[3] The Dukuduku Forest Reserve was created in 1923 and the Conservator of Forests raised a concern to the Chief Native Commissioner about the indigenous people who were residing in the forest and 'destroying it for the sake of making gardens.'[4] Sundnes points out that the first eviction took place in September 1930 to pave the way for the state commercial forests.[5]

There is a sense in which those who were 'willing to provide labour for emerging forest plantations were allowed to stay' but restrictions were imposed.[6] Njeke Mdamba, a senior citizen in the forest and victim of forced removals, concurs with

[1] Department of Environmental Affairs, Government Notice No: 9 December 2011,
[2] AFRA, Dukuduku: The Forest of our Discontent, (2003), p. 5.
[3] Ibid.
[4] Africa Resource Centre for Housing, Rule 5 Research Report, Dukuduku Land Claim, Ref No: KRN6/2/2E/28/0/018, (2018), p. 45.
[5] F. Sundnes, 'Scrubs and Squatters: The Coming of the Dukuduku Forest, an indigenous Forest in KwaZulu Natal, South Africa', *Environmental History* 18, (2013), p. 292.
[6] Ibid, p. 293.

Sundnes' assertion that those who were prepared to serve white farmers with established farms would be allowed to continue staying in the forest, though under strict restrictions.[7] Chiefly, evictions were carried out in the 1930s and 1950s in the interest of commercial forest and sugarcane production and later, after 1960, in the name of conservation. After 1960 there was an increasing environmental consciousness within the country and across the globe. New calls for the conservation of natural forests and biomes were made. As a result, the priorities in the management of the Dukuduku forest changed. However, it is important to note that the Dukuduku forest was not proclaimed part of the St Lucia Wetland Park (now iSimangaliso Wetland Park) and was under the Department of Forestry.[8]

The need for conservation and saving the forest led to intensified removal of African people living in the forest in the 1970s and 1980s. Environmentalists have argued that human settlement in the Dukuduku forest poses a serious threat to this unique indigenous forest bordering the iSimangaliso Wetland Park.[9]

There have been serious tensions between politicians and conservationists on the one hand, and the local people concerned about issues of their livelihoods on the other. The Dukuduku forest dwellers rejected the eco-tourism land use option as they believed that it would not benefit them but the few elites. About three decades ago, in the late 1980s, Richard's Bay Minerals (RBM) applied for a mining right in the iSimangaliso/St Lucia Wetland Park, sparking major debates around mining versus conservationism. The rejection of RBM's application was based on the fact that the area was proclaimed a nature conservation area, which later in 1999 was declared

[7] Interview with Njeke Mdamba conducted by Patrick Nyathi, Dukuduku forest, KZN, 27 September 2019, (Translated).
[8] Ibid.
[9] Conservationist groups such as Wildlife Society of South Africa, Natal Parks Board and others have called on the government to remove the people who inhabited the Dukuduku forest, as their occupation compromised the value and nature of the forest.

by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) as a World Heritage Site for its unique biodiversity. Most interestingly, there have been new developments as the people of Dukuduku are calling on Richard's Bay Minerals to establish a mine in the protected areas. This has caused serious tension between community members on the one hand, and conservationists and local authorities on the other.

Dukuduku is sub-divided into three parts, Dukuduku Forest, Khula village and Ezwenelisha village. Khula was established in 1993 as an alternative area for resettlement of those removed from the forest. Furthermore, in 1998 the government bought two farms in an attempt to resettle the forest dwellers. The area became known as Ezwenelisha. The establishment of the two settlements bears testimony to the dismal failure of the state's attempts to relocate the forest dwellers as many people did not leave the forest in favour of these new resettlement villages. Most strikingly, in these two areas, which were described as state land, somehow strangely traditional leadership was established despite the assurances that these areas would be run and governed under democratic institutions.

The Dukuduku area serves as an example of a remote traditional area in the former KwaZulu Bantustan that has multiple challenges such as poverty, unemployment and political instability. Yet, there are claims that Dukuduku is state land, not a traditional communal land. It is often argued that Africans, particularly in the countryside have not yet arrived in the 'new South Africa' as they are still subjected to traditional leadership, a system of government that is perceived to have compromised the principles of democracy. The coexistence of these two seemingly

incompatible systems of government have been seen as a cause of conflict in rural areas over issues of local development and rural transformation.[10]

Post-1994, South Africans in general and Africans in particular, were quite optimistic that the new dispensation would bring not only political liberation but also economic freedom. However, this dream has not been realised, particularly in the former Bantustans where the literature points to a gloomy picture of joblessness and impoverishment, the continuing salience of custom and the growing power of traditional leaders despite the presence of institutions of democracy. Africans in rural South Africa still languish in poverty, and the political system has not yet provided the permanent solution to socio-economic challenges facing the citizens in those areas.

Dukuduku in Mtubatuba has a very rich and complex history that revolves around the forced removals of the people in the Lake Bhangazi and Dukuduku forest in the early 1930s, 1950s, 1970s up to the late 1980s. It was marked by the battle around mining in St Lucia Wetland Park, farming along the R618 and sugar plantations across the uMfolozi River all of which, environmentalists have argued, have compromised the wetlands. This extends to the land question in many parts of the area including the fiercely contested Dukuduku forest near the iSimangaliso Wetland Park, formerly known as the Greater St Lucia Wetland Park.

Dukuduku has a long and complex history that goes as far back as the colonial era, but this study focuses more narrowly on conservationism and struggles over

[10] For more on the arguments around the coexistence of traditional leadership and democratically elected councillors, see for example Ntsebeza's, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005; Ntsebeza's, 'Democratic Decentralization and Traditional Authority: Dilemmas of Land Administration in Rural South Africa', *European Journal of Development Research,* Vol. 16(1), (2004).; Williams', *Chieftaincy, the State and Democracy: Political Legitimacy in Post-Apartheid South Africa*, Indiana: Indiana University Press, 2010. and Oomen's, *Chiefs in South Africa: Law, Power and Culture in the Post-Apartheid Era,* Pietermaritzburg: University of KwaZulu Natal Press, 2005.

development in the area from the 1980s to the present. It has been argued in political studies, political platforms and history that ineffective governance results in poor service delivery and underdevelopment in many parts of the country under the jurisdiction of local municipalities and traditional authorities as a result of the conflicts between these structures of government.[11] This thesis attempts to assess how ineffective governance has stunted development in Dukuduku.

Rationale

This research is partly motivated by the work that I carried out in my Honours research mini-dissertation on traditional leadership and social and political conflicts in Mtubatuba. This work paid special attention to the relationship between traditional leadership and elected local government structures in the area and the relevance of traditional leadership post-1994.[12] Scholarship on local politics in KwaZulu-Natal tends to be very articulate on political violence and conflicts between the African National Congress (ANC) and Inkatha Freedom Party (IFP) and has not really shed any light on local politics and developments in communities such as Dukuduku that remain poorly documented and on the margins of research.[13] This project seeks to explore local conflicts arising from the notion of Dukuduku as a conservation area. Dukuduku, unlike most rural areas in South Africa that fall under the jurisdiction of traditional authorities where the people voted overwhelmingly for the ANC, has

[11] J. Williams, *Chieftaincy, the State and Democracy: Political Legitimacy in Post-Apartheid South Africa*, Indiana: Indian University Press, 2010; Nomusa Dube, the MEC for Cooperative Governance and Traditional Affairs in the province of KwaZulu Natal, 2012 (Budget Vote). www.gov.za
[12] P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, 2018.
[13] R. Taylor, 'Justice Denied: Political Violence in KwaZulu Natal after 1994', *Violence and Transition Series*, Vol. 6, (2002); Injobo Nebandla, Freedom from rife? An Assessment of Efforts to Build Peace in KwaZulu Natal, The Centre for the Study of Violence and Reconciliation*, Violence and Transition Series*, (2005): H.S, Ntuli, 'Probing the Rots of Political Violence in KwaZulu Natal since 1979', *Gender and Behaviour*, (2016).

remained the stronghold of the IFP of Inkosi Mangosuthu Buthelezi to this day. This political dynamic, of IFP dominance, makes the area of Dukuduku an interesting and unique case study to look at in order to understand the intersection of issues of economic development and local governance. This case study enables a glimpse into the complexities of governance and development in an area that has remained under the sway of the IFP. It explores how Inkatha's hegemony has contributed to the political tensions in Mtubatuba and sheds light on the political developments in the area in question.

While contributing to the scholarship of environmental and ecological history and the conflicts these have caused in remote traditional areas in South Africa, this study seeks to locate the role of traditional leaders within the context of struggles against forced removals in the name of nature conservation in areas under their jurisdiction. What role have traditional leaders played in the struggle against the removal of the people in Dukuduku forest? Have they supported the removals, or have they opposed them? This study also attempts to offer an answer as to how the Dukuduku forest became both a highly contested conservation site on the one hand, and a small-scale farming site on the other.

Finally, a lot has been said about Dukuduku being a state land yet the area has both traditional and democratic systems of governance in place. As result this study attempts to assess how the coexistence of these two seemingly incompatible systems of governance has affected development in Dukuduku.

Broad Problems and issues to be investigated

Nomusa Dube, the MEC for Cooperative Governance and Traditional Affairs (COGTA) in the KwaZulu Natal legislature, points out that although democracy has been attained, the after-effects of apartheid still continue to haunt us.[14] It is evident that apartheid legacy still impacts negatively on South Africans as social and economic inequality have grown significantly instead of declining. Historians, authors, critics and politicians point at a plethora of challenges resulting in socio-economic inequalities in South Africa. Many critics and some politicians have admitted that corruption and poor administration is a thorn in the flesh and if not condemned, the country's economy may soon collapse. Dube, in her budget speech in 2012, reminded us that it is in the sphere of local government and traditional affairs where the 'triple challenges' of poverty, inequality and unemployment manifest themselves in the most glaring manner.[15]

The history of Dukuduku was characterised by the hegemony of the IFP in the years preceding the 1994 general elections and arguably the first decade of the new democratic South Africa. Not only has the IFP retained the loyalty of the traditional leaders in the area but this Zulu traditionalist party has for the most part also maintained its influence over democratic governance structures at the local level in the post-apartheid era. In Dukuduku Forest land has been contested by authorities and the local population. The authorities, the locals argue, wanted to establish a conservation area in Dukuduku forest, claiming that Africans who inhabited this forest endangered rare plant species in the area. Talking to few who have settled there in the early 1990s including my father, they pointed out that the main pull factor

[14] Nomusa Dube, MEC for Cooperative Governance and Traditional Affairs in KwaZulu-Natal, during provincial budget vote, KwaZulu-Natal Legislature, 30 May 2012.
[15] Ibid.

in the Dukuduku forest has been the fertility of the land. The land is ideal for agricultural production because of the perfect climate and relatively high rainfall sufficient to nurture the crops.[16] The first part of this study explores socio-economic life in Dukuduku from the 1930s to 1980s and attempts to address the issues revolving around land use and how the people have resisted evictions from the forest. This extends to the establishment of the villages of Khula and Ezwenelisha where some of the people who left Dukuduku forest were resettled.

Furthermore, the apartheid government concentrated local government and land administration in traditional leadership institutions during the apartheid era.[17] In Mtubatuba, Dukuduku in particular traditional leaders continue to perform some of the functions and roles that they did during the apartheid era, such as land administration, despite claims that the area is a state land and land allocation should be executed by the municipal officials and/or the established development trust. Within the areas under their jurisdiction traditional authorities have often entered into agreements with mining companies and taken decisions that have been favourable to themselves and not the public at large. Such decisions have been a major cause of unrest in Dukuduku where local residents have been forced to relocate in order to give way to conservation. This study will attempt to address challenges faced by those relocated and how this has led to tensions between the public and traditional authorities and environmental authorities in the area. Another highly contested mining area is St Lucia Wetland Park, where some of the community members believe that mining would benefit the larger population instead of the tourism sector

[16] Interview with Mahlabeni Nyathi, conducted by Patrick Nyathi, Dukuduku Reserve, KZN, 19 June 2018. (Translated).
[17] L. Ntsebeza. 'Democratic Decentralization and Traditional Authority: Dilemmas of Land Administration in Rural South Africa', *The European Journal of Development Research*, (2004), p. 77.

that benefits the already wealthy white elites in the area and very few Africans who have been able to penetrate the system through the power they have in the society.

Finally, this study examines the extent to which community leadership has facilitated or hindered projects that seek to alleviate poverty and develop the area of Dukuduku. Here the focus will be on the traditional leadership and elected democratic structures and how conflicts between them have compromised the lives of the ordinary people in the area. It extends to the influence they have had in the relocation process, when people were removed from the 'black spots' to relocation villages by the government authorities prior to 1994.

Key questions to be asked

Primary Questions

- What is the role of traditional leadership and the public in general in nature conservation and preservation?
- What role did the traditional authority play during the struggle against forced removals in Dukuduku?
- What role have traditional authorities played in the development of Dukuduku area?
- To what extent did the establishment of the new democratically elected councils affect the role of traditional leaders?

Subsidiary questions

- How did the conflicts between traditional leadership and land claimants in Dukuduku compromise service delivery?

- What is the impact of commercial and subsistence farming on the indigenous forest of Dukuduku?
- What was the nature of resistance against forced evictions in the Dukuduku forest?
- Who owns the land? Is Dukuduku state land or traditional communal land?

Literature Review

1. Conservationism and Heritage

The history of land in Africa reflects the multiple and often contradictory aims of the colonial authorities: creating a class of independent and free holding 'native' farmers, maintaining large areas under what was regarded as traditional land tenure, and forcing the indigenous population to seek employment in urban centres.[18] Other Africans who were victimised were those who were removed in the name of nature conservation. Maluleke observed that the conservation of biodiversity over the past centuries has been characterised by exclusion and to some degree the forced removal of people for the creation of the protected areas.[19] The creation of these protected areas in Africa and elsewhere in the world was often done without the consent of the locals, resulting in forced removals of people without compensation. This approach, according to Maluleke, favoured the preservation of flora and fauna over the wellbeing of the African people.[20]

[18] B. Derman, R. Odgaard & E. Sjaastad, *Conflicts Over Land and Water in Africa*, Pietermaritzburg: University of KwaZulu Natal Press, 2005, p. 21.
[19] G.L. Maluleke, 'Rethinking Protected Areas Co-management in the Makuleke Region, South Africa', PhD Thesis, University of Stellenbosch, 2018, p. 41.
[20] Ibid.

The creation of parks in Natal and Zululand started at the beginning of the 20th century when the Natal government began the process of 'creating a pool of labour by removing Zulu people from their homesteads to create and to expand game reserves'.[21] People have been dispossessed of land in the past, before and during apartheid, with the intention to create national parks and conservation areas.[22] Walker points out that from the 1950s through to the early 1980s, approximately 1200 households were dispossessed of their land within iSimangaliso Wetland Park. In the eastern and western shores of iSimangaliso Wetland Park, households were moved in the name of nature conservation while others were shifted to make way for the development of commercial forestry.[23] It is argued that the removals were exacerbated by the segregationist legislation under apartheid. The dispossessed communities from protected areas were disallowed access to these areas unless their labour was required.[24] The forceful removals resulted in landlessness among Africans, hence today the issue of land reform remains the complex problem the government and country must join hands to resolve. Although it was believed that the government removed people from Lake Bhangazi for conservation purposes, another narrative that is embedded in these removals was that the government removed them because of the 'terrorist threat'. With Mozambique gaining independence in 1975, the Nationalists government feared that 'terrorists' – as the freedom fighters were labelled under apartheid – might land on the shores and set up a base for their operations,[25] perhaps because of the close proximity between

[21] B. Skelcher, 'Apartheid and The Removal of Black Spots from lake Bhangazi, KwaZulu Natal, South Africa', *Journal of Black Studies*, 33, (2013), p. 769.
[22] K. Nustad & F. Sundnes, 'The Nature of Land: The Dukuduku Forest and the Mfolozi flats, KwaZulu Natal', *Journal of Modern African Studies*, 51, 3, p. 488.
[23] C. Walker, *Landmarked: Land Claims and Land Restitution*, Sunnyside: Jacana Media, 2008, p. 108.
[24] G.L. Maluleke, 'Rethinking Protected Areas Co-management in the Makuleke region, South Africa', PhD Thesis, University of Stellenbosch, 2018.
[25] See B. Skelcher, 'Apartheid and The Removal of Black Spots', (2003).

Mozambique and the St Lucia Wetland Park. There was a lot more than the creation of a conservation park in the removal of the Mbuyazi clan of the Lake Bhangazi. Today iSimangaliso/St Lucia Wetland Park is a World Heritage Site declared by United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 1999.

The history of conservation in Africa during colonisation and apartheid in South Africa has been characterised by the dominance of whites over other racial groups, particularly Africans, as well as a tiny stratum of African elites in positions of power.[26] The racialization of nature conservation created tensions between the indigenous people and the conservationists, such as the creation of the Kruger National Park which was built through the forced relocation of the Makuleke and scores of other African communities. The reality behind the creation of this and other conservation sites is that thousands of Africans were forced out of their homes and lands. Contradictory to the notion that Africans would wipe out the game in the forest is that white people, until the late nineteenth century, continued to hunt 'wild game indiscriminately, sometimes for food, sometimes for trade, and increasingly for pleasure and trophies.'[27] Honey argues that during the pre-colonial era Africans had a conservation ethic that reserved rare animal and plant species. It was only after the creation of conservation parks that Africans began to view wildlife with hostility. They were forcibly moved to the overcrowded and marginal agricultural lands on the outskirts of these newly created reserves, and through colonial laws they were denied the right to hunting and fishing. Honey points out that Africans were forbidden to kill wildlife that wandered outside reserves destroying their domestic animals and

[26] R. Musavengane & L. Leonard, *Conservation and Society* 17(2): 135-146, 2019, p. 349.
[27] M. Honey, *Ecotourism and Sustainable Development: Who Owns Paradise?,* London: Island Press, 2009, pp. 348-350.

crops, thus protecting wildlife instead of local African people.[28] Initially, the creation of parks was to conserve wildlife and promote tourism. However, the racialized nature of conservation and tourism did not benefit Africans but white people. As Musavengane and Leonard have observed, conservation benefits are highly skewed and contribute to inequality.[29]

2. Rural Development and Mining

In a letter written on behalf of iMfolozi Community and Wilderness Alliance (ICWA) challenging the expansion of mining activities by Tendele Coal Mine to the protected wilderness in Esiyembeni, Sheila Berry argues that mining is not development. Her position descends from the popular view that the government has tried to push that mining develops rural areas and create the much needed jobs in rural areas.[30] It is a narrative that is usually used by politicians in their attempts to gain support from the people. The reality, however, remains the opposite of such a narrative. Mining has caused irreparable damage to the health of the people and the environment in areas where it has been developed. People have narrated sad stories about their experience with mining in their areas. Let us take a look at the North West province which is one of the leading mining provinces in the country. *Sowetan*, on 26 August 2011, reported that:

[28] Ibid.
[29] R. Musavengane & L. Leonard, *Conservation and Society* 17(2), pp. 135-146, 2019, p. 136.
[30] Sheila Berry, a letter addressed to Ms Steyn, the Chief Operating Officer of Somkhele Mine (Tendele Coal Mine), 8 March 2017.

> Angry residents of Bapong Village, outside Brits in the North West province called on the mine to employ at least 2500 locals, threatening that failure to meet their demands would lead to mine's closure.[31]

These threats according to the article were motivated by the fact that mining authorities could not keep to the agreement signed with the traditional authorities that they would take 80% of their employees from the local population and 'failing to pay R40 millions lease as promised.'[32] It is an undisputable fact that most mines underpay their employees and affect the environment in a negative way. It has been argued that it compromises the social and traditional life of people in those mining districts.

Lucas Mangope, the head of Bophuthatswana had conflicts with many chiefdoms in his Bantustan, but with the Bafokeng, the dispute was linked to a battle for the ownership of mining rights and control of assets from mining on the centre stage.[33] It was presumed that at the core of the quarrel was probably Mangope's desire to divert royalties from the Bafokeng to the coffers of Bophuthatswana and it was Kgosi Lebone's attitude that motivated him to take charge of the Bafokeng affairs. Mangope was interested in benefitting from the mining industry in Bophuthatswana following the commencement of mining in the region in the 1920s. Platinum mining was to take place in the Bafokeng land, a large portion of which was situated in Fokeng land which has been acquired mostly in the 19th century. The tug-of-war between the Bafokeng and Mangope continued and was only successfully resolved after the fall of Mangope post-1994. In 1997, the Bafokeng lawyers took to court to

[31] *Sowetan*, 26 August 2011.
[32] Ibid.
[33] A. Manson & B, K. Mbenga, *Land, Chiefs, Mining: South Africa's North West Province since 1840*, Johannesburg: Wits University Press, 2014, p. 135.

're-embark on steps to nullify Impala's right to mine on their land.'[34] Finally the court ruled in favour of the Bafokeng and this marked the beginning of the relationship that would benefit both Impala Platinum and the Bafokeng Nation. As a result, royalties payable to the Bafokeng would be increased by 22 per cent. The Bafokeng also received one million shares in Implats and had the right to nominate one person to the board of Impala Platinum.[35] This made the Bafokeng nation one of the richest in Africa. This was because the Bafokeng were able to emerge as major corporate role players in the mining industry. It is argued that although the Bafokeng emerged as a distinct corporate entity it remains a traditional community. The Bafokeng have been successful in merging their operations with broader national interests such as investment in infrastructure, social development and other ventures set to benefit the wider community.[36] However, a question emanating from the latter argument is, to what extent has the community benefited from mining activities in their areas? Who benefits the most: the community or the royal families? Scholars such as Mbenga, Manson, Mnwana and Malindi have attempted to grapple with the conundrum of mining in traditional communities of the North West province and the findings do not suggest glory, although commentators and politicians have argued for mining and claimed that it benefits the local people and create the much needed jobs for poverty alleviation in the countryside.

Sonwabile Mnwana, an economic historian, has spent over a decade, studying the multiple impacts of platinum mining on rural communities of North West and Limpopo provinces. Mnwana argues that in post-Apartheid South Africa, power over rural land has become more concentrated in the hands of traditional leaders. This

[34] Ibid. pp. 136-138.
[35] A. Manson & B, K. Mbenga, *Land, Chiefs, Mining*, 2014, p. 139.
[36] Ibid. p. 144.

phenomenon has given traditional leaders an upper hand in mining activities, they have entered into agreements on behalf of the communities under their jurisdiction. As in the Bafokeng nation, the Bafokeng chief exercises significant powers over land under his jurisdiction, including entering into deals and concessions with mining companies on behalf of the community.[37] This, according to Mnwana, has caused discontent, division and resistance, as the land the chief rules over is heavily contested by various African groups who claim historical ties on the land claiming that it was purchased by their forebears, who were never members of the Bafokeng nation.[38] It compromises the traditional livelihoods.[39] Mnwana and Sheila Barry of iMfolozi Community Wilderness Alliance (ICWA) hold a similar view that mining is not development but results in divisions and discontent.

I need to point out here that mining comes with numerous challenges, most of them well known in mining districts across the African continent. Let us take a glance at some challenges imposed by mining. It cannot be denied that mining attracts many job-seekers from various parts of the country thus in-migration becomes a primary challenge in the mining area. Immigration contributes significantly to the population growth and the creation of new residential areas thus giving rise to service delivery challenges. Another notable challenge is the removal of people from their 'villages to make way for mining operations'.[40] Manson and Mbenga draw attention to some significant challenges such as water and air pollution around mining zones, removal of people in the name of mining, and this has resulted into the loss of grazing and

[37] S. Mnwana, 'Democracy, Development and Chieftaincy along South Africa's 'Platinum Highway': some emerging issues', *Journal of Contemporary African Studies*, Vol. 33, No. 4, 2015, p. 519.
[38] See S. Mnwana, 'Democracy, Development and Chieftaincy along South Africa's 'Platinum Highway': some emerging issues', *Journal of Contemporary African Studies*, 33(4), (2015), pp. 510-529.
[39] *Sunday Times*, 07 April 2018.
[40] A. Manson & B, K. Mbenga, *Land, Chiefs, Mining,* 2014, p. 145.

ploughing fields and inferior housing at their new destinations.[41] There also has been an outcry about inadequate compensation and the separation with ancestral ties in their original villages. Dineo Skosana, in her recent study in Tweefontein (Ogies), Mpumalanga province, has discovered that families were granted unreasonable compensation of as little as R1500, when they were relocated. This unreasonably low amount is said to have been determined by the mine without consultation with affected communities/families on what can constitute a fair compensation.[42] Skosana in her paper argues that dispossession is broader than how it has been historically conceptualised. She has observed that dispossession does not only mean the loss of tangible things but also the loss of the experience attached to the material things. As a result, according to Skosana, the relocation of both the house and the grave has resulted in the loss of intangible experiences attached to them.[43]

In areas where there are conservation interests, mining has caused a serious battle between potential mining companies, the state and environmentalists. This has been the case in iSimangaliso Wetland Park in the past three decades. Politicians, commentators and environmentalists have argued for and against mining. The latter arguing that mining is not development and does not necessarily develop local people but brings division, illness, contamination and death. It takes away grazing and agricultural land, pollutes water and air, poisons the soil, splits communities, shatters the peace of rural living with explosions, cracks houses and breaks window and only benefits the already wealthy directors, shareholders and corrupt traditional leaders.[44] Politicians on the other hand have viewed mining as development arguing

[41] Ibid.
[42] D. Skosana, *Grave Matters: Dispossession and the desecration of ancestral graves by mining corporations in Tweefontein (Ogies), South Africa*, *Society, Works and Politics*, (2019).
[43] Ibid.
[44] Sheila Berry, a letter addressed to Ms Steyn, the Chief Operating Officer of Somkhele Mine (Tendele Coal Mine), 8 March 2017.

that it creates much needed jobs for local people, although this has not always been the case. Mining has not developed rural communities. Similarly, Mnwana points out that platinum mining in the North West has not been an economic saviour for ordinary citizens who live under extreme poverty, plain inequalities and high unemployment.[45] In most cases, commoners do not have direct investment in mining activities and thus do not benefit. In short, mining disrupts social life and peaceful living in rural communities.

Although mining does not bring much anticipated development, it is expected that, it should contribute towards social upliftment. Mnwana has observed that despite some tangible benefits, mineral wealth is likely to deepen tensions between local power holders in the sphere of local governance, thus hampering service delivery in rural areas where mining takes place, particularly 'where traditional authorities are the architects and champions of resource-engendered community development.'[46] This is drawn from the fact that in the Bafokeng nation land ownership and the expansion of platinum mining in the area have diluted the powers of democratically elected municipal councils, when it comes to the execution of development projects. This is the case because the Royal Bafokeng Nation (RBN) invests significantly in infrastructural development and common services in the community. Meanwhile, democratic structures are expected to be drivers of rural development and transformation. In this regard there is a possible overlap of duties and functions of traditional leaders and democratically elected local government councillors. Ntsebeza and other scholars have argued that the recognition of traditional

[45] *Sunday Times*, 07 April 2018. Also See S. Mnwana, 'Democracy, Development and Chieftaincy along South Africa's "Platinum Highway": some emerging issues', *Journal of Contemporary African Studies*, 33(4), (2015), pp. 510-529.
[46] S. Mnwana, 'Democracy, Development and Chieftaincy' p. 510.

leadership institution in the post-Apartheid South Africa, an institution which is at odds with the principles of democracy, was a clear compromise to democracy.[47]

It is evident that mining in areas under the jurisdiction of traditional authorities does not only negatively impact on the environment but on the people as well, taking away what is traditional and leaving barren lands where farming is impossible post mining activities in the areas. The clash between the environmentalists and mining authorities is far from over as in some 'protected' parts of the KwaZulu Natal province, the minerals are still in the belly of the earth.

3. Rural Evictions and Resistance

South Africa has experienced a long history of forced removal of people from both rural and urban areas as a result of racist legislation.[48] It is extremely difficult to quantify the accurate number of the victims of forced removals in South Africa.[49] But Walker, who has done an extensive study on land reform in South Africa, has estimated that there are approximately 3.5 million cases across the country of forced removals from 1960 to 1982.[50] According to Kgatla, the most humiliating experience in the history of South Africa was the removal of black people from their places to unfamiliar places.[51] Kgatla points out that many Africans who were removed were dumped in barren and uninhabitable areas. He argues that such removals and treatment received by Africans from the white racist state was tantamount to

[47] See L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005
[48] SAHO, Forced Removal in South Africa. www.saho.org.za
[49] Ibid.
[50] See L. Platzky & C. Walker, *The Surplus People: Forced Removals in South Africa*, Johannesburg, Ravan Press, 1985.
[51] S.T. Kgatla, 'Forced Removals and migration: a theology of resistance and liberation in South Africa', *Missionalia,* 41(2), (2013), p. 120.

reducing Africans to non-citizens of South Africa.[52] It needs to be pointed out that excessive and brutal force was used to implement the policy of separateness. Skelcher outlines the extent of humiliation the Bhangazi people faced in 1974 during the process of forced removal as follows: 'one day in 1974 without notice, the government trucks (GG) came ending the idyllic life of the people of Bhangazi.'[53] People did not get time to collect all their belongings as they were removed at gunpoint. It is argued that the most devastating aspect of the removal in Bhangazi was that victims were not granted a chance 'at least to move their ancestral spirits to their new homesteads.'[54] The forced removal of Bhangazi people gives a sense of the nature of forced removals in South Africa during the apartheid era, where many Africans were victimised and some died in the hands of brutal apartheid policy enforcers.

In an attempt to answer the question on 'why people were removed?', Platzky and Walker in a book *The Surplus People*, point out that there are numerous explanations as to why people faced evictions during the apartheid era. However, these explanations vary from one area to another. Some people were moved because the government or private businesses had wished to a plant forest on their land or establish new industries.[55] Nustad and Sundnes refer to this practice as the 'global land grab in the south' where international companies have been involved in buying up or leasing huge areas of land and this had a direct impact on inhabitants of those areas.[56] Some people were moved because the areas in which they resided

[52] Ibid.
[53] B. Skelcher, 'Apartheid and the Removal of Black Spots from Lake Bhangazi in Kwazulu-Natal, South Africa', *Journal of Black Studies,* 33(6), 2003, p. 764.
[54] Ibid.
[55] L. Platzky & C. Walker, *The Surplus People: Forced Removals in South Africa*, Johannesburg, Ravan Press, 1985, p. 61.
[56] See K. G. Nustad & F. Sundnes, 'The nature of the land: The Dukuduku forest and the Mfolozi flats, KwaZulu-Natal', *Journal of Modern African Studies*, 51 (3), (2013), pp. 487-506.

had been declared ‘white-only’ areas, which scholars termed ‘the removal of black spots’ in white areas while others were removed in the interest of setting aside reserves for wildlife.[57] As in northern KwaZulu Natal, Walker has observed that from 1950 to the early 1980s about 1200 households were removed from what is now known as iSimangaliso Wetland Park (previously known as Greater St Lucia Wetland Park). People were dispossessed of the land in the name of nature conservation.[58]

It should be noted that Africans who were victimised did not remain passive or mere spectators during the process of evictions or forced removal, although resistance was usually met with brutal force. Kgatla views the rural struggles against evictions as the peasant led resistance, citing the role of peasants in the struggle against forced removals. Peasants were not prepared to give up their fertile ancestral land to white people. Instead peasants fought back by destroying the fences the government had erected.[59] Mbeki observed that since the enforcement of harsh apartheid policies by violent means, peasant resistance became widespread and well organised.[60] Undoubtedly, the resistance was usually, if not always, met with harsh measures by the apartheid police, including the shootings and detentions without trial. For instance, in the case of Tokazi, a location in KwaNongoma district people were ordered to move to a new area but they refused to leave their homes. The government punished them by denying them the right to plough their arable allotments, forcing them to face starvation. Later 24 families succumbed to the government orders and moved to the new place and were soon allowed to plough, turning one group against the other. There was outrage from the resistors and they

[57] See B. Skelcher, ‘Apartheid and the Removal of Black Spots from Lake Bhangazi in KwaZulu Natal, South Africa’, *Journal of Black Studies*, 33(6), (2003).
[58] C. Walker*, Landmarked: Land Claims and Land Restitution in South Africa*, Sunnyside: Jacana Media, 2008, p. 107.
[59] S.T. Kgatla, ‘Forced Removals and migration: a theology of resistance and liberation in South Africa’, *Missionalia,* 41(2), (2013), p. 129.
[60] G. Mbeki, *The Peasants Revolt*, Penguin Books, 1964.

eventually attacked the collaborators leading to the death of two and the detention of 29 people. In the end 14 were convicted, given sentences ranging from 8 to 14 years.[61] It is clear that forced removals were a humiliating experience to many Africans who were victimised by the racist and segregationist legislation implemented by the apartheid government.

4. Traditional leadership in the context of transition to democracy

Traditional leadership, or chieftainship, is an institution that has deep historical roots and great geographical coverage in South Africa and the rest of the African continent. After the defeat of African societies in the nineteenth century, the colonial, segregationist and apartheid rulers would give this institution some measure of recognition, considering its usefulness as a tool through which they could impose their authority over rural African communities. The Nationalist Party government's approach to the 'native question' was that they should be ruled through their own institutions.[62] However, this incorporation made the institution of traditional leaders to be ostracized by the rural communities over whom the chiefs presided, branding them as sell-outs and puppets of the apartheid state especially in the 1970s and 1980s. In the 1980s this institution appeared to be on its deathbed but was able to revive after it was recognized by the Constitution of the Republic of South Africa in 1996.[63] The Nationalist Party government had concentrated land administration

[61] Ibid.
[62] M. Mamdani, *Citizen and Subject*, Cape Town, David Philip, 1996, p. 7.
[63] See P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, 2018; L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston, Brill, 2005; B. Oomen, *Chiefs in South Africa: Law, Power and Culture in the post-Apartheid Era*, Pietermaritzburg, University of KwaZulu Natal Press, 2005.

under traditional leaders during the apartheid era,[64] thus making them 'accountable to the Native Affairs Department.'[65]

Many political activists and freedom fighters had hoped that the new dispensation would bring about a swift end to the institution of traditional leadership and the birth of a new democratic society where all citizens in the country would enjoy full citizenship rights such as the right to elect their leaders. However, that was not to be the case as Chapter 12 of the Constitution of the Republic of South Africa gave recognition to the institution of traditional leadership. This phenomenon creates room for robust debates around the coexistence of traditional leadership structures and elected democratic government structures. The democratic structures of governance exist side by side with traditional authorities in rural South Africa. This has complicated the sphere of local governance and caused tensions between these two incompatible systems of governance particularly, because the institution of traditional leadership is at odds with the principles of democracy. Traditional leaders in the countryside have been viewed as people who have enriched themselves at the expense of those they claim to represent, rule and lead.[66] Although some traditional leaders have challenged these propositions, it has become evident with the advancement of mining in rural South Africa that traditional leaders are benefiting from these schemes.

It becomes extremely difficult in rural South Africa to address the question of mining, land, migration and forced removals of the people without having to assess the role played by traditional authorities in the process. They still perform the roles they did

[64] L. Ntsebeza, 'Democratic Decentralization and Traditional Authority: Dilemmas of Land Administration in Rural South Africa', *European Journal of Democratic Research*, (2004), p. 77
[65] Ibid.
[66] P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, 2018.

during apartheid, such as land administration.[67] Michael Williams has observed that the current political order in South Africa is one that reflects both continuity and change with its apartheid past.[68] The transition to democracy produced the most respected Constitution globally 'that sought to establish strong democratic institutions'.[69] However, the same Constitution compromised democracy by giving recognition to traditional leadership without clearly stipulating their roles. Ntsebeza noted that such recognition of traditional leaders is at odds with the principles of democracy.[70] It is evident that the recognition of traditional leadership institution was based on a compromise to ensure continuity and preservation of the African identity than strengthening democracy. This came after many threats and submissions by advocates of this institution demanding their recognition in the 'new South Africa'. The recognition of traditional leadership institution by the Constitution ensured that this institution is not relegated to the dustbin of history.[71]

Williams points out that there have been notable positive changes since 1994 and the country has relatively enjoyed at least two decades of stability and peace, although this is debatable as 'low intensity warfare between supporters of the Inkatha Freedom Party and the African National Congress persisted well into the late 1990s. At the same time, however, the legacy of apartheid remains intact and conspicuous to citizens and visitors alike.[72]

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[67] See L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005.
[68] J. Williams, *Chieftaincy, the State and Democracy in Post-apartheid South Africa*, Indiana: Indiana University Press, 2010. p. 1.
[69] Ibid.
[70] L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005.
[71] B. Oomen. *Chiefs in South Africa: Law, Power and Culture in the post-Apartheid Era*, Pietermaritzburg: University of KwaZulu Natal Press, p. 45.
[72] Ibid.

There are a number of challenges contributing to these ‘triple challenges’ in rural South Africa, which include the clash between traditional leaders and elected local government structures at the local municipality level. Dube called for the Local Government and Traditional Affairs sphere to lead rural transformation, affirming that they should lead from the front. Although there are debates about the coexistence of these two forms of government as one of them is at odds with the principles of democracy, little could be done at a local level as the Supreme Law of the country recognises the institution of traditional leadership. It is for the latter reason that this study seeks to evaluate power relations in Mtubatuba and assess how these relations impact on socio-economic development and the lives of the ordinary people in Mtubatuba, KwaZulu Natal. While a significant body of scholarly works have been produced on conflicts between these two layers of government and the negative effects on governance and development in various parts of the country, little has been documented on these power relations in Mtubatuba. Therefore, this study does not only attempt to show how power relations have impacted the livelihoods of the commoners in the region but also to document social and economic life of the people in Mtubatuba and how it has evolved over time, at the same time contributing significantly to the scholarship on social life in the rural South Africa.

Historians and other scholars have written extensively on the role of traditional leadership during the apartheid and post-apartheid periods, paying special attention to how chieftainship was able to stage a comeback on the eve of democracy in South Africa. Many have questioned the political legitimacy of this institution in a democratic society, as this institution is at odds with the principles of democracy. Ntsebeza strongly believes that the recognition of the hereditary institution of traditional leadership in the South African Constitution while at the same time

enshrining liberal democratic principles in the same constitution is the central contradiction. He argues that 'the two cannot exist at the same time for the simple reason that traditional authorities' claim to power is by birth-right and their subjects are not afforded the opportunity that urban-based South Africans are enjoying of electing their leaders.'[73] However, the reality is that most rural communities have both local democratic structures and traditional leadership structures which gives such communities a choice. Scholars such as J. Williams, L. Ntsebeza, B. Oomen, J.L. Comaroff and J. Comaroff, and W. Beinart, among others, have published extensively on traditional leadership and the remarkable revival of this institution in post-apartheid South Africa, the key role that traditional leaders have come to play in development particularly in mining in their communities, as well as on conflicts with democratically elected councillors. Central to the arguments made by various scholars is that the institution of traditional leadership compromises democratic principles enshrined in the constitution.

The factors that led to the recognition of the traditional leadership institution have been seriously debated in the academic arena. Many scholars hold a similar view that this decision was based on compromise, attributing it to the role played by the IFP leader Inkosi Mangosuthu Buthelezi, the formation of the Congress of Traditional Leaders of South Africa (Contralesa) and the equivocal stance of the ANC about the institution of traditional leadership.[74] Ntsebeza has observed that the ANC did not really have a stronghold in other rural parts of South Africa and this pushed them into

[73] L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005, p. 256.
[74] See L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005.; M. Buthelezi & D. Skosana, 'The Salience of Chiefs in post-Apartheid South Africa', in L. Comaroff & J. Comaroff (eds.), *The Politics of Custom: Chiefship, Capital, and the State in Contemporary Africa*, Johannesburg: Wits University Press, 2018.; B. Oomen, *Chiefs in South Africa: Law, Power and Culture in the post-Apartheid Era*, Pietermaritzburg, University of KwaZulu Natal Press, 2005.

the desperate position of collaborating with traditional leaders.[75] There was an impression among the ANC leaders in exile that they were not doing adequate political mobilization among the millions of people who were subjected to Bantustan leaders.[76] Buthelezi & Skosana point out that this collaboration was inevitable as the ANC shifted to negotiated settlement as its military victory seemed less and less likely.[77] Chiefs were given a 'new' role to deliver the rural vote to the ANC to ensure its victory in the first general elections. It is for these reasons that it can be argued that as a result of the alignment of the ANC with the Congress of Traditional Leadership of South Africa (Contralesa), the ANC managed to gain massive support in some rural areas under the jurisdiction of traditional leaders. In turn, the ANC got significant votes in these rural areas. However, the IFP of Inkosi Mangosuthu Buthelezi ensured that many traditional leaders in KwaZulu Natal remain loyal to the IFP. Research conducted by various scholars proves that IFP used coercion and violence to maintain its hegemony in KwaZulu Natal.[78] Initially, the conflict was chiefly in urban townships, but by the late 1980s violence had spread to many rural areas under the jurisdiction of traditional leaders. It was in the 1980s and 1990s that the IFP used its powers as a government of KwaZulu Bantustan, to sustain its hegemony by terrorising those perceived as supporters or members of the ANC and their families. In this way Inkatha managed to maintain its hegemony in KwaZulu Natal beyond 1994. Although the IFP later in 1999 lost power to the ANC, Mtubatuba remained in the hands of the IFP. This makes Mtubatuba unique from many parts of

[75] L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005, p. 260.
[76] Ibid.
[77] M. Buthelezi & D. Skosana, 'The Salience of Chiefs in post-Apartheid South Africa', in I. Comaroff & J. Comaroff (Eds), *The Politics of Custom: Chiefship, Capital, and the State in Contemporary Africa,* Johannesburg: Wits University Press, 2018.
[78] See R. Taylor, 'Justice Denied: Political Violence in KwaZulu Natal after 1994", *Violence and Transition Series*, 6, (2002). and Injobo Nebandla, Freedom from Strife? An Assessment of Efforts to Build Peace in KwaZulu Natal, The Centre for the Study of Violence and Reconciliation, *Violence and Transition Series*, (2005), p. 11.

the rural South Africa, where the ANC enjoyed popular following. It is quite evident that Inkatha in Mtubatuba enjoyed popular following in Mtubatuba for a long time and arguably continues to do so today. Although the IFP lost control of the Mtubatuba municipality to the ANC in 2011 due to the emergence of the new competitor, the National Freedom Party (NFP) of Zanele Magwaza-Msibi, that triumph was short-lived and they (IFP) were subsequently able to retain their support. This study would therefore attempt to assess how the IFP hegemony in the Mtubatuba has contributed to the political dynamics in the area. There is a notion that traditional leaders and elected ward councillors should be responsible for fast-paced service delivery to the communities under their jurisdiction. Therefore, this study will examine the extent to which traditional leaders and ward councillors have managed to work together effectively to develop Mtubatuba area as a whole.

However, little has been documented about traditional leadership and mining in the Mtubatuba and other rural areas in the country. As a result, this study seeks to contribute to the existing scholarship on traditional leadership and mining in rural South Africa. Mtubatuba has not received adequate attention from historians and scholars, its history is not well documented. I strongly believe that this demands the documenting of the history of this part of the KwaZulu Natal province.

Research Methodology

The methodology of this study has combined different techniques. In-depth interviews and documentary sources, both primary and secondary, are the main method to obtain information about the area under study. Some interviewees who contributed to the study were known to myself and towards the end of the interview I

would ask the interviewee to refer another potential interviewee who is knowledgeable about the area. As a cultural insider I was quite conversant with some issues the interviewees raised. It is unfortunate, however, that I could not get to interview other key persons who had engaged in many activities in the areas. Amongst such persons are Philip Mkhwanazi[79], Thengezakhe Maphanga[80] and T.T. Zungu[81], Winnie Thethwayo[82] and many others. This is due to their busy schedules and the limited time I had in the area as I currently live in Gauteng. Many of these informants could not be available for scheduled meetings, some had to be postponed indefinitely. Nevertheless, this thesis owes its existence to the materials collected through oral history interviews.

Oral history records the living memories and feelings of individuals which may remain concealed in the mainstream history. According to Portelli, oral history 'gives us information about illiterate people or social groups whose written history is either missing or distorted.'[83] The case of Dukuduku history is largely recorded by 'cultural outsiders' and narrated through the same perspective. Most of the recorded history of the area reflects the voice of the political and economic elites and the conservationists have taken over the centre stage, leaving the role of ordinary community members concealed. According to Thompson, oral history can assist in opening up new important areas of inquiry.[84] Portelli points out that language is an area of concern in oral history as 'the same statement may have quite contradictory

[79] Phillip Mkhwanazi is a late induna of Khula village and ANC councillor in Mtubatuba. He was shot more than twenty times and killed on Monday morning, 25 May 2020 on what was suspected to be a hit.
[80] Thengezakhe Maphanga is a former ward four councillor and induna in Dukuduku forest. He was brutally murdered on 09 May 2020, the wife said he was shot twenty-eight times.
[81] Mrs T.T. Zungu is the wife of the former ward three ANC-councillor in Khula village, Sipho Zungu who was brutally murdered in 2008.
[82] She is a member of the ANC Women's League and an activist.
[83] A. Portelli, 'What makes oral history different?', in R. Perks and A. Thompson (eds.), *The Oral History Reader*, London: Routledge, 1998, p. 64.
[84] P. Thompson, *The Voices of the Past: Oral History*, Oxford University Press, 2000, p. 7.

meanings, according to the speaker's intonation, which can be represented objectively in the transcript, but only described in the transcriber's own words.'[85] This has been the case in the Dukuduku, where most of my interviewees are semiliterate. As a result, most of the interviews were conducted in isiZulu before being translated into English. Historians in this regard should be considerate and pay careful attention to the interviewees' actions, tone of language and so forth during the interview. During the course of the interview, it is likely to see narrators 'switch from one type of rhythm to another within the same interview, as their attitude toward the subject under discussion changes.'[86]

Portelli argues that oral sources are not about the facts but about why things happened the way they did. Oral sources make us understand the meaning of events and not the event itself, even though it is important. He argues that the speaker's subjectivity during the interview should be seen as the strength of oral evidence.[87] It is important to note that the Dukuduku history has been narrated at an outsider perspective for the longest of times. Some of the narratives have not been verified through engaging other available sources. For about a century or so the Dukuduku forest residents have been labelled as 'invaders' and 'squatters' on their own soil. It became necessary to give them a platform to voice their perspective of the story of the area. Therefore, in-depth interviews were conducted to get information about the area under study and this became the main method of this study.

Another challenge I had faced was inaccessibility or lack of documentary sources from the municipality offices as well as from some senior officials. It became clear

[85] A. Portelli, 'What makes oral history different?', p. 65.
[86] A. Portelli, 'What makes oral history different?', p. 65.
[87] Ibid.

that some leaders were reluctant to share such documents, indicating that some of these documents are confidential. Financial constraints also remained a major challenge during research. Most primary sources on the Dukuduku matter are housed in Durban and Pietermaritzburg repositories. However, the secondary sources were used to either supplement or challenge oral accounts. AFRA has done extensive work in Dukuduku land claims battles and their work has been engaged in this study. A great deal of newspaper resources available on the library database of the University of the Witwatersrand have been used. These newspapers have covered issues of the removals in the forest, environmental issues and conflicts, service delivery protests and maladministration in the Mtubatuba municipality.

Chapter Outline

From a structural point of view, this thesis is arranged into four substantive chapters, plus an introduction and conclusion. The introductory chapter outlines the research focus and rationale and provides a review of the literature pertaining to conservationism and development, local governance and mining, and the coexistence between traditional leadership and democratic structures of governance in rural areas. It also lays out the methodology used to undertake the study, covering its advantages and demerits.

The second chapter provides a historical background to the study by exploring early African settlements and socio-economic life in the Dukuduku Forest in Mtubatuba between the 1930s and 1980s. It pays special attention to the debates around the ecosystem next to St Lucia Wetland Park. This forest presents a complex history of several removals of the people by the state to various parts of Mtubatuba. As a

result, this chapter explores how people in the forest have organised themselves in order to resist evictions. It also examines the social order from the 1980s and generally the socio-economic system of these people over time.

The third chapter is about nature conservation, forced removals and dispossession in Dukuduku Forest in the post-apartheid period. The residents of Dukuduku forest hoped that the birth of a new democratic South Africa would give them relief but that was not to be the case. The current democratic state continued to enforce removal of the people from the forest in the interest of nature conservation to the newly established villages such Khula and Ezwenelisha villages. The chapter focuses on how the people of Dukuduku were dispossessed, a process which commenced during the transition period (early 1990s) through to the period after the general elections after 1994, and probes how the people who remained in the forest managed to resist removal. Finally, the chapter attempts to offer an answer to the question on whether Dukuduku is state land or traditional communal land.

The fourth chapter is about the ecological value of the Dukuduku Forest to the people who lived there. Most of the Dukuduku forest dwellers were apparently attracted by the fertility of the soil and the protection the forest offered to them. However, the conservationists held a strong view that the settlement of people in the Dukuduku forest was illegal. These forest dwellers engaged in small-scale farming along the uMfolozi flood plains and within the forest itself. This, in turn, strengthened the call that people be removed immediately evicted before they denuded the whole forest. Many of them had engaged in gumtree and sugar plantations within the forest and other crops such as banana, sweet potatoes, cassava and others along the protected wetlands along the uMfolozi floodplain. The calls to relocate these forest dwellers exacerbated the tensions between Dukuduku people and the

conservationists in the local conservation authority. This chapter focuses on the economic activities that forest dwellers engaged in. The people in the forest clearly did not just rely on the resources that were available in the forest. On the contrary, they engaged in small scale production of various agricultural products that thrived in the forest because of the fertility of the soil. For this reason, they resisted attempts to remove them from the forest and thus conflicts with conservationists intensified.

The fifth chapter examines conflicts and contestations that flared up between traditional authorities and democratically elected councillors. The co-existence of traditional leadership and elected democratic governance institutions in remote traditional communities has proved problematic and it is arguable that this phenomenon has compromised or delayed service delivery in rural South Africa. Conflicts have revolved around the roles of these two forms of governance in rural areas under the jurisdiction of traditional leadership. In Mtubatuba traditional leaders have become actively involved in party politics and this chapter attempts to address the impact this has had in the area, taking a glance into the role traditional leaders and ward councillors have to play in social upliftment. Lastly, as Mtubatuba is the former stronghold of Inkatha, this chapter attempts to address the impact the split of Inkatha Freedom Party (IFP) and the formation of National Freedom Party (NFP) of Zanele KaMagwaza Msibi and the ANC's victory in 2011 local government elections had in Mtubatuba, which marked the takeover of the municipality by ANC from the hands of Inkatha Freedom Party for the first time since its inception. This sixth chapter is the conclusion, which provides a summary of the entire thesis and emphasises its main findings.

Chapter 2

The Early Settlement and Socio-economic Life in the Dukuduku Forest: 1930s to 1980.

Introduction

The Dukuduku forest, which lies in northern KwaZulu Natal, has been fiercely contested by the residents and the state from as early as the 1930s. This forest presents a complex and controversial history of several forced removals of the people from the forest to other parts of Mtubatuba. Until its annexation by the British in 1887, the area of Mtubatuba forest had been under the jurisdiction of African traditional authorities, otherwise known as chieftainship. Before the arrival of the first European settlers on South African shores, the indigenous people of this country, now known as South Africa, owned and lived an independent life here. Accordingly, land was the main means of production and was held in common, belonging to the people as a community.[1] Meanwhile, according to Nigel Worden some 'societies shared a structure of homestead-based pastoral and arable production, linked together in clans and presided over by a chief.'[2] However, the advent of Europeans on South African shores and their advancement into the interior 'marked the beginning of two centuries of African defence of their land'.[3] Although the Cape was first occupied by the Dutch from 1652, 1806 marked the beginning of the British control of the Cape, forcing the Dutch to *trek*[4] into the interior. The British extended control to Natal, and was only in 1824 that the first white group settled in the Zulu (Zululand) territory. According to Mzala, their purpose was to establish a market for

[1] Mzala, *Gatsha Buthelezi: Chief with a double agenda*. London: Zed Books Ltd, p. 22.
[2] W. Nigel, *The Making of Modern South Africa: Conquest, Apartheid, Democracy*, Sussex: Blackwell Publishers, 2012, p. 11.
[3] Mzala, *Gatsha Buthelezi: Chief with a double agenda,* p. 22.
[4] Trek means to walk a long distance usually over land such as hills, mountains or forests.

the collection and export of ivory.[5] In September 1828, (after the death of a powerful king of the Zulu, Ingonyama uShaka kaSenzangakhona) it is believed that Port Natal became a colonial settlement that served as a centre for organising further demarcation of land between Natal and Zululand.[6] King Dingane succeeded King Shaka and it is argued that his attempts to treat white people as the subordinates of the Zulu kingdom were met with hostility.[7] He [King Dingane] suffered a great loss in the Battle of Blood River against the *Voortrekkers*[8] who had aligned themselves with merchants, and declared the new Republic of Natalia in 1838.[9] It was during King Cetshwayo's reign (1873-1879) that the Zulu kingdom was devastated and finally in 1887, Zululand was incorporated into Natal, under British control. Under British colonial rule in South Africa, chieftaincy was retained but only after it had been violently suppressed to remove the possibility of political power and the 'new' non-customary functions intended to advance colonial interests were assigned to this institution.[10] This epoch saw a significant increase in the number of traditional leaders who were incorporated into the system of Indirect Rule and consequently became salaried functionaries of the colonial state. As a result, the institution was transformed 'into a kind of local government whose main function was to serve as a source of cheap labour for the newly-developed mines, farms and urban industries.'[11] In August 1930, as Zululand was now under British control, Dukuduku forest was demarcated as state forest according to Government Notice No. 1479

[5] Mzala, *Gatsha Buthelezi: Chief with a double agenda*, p. 23.
[6] Ibid. p. 24.
[7] Ibid. p. 24.
[8] Members of one of the groups of Dutch-speaking people who migrated by wagon from the Cape Colony into the interior from 1836 onwards, in order to live beyond the borders of British rule.
[9] W. Nigel, *The Making of Modern South Africa*, p.19.
[10] P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, 2018, p. 18.
[11] Ibid. p. 19.

dated 15 August 1930.[12] Dukuduku Forest was declared state land and became a 'crown land'[13] and overnight the indigenous people became 'squatters' on their own land.[14] This led to the eviction of indigenous African people, which according to Mdamba, a senior citizen and the victim of forced evictions in Dukuduku, started in 1930. Frode Sundnes points out that the interdepartmental land exchange in 1946 divided the Dukuduku forest into two, the northern portion being part of the forest reserve while the southern part became a large farm lot.[15] This led to the establishment of a farming village in the south-western part of the forest, later named Monzi.[16]

Although African people in Dukuduku were referred to as 'invaders' and 'squatters' by the former and current government, literature posits that Dukuduku belongs to the African indigenous people who had occupied the forest before the arrival of white people in the coastal areas of KwaZulu Natal.[17] Nustad believes that it is the notion that nature should be conserved separate from the human society that is problematic and has led to harsh treatment and bloodshed of Africans in various parts of South Africa.[18] In this chapter, I attempt to address the question of belonging: who owned the Dukuduku forest from the early years? This will be achieved through tracing the human settlement in the forest and the period in which white people arrived. It seeks

[12] N.B. Ndlovu. 'Quantifying Indigenous Forest Change in Dukuduku from 1960 to 2008 Using GIS and Remote Sensing Techniques to Support Sustainable Forest Management Planning', Unpublished Master Dissertation, University of Stellenbosch, 2013, p.15.
[13] Crown land refers to the territory that belonged to the British crown or was under British control during colonial period
[14] F. Sundnes, 'Scrubs and Squatters: The Coming of the Dukuduku Forest, an Indigenous Forest in KwaZulu Natal, South Africa', *Environmental History 18,* April 2013.
[15] F. Sundnes, 'Scrubs and Squatters: The Coming of the Dukuduku Forest, an Indigenous Forest in KwaZulu Natal, South Africa', *Environmental History,* 18*,* (April 2013), p. 291.
[16] Ibid, p. 291.
[17] See F. Sundnes, 'Scrubs and Squatters', pp. 277-308; K.G. Nustad, *Creating Africas: Struggles over Nature, Conservation and Land*, Pietermaritzburg, University of KwaZulu Natal Press, 2015; Africa Resource for Housing, Research Report (2018), AFRA, Special Report: Dukuduku: The Forest of Our Discontent, 2003.
[18] See Nustad, *Creating Africas*, pp. 115-118.

to assess the socio-economic life of the inhabitants of the forest during the period under study. It is in the interest of this study to address the role played by the occupants of the forest in the struggle against forced removals while on the other hand addressing the extent of brutality displayed by the white government when evictions were carried out. I argue that the notion that nature conservation can be achieved completely separate from human society is problematic and has led to confrontations and unnecessary deaths that could have been avoided. One needs to point out, in addition, that the current Dukuduku Forest is smaller than the original forest in the early 20th century. The establishment of sugarcane farms across the uMfolozi floodplain, afforestation, forced removals and the establishment of an army camp (121 Battalion) have all contributed significantly to the reduction of the original forest to what it looks like today.

The Land Question in Dukuduku

During the pre-Shakan era, Inkosi Dingiswayo of the Mthethwa chiefdom enjoyed paramountcy to a certain extent and was in control of the area from the north coast to Hlabisa and Hluhluwe in the north. During the reign of Jobe, Dingiswayo's father, a number of distressed parties of smaller clans put themselves under the authority and protection of the Mthethwa who had powerful regiments at the time. In this way the Mthethwa were able to build new dependent clans paying allegiance to the Mthethwa chieftaincy.[19] Among the clans that paid allegiance to Mthethwa were the Mkhwanazi of Mpukunyoni (today Mtubatuba), the Mbonambi chiefdom between KwesakwaMthethwa and the sea, the Dube chiefdom situated in the northern

[19] A.T. Bryant, *The Olden Times in Zululand and Natal Containing Earlier Political History of the Eastern Nguni clans*, London: Longman, 1929, p.109.

lagoons of uMhlathuze River, the people of EmaNdlazini, the Msweli, the Ncube in the Dukuduku forest, and other clans.[20] Following the death of Inkosi Dingiswayo, 'Shaka arrogated himself the imperial mantle of Dingiswayo, and was demanding that all erstwhile Mthethwa dependencies should now submit to him.'[21] As a result, the Zulu nation emerged as a small chiefdom under the control of Mthethwa and it was after the death of Inkosi Dingiswayo that Shaka defeated Ndwandwe and consolidated a strong Zulu nation under his personal command.[22] It is believed that the Dukuduku area under study here was allocated to the people of eMancubeni by Inkosi Jobe (Dingiswayo's father) of the Mthethwa chieftaincy in the early 1800s. According to Zibuse Mncube, a senior citizen and a land claimant in the Dukuduku forest, the people of Ncube were given this part of the area as a reward for driving out the Msane people who had settled in the Mthethwa territory without the consent of Inkosi. He pointed out that the Msweli people had advised the Mthethwa to go and find the Ncube who were under Inkosi Buthelezi as it was believed the Ncube had deep knowledge of *intelezi*, (traditional muthi used by the regiments when going to war) that could help drive the Msane off the Mthethwa territory. The agreement reached by the Ncube and Mthethwa was that once they were done with Msane they would be offered a territory for settlement within the Mthethwa territory.[23] Once the mission was accomplished the Ncube 'were allotted a home about the Dukuduku bush, near the mouth of St Lucia Bay' by Inkosi Jobe of the Mthethwa (1790-1807).[24] Therefore, from the first decade of the nineteenth century the Dukuduku forest was occupied by the Ncube people who paid allegiance to the Mthethwa chieftaincy. The

[20] Ibid.
[21] Ibid. p. 110.
[22] W. Nigel, *The Making of Modern South Africa,* p.17.
[23] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 29 December 2019. Translated.
[24] A.T. Bryant. *Olden Times in Zululand and Natal,* p.114.

Ncube people before reaching the coast were known as the people of eMancubeni, however, upon reaching the coast they became known as abakwaNcube, not as people of eMancubeni.[25] Zibuse Mncube reminds us that although Ncube was allotted this section by the Mthethwa, he did not behave or control the area as an independent chief but continued to pay allegiance to the Mthethwa as an induna. Unlike the Mkhwanazi who were given land and soon arrogated themselves as rulers in their own right.[26]

Land dispossession caused severe devastation to the livelihoods of many black South Africans.[27] Walker and Cousins point out that land was the fundamental resource in southern Africa during the precolonial period as the economic and social relations were agrarian in character. They argue that dispossession disrupted the nature and livelihoods of the rural people in South Africa during the colonial and apartheid periods.[28] Kgatla views the removal of African people from their indigenous places as the most humiliating experience. Africans who were removed were dumped on barren and uninhabitable land.[29] The latter was the case in the Dukuduku forest, whose inhabitants were victimised in the process of forced removals. Njeke Mdamba, a senior citizen in the Dukuduku forest, born in Futhululu forest (which is part of the Dukuduku forest), recalls that his father was evicted in the 1930s. He remembered his early days herding cattle in the Dukuduku forest. White people introduced squatter tax, and "we had to pay for our cattle, grazing on our own

[25] Ibid. p.115.

[26] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 29 December 2019. (Translated).

[27] C. Walker & B. Cousins (eds.), *Land Divided, Land Restored: Land Reform in South Africa for the 21st Century,* Sunnyside: Jacana Media, 2015, p. 1.

[28] Ibid.

[29] S.T. Kgatla, 'Forced Removals and Migration: a theology of resistance and liberation in South Africa', *Missionalia* 41 (2) (2013), p. 120.

land."[30] He pointed out that failure to pay tax would result in immediate evictions.[31] Nustad argues that those who wanted to stay paid tax and some would offer the much-needed labour in the newly established farms. They paid tax. However, they were evicted at the end of the day. Mdamba claims that evictions were forceful: 'GG trucks took us and we were dumped at KwaMpukunyoni and left to find new building plots for ourselves in the Mkhwanazi territory. My father went to the chief to ask for a site and we were allocated a site at Esiyembeni.'[32] However, it should be pointed out that some people remained in the forest and some of those evicted returned, as the Association for Rural Advancement puts it in its special report that 'the forest has never been empty.'[33] Mdamba argued that the notion that [this] was a thick and impenetrable forest that had no homes is 'nonsense'. He emphasised that the area belongs to the people, 'there were homes here, our parents kept cattle and planted crops here, long before white people arrived.'[34] Induna Sithole indicated that white people drove them out of the forest in the 1970s to *nkolokotho*.[35] 'We were forced to leave our cattle, goats and chicken [here]. We ran for our lives and scattered throughout the forest. We stayed there unhappy and frustrated but in 1979 we decided to come back.'[36] He specified that they would return at night to avoid arrest and harassment by the security forces and hide in the forest. Mdamba's arguments are supported by various people in the area who claim the ancestral ties in the area. These groups of people refer to themselves as original owners of the Dukuduku

[30] Interview with Njeke Mdamba, conducted by Patrick Nyathi, Dukuduku Forest, 27 September 2019. (Translated).
[31] Ibid.
[32] Ibid.
[33] Association for Rural Advancement, Dukuduku Research Project, September 2002, p. 7.
[34] Interview with Njeke Mdamba, conducted by Patrick Nyathi, Dukuduku forest, KZN, 27 September 2019. (Translated).
[35] '*Nkolokotho'* refers to a dry barren land where farming is almost impossible and the grass is too dry for cattle to graze.
[36] Interview with Induna Almond Sithole, conducted Patrick Nyathi, Dukuduku Forest, KZN, 02 January 2020. (Translated).

forest area and have lately organised themselves as the Dukuduku Land Claims Trust. They argue that Dukuduku is theirs, and among them are the Ncube, Msweli, Thethwayo and others.

It is said in the available literature and by informants that forced removals in Dukuduku forest occurred at least four times from the 1930s to 1980s.[37] For instance, the informants point to Futhululu forest, as their home. However, Nustad views this part of the Dukuduku forest as the remaining forest which appears untouched by the human-settlement, as a result representing the last remains of the undisturbed nature in conservation reality.[38] Msweli and Mdamba have pointed out that their ancestors were buried there. It is argued that the most devastating aspect of forced removals was that most, if not all were not granted a chance to move their ancestral spirits to their new homesteads.[39] It needs to be pointed out, however, that Africans were not mere spectators in the process. The people were not prepared to give up their fertile ancestral land to the white people who had disrupted the ideal life in rural South Africa.

Explanations, on why removals were carried out, vary from one place to another. Platzky and Walker attempts to address the reasons for removals of African people from their land in South Africa before and during the apartheid era. They estimate that about 3.5 million Africans have been victimised by forced removals.[40] However, it is possible that the victims of forced removals in the country are far beyond the

[37] See Africa Resource Centre for Housing, *Rule 5 Research Report, Dukuduku Community Land Claim, Ref No: KRN6/2/2E/28/0/018*, Oct 2018
[38] K.G. Nustad, *Creating Africas: Struggles over Nature, Conservation and Land*, Pietermaritzburg, University of KwaZulu Natal Press, 2015, p. 107.
[39] See B. Skelcher 'Apartheid and the Removal of Black Spots from Lake Bhangazi in KwaZulu Natal, South Africa', *Journal of Black Studies*, 33(6), (2003); D. Skosana, 'Grave Matters: Dispossession and the desecration of ancestral graves by mining corporations in Tweefontein (Ogies), South Africa', *Society, Works and Politics Institute*, Johannesburg, (2019).
[40] See L. Platzky and C. Walker, *The Surplus People: Forced removals in South Africa*, Johannesburg: Ravan Press, 1985.

estimate made during the Surplus People Project, given that some evictions were carried out without proper administration and many without compensation. This figure shows the extent of the brutality of apartheid policies, converting Africans into wanderers and squatters on their own soil. Forced removals and the treatment Africans received from the white racist state was tantamount to reducing Africans into non-citizens in South Africa.[41] Platzky and Walker support Kgatla's argument as they point out that relocation sites were designed to be out of sight from all national roads.[42] In Ladysmith, for instance, Africans faced evictions because the Ladysmith Farmers Association believed that Roosboom, a 'black spot' in the area of Ladysmith, 'causes harmful injury to the image of South Africa in the eyes of overseas tourists' as it was the only 'Black Spot' through which the Durban-Johannesburg National Road (N3) passes.[43]

It is not clear in the available literature whether Dukuduku forest was to be a small-scale agricultural area or a conservation site. The people were confused about the exact reasons they had to face evictions. Some believed that Africans were not needed next to white people as they had settled in St Lucia and the Monzi farming district which has been part of the Dukuduku forest. Joseph Thethwayo, the chairperson of the Dukuduku Land Claims Trust and the son of the late Thethwayo who played a prominent role in the struggle against removals in the forest, recalls that white farmers planted pine and gum trees on their land. They were threatened that if those crops were destroyed either by them or their cattle they would face the full might of the law or evictions.[44] This act by these farmers seems to have

[41] Kgatla, 'Forced Removals and Migration', p.120.
[42] Platzky & Walker, *The Surplus People*, p. 7.
[43] Ibid. p. 64.
[44] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019. (Translated).

compromised peace and harmony in the Dukuduku Forest area and people began to live in fear. Ernest Mlambo, the co-founder of Manukelana Art and Nursery and the founder of Umganu Eco-Care, pointed out that before the 1960s, the approach of the white government was not based on conservation but preservation. They saw Dukuduku forest as rich land for expansion of commercial forest. However, it was after 1960 that an approach changed from preservation to conservation, with the emergence of environmental groups.[45] The availability of land as a precondition for the establishment of conservation has been acquired through a number of strategies, including the use of brutal force, guns, dogs teargas, 'land purchase', leasing and donations. Environmentalists were concerned with the pace at which biodiversity was being lost and the impact that would have on climate change globally.[46] As a result calls to conserve biodiversity were made with emphasis on natural indigenous forests. This move by environmental groups led to forced evictions of African people, in most cases without fair compensation or no compensation at all, in many parts of the country. It can be argued that the view held by environmentalists that conservation could be achieved totally separate from human beings has created serious conflicts between African communities and environmentalists and conservationists. This view led to a numerous and inhumane displacement of African people across the country. This has been the case with the Maluleke community in Limpopo,[47] the Ncube in Dukuduku forest,[48] the Mbuyazi clan in Bhangazi[49] and many other dispossessed African communities in South Africa in the name of nature

[45] Interview with Raymond Langa, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 02 July 2019. (Translated).
[46] M. Ramutsindela, 'Trans frontier conservation and land reform policy', in C. Walker and B. Cousins, *Land Divided, Land Restored*, Sunnyside: Jacana Media, 2015, p.176.
[47] See G.L. Maluleke, 'Rethinking Protected Areas Co-management in the Maluleke region, South Africa', PhD Thesis, University of Stellenbosch, 2018.
[48] See F. Sundnes, 'Scrubs and Squatters', pp. 277-308
[49] See B. Skelcher, 'Apartheid and the removal of Black Spots from Lake Bhangazi, KwaZulu Natal, South Africa', *Journal of Black Studies*, 33(6), (2003), pp. 761-783.

conservation, which scholars have referred to as green-grabbing. In a broader sense, Ramutsindela reminds us that the environmental themes in the nineteenth century revolved around the colonialist desire to conquer, tame and 'protect' nature. It is argued that this desire was rooted in the broader colonial enterprise, which was based on a view that Africa was a 'wild space' and the first step to 'civilisation' was to control the Africans, and to sustain the capitalist system which would make Africans to be reliant on wage labour.[50]

Raymond Langa argued that it was confusing and frustrating that the people were forcefully removed in the name of nature conservation but the white people planted alien plants that would compromise the indigenous plants. Alien plants use a lot of water, thus compromising the indigenous plants. This move poses a question whether Dukuduku forest was to be a conservation site or a small-scale agricultural space. This act created tensions and confrontation between the white settlers and Africans who resided in the forest. Africans wanted to protect their ancestral land from invaders. On the other hand, the state referred to African people inhabiting the forest as 'invaders' and 'squatters' which resulted in hostility between these two groups.

The Early Human Settlement and the Forced Removals of the Indigenous People of the Dukuduku Forest

The people who reside in Dukuduku today have a historical relationship of occupation and land use with the forest.[51] Although this is contested by some

[50] M. Ramutsindela, 'Trans frontier conservation and land reform policy', in C. Walker and B. Cousins (eds.), *Land Divided, Land Restored*, Sunnyside: Jacana Media, 2015, p.177.
[51] Association for Rural Advancement, Dukuduku Research Project, 2002, p.10.

government departments, archaeological research suggests and has in fact proven that the area had been inhabited as early as the Early Iron Age.[52] The Report, Rule 5 Research Report Dukuduku Community Land Claim prepared on behalf of the State Attorney's Office: KwaZulu Natal 2018, points out that the Dukuduku forest and its surrounding areas were used during the precolonial era 'for lodging, hunting, fishing, grazing, planting, gathering, interring and refuge'.[53] This assertion also has support among most informants I have interviewed who claim ancestral ties to the area. The land claimants, in particular, claim they have a direct ancestral connection to the area and refer to areas and activities they used to carry out during their childhood. They cite stories shared by their grandparents about the life in the Dukuduku forest and many of the areas they refer to are now within the fenced game park, including their ancestors' graves, of which they complained that their forebears were not at peace.

According to the informants, the removals in Dukuduku started in the 1930s, with the introduction of hut tax. In addition, squatter tax was introduced and enforced in 1935, which brought evictions even closer as those who could not pay tax had to leave the area.[54] Those removed from the forest were dumped in KwaMpukunyoni under Mkhwanazi Tribal Authority. They had to seek building sites for themselves without any form of compensation. When asked whether or not they were compensated for being forced to leave Dukuduku forest, most informants clearly indicated that no reparation of any form was granted. Thethwayo had this to say:

> When the Mtubatuba magistrate court issued an order that everyone in the forest should be removed in 1974, many people just went to local farm

[52] Africa Resource Centre for Housing, *Rule 5 Research Report, Dukuduku Community Land Claim, Ref No: KRN6/2/2E/28/0/018*, Oct 2018, p. 38.
[53] Ibid.
[54] Ibid.

> compounds and subjected themselves to working for white farmers. Very few agreed to be taken by GG trucks. The authorities tasked my father who was an induna to record all the relocated families but my father was illiterate as a result no list was recorded. Those who went to nearby farms soon returned to the forest and we had no choice but to return as well in 1988. My father said to me people have all the rights to return to the forest because they had been removed without compensation. No one was compensated.[55]

The above assertion suggests that African people were relocated without compensation nor were they given shelter where they were dumped. Mdamba and Msweli pointed out, in support of the above, that they were dumped in Mpukunyoni area to seek building sites for themselves and forcing them to pay allegiance to the Mpukunyoni Traditional Authority who had denounced them on more than one occasion.[56] Making his ruling on 30th May 2003, Judge J. Moloto, in the Land Claims Court of South Africa (LCC), Case Number: LCC30/02 said:

> The fact that first respondent (Regional Land Claims Commissioner: KwaZulu Natal) found, during her investigations, that there had been a dispossession as contemplated in the Restitution Act, that there is a *prima facie* a community and that the applicant (The Dukuduku Community) had received no compensation, yet still dismissed the claim; tends to suggest bias or *mala fides* or improper motive on her part.[57]

[55] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019. (Translated).
[56] Interview with Njeke Mdamba, conducted by Patrick Nyathi, Dukuduku forest, KZN, 27 September 2019 and Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020. (Translated).
[57] J. Moloto, In the Land Claims Court of South Africa, Case No: LCC 30/02, 30 May 2003.

Judge Moloto's decision was a triumph of the people of Dukuduku, in particular the land claimants, who had accused the land commissioner of bias. They felt that her primary decision to reject their claim was politically influenced.

Furthermore, claims that the people of Dukuduku were part of the Mpukunyoni Traditional Authority are disputed by the indigenous people from the Dukuduku forest. The area in question was under Ncube.[58] Some, even today, still refer to the area as the KwaNcube area. It is believed that Ncube was given the area as a reward for his gallantry and the act of bravery in driving out the Msane who had established themselves in the Mthethwa territory without the consent of Inkosi Mthethwa. Msane, it is believed, was a very powerful man with deep knowledge of *intelezi* (muthi used by warriors when going to battle) and Ncube was called to come to the Mthethwa's rescue as he had the similar magical powers as Msane. According to Bryant the Ncube had been allotted the Dukuduku forest by Inkosi Jobe (1790-1807, the father of Dingiswayo, of the Mthethwa chieftaincy.[59] Mncube pointed out that they continued paying allegiance to the Mthethwa. According to Mncube both Ncube and Mkhwanazi were izinduna or *abanumzane* (senior members of inkosi's council). The Mkhwanazi men were tasked to safeguard the Mthethwa royal homestead called oYengweni.[60] However, Malanda, Veyane's son married King Mpande's sister and the Mkhwanazi became royal and the area between uMfolozi river and Hluhluwe was given to them to reign over. This area would later become

[58] Various informants support this assertion, this includes land claimants and the activists who took part in the struggle against forced removals in the Dukuduku forest. Joseph Thethwayo, Nkombane Msweli, Zibuse Mncube and Mr Zwane all agree that Dukuduku was under Ncube, who had been allocated this area by the Mthethwa Traditional Authority after he had defeated Msane, was given the area as reward for his bravery and heroic deeds.
[59] A.T. Bryant, *Olden Times in Zululand and Natal Containing Earlier Political History of the eastern Nguni clans*, London: Longman, 1929, pp. 114-115.
[60] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 29 December 2019. (Translated).

Mtubatuba, named after the wealthy Inkosi Mtubatuba Mkhwanazi who died in 1955.[61]

The seniors and the land claimants as well as available literature point to four attempts of removals from the Dukuduku forest, starting from 1930 to the late 1980s. The people of Dukuduku have been evicted on numerous occasions but the forest was never left unoccupied. It was always occupied. Thethwayo, Mncube, Msweli and Zwane argue that, although evictions were carried out they never left the forest on a permanent basis. They would come back and hide in the forest because to them the forest meant life and the connection to their ancestors, hence they are buried in the Dukuduku forest. 'The forest provided us with food, the land was extremely fertile thus drawing more people to come and settle here. Perhaps it is what motivated them [white] to drive us away from our land', Msweli said. They claim that the principal reason given to them was that the government needed more space to plant trees (afforestation) in areas where they resided.[62]

It can be argued that the evictions before 1980 were not as significant as the 1980 evictions. It is difficult to establish the exact number of the families evicted in the forest in the 1930s and beyond but Sundnes points to a squatter list that had about seventy nine men and about one hundred and ninety two huts, which had been recorded in preparation for the evictions from the Dukuduku forest reserve.[63] Thethwayo pointed out in 1974 they were just taken out of the forest without proper

[61] P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, 2018, pp. 34-40.
[62] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020. (Translated).
[63] F. Sundnes, 'Scrubs and Squatters: The Coming of the Dukuduku forest, an indigenous Forest in KwaZulu Natal, South Africa', *Environmental History 18*, 2013, p. 292.

records.[64] Given that it was never left unoccupied, there is a sense that even in the 1930s not all inhabitants of the forest were recorded. Mncube indicated that white people had no knowledge of the forest hence they could not evict everyone from the forest. African people had mastered the art of navigating the forest and hid from the white people.[65] The current claim is filed by the thirty eight families, which further complicates the actual number of the dispossessed people in Dukuduku before and after 1980s.

The last attempt to evict the people and their reaction was now influenced by the national state of politics in South Africa, that of intensified struggle against apartheid and the widespread violence in KwaZulu Natal between Inkatha Freedom Party (IFP) and the African National Congress (ANC). After this attempt, the population of Africans in the Dukuduku forest increased significantly between 1989 and 1992 and the struggle against removals, now in the name of nature conservation, intensified. However, there were more deep-seated reasons for removals of Africans from Dukuduku forest. Some speculate that after the establishment of St Lucia Wetland Park, white people in general, and white farmers in particular who resided in St Lucia did not want to be surrounded by Africans, which might have led to the removals. Secondly, the fertility of land might have influenced the Department of Forestry to develop government commercial forestry. Lastly, the notion that coastal forests must be conserved, which emerged in the late 1960s with the involvement of conservation groups such as the Wildlife Society of South Africa, could have been another influential factor. The latter has been used by the current democratic government in

[64] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019. (Translated).
[65] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku forest, KZN, 29 December 2019. (Translated).

its attempt to finish the segregationist and apartheid project of removing Africans from the forest which had its beginnings in the 1930s.

In 1973, according to Nustad, the apartheid government's Department of Forestry is said to have secured a court order to remove all the people who inhabited the forest. This was because the Forestry Department had required more space to plant imported alien plant species that turned out to be harmful to the indigenous forest. This move by the Forestry ministry was vigorously opposed by the emerging conservation groups, who argued that Dukuduku forest must be protected.[66] One such group was the Wildlife Protection and Conservation Society of South Africa. It is when the conservation interest emerged and white farmers were compensated with land elsewhere.[67] However, the new interest on nature conservation would not be smooth sailing. It received fierce resistance from the forest dwellers, probably because of the lack of the proper approach and the notion that nature conservation would mean indigenous people breaking ties with the ancestors. In the 1980s, forced removals were now in the interest of nature conservation. To a large extent, the people were able to resist evictions by employing various approaches including the legal means. However, to achieve this they had to increase the number of the inhabitants in the forest in order to intensify the resistance against evictions. In 1988 and 1989, it was reported that the number of Africans in the forest was increasing significantly. The Rule 5 Research Report (2018) argues that one factor contributing to the increase in the numbers of the Africans in the forest was that;

> The 1980s was the decade of widespread, coordinated civil disobedience in South Africa. The political motive behind this was the demise of apartheid state… a time where two biggest political parties in KwaZulu Natal, ANC and

[66] Nustad, *Creating Africas*, pp.115-117.
[67] Ibid, p. 117.

> IFP were at war with each other. The Greater Dukuduku was a particular hotspot for confrontations and clashes. These appear to have resulted in many displaced and fearful families seeking refuge in the forest.[68]

This argument points to one dimension that contributed to the population growth in Dukuduku in the late 1980s and therefore cannot be rejected in its entirety. It is one factor that contributed but there are other key role players who crafted the strategy to increase numbers in the forest. As mentioned earlier in this chapter, the forest was never left uninhabited. Mncube recalls that the forest was thick and probably less penetrable to those who were not familiar with it. This means that when evictions were carried out some people managed to hide and remained in the forest.[69] One such man was Nyamazane Mgenge and others. Mgenge remained in the forest and crafted izinqoko (curved wooden trays).[70] He worked with Thethwayo, Shikishela Mkhwanazi, Nkombane Msweli and others to return the people to the forest. This was done to maximise numbers so that it would be difficult for authorities to drive them out of the forest.[71] It is believed that it was the Ncube people returning to their ancestral land after finding the resettlement camps where they had been moved to congested, barren and not conducive.[72] However, the white authorities called the return of the Ncube people to their land an 'invasion' of the forest by illegal squatters, and allegations spread that Inkatha was selling plots in the forest for as little as R10 each in order to create its strong support base in the forest.[73]

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[68] Africa Resource Centre for Housing, Rule 5 Research Report, Dukuduku Community Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018, p. 51.
[69] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku forest, 29 December 2019. (Translated).
[70] Interview with Bab' Zwane, conducted by Patrick Nyathi, Dukuduku forest, KZN, 31 December 2019. (Translated).
[71] Ibid.
[72] Africa Resource Centre for Housing, Rule 5 Research Report, p. 52.
[73] Ibid.

Various men were tasked with allocation of plots to the returning people and the new residents in the four parts of the Dukuduku forest, KwaNdonyana, just above the Lake St Lucia, Oweni, Khayelisha and KwaNyamazane where Nyamazane Mgenge resided. It was agreed that land would be allocated to the Ncube people who had been previously removed, but later the men facilitating the project reviewed their decisions and would later allow everyone to settle in order to ensure that white authorities found it difficult to evict them. The newly settled groups included the Tsonga from Mozambique and the amaThonga[74] from the far north of today's KwaZulu Natal who were already in the sugarcane farms in Monzi.[75] According to Thethwayo, people were charged R60 per site. Funds were used to finance the legal battle as the people had resorted to the legal approach to fight against unjust and inhumane removals that were taking place in Dukuduku forest.[76] Thethwayo further pointed out that his father was arrested and charged for illegally allocating sites on 'state land' to 'squatters' and 'invaders'. However, as the case progressed, the Dukuduku people won it hence the white people failed to prove that land belonged to them and Africans could identify their forefathers' graves and the old dipping site they had used for ages. It also proved that they had extensive and intensive knowledge of the forest itself.[77] Zwane, on the other hand, claimed that funds collected by Nyamazane Mgenge were taken by Mgenge himself to Enyokeni (Zulu Royal Palace), KwaNongoma. When asked why funds were taken to KwaNongoma instead of Mgeza (Mpukunyoni 'Tribal' Authority), he argued that Dukuduku did not

[74] AmaThonga is a clan under Inkosi Tembe in the far north of KwaZulu Natal province, believed to be originally from Zimbabwe and had migrated from Karanga to areas around Delagoa Bay, Mozambique in the sixteenth century.
[75] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020. (Translated).
[76] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019. (Translated).
[77] Ibid.

form part of the Mpukunyoni territory, and the Mkhwanazi Traditional house had distanced themselves from the Dukuduku people, supporting the removals and the claim that Dukuduku was the white man's land.[78] These claims were supported by Msweli who claimed that he personally went to the Mpukunyoni Traditional Authority, seeking intervention on the issue of evictions, and was denounced by Inkosi Mzondeni Mkhwanazi.[79] It is generally believed that Inkosi M.M. Mkhwanazi was in the payroll of white people who wanted to forcefully take the forest. On numerous occasions, the Inkosi had secret meetings with the influential individuals in the forest, convincing them to accept the resettlement offer from white people.[80] 'I personally escalated the matter to the Zulu King to seek intervention on the Dukuduku issue', Msweli said. The King summoned Inkosi Mkhwanazi and reprimanded him for not supporting the people of Dukuduku.[81] It is believed this is how the Mpukunyoni Traditional Authority got involved in the Dukuduku matter. However, some argue that they got involved through the role played by Shikishela Mkhwanazi (from the Mkhwanazi royal house), who was a member of parliament of KwaZulu government. Shikishela was deployed by the IFP leader and the head of KwaZulu government to assess the situation. He saw a golden opportunity to establish himself as a leader of the people of Dukuduku. There was then confusion about the role he would play. Mlambo remembers that at one instance Shikishela referred to himself as Inkosi of the Dukuduku people.[82] Upon his arrival Shikishela Mkhwanazi, the relative of the Inkosi Mzondeni Mkhwanazi, of the Mpukunyoni traditional authority, did not get well

[78] Interview with Bab'Zwane, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 31 December 2019. (Translated).
[79] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020. (Translated),
[80] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020. (Translated),
[81] Ibid.
[82] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 23 December 2019. (Translated).

with some leaders within the forest. This hostile relationship was borne from the fact that earlier in 1985, Nyamazane Mgenge had gone to the Inkosi Mkhwanazi to report the Dukuduku matter and seek for a possible intervention and was turned down by the Inkosi of KwaMpukunyoni. Mgenge did not want them to participate in the area they had distanced themselves from. It is possible that the Inkosi of the Mpukunyoni traditional authority did not intervene on the issue since they would have benefitted from the eviction. It is believed that the chieftaincy sought to benefit from the tourism potential and mining operations which were likely to take place if it were not for the environmentalists' movement that campaigned against it. There are benefits that traditional houses are entitled to from mining companies and tourism potentials in areas under their jurisdiction. As Raymond Langa puts it that 'the Mkhwanazi Traditional authority gets levies from the Game Parks around its jurisdiction and the mining operations in KwaSomkhele and this will keep them quiet for the longest time'.[83] Allegations were that, although Dukuduku was not Mkhwanazi territory, white people had several meetings with the Inkosi so that he could use his position to influence the people of Dukuduku to give in on the resettlement plan. There were suspicions that Inkosi Mkhwanazi was 'compensated by the white government for not opposing the 1974 removals'.[84] Claimants such as Mncube, Msweli and their chairman, Thethwayo recall that Inkosi had arrived in Dukuduku more than once to persuade them to leave the forest in the interests of nature conservation in the 1970s.[85] On the other hand, Mlambo argued that the Inkosi was a collaborator and that he had succumbed to the apartheid laws and knew that his territory ended with

[83] Interview with Raymond Langa, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 02 July 2019. (Translated).
[84] African Resource Centre for Housing, Rule 5 Research Report, p. 20.
[85] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019; Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku forest, 29 December 2019, Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, 05 January 2020. (Translated).

the railway line that cut in Mtubatuba. Backing up his argument, Mlambo noted that the railway line was a boundary that separated what was the KwaZulu homeland from the White English Territory (Natal) or the 'Crown Land'. The South African Police station in town served the whites and the other in Kwa-Msane township (KZP) served Africans.[86]

Shikishela soon complied with whites and took with him the smaller group of followers to resettle in Khula village. He was accused by many for betraying the struggle. However, many believed that he had received a bribe from the white authorities.[87] His move to Khula village saw him becoming an induna (headman) there until his death. Many people refused to follow him to the new area and this created hostility between those following Shikishela and those that remained in the forest with Ncube, Msweli, Maphanga and other leaders. This point will be explored in detail in the next chapter.

Another possible factor contributing to the population increase in the Dukuduku forest was the overflowing of iMfolozi river that forced people to move into the forest.[88] Between 1984 and 1987, flooding destroyed swamps and wetlands in the region. The crops of African farmers on the iMfolozi floodplain were totally destroyed. Some of these farmers lost their lives.[89] Survivors were forced to move into the forest to avoid future destruction but continued to grow crops on the floodplain after the floods. Prior to this, the whites had created roads that would facilitate access to the

[86] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 22 September 2019. (Translated).
[87] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020. (Translated).
[88] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 22 September 2019. (Translated).
[89] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020; also see Africa Resource Centre for Housing, Rule 5 Research Report,

forest and the creation of a golf course.[90] The people saw this and took advantage and returned to the forest. People in the Dukuduku forest were not willing to work for white farmers. Therefore, they were faced with the shortage of labour. In resolving this, white people drew labour from as far as Mozambique. Fearing that their land may be taken over by foreign people, indigenous people were motivated, even those who had given up, to return to their ancestral land. These Mozambicans had started farming crops in the floodplain of the uMfolozi river next to sugarcane farms.[91] It should be noted that some of these people were allowed by the indigenous people to settle in Dukuduku and would later play a key role in the struggle against removals. Zwane indicated that Nyamazane Mgenge allocated land to numerous African people from other parts of the province. The aim was to increase the number of occupants in order to strengthen the resistance against forced removals.[92] Thethwayo had emphasized that allowing people to settle in the forest was a well-planned strategy which proved effective. 'We were able to raise funds to pay for legal costs' Thethwayo argued.[93] In a personal interview, induna Sithole pointed out that there were several key men who played a key role in ensuring that the land was not lost to the white people. They were not indigenous but they assisted the indigenous people to defend their land from white people. People like Shikishela Mkhwanazi, Mbefu, Nangeni, Shwabede, Skokeyana Msweli and others are said to have played a role in collecting funds from the community and allocating sites to newcomers to

[90] Africa Resource Centre for Housing, Rule 5 Research Report, p. 50.
[91] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, 22 September 2019. (Translated).
[92] Interview with Bab' Zwane, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 31 December 2019. (Translated).
[93] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019. (Translated).

raise funds for legal costs.[94] According to Thethwayo, his father and six other men were arrested for selling plots to the newcomers in the forest.[95]

Life in the Forest: Small-scale farming and the Natural Resources

People sustain their livelihoods through the use of various resources which include natural, social, human, physical and financial resources. Traditional communities in the past, and arguably even today, have sustained themselves through the use of natural resources, with land forming the key component of these resources. Land provides basic needs such as shelter, grazing for cattle, water, firewood and it also makes agriculture possible.[96] Like many other traditional communities, Dukuduku forest is no exception. For centuries the inhabitants of the Dukuduku forest relied on the land to sustain their livelihood. Small-scale farmers had exploited the productiveness of the land in the forest. It is arguable that in the recent past the Dukuduku forest had proved to be the food basket for the surrounding areas. Mdamba and Msweli clearly indicated that the primary reason they resisted relocation to a newly established resettlement area was that the area was not conducive to farming. The area, which had been a forestry farm, was dry and barren.[97] This claim is supported by Induna Almond Sithole who pointed out that they could not survive the starvation in Khula Village, hence they had to return to their

[94] Interview with Induna Almond Sithole, conducted by Patrick Nyathi, Dukuduku forest, KZN, 02 January 2020. (Translated).
[95] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Dukuduku forest, KZN, 23 December 2019. (Translated).
[96] Association for Rural Advancement, Special Report: Dukuduku: The Forest of Our Discontent, (2003), p.27
[97] Interview with Njeke Mdamba, conducted by Patrick Nyathi, Dukuduku forest, KZN, 27 September 2019 and Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020. (Translated).

ancestral land.[98] The areas surrounding the Dukuduku forest had no industries where the people could seek employment. The available jobs were farm based and many people within the forest were not prepared to serve in the newly established farms. Claims were made by the local people in the 1990s that people from the Dukuduku forest were unemployable in St Lucia Wetland Park, as a result of their refusal to leave the forest. There is a sense that employing the people from Dukuduku forest would be somehow tantamount to legitimizing their stay in the forest, which has been described as 'illegal' and 'squatting' until 2008. These claims have once again surfaced in the hearings on the mining issues carried out recently involving all stakeholders around iSimangaliso Wetland Park. One man known to me nearly lost his job because his white superiors, in the Nature Conservation Services (NCS), discovered that he was from the Dukuduku forest. To save his job he soon moved to a proposed new settlement in Vumbuka and later to Ezwenelisha. However, soon after that he was jobless. Some claim that when applying for jobs they had to use false addresses and not declare that they were residing in the forest lest they invalidated their applications. As a result, small-scale farming remained an available option for many in the Dukuduku forest to sustain their livelihoods in the 1990s. However, the increase in number of occupants in the forest soon proved that subsistence farming was becoming less and less viable. As a result, people had to seek other ways of sustaining their livelihoods, which includes among others, arts and craft, which has received much criticism from environmentalists. In 1998, it was reported that about 10 000 people were living in the forest with about 1300 households. Ten years later the number had increased to 18 000 and currently it is

[98] Interview with Almond Sithole, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 02 January 2020. (Translated).

estimated that there are more than 30 000 people living in the forest.[99] Despite several attempts of resettlements in 1993 and 1997/8 respectively, numbers keep increasing in the forest, probably due to illegal sale of land and other factors.

People planted various crops such as sweet potatoes, potatoes, amadumbe, brown beans, mangos, avocados, pawpaws, imbumba, banana, mealies, peanuts and later, post-local government elections, sugarcane from Dukuduku forest was accepted at the uMfolozi Sugar Mill which was not the case in the 1990s. The timber industry also grew within the forest as African residents engage in gum tree plantation. These crops were grown at the homesteads and across the uMfolozi floodplain and swamps. They were both for household consumption and selling.[100] To many living in the forest, Dukuduku forest is conducive and suitable for subsistence farming. However, some people are concerned by the pace at which the gum tree plantations are booming. Mdamba indicated that the forest in the next few years will be like Khula village, because gum tree plants consume a lot of water and has grave impact on the indigenous plants.[101] His argument is supported in Langa's assertion that it will "only be the removal of pine and most alien plants that the indigenous forest will fully rehabilitate."[102] But those who are engaged in this business seem to have turned a blind eye on the negative impact of gum tree plantation and only focused on the profit they make. Streams are going dry and soon the land will be less fertile.[103]

The fertile Lake St Lucia System and the river banks of uMfolozi river have provided the people of Dukuduku with reeds and *incema* (grass used to make mats). The

[99] Africa Resource Centre for Housing, Rule 5 Research Report, p. 20.
[100] Association for Rural Advancement, Dukuduku Research Project, (2002), p. 34.
[101] Interview with Njeke Mdamba, conducted Patrick Nyathi, Dukuduku forest, KZN, 27 September 2019. (Translated).
[102] Interview with Raymond Langa, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 02 July 2019. (Translated).
[103] Interview with Njeke Mdamba, conducted by Patrick Nyathi, Dukuduku forest, KZN, 27 September 2019. (Translated).

former has been a cause of serious contestation between the Dukuduku residents and Park's authorities. In 1999, there was an uproar when about 500 people blocked the road between St Lucia and Mtubatuba over the Dukuduku land dispute. Residents said the Parks Board had 'granted permission to outsiders to cut grass on the land, which they consider to be theirs.'[104] It is believed the protest was motivated by the continued land battle between the conservation authorities and the Dukuduku people. Protesters demanded that their land be given back to them. Dlamini pointed out that this protests turned ugly and Gideon Mathebula survived gun shots. 'Mathebula was shot, but did not die, he has a bullet in his body to this day', Dlamini said.[105] On 14 May 1993, hundreds of Dukuduku forest residents gathered outside the St Lucia town hall 'to hear the legal argument on the rejection of their land claim.'[106] This followed the rejection of their land claim by the Regional Land Claims Commissioner. Mathebula, addressing the crowd, said 'I still have a bullet lodged in my chest' showing the congregation a scar where the bullet had entered below his collarbone.[107] He also indicated that he 'was shot in the face by the conservation officials while cutting reed in a protected area.'[108] In the area people had used wood and reed to erect shelter. They erected simple structures because there was uncertainty about their future in the forest. However, the 2008 decision to allow the people to stay in the forest, provided they honoured the outer-boundary set to protect the wetlands and uMfolozi floodplain, saw the increase in the number of modern structures. After the failed efforts by the state to protect the entire Dukuduku forest, the government allowed the people who stayed in the forest to continue doing so.

[104] *Business Day*, 05 May 1999.
[105] Interview with Dlamini, conducted by Patrick Nyathi, Dukuduku forest, KZN, 04 July 2019. (Translated).
[106] *Sunday Times*, 18 May 2003.
[107] Ibid. 18 May 2003.
[108] Ibid.

Frode Sundnes argues that the expansion of commercial forest and agriculture in the Dukuduku forest did not only lead to tensions between government departments with varying interests, it also had a huge negative impact on the African population that inhabited the forest who were squeezed out through forced removals.[109] The attempts, however, by the various departments under apartheid and in the post-apartheid era to 'save' the forest from destruction proved a dismal failure. It is, in addition, problematic to view Africans as 'uncivilised' people whose interaction with the natural environment can only cause destruction. In fact, lack of a proper approach by the apartheid government and the use of force instead of dialogue resulted in the government's failure to win the Dukuduku battle. Tragically, post-1994 the democratic government employed a similar approach used by the oppressive regime to force the people out of the forest without proper dialogue, hence it also failed to resolve the Dukuduku matter.

The Dukuduku matter in the context of the demise of Apartheid in South Africa

The year 1990 marked the turning point in the history of South Africa, following the speech by the last apartheid government's president F.W. de Klerk on 2 February 1990. In this speech, de Klerk announced the unbanning of political organisations, the African National Congress (ANC), the South African Communist Party (SACP), the Pan Africanist Congress (PAC) and others and the release of political prisoners. The beginning of the 1990s saw the commencement of negotiations to pave the way for a new democratic dispensation. However, one needs to point out that the journey to the first general elections was never smooth. Violence had spread throughout the

[109] F. Sundnes, 'Scrubs and Squatters', p. 292.

country particularly in KwaZulu Natal where the Inkatha and the ANC entered into what some scholars called a small-scale civil war, where at least 20 000 lives were lost.[110] It is in the context of this political confrontation and violence that the Dukuduku forest provided refuge for some families dislodged by violence in KwaZulu Natal. Not every resident in the forest can claim ancestral ties with the Dukuduku forest, as Impey points out that:

> Some attempted to escape violence from other areas of the province, some sought land, employment or other lifestyle opportunities, a small number are immigrants from Mozambique.[111]

However, the people who had fled violence in other parts of the province and those from Mozambique did not become mere spectators in the fight against removals in the forest. They played a critical role in assisting the indigenous inhabitants to resist evictions. In 1990, Raymond Langa and his family had fled violence in Empangeni and sought refuge in the forest.[112] It is said that other families had fled regional violence, like the Xaba family from uMsinga in KwaZulu Natal. Dlamini, the local pastor and a small scale farmer in the uMfolozi floodplain, argued that the Dukuduku area was peaceful and only the evictions disrupted the peace. There was no political activism in the area prior the 1990s and the struggle was against forced removals. All the people of the area united and pursued one course of action – fight against evictions.[113] However, white authorities did not allow Africans to hold public meetings within Dukuduku forest. Joshua Nxumalo, the deputy chairperson of the African

[110] See R. Taylor, 'Justice Denied: Political Violence in KwaZulu Natal', *Violence and Transition Series*, 6, (2002).
[111] A. Impey, 'Culture, Conservation and Community Reconstruction: Explorations in Advocacy Ethnomusicology and Participatory Action Research in Northern KwaZulu Natal', *Yearbook for Traditional Music,* 34 (2002), p.10.
[112] *Sunday Tribune*, 15 July 2018.
[113] Interview with Dlamini, conducted by Patrick Nyathi, Dukuduku forest, KZN, 02 July 2019. (Translated),

National Congress, Khiphinkunzi branch, pointed out that they used the IFP flags in order to hold meetings in Dukuduku. Dlamini concurs with Nxumalo's assertion that it was only after the launch of the IFP branch in Dukuduku forest that they were able to hold meetings without the harassment by the police.[114] Inkatha was never banned. Nxumalo alluded to the fact that:

> Inkosi Mangosuthu Buthelezi, the IFP leader was the chief minister of KwaZulu homeland, therefore holding a meeting under the banner of IFP was permissible. Whites would think we are holding a party meeting while we discussed how to resist evictions.[115]

The IFP was a dominant party in the area hence the people used its banner to hold meetings. There were also allegations that Inkatha was selling plots in the Dukuduku forest in order to strengthen its support there.[116] It was reported, in 1993, that the apartheid government realised that removing people from the forest was becoming more and more unlikely. Hence the government gave in by allowing the people in northern part of the forest to continue living on condition that those in the southern part of the forest would move northwards so that that portion of the forest could be rehabilitated and conserved.[117] This would give rise, later in 2008, to new tensions between the people and the democratic government. In the same year, the Natal Provincial Administration (NPA) established the new settlement of Khula village.[118] A lesser number of the people were resettled in the nearby Khula village but many

[114] Interview with Dlamini, conducted by Patrick Nyathi, Dukuduku forest, KZN, 02 July 2019. (Translated).
[115] Interview with Joshua. Nxumalo, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 26 September 2019. (Translated).
[116] See Africa Resource Centre for Housing, Rule 5 Research Report, Dukuduku Community Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018
[117] Africa Resource Centre for Housing, Rule 5 Research Report, Dukuduku Community Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018, p. 52.
[118] Ibid.

refused to leave the forest. To complicate this, those who moved to Khula village did not destroy their homes in the forest, thus nullifying the attempts by the state to relocate them. Many of them continued with their agricultural activities in the forest and across the uMfolozi floodplain while staying in the new resettlement area.[119] Some informants argue that most of the people that are in Khula village today are from faraway places and not necessarily from the Dukuduku forest. Raymond Langa who was part of a group of people that were removed in 1993, pointed out that destruction of nature became deliberate. This was a form of resistance which included deliberate acts of burning the forest, growing more gumtrees, etc. The resistance and disagreements saw only a few hundred families moving to Khula village. This group was led by Shikishela Mkhwanazi and were soon labelled as sell-outs by those who remained in the forest. The Khula village project was a dismal failure because no agricultural land was given to the settlers forcing them to go back to the forest in order to sustain their livelihoods. Khula village was established where pine plantation had previously stood, making agriculture almost impossible because of the unproductiveness of the land and no farming plots were available.[120] It can be argued that to a large extent, Africans were able to successfully resist forced removals by employing various methods of engagements.

Conclusion

It is evident from the available literature that Africans residing in the Dukuduku forest in the 1980s have a historical connection with the forest. Most of the informants I have interviewed claim a direct connection to the forest, pointing out that they have

[119] Ibid, p. 54.
[120] K.G. Nustad, *Creating Africas: Struggles over nature, conservation and land*, Pietermaritzburg: University of KwaZulu Natal Press, 2015, p. 117.

their ancestors buried in the forest.[121] The Department of Forestry during the apartheid era attempted several times to evict them but their attempts proved futile. However, the government only managed to move people from one part of the forest to another but not on a permanent basis. Africans were able to organise themselves and resist removals. Several among such instrumental men were Nkombane Msweli, Thethwayo, Ncube, Nkunzi, Timothy Maphanga and others.

Dukuduku forest managed to attract many people in the late 1980s and the early 1990s as a result of its productivity. The informants and available literature point to the Dukuduku area as the Ncube territory and not the Mkhwanazi territory as claimed in other 'manipulated' articles. The people of Dukuduku are clear on the issue of traditional leadership. Msweli, Mlambo and Zwane all agree that the Mpukunyoni Traditional Authority failed them.

[121] These informants include Joseph Thethwayo, Nkombane Msweli, Njeke Mdamba, Zibuse Mncube, Almond Sithole,

Chapter Three

Nature Conservation, Forced Removals and Dispossession in the Dukuduku Forest, 1996 and Beyond

Introduction

> Throughout the world people are moved to make way for infrastructural development such as building of dams, highways and conservation areas, and for strategic purposes such as the clearing of border areas.[1]

Platzky and Walker point out, however, that South Africa's case of relocations is unique in that 'the vast black majority affected by removals have no say in government' and that 'they are not part of the interest group to benefit from developments' because they are vote-less.[2] The apartheid system was created and designed to perpetuate white domination and advance white political and economic interests at the expense of the black majority population. The strategies used by the apartheid system to control the black population included coercion and forced removals 'intended to control, divide and segregate the people of South Africa'.[3] Dispossession in South Africa occurred before and during the apartheid era for various reasons. In Dukuduku forest, for instance, removals took place as early as 1930s to make way for white commercial agricultural purposes.[4] Sol Plaatje in his famous book *Native Life in South Africa Before and Since the European War and the Boer Rebellion* explains and explores the disastrous impact of the of Native Land Act of 1913, which could be viewed as the major turning point in the history of

[1] L. Platzky and C. Walker, *The Surplus People: Forced Removals in South Africa*, Johannesburg: Ravan Press, 1985, p. 46.
[2] Ibid. p. 46.
[3] K. Henrad, 'The Internally Displaced in South Africa: The Strategy of Forced Removals and Apartheid', *Jura Falconis*, (1996), pp. 491-522.
[4] See, K.G. Nustad, *Creating Africas: Struggles over nature, conservation and land*, Pietermaritzburg: University of KwaZulu Natal Press, 2015.

dispossession in South Africa and the cornerstone for apartheid's policies of separate development. As a result of the Natives Land Act of 1913, the majority black population was forced to settle in 'reserves', which were believed to be unsuitable for habitation. However, Beinart and Delius dispute that arguing that 'much of these reserved areas were not the worst land, as often assumed; they included the heartlands of the old kingdoms such as the Zulu, Mpondo, Thembu, Gcaleka, Barolong, Pedi, Shangaan and Venda.'[5] According to Platzky and Walker, this was 'a way of dividing black people, controlling their political organisations and preventing them from trying to claim rights in a common South Africa.'[6] These divisions were exacerbated by the apartheid government's desire to create an ideal white South Africa in which the black majority population would be concentrated in the 'homelands'. As a result, the apartheid regime intensified removals in order to realise the ideal white South Africa ruled by the white minority and exclude the vast African population from meaningful political participation.

It is arguable that most relocations, if not all, were forced. Firstly, African people were not consulted properly or not at all. Secondly, they were not properly represented in the decision making process regarding relocations in areas in which they resided, hence many relocations were resented by the people. Platzky and Walker had observed that relocations affecting African population did not get adequate media coverage while those affecting white people would receive extensive media coverage, citing the example that in St Lucia, about '3400 Africans were moved off reserve land occupied by them for hundreds of years.'[7] This removal

[5] W. Beinart and P. Delius, 'The Natives Land Act of 1913: A template but not a turning point', in B. Cousins and C. Walker, *Land Divided, Land Restored: Land Reform in South Africa for the 21st Century,* 2015, Sunnyside: Jacana Media, 2015, p. 26.
[6] Platzky and Walker, *The Surplus People*, p. 66.
[7] Ibid.

was scarcely recorded while the objection to removals by white farmers and fishermen at De Hoop in the Cape received extensive press coverage.[8] Instead, apartheid government officials would claim that people moved voluntarily. However, evidence collected from oral history interviews suggests that the people did not move voluntarily but were threatened or forced to do so. Many claim they feared prosecution while others were ordered by courts to vacate the spaces they had occupied for years. They were left without a choice but to comply with evictions.[9]

Black South Africans hoped that the birth of a new democratic South Africa would give them relief in as far as dispossession was concerned but that was not to be the case. The current democratic state continued to enforce removal of people, now in the name of nature conservation,[10] commercial and industrial development and mining development across the country.[11] Numerous communities have been affected by these new forms of displacement in the democratic South Africa. The residents of Dukuduku hoped that the post-apartheid government would not compel them to leave the forest; however, attempts to relocate the Dukuduku residents, who had been labelled 'squatters' by the former regime, continued under the new ANC-led administration. These attempts were driven by the state's desire to protect the unique indigenous forest of Dukuduku in northern KwaZulu Natal. Conservationist organisations such as the Natal Parks Board (NPB), KwaZulu Bureau of National Resources, Wildlife Society of South Africa, Zululand Environmental Society and Ramsar Monitoring Mission played a key role in pressuring the apartheid state to protect this unique biodiversity. Such pressure resulted in the shift of focus from

[8] Ibid.
[9] See C. Desmond, *The Discarded People: An Account of African Resettlement,* Johannesburg, The Christian Institute of South Africa, 1970, pp. 52-87
[10] The Dukuduku community is facing the conundrum of removals in the post-apartheid South Africa
[11] See D. Skosana, 'Grave Matters, Dispossession and the desecration of ancestral graves by Mining corporations in Tweefontein (Ogies), South Africa', *Society, Work and Politics Institute*, 2019.

agriculture to nature conservation in the western shores of the St Lucia Lake System. Therefore, relocation areas were proposed to resettle the Dukuduku residents (three areas – Indlovu, Nkonkoni and Khula village) which were turned down by the residents because they felt the areas were barren and unsuitable for occupation.

The purpose of this chapter is, firstly, to explore attempts by the apartheid state to remove people from the forest. It focuses on how people organised themselves in resisting removals by the state. Secondly, it explores the role played by the post-1994 government in removing African people occupying the forest. It is common knowledge in Dukuduku that those who left the forest voluntarily to the nearby villages set up by the government were attracted by the 'promised' incentives such as houses, electricity roads, etc. Surprisingly, these commodities were not immediately available. Some are believed to have left the forest because they feared for their lives and some feared prosecution by the government. In this chapter, I argue that, despite all the efforts by both the apartheid and democratic government of South Africa, the Dukuduku residents successfully resisted relocation. I need to note, however, that among those who left the forest, some eventually returned to the forest. Finally, this chapter seeks to address the land question, whether or not Dukuduku is state land or traditional communal land.

Dispossession in South Africa

Bulpin as cited by Desmond pointed out that as early as 1841, the Volksraad of the Boer Republic of Natal decided to forcibly remove black people, and settle them in one vast location between Mzimvubu and Mthavuna rivers. But the Volksraad failed

to implement this decision and it was left in the hands of Theophilus Shepstone to concentrate the Zulu people in segregated areas.[12]

Forced removals and dispossession during the colonial and segregationist periods as well as the apartheid era in South Africa have been adequately covered by various scholars.[13] The scholarship on dispossession in South Africa focuses on the devastating impact of the Native Land Act of 1913, and other discriminatory laws. However, there is much entrenched on dispossession such as the loss of intangible heritage. Sol Plaatje in his famous book *Native Life in South Africa Before and Since the European War and the Boer Rebellion* narrates a conundrum of African men and women who, through the segregationist laws such as The Land Act of 1913, found themselves not as slaves but outcasts in their land of birth. According to Plaatje, about 4.5 million Africans, referred to as natives in his book, could 'buy land only in one-eighteenth part of the Union, leaving the remaining seventeen part of the Union for one million whites.'[14] This Act left African people with less than seven per cent of the total land in South Africa. It turned Africans into squatters and pariahs in their land of birth. The Natives Land Act of 1913 was not the starting point for forced removals in South Africa as African people had already been dislodged by the colonial government for one reason or the other.

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[12] Desmond, *The Discarded People*, p. 52.

[13] See W. Beinart, *Twentieth Century South Africa*, Cape Town: Oxford University Press, 1994; A. Manson & B.K. Mbenga, *Land, Chiefs, Mining: South Africa's North West Province since 1845*, Johannesburg: Wits University Press; 2014.; S.T. *Plaatje, Native Life in South Africa Before and Since the European War and the Boer Rebellion,* New York: Negro University Press, 1969 reprint, original 1916.; L. Platzky & C. Walker, *The Surplus People: Forced removals in South Africa* Johannesburg: Ravan Press, 1985.; C. Desmond, *The Discarded People: An Account of African Resettlement,* Johannesburg: The Christian Institute of South Africa, 1970.; D Skosana, 'Grave Matters: Dispossession and the Desecration of Ancestral Graves by Mining Corporation in Tweefontein (Ogies), South Africa', *Society Works and Politics Institute*, 2019.

[14] S.T. Plaatje, *Natives Life in South Africa Before and Since the European War and the Boer Rebellion,* New York: Negro University Press, 1969 reprint. Original 1916, p. 20.

Dispossession in South Africa was often characterised by the use of violence, such as the bulldozing of houses with little notification time and the prosecution of resistors.[15] Cosmas Desmond, argues that in many instances the government made claims that people moved voluntarily, there is no doubt that very few people wanted to be moved.[16] He further points out that the 'vast majority of people are not given any effective choice.'[17] In instances where the government did not use physical violence, many dissenters were liable to prosecution, in Dukuduku for instances, Joseph Thethwayo, the chairman of the Dukuduku Land Claims Trust pointed out that his father was prosecuted and barred from going to Dukuduku.[18] On the same note, Nkombane Msweli and Timothy Maphanga, the prominent leaders against relocations, were arrested for organising marches and protests against removals.

According to Skosana, removals in South Africa is explored as 'land deprivation through a series of colonial and apartheid laws that intended to deepen segregation and confer material gains for a portion of South Africa's population.'[19] This view has overlooked the spiritual implications that result from relocation. Desmond has observed that dispossession was dehumanizing as it broke down family structures.[20] Kgatla describes the massive removals of Africans from their ancestral grounds to unknown destinations, as the most humiliating experience of Africans in the history of forced removals in South Africa.[21] The apartheid laws demanded that as many Africans as possible are kept in the periphery of economic development and are squashed into the overcrowded 'homelands'. In some instances Africans were

[15] Skosana, 'Grave Matters', p. 3.
[16] Desmond, *The Discarded People,* p. 18.
[17] Ibid. p. 18.
[18] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula Village, KZN, 23 December 2019. Translated.
[19] Skosana, 'Grave Matters', p. 3.
[20] Desmond, *The Discarded People*, pp. 19-21.
[21] S.T. Kgatla, 'Forced removals and migration: a theology of resistance and liberation in South Africa', *Missionalia,* 41(2), (2013), p. 120.

moved into areas where 'there were not even houses, or a proper water supply provided, let alone swimming pools and community halls and other social facilities.'[22] African people occupying land closer to white owned spaces were referred to as black spots and were removed, in most cases, forcefully. Bhangazi in the eastern shores of Lake St Lucia, Kwapitela, Limehill, Babanango, Sophiatown, District Six in the Cape and other areas in South Africa provide examples of forced removals by the inconsiderate apartheid state between the 1950s and the 1980s. The colonial and apartheid government did not consider how long African people had occupied the land. One person had this to say

> Our ancestors were living in this place at the time of Senzangakhona, the father of Shaka. Afterwards the place fell in the hands of the white man and we gave our allegiance to them. Now we are being expelled.[23]

A similar phenomenon occurred in the eastern shores of the Lake St Lucia system when the Mbuyazi were forced out of Bhangazi. Walker points out that about one 1200 households were dispossessed of the land between the 1950s and 1980s in the Greater St Lucia, now known as the iSimangaliso Wetland Park. These families were removed to make way for nature conservation and others to make way for commercial forestry in the eastern and western shores, respectively.[24] The latter two seems contradictory, commercial forestry is basically detrimental to indigenous forest and therefore, could not coexist with indigenous plants harmoniously. Skelcher observed that the apartheid state brutally ended ideal life lived by the Mbuyazi clan in the Lake Bhangazi. He points out that the people in Lake Bhangazi 'understood the need to conserve natural resources and developed a complex sustainable

[22] Desmond. *The Discarded People,* p. 54.
[23] Ibid. p. 55.
[24] See Walker, *Landmarked,* p. 108.

conservation practice.'[25] Despite that, they were removed anyway. Most of them ended up in the western shores (Dukuduku state forest), some in KwaMpukunyoni, while others went as far as Jozini in the far north of the KwaZulu Natal province.[26] The cases of Bhangazi, Ogies and other areas that faced relocations create an impression that dispossessed Africans did not only lose their right to land but also the spiritual ties to the land. Many, if not all victims of forced removals, were not afforded adequate time to do proper rituals for the ancestors' spirits. This was because they were given little notification time.[27] Skelcher views this as the 'most devastating aspect of their removal from Lake Bhangazi'.[28] Skosana concurs in that, dispossession of African people did not only include the loss of tangible things such as 'land and property' but also 'included the loss of intangible possessions such as the connection with ancestors, identity, memory and belonging.'[29] It can be argued that removals, forced or 'voluntary' did not only deprive African people land but also dehumanized them. Many of them in the new settlements were subjected to abject poverty, malnutrition, and starvation.[30]

Skosana argues that dispossession did not only affect commoners, small scale farmers and large scale African farmers but also traditional leaders who resided in the countryside were gravely affected.[31] Unless the chiefs collaborated, they would be victimised by the process of forced removals. Scholars have pointed out that traditional leaders, historically, have collaborated with white authorities, perhaps to secure their positions under the new dispensation. They became what Mamdani,

[25] B. Skelcher. 'Apartheid and The Removal of Black Spots from lake Bhangazi, KwaZulu Natal, South Africa', *Journal of Black Studies*, 2003, 33, p. 763
[26] See Walker, *Landmarked*, 2008,
[27] See Desmond, *The Discarded People*.
[28] Skelcher, 'Apartheid and The Removal of Black Spots', p. 765.
[29] Skosana, 'Grave Matters', p. 3.
[30] See Desmond. *The Discarded People*.
[31] D. Skosana, 'Grave Matters', p. 21.

Ntsebeza and others called the ‘puppets’ or ‘stooges’ of the white oppressive regime.[32] Explaining the nature of forced removals under apartheid, Kgatla argues that this was dehumanizing and tantamount to reducing Africans to sub-human beings on their soil.[33]

Forced Removals of the People from Dukuduku Forest and Its Failure during the Transition Period

In February 1991, a group of conservationists, demanded a full and urgent explanation from the Natal Provincial Administration (NPA) of what was being done about illegal squatting in the Dukuduku forest. The Wildlife Society had expressed concerns the previous year, that more than 1000 squatters were causing serious damage by cutting and clearing the forest for farming purposes. Lawyers representing the Wildlife Society and other conservationists group wrote a letter to the NPA ‘asking what is being done to remove squatters.’[34] These organisations described the Dukuduku forest as ‘the biggest and best surviving example of coast lowland forest in southern Africa’.[35] As a result, if this forest was to be ‘saved’, African people who were now referred to as squatters had to face evictions, as the *Natal Witness* reported:

[32] See, M. Mamdani, *Citizen and Subject*, Cape Town, David Phillip, 1996; L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005; Mzala, *Chief with a Double Agenda*, London: Zed Books Ltd, 1988.
[33] Kgatla, ‘Forced Removals and Migration’, p. 120.
[34] *The Natal Mercury*. 26 February 1991.
[35] Ibid., 26 February 1991.

> The Dukuduku forest has been identified as an indigenous forest worthy of protection. To protect the forest's ecological value, the NPA and conservationists concluded the people living in it would have to be moved.[36]

Inkatha Freedom Party (IFP) was opposed to this move by the authorities to remove African people from the forest. In support of the forest dwellers Inkatha on 11 February 1994, 'launched an urgent Supreme Court interdict against the Natal Provincial Administration to prevent forced removals of residents in the forest on the North Coast.'[37] Inkatha further accused the police of brutality when dealing with residents in the forest and accused them of killing a man and burying him in a shallow grave with his hands tied at the back. Major Bala Naidoo, the police spokesperson confirmed that a badly decomposed body was found but refused to give further details.[38] In April 1994, Ziba Jiyane, the IFP national spokesperson at the time, argued that it was necessary to prevent Natal Provincial Administration (NPA) from dislodging the people from the Dukuduku forest. Jiyane claimed that the Internal Stability Division had beaten up forest residents in its attempts to forcefully evict people resulting in the death of at least four people and one police officer.[39]

On the other hand, the NPA was determined that the 'squatters' had to comply with the court order and move to an alternative place in order to restore the forest to its 'pristine state for conservation'.[40] This creates an impression that the police were acting on court orders to evict the residents in Dukuduku accused of squatting by the state. This tug-of-war continued for more than two decades. Arguably to this day the battle is still on and seems far from over. Evident in the removals from Dukuduku has

[36] *The Natal Witness*, 20 January 1994.
[37] *The Natal Witness*, 12 February 1994.
[38] Ibid., 12 February 1994
[39] *Sunday Times*, 19 February 1994
[40] Ibid., 12 February 1994

been the use of force by the police and the officials of the NPA in an attempt to remove people forcibly. Africans inhabiting the Dukuduku forest had always organised themselves against the evictions, arguing that the forest belonged to them and was given to them by the Mthethwa rulers in precolonial times.[41] These removals occurred in Dukuduku at a critical historical period in South Africa. It cannot be denied that the period under which these removals occurred had an impact on the manner in which resistance against them was organized.

Political violence in the province of KwaZulu Natal has claimed approximately 20 000 lives since 1984. The period between 1989 and 1994 saw increased political violence, resulting in many deaths, destruction of people's houses and resettlement. The clashes between Inkatha and the ANC aligned United Democratic Front (UDF) were evident in many parts of the province, with Inkatha receiving support from the apartheid state's security forces while the UDF found succour from the ANC and its armed wing UMkhonto Wesizwe (MK).[42] Although political violence was initially confined to townships, in the late 1980s it had spread to many rural areas under the control of traditional leaders. The people I have interacted with agreed that violence was a serious problem in KwaZulu Natal during the period leading to the first general elections of 1994. They admitted that Mtubatuba was the IFP's stronghold but political violence was not as widespread as in other parts of the province. Mduduzi Ntombela, a former ward 13 councillor in Mtubatuba, indicated that Inkosi Mzondeni Mkhwanazi was IFP and generally IFP enjoyed popular following in Mtubatuba.[43] However, I need to point out that, although sources such as Injobo Nebandla's

[41] The settlement of the Ncube people in Dukuduku forest is addressed in detail in chapter 2
[42] See R. Taylor, 'Justice Denied: Political Violence in KwaZulu Natal after 1994', *Violence and Transition Series,* Vol. 6. (2002); also see, P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, 2018.
[43] Interview with Mduduzi Ntombela, conducted by Patrick Nyathi, eDashi, Mtubatuba, KZN, 1 July 2018.

'Freedom from Strife? An assessment of Efforts to Build Peace in KwaZulu Natal, (2005)' and K.G. Nustad's '*Creating Africas: Struggles over Nature, Conservation and Land (2015)*' claim that Dukuduku experienced significant political violence during the 1990s, the interviewees dispute that. Zibuse Mncube and Joseph Thethwayo indicated in separate interviews that they did not experience significant political violence as some sources claim. Violence, they claim, was targeted at those who were seen as 'sell-outs' in the struggle against removals, not necessarily political opponents, citing the burning and destruction of Induna Mthembu's homestead who allegedly signed a resettlement deal without the consent from the community.[44]

The unbanning of the liberation movements such the ANC, PAC and other political formations and the release of Nelson Mandela and other political prisoners in 1990 brought a sense of hope to many South Africans. This is because, the commencement of the negotiation process would mean a temporary relief from the harsh treatment the people experienced at the hands of the white racist apartheid state. The arrival, in 1992, of the ANC president Nelson Mandela and the IFP leader Inkosi Mangosuthu Buthelezi in the 121 Battalion, a military camp in Mtubatuba, established in a part of Dukuduku Forest revived hopes for the Dukuduku forest dwellers. Raymond Langa, a resident of the Dukuduku Forest from 1992, recalls that Mandela and Buthelezi called for the suspension of evictions in Dukuduku, as the country had begun negotiations that would pave the way to the much anticipated first general elections in 1994.[45] Although other interviewees recall the visit by Mandela

[44] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku forest, KZN, 29 December 2019 and Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Dukuduku forest, 26 September 2019. (Translated).
[45] Interview with Raymond Langa, conducted by Patrick Nyathi, Ezwenelisha, KZN, 02 July 2019. (Translated).

and Buthelezi, details on what informed their visit remain sketchy and it seems like this was not well covered by the press.

The attempts to remove the 'squatters' from the forest were intensified during the transition period, and the NPA used the police to get rid of the forest dwellers. Zibuse Mncube, community leader and the activist against forced removals, recalls that one day before the general elections of 1994, the Stability Unit moved around in the forest issuing notices that people should leave the forest immediately. They dropped these papers along the routes/paths and used a loud hailer to tell the people that they should leave the forest as it belonged to the state and that their presence there was illegal.[46] According to Mncube this act by the police sent a very strong message to the people, some of whom feared for their lives.[47] However, Nkombane Msweli, an indigenous man and a community leader, commented that instead of leaving the forest, we called an imbizo and mobilised against evictions.[48] *The Mercury* reported that:

> In 1993, officials from the Natal Provincial Administration, protected by uniformed policemen had to remove squatters from Dukuduku forest. Three fingerprint experts were requested to accompany the uniformed police on their mission. The fingerprint experts took photographs, as proof that of all notices being given out, and of the huge dagga plantation in the forest.[49]

At the time white authorities were preparing a new settlement to relocate the forest dwellers, which was first established in 1993. It is speculated that both ANC and IFP

[46] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku forest, KZN, 29 December 2019. (Translated).
[47] Ibid, 29 December 2019.
[48] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020. (Translated).
[49] *The Mercury*, 30 November 1998.

leaders visited the area to establish their support bases as the number of occupants was increasing significantly in the forest.[50] It is also possible that the Dukuduku matter had the potential to contribute to violence that had spread across the province of KwaZulu Natal which would compromise the road to democracy, or possibly derail the elections, thus these leaders had to calm the situation. At the time Dukuduku forest had become a 'refugee camp' to many victims of violence in the province of KwaZulu Natal. Before the arrival of these leaders, their organisations had attempted to encourage people to resist evictions from the forest. Ernest Mlambo, conservationist and a co-founder of Manukelana Art and Nursery, points that these parties had sent representatives to support the people to fight against dispossession. Zwane, who was the member of the South African Council of Churches (SACC) is believed to have been deployed by the ANC. On the other hand, the IFP deployed Ziba Jiyane, the national spokesperson of the IFP, and later Shikishela Mkhwanazi, who would later become Induna of the newly established Khula village.[51] The establishment of Khula village commenced in 1993 with the hope of relocating the people from the forest. It was anticipated that people would be resettled quickly before the 'black' government would come to power. However, these attempts were met with fierce resistance by the Dukuduku residents. There are claims that the creation of Khula village intensified conflict between those who moved and those who decided to stay in the forest. Those who stayed in the forest accused those who left, labelling them 'sell-outs'. The rife tension between ANC and IFP during these years also fuelled tensions between the 'collaborators' and 'resistors' in Dukuduku. The divisions between those who left and those who remained were much more complex than political divisions. Interviewees indicated that although they had

[50] Ibid.
[51] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha, KZN, 22 September 2019. (Translated).

political differences, they waged a common struggle against removals. This creates an impression that Dukuduku residents were united by the common course. They wanted to defend their land and those who feared for their lives and those who desired to live in a place with basic services such as water, electricity and proper roads left the forest for the new resettlement area of Khula village.

Nustad claims that the Dukuduku area was the worst affected by the ongoing violence in the province of KwaZulu Natal between ANC and IFP in the period leading to the first democratic elections in 1994.[52] However, Joshua Nxumalo, a former deputy chairman of the ANC branch in the Dukuduku forest and a farmer along the uMfolozi floodplain, dismisses this claim as he points out that there is no tangible evidence that those who moved were ANC. 'I am ANC, but we joined hands with Thengezakhe Maphanga (prominent member of the IFP in the area and community leader) and others and fought against the Boers who wanted us out of the forest.'[53] Joseph Thethwayo concurs that the common struggle waged by the people was not driven by party politics; 'people were defending their land'. Thethwayo, however, admits that his father and many people in the area were IFP members.[54] Shikishela Mkhwanazi was a member of the IFP and had been delegated by his party to Dukuduku.[55] We cannot, therefore, conclude that the ANC supporters followed an IFP agent. It is said that, although other sources claim that there was tension caused by political intolerance in Dukuduku, the struggle that was waged by the people of the area was to fight for their land. Among those who moved

[52] K.G. Nustad, *Creating Africas: Struggles over nature, conservation and land*, Pietermaritzburg: University of KwaZulu Natal Press, 2015, pp.117-119.
[53] Interview with Joshua Nxumalo, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 26 September 2019. (Translated).
[54] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula Village, KZN, 23 December 2019. (Translated),
[55] Interview with Joshua Nxumalo, conducted by Patrick Nyathi, Dukuduku Area, KZN, 26 September 2019. (Translated).

to Khula village were the people who had arrived in Dukuduku from other parts of the province to seek refuge in the forest as there was continued political intolerance across the length and breadth of the province.[56] However, there were people who had come from other parts of the province who joined the struggle against removals from the forest. It is not surprising that those who moved to Khula village kept their plots in the forest and most of their gardens on the uMfolozi floodplain. Dukuduku was well endowed with fertile soil to produce food crops whereas the new resettlement area was barren.[57] Almond Sithole, the induna of the Dukuduku forest and a victim of forced removals from the Lake Bhangazi in 1974, pointed out that agriculture was almost impossible on the other side of the road and grazing land was not provided for the resettled people at Khula village, neither were they provided with farming allotments. People had been settled where pine plantations had stood.[58]. As a result, the state's attempts to dislodge the people of Dukuduku was a dismal failure. The same would later occur in 1998, when the government purchased a sugarcane farm to resettle the Dukuduku people. Furthermore, some of the people who moved to Khula village, had some of their family members remaining in the forest, while some signed up for houses in the Khula village but 'stayed in the forest and rented out the houses allocated to them in Khula village.'[59]

Towards 1994, when the country was preparing for the historical first general elections, in Dukuduku people were not certain about their future in the forest and as such some decided not to vote. The area did not have schools. Nxumalo asserted

[56] Ibid. 26 September 2019
[57] Interview with Joshua Nxumalo, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 26 September 2019; also see K.G. Nustad, *Creating Africas: Struggles over nature, conservation and land,* Pietermaritzburg: University of KwaZulu Natal Press, 2015.
[58] Interview with Almond Sithole, conducted by Patrick Nyathi Dukuduku Forest, KZN, 02 January 2020. (Translated).
[59] Africa Resource Centre for Housing, Rule 5 Research Report, Dukuduku Community Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018, p. 54.

that all schools in the forest were built by the people themselves with mud and reed. More of Dukuduku's history and major events are entrenched in the names of these schools which includes Vezobala High School (which means to expose), Mzabalazo Primary (the struggle), Nkombane Primary, named after the instrumental Nkombane Msweli who led the fight against removals, Khiphinkunzi Primary and Kwanyamazane Primary, named after Nyamazane Mgenge who was also instrumental in returning the people to the forest in the late 1980s. None of these schools was recognised by the state. However, a sort of compromise was reached to bring teachers into these schools which were only operational after 1994. Nxumalo argued that the state could not build schools in an area where they did not want people to stay. 'That would be tantamount to legitimizing our stay in the forest', he added. In addition, people were served by the mobile clinic. Up to this day, the people in the Dukuduku forest do not have a clinic.[60]

On the other hand, two schools were built in Khula village for the new community with donations from the British authorities. The people I have interacted with indicated that these schools were meant to attract the people who remained in the forest. Silethukukhanya High School and Ubuhlebemvelo Primary School, which translates to 'we are bringing light' and 'the beauty of nature' respectively, were meant to provide both primary and secondary education for the children in the new settlement. One interviewee commented that even the naming of these schools was strategic in a sense that their names implied that those who moved to Khula village were somehow 'civilised'.[61]

[60] Interview with Joshua Nxumalo, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 26 September 2019. (Translated).
[61] Ibid., 26 September 2019

Raymond Langa reminds us in an interview that after 1994, it was clear that the newly elected government, under ANC rule, would follow on the footsteps of its predecessor, the apartheid government. The people in the forest, in as much as their votes would count, were not given the voting stations. The government was determined to remove everyone from the forest before the elections. The people from both the forest and the newly established Khula village had only one voting station, at Ubuhlebemvelo Primary School in Khula village.[62] This phenomenon suggests the determination of the state to remove people from the forest in the post-election period. The people from the forest had to vote in an area outside their residential area. As a result, many people were reluctant to cast their votes.

Land Dispossession in Dukuduku post-1994

The attempts to dislodge the Dukuduku people continued in the new dispensation, now in a less confrontational manner. Although many had thought that the democratic government would 'protect' them against removals, that was not to be the case. The Khula village project was finalised in 1998. In essence, this project was started by the apartheid administration and finalised by the democratic government. The ANC ministers arguably inherited the apartheid government's project of which Magnus Malan had failed to complete. Malan had failed to dislodge the African people from the forest permanently.[63] It was left in the hands of the first democratic minister of Water Affairs and Forestry, Professor Kader Asmal to resolve this

[62] Interview with Raymond Langa, conducted by Patrick Nyathi Ezwenelisha, KZN, 02 July 2019. (Translated).
[63] Africa Resource Centre for Housing, Rule 5 Report: Dukuduku Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018, p. 53.

conundrum. It can be argued, therefore, that both the apartheid and democratic administration dismally failed to relocate the people of the Dukuduku forest.

I noted earlier that few people followed Shikishela Mkhwanazi into the new settlement of Khula village which was an indication that the people were not prepared to leave the forest. Zibuse Mncube and Nkombane Msweli both pointed out in separate interviews that the residents were prepared to die for the land in the forest.[64] Today Khula village forms part of the Mtubatuba Municipality Ward 3. The Dukuduku forest was viewed as a part of a 'larger ecological system which reaches from the south of the Dukuduku forest, to Lake Futhululu in the west of St Lucia lake system including Mkhuze game reserve at the Kosi lakes' in the far north of KwaZulu Natal province.[65] For this reason, therefore the Department of Water Affairs and Forestry was keen to 'save' and conserve the Dukuduku forest for its ecological value. In addition, the Department argued that the Dukuduku forest was 'the last remaining coastal forest and vegetation area'.[66] The Association for Rural Advancement (AFRA) in its report points out that the forest is the habitat to twelve endangered species and the only place in the world where Gaboon viper is found.[67] It is surprising that, even the democratic administration wanted the people out of the forest. Ironically, the white commercial farms on the outskirts of the forest, particularly on the most important uMfolozi floodplains were not affected by this planned removal. This created a sense among the black inhabitants of the Dukuduku

[64] Interview with Zibuse Mncube, conducted by Patrick Nyathi Dukuduku Forest, KZN, 29 December 2019; Interview with Nkombane Msweli, conducted by Patrick Nyathi. Dukuduku Forest, 05 January 2020. (Translated).
[65] Association for Rural Advancement, Dukuduku: The Forest of Our Discontent, (2003), p.19
[66] Ibid.
[67] Ibid.

forest that they were being victimised because they were 'less important' and the only important people were whites.[68]

According to AFRA, it was only around 1988 and 1989 that focus was given to this forest after the return in numbers of the people who had been evicted previously.[69] The illegal settlement was made known in 1988; very few people according to the print media had occupied the forest at the time but a decade later it was estimated that 'a handful of invaders had become a community of thousands, evidently enjoying the peace and quiet the forest provided.'[70] The Khula settlement was therefore a compromise by the state to buy a pine plantation farm in order to resettle the people from the forest. While some accepted to be moved, many refused.

The conservationists felt that illegal 'squatting' was destroying the forest.[71] The conservationists at this stage were angry that the government had failed on several occasions to save the rare and unique forest that was allegedly being destroyed by illegal squatters. They threatened to bring this matter to the attention of the international community. Keith Cooper, conservation director of the Wildlife Society and a specialist in indigenous forests, said that they would appeal to the international organisations. This was after the MEC for Traditional and Environmental Affairs in KZN Inkosi Nyanga Ngubane had encouraged the forest occupants to remain in the north coast forest permanently. They described his decision as 'totally unacceptable'.[72] The conservationists had argued that Ngubane's decision would

[68] Zibuse Mncube, Nkombane Msweli, Njeke Mdamba, Raymond Langa, Joseph Thethwayo and Joshua Nxumalo argued in separate interviews that the issue of removals in the name of nature conservation is not acceptable in many counts, first being that white people had grown pine plantation which is detrimental to the indigenous forest. Secondly, white people grow sugarcane along the uMfolozi floodplain, which is also detrimental to the swamps along the uMfolozi river.
[69] Association for Rural Advancement, *Dukuduku: Forest of Our Discontent*, 2003, p, 20.
[70] *The Mercury*, 30 November 1998.
[71] Ibid.
[72] *The Daily News*, 10 September 1998.

jeopardise other valuable areas in the province. Cooper further pointed out that the Dukuduku forest with its unique biodiversity belonged to all the people of South Africa. He claimed that illegal squatting in the forest would not only escalate tensions between land owners and 'squatters' but would also 'pose a serious threat to St Lucia as a prime tourist attraction.'[73] Joseph Thethwayo, one of my interviewees and a resident of Dukuduku forest, pointed out that they [Africans] were viewed as a threat to the tourist industry in St Lucia hence they were unwanted in the area.[74] It is evident that a group of conservationists continued to exert pressure on new democratic government to evict the African people in the Dukuduku forest at all cost.

In March 1995, a meeting took place in Mtubatuba between The Natal Parks Board, forest dwellers and the other stakeholders to find an alternative and amicable solution to the problem. Maurice McKenzie, who chaired that meeting, was optimistic that, if people could be offered an alternative land, the forest could be saved. The occupants, in this meeting, were offered an alternative land which they rejected.[75] The forest dwellers wanted to remain in the forest as they believed the alternative area was not suitable. Nxumalo pointed out that people refused to go to Khula village because of the barrenness of the land and the lack of grazing land for the cattle.[76] The reason for their refusal to move out of the forest was summed up in a newspaper report that:

[73] Ibid.
[74] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 26 December 2019. (Translated).
[75] *Sunday Tribune*, 19 March 1995.
[76] Interview with Joshua Nxumalo, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 26 September 2019. (Translated).

> most residents living in cleared areas of the forest have refused to move claiming the alternative site is far less inferior to their present sites where crops have flourished and where grazing for cattle is abundant.[77]

On the other hand, the IFP was prepared to help people resist removals. By 1991, it was estimated that people who were occupying the forest were up to 1 000,[78] and by 1995 the number had increased to up to 10 000.[79] At the time, Pat Reavell, a botanist from the University of Zululand, argued that it was possible to rehabilitate the indigenous forest, should squatters be removed.[80]

In 1996, Kader Asmal in his capacity as the Minister of Water and Forestry turned down a request by a mining company, Richards Bay Minerals to mine in the Dukuduku forest area in favour of nature conservation and tourism.[81] Asmal was determined that the forest could be saved; this is evident in the 'Dukuduku Declaration' which clearly stated that it was illegal to destroy the indigenous forest and it was impossible for communities to continue residing in the forest. However, Asmal's successor, Ronnie Kasrils adopted a new approach. Charles Phahlane, a political correspondence for *The Daily News* commented that 'a peaceful rather than a confrontational line is to be taken on a very thorny issue' of removals in the Dukuduku Forest. He pointed out the new minister for Water Affairs and Forestry wanted a 'fresh start' on the matter and was determined to involve all relevant stakeholders.[82] According to Themba Khumalo, the Minister of Waters Affairs and Forestry spokesperson, the minister 'did not want to remove people forcibly but

[77] *The Natal Witness*, 12 February 1994.
[78] *The Natal Mercury*, 26 February 1991.
[79] *Sunday Tribune*, 19 March 1995.
[80] Ibid.
[81] Africa Resource Centre for Housing, Rule 5 Research Report, p. 54.
[82] *The Daily News*, 08 July 1999.

would give them a “proper hearing” including the disputed history of their stay in the forest.’[83]

In May 1999, the resistance turned ugly when residents of Dukuduku were involved in a physical confrontation with the police. People threatened to blow up the power station situated at KwaNdonyana near St Lucia Lake as a sign to the government that they were not prepared to leave the forest. Heavily armed soldiers and police were deployed to safeguard the power station that the residents had threatened to blow up. Residents also threatened that they would boycott the June 1999 national elections if they were forced to move out of the forest. On the one hand, the African people residing in Dukuduku asked the Zulu King Zwelithini KaBhekuzulu to intervene on their behalf. On the other hand, the Democratic Party also called for the intervention of the King; they asked the King to explain to the people why it was necessary for them to move out of the forest. Protesters blocked the only road (R618) between Mtubatuba and St Lucia with planks and extra police force from Ulundi and Richards Bay were called for back-up.[84] The forest dwellers blamed political parties for not assisting them and made ‘it clear that they will not accept the R1000 compensation from government’ for them to leave the forest.[85] The Dukuduku forest representative Timothy Maphanga vowed that they would not move out. He later in 2006 became a councillor for Ward 4 (Dukuduku Forest) under the deployment of Inkatha Freedom Party. Timothy Maphanga is considered to have been very instrumental in the fight against removals in the forest. Although the Dukuduku forest dwellers had accused political parties for not assisting, fragmentary evidence suggests that the IFP played a role. Nyanga Ngubane was an MEC under

[83] Ibid, 08 July 1999.
[84] *City Press*, 9 May 1999.
[85] Ibid.

Premier Lionel Mtshali of the IFP and had been accused by other parties in parliament for supporting the Dukuduku people and using the forest issue to get votes in the 1999 elections. Other parties claimed that he promised local chiefs that the land would not be taken away.[86] Ngubane had apparently discussed the issue of Dukuduku at a rally of the IFP, a party which many traditional leaders followed.

In the late 1990s, as it became less likely to remove the people from the forest the government took a decision to buy a sugarcane farm to establish a new settlement that would be known as Ezwenelisha. According to Nustad, this was done with consent of traditional leaders in 1998.[87] However, Nkombane Msweli dismisses this claim arguing that the people whom the authorities negotiated with were never traditional leaders. They were just a group of men and women who were paid to influence the people to move to the new settlement. Many of them according to Msweli would be given tenders on 'working for water' project that sought to eliminate alien plants in the park that compromise wetlands, swamps and indigenous plants.[88] This settlement was intended to resettle the people from the forest but again this attempt by the Department of Water Affairs and Forestry (DWAF) was a dismal failure. Many people who settled in Ezwenelisha were from other parts of the region other than the forest dwellers for whom the new village was intended.[89] Many people from Dukuduku forest refused to go to Ezwenelisha despite promises of housing, healthcare facilities, proper school and other infrastructure. To this day, the school promised in 1998 in the new settlement has not yet been established, so too is the new clinic. My father, who still resides in Dukuduku forest to this day, pointed out that

[86] *Sunday Tribune*, 4 October 1998.
[87] Nustad, *Creating Africas*, p. 118.
[88] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020. Translated.
[89] Nustad, *Creating Africas*, p.119; also see P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, 2018.

he was not prepared to settle in Ezwenelisha as that would be the betrayal of the long waged struggle against Natal Parks Board (NPB); and few were prepared to settle in an area where grazing land, the burial site, and agricultural plots were not provided.[90]

Once the two sugarcane farms were bought, a trust was set up to handle the finances for the community.[91] The trust was named Ikhwezilokusa Trust chaired by Jeremiah Buthelezi, who controversially became Induna of the new settlements and its secretory was Sipho Zungu of Khula village. Interviewee X was a member of this trust. She pointed out that the main aim and task of the trust was to handle finances and facilitate community development projects; unfortunately to them it was a golden opportunity for the trustees to enrich themselves and build mansions using the material that was intended to build RDP houses for new settlers.[92] The chairman of the trust Jeremiah Buthelezi soon operated like a traditional leader, now allocating land to the new settlers. In essence, the farms were intended to resettle the people of Dukuduku but members of the trust sold plots to people from outside Dukuduku. In that way Ezwenelisha did not serve the purpose; as a result, another attempt to dislodge the African people from the forest dismally failed. It can be argued however, that there is a sense in which the Trust's operations were not strictly monitored. Most of the new settlers in Ezwenelisha benefitted from the Department of Water Affairs and Forestry's 'working for water' project, which was a government initiative to assist in getting rid of alien vegetation in protected areas.[93]

According to interviewee X:

[90] Interview with Mahlabeni Nyathi, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 19 June 2018. (Translated).
[91] *The Natal Witness*, 9 November 2001.
[92] Interview with a woman who requested not to be mentioned, conducted by Patrick Nyathi, Ezwenelisha, 26 June 2018. (Translated).
[93] *Natal Witness*, 9 November 2001.

> It was agreed when we left Dukuduku Forest that a "one-man one-site" principle would be applicable, but these people [trustees] have many sites and had utilized material which was supposed to build RDP houses to erect their own mansions.[94]

This points to the level of corruption which in one form or another deprived African people in Ezwenelisha of the services they deserved. When they settled, Jeremiah Buthelezi, the chairman of the trust was soon appointed induna of the village by the Inkosi Mzondeni M. Mkhwanazi of KwaMpukunyoni.[95] Fika Buthelezi, a founding chairman of the ANC branch in Ezwenelisha and Dukuduku forest and the former secretary to his father's traditional council (Jeremiah Buthelezi), pointed out that he attempted to stop the establishment of a traditional council in a state land. He argued that the government had bought these cane farms to resettle the people from the forest and clear development plans of the area were indicated.[96] It can be argued here that the state's decision to acknowledge and recognise Jeremiah Buthelezi as induna of the new settlement was a step backward in the so-called state land, in which the municipality was the only entity required to settle people and give them title deeds. In the first place the people who had agreed to move out of the forest to Ezwenelisha were to be made aware that in a state land there would be no such thing as traditional council or leadership and therefore expect to participate in democratic structures. It should be pointed out once again that Jeremiah Buthelezi who was made induna of Ezwenelisha and his council members were not traditional leaders in the forest as other sources claim that the decision of Ezwenelisha settlement was reached with traditional leaders. He only exploited the role of a trust

[94] Nyathi, 'Traditional Leadership', p. 66.
[95] Ibid, p. 66
[96] Interview with Fika Buthelezi, conducted by Patrick Nyathi, Ezwenelisha, KZN, 29 June 2018. (Translated).

chairmanship to make claim to headmanship of Ezwenelisha. This move compromised the clear plans of development in the forest which later led to the dissolution of Ikhwezilokusa and its replacement by the main Dukuduku Development Trust which covers three areas that currently make up the great Dukuduku, the Dukuduku forest, Khula village and Ezwenelisha. Surprisingly, by virtue of its status, the Department of Cooperative Government and Traditional Affairs (COGTA) which chairs the current trust, recognises izinduna from these three parts of Dukuduku and co-opted them into the trust, leaving many questions on the role of traditional leaders in Dukuduku. This will be dealt with in depth in the next chapter.

There is a sense in which the traditional council in Ezwenelisha village disrupted the process of development. In a meeting I attended in 2016, Xaba, a former member of the Ezwenelisha traditional council under Induna Jeremiah Buthelezi, openly encouraged the residents to refuse title deeds until the state had fulfilled on the promises made to the people. His utterances in a public platform as a community leader divided attendees into two, some in favour of, and some against, his utterances. He argued that people were unemployed and therefore cannot afford to pay municipal rates. Others argued that title deeds would give them a sense of ownership of the plots and their houses. Therefore, it was necessary that they were given title deeds as soon as possible in order to secure bank loans to start businesses, or should they decide to sell their houses, they could get real value.

In an attempt to address the land question, whether it was state land or traditional communal land in the Dukuduku area, one cannot just draw an arbitrary conclusion. There are many factors that complicate the Dukuduku land ownership matter. Khula village which is part of the large Dukuduku area is a claimed land. This village was

established on former pine plantation farm as a resettlement area for those removed from the Dukuduku forest in 1993 and led and driven by a traditional leader:

> The state here consulted with traditional leader despite the land being owned by the state suggesting that the state recognised some kind of traditional rights to the land.[97]

The same happened in Ezwenelisha where the community was led by a traditional leader. AFRA argues here that despite that the national government's public policy position exclude traditional leaders from land ownership, in local level negotiations and consultations tend to conform to the notion of who local leaders and decision makers are.[98] Where these two settlements stand – Khula Village and Ezwenelisha – were pine plantations and sugarcane farms, respectively, having been established in the 1960s. The state had bought these farms in attempt to dislodge the African people from the forest. The Chairperson of the Dukuduku Land Claims Trust pointed out that where Khula and Ezwenelisha stands today, the white had evicted African people before establishing the farms and that land should be returned to the rightful owners. He maintains that the land belongs to them and not the state.[99] On the other hand, the state claims authority over the area. It appears that the African people inhabiting these three parts are divided into claimants[100] and non-claimants[101]. The claimant community is clear that the land belongs to them and it is about time it is returned to the rightful owners, while on the other hand the non-claimants community

[97] Association for Rural Advancement, *Dukuduku: The Forest of Our Discontent*, (2003), p.11
[98] Ibid.
[99] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula Village, KZN, 26 December 2019. (Translated).
[100] This refers to the families that claims ancestral ties in the Dukuduku area, among them are Thethwayo, Ncube, Msweli, Nkunzi, Mdluli, Manqele, Mthiyane and few others.
[101] These are people who don't have ancestral ties in the Dukuduku area, many of these people arrived in Dukuduku around the 1980 seeking refuge in the forest and the majority of them flocked in the 1990s. In Ezwenelisha many of them arrived in the early 2000s buying plots from induna and his councillors, which was illegal.

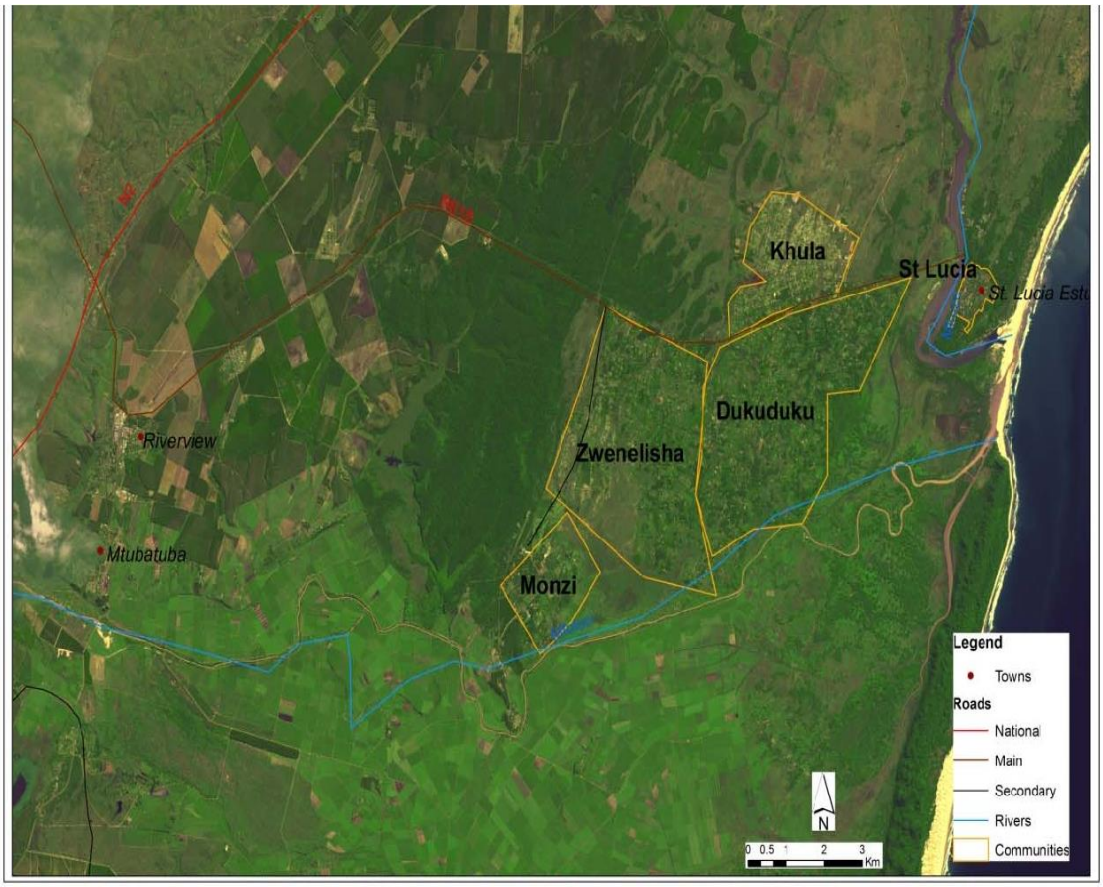
support the notion that Dukuduku is state land, and according to Thethwayo, they must be given individual title deeds.[102]

The available literature points to various attempts of removals in the forest during the colonial through to apartheid era and beyond in South Africa. One needs to point out here that the battle over Dukuduku area, despite the two settlements which were aimed at relocating the forest dwellers, is still far from over. In April 2008, 'the democratic government fenced off the part of the forest but these fences were stolen'[103] as the people were adamant that they would never leave the forest. They accused the state of wanting to take away the only means of survival they have. The government aimed to protect the uMfolozi floodplains which according to Senzo Mchunu, the former KwaZulu Natal Premier, forms part of the most sensitive ecosystem in the Greater ISimangaliso Wetland Park.[104] Induna Almond Sithole was accused of disturbing a R1 billion project to build 5 500 houses as part of an integrated development in Dukuduku forest. He and eight others were said to have harmed, harassed and killed teams employed to clear and demarcate the outer boundary which would secure the uMfolozi floodplain.[105] This nearly led to a fatal confrontation as people could not allow this outer boundary to be erected as this would mean the end of agricultural practices along the uMfolozi floodplain and according to the people of Dukuduku that would mean the end of their life. 'We are not employed and the only way of making money is farming along the uMfolozi floodplain,' one community member said in a community meeting held in Dukuduku forest at Vezobala. It is a known fact that many people farming along the uMfolozi

[102] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula Village, KZN, 26 December 2019. (Translated).
[103] Africa Resource Centre for Housing, Rule 5 Research Report, p. 56.
[104] Stakeholder meeting in Mtubatuba Municipality on the Dukuduku Matter, undated
[105] *The Mercury*, 9 March 2015.

floodplain had changed their lives for the better, most interestingly even those in Khula village and Ezwenelisha are farming along these floodplains. Another factor which has exacerbated this is that, not only people from the Dukuduku forest are involved in farming along the uMfolozi floodplain. Some people have been involved in selling farming plots along the river banks of uMfolozi to people from as far as Hluhluwe, KwaNongoma and Empangeni. This proves that even today government's attempt to 'save' this part of the forest is failing dismally.

The map below shows three main parts of current Dukuduku



Taken from: N. B. Ndlovu Qualifying Indigenous Forest Change in Dukuduku from 1960 to 2008 using GIS and Remote Sensing techniques to support sustainable Forest management planning, Master Dissertation, University of Stellenbosch

Conclusion

It is true that forced removals have caused a lot of sufferings on the victims of such removals. South Africa has a deep and painful history of forced removals of African people from areas they have occupied for hundreds of years. Approximately 3.5 million African people have been dispossessed for various reasons by the apartheid government between the 1950s and 1980s.[106] This figure explains the extent to which the apartheid government was determined to segregate the South African population for an easy control of African people, pushing many into the overcrowded reserves. It is evident that dispossession in South Africa before and during apartheid had a devastating impact on the livelihoods of the dispossessed. Both black and white people have experienced removals. However, the available literature suggests that African people were the hardest hit by forced removals. They were victims of segregatory and racist laws, such the Natives Land Act of 1913, Bantu Authorities Act of 1951, The Group Areas Act and other laws. Many of these people were removed without compensation while their white counterparts, if removed, were often properly consulted and compensated. Platzky and Walker point out that removals or developments affecting white people would receive extensive press coverage while the removal of African people would be barely recorded.[107] As observed by Desmond, Africans were resettled in areas without proper infrastructure such as housing, schools, water supply and other necessary facilities.[108] Part of the reasons why the Dukuduku people refused to move to the new resettlement area of Khula village was that the area was barren and unsuitable for farming and cattle grazing.[109]

[106] See Platzky and Walker, *The Surplus People*.
[107] Ibid.
[108] Desmond, *The Discarded People*.
[109] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020; Interview with Almond Sithole, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 02 January

It is clear that the removals of people from Dukuduku forest was a dismal failure. Both the apartheid government and the democratic government of South Africa miserably failed to dislodge the inhabitants of the forest.[110] Initially a portion of people between 1992 and 1993 moved to the new settlement in Khula village and in 1997 and 1998 another portion to Ezwenelisha. However, the sizeable number of people remained in the forest until at least in 2008 when the government gave up the fight of removing people completely from the forest. The new approach was to have the wetlands protected and people continuing to occupy the forest. This decision was not welcomed by the conservationist authorities. This would start a new battle as people believed that prohibition from growing crops on the wetlands along the banks of uMfolozi river would be a fatal blow to their livelihoods.

2020; Interview with Joshua Nxumalo, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 26 September 2019. (Translated).

[110] See Africa Resource Centre for Housing, *Rule 5 Research Report, Dukuduku Community Land Claim, Ref No: KRN6/2/2E/28/0/018*, Oct 2018.

Chapter Four

The Dukuduku Forest and Its Ecological Value: Conflicts between Conservationists and African Subsistence Farmers, During and After Apartheid.

Introduction

Dukuduku forest forms part of a very sensitive ecosystem on the African continent in general and South Africa in particular. This forest forms part of the iSimangaliso Wetland Park, formerly known as Greater St Lucia Wetland Park. In fact, the Dukuduku forest is so inextricably linked with iSimangaliso Wetland Park and its role in the economic development and contribution to the natural diversity of South Africa that it is impossible to discuss one area without another. Dukuduku is a rare indigenous forest in coastal KwaZulu Natal, South Africa, which is highly fertile and very productive. It has supported the lives and livelihoods of many African people inhabiting this area for more than a century. Along the uMfolozi floodplain lie the sugarcane farms which are integral to the history, heritage and ecological diversity of the KwaZulu Natal North Coast region.[1] Sugarcane farming along the uMfolozi floodplain commenced in 1911, and is said to have benefited the South African economy through creation of employment opportunities and the production of sugar for domestic consumption and international market.[2] At the time, the Dukuduku forest itself was neglected while most attention was given to the production of sugar. According to Ernest Mlambo, a conservationist and the co-founder of the Manukelana Arts and Nursery, it was only in the 1960s that much attention was paid to the sensitivity and uniqueness of the Dukuduku indigenous forest and more calls

[1] KwaZulu Natal High Court Local Division: Durban, Judgement, Monzi Planters Association vs iSimangaliso Wetland Park and others, CASE No. 7942/2015, 27 April 2017, p. 2. www.safli.org/za/cases/ZAKZDHC/2015
[2] Ibid, p. 2.

were made to ‘save’ the forest. Mlambo pointed out that there was a shift from nature preservation to nature conservation in the 1960s.[3] According to Sundnes, this was because of ‘the growing concern for wellbeing of St Lucia Lake and Estuary, particularly for the deteriorating fishing conditions.’[4] In assessing the impact of the human interaction with nature and the alleged human threats to the animal and plant life in St Lucia, the state appointed a commission of inquiry into these threats in 1963.[5] The findings of this commission would change the approach and the view of nature conservation in the area, leading to a call by environmental groups for the eviction of African people who had occupied the forest and were possibly a threat to the ecosystem. It also indicated that the state commercial forest had a negative impact on natural biodiversity.[6] However, such state-sponsored developments ignited fierce resistance on the part of Africans who had occupied the forest long before this period. Subsequently, battles over the occupation of the forest started, conflicts which have not yet been resolved and which appear to be far from over. Whilst white farmers engaged in large-scale sugarcane commercial farming along the uMfolozi floodplain, Africans who occupied the forest engaged in small-scale subsistence farming for domestic consumption and maintenance of everyday livelihoods. Many of them had engaged in gumtree and sugar plantations within the forest and other crops such as banana, sweet potatoes, cassava and others in the protected wetlands along the uMfolozi floodplain. This exacerbated the tensions between Dukuduku people and the conservationists in the local conservation authority, and strengthened calls that Africans should be removed before the

[3] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha, KZN, 22 September 2019. Translated.
[4] F. Sundnes, ‘Scrubs and Squatters: The Coming of the Dukuduku Forest in KwaZulu Natal, South Africa’, *Environmental History* 18, (2013), p. 295.
[5] Ibid.
[6] See J.P. Kriel, Report of the Commission of Inquiry into the alleged threat to animal and plant life in the St Lucia Lake, 1967.

damage could be irreparable in the forest. As a result, this chapter attempts to address the ecological history of the Dukuduku forest given its proximity to the iSimangaliso Wetland Park which is an international tourist attraction with unique biodiversity. It will also focus on the economic activities of Africans living in the forest during the period under study and argue that people of Dukuduku sustained their livelihoods through natural resources available to them in the forest and that is the primary reason that conflict between them and conservationists was intensified. It is evident in the South African context that, in theory the environment was prioritised over the people while in practice the environment was prioritised over African people.[7] People have been dispossessed of land in the past, before and during apartheid with the intention to create national parks and conservation areas.[8] The removals were exacerbated by the segregationist policies under apartheid administration. The forceful removals resulted in a conundrum of landlessness among the African people who were removed from the areas they had occupied for years. As observed by Jane Carruthers, the protection of the game in the Transvaal resulted in disastrous consequences for the natives who in many instances lost their land and crops.[9] She argues that while 'in their search for common ground whites totally excluded Africans.' As a result, the establishment of national parks and conservation areas 'constitute yet another strand in the consolidation of whites interests over Africans.'[10] A further consequence of this is that the racialization of nature conservation created tensions between the indigenous people and the conservationists. For instance, the creation of the Kruger National Park saw the

[7] Africa Resource Centre for Housing, Rule 5 Research Report: Dukuduku Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018, p. 44.
[8] K. Nustad and F. Sundnes, 'The Nature of Land: The Dukuduku Forest and the Mfolozi flats, KwaZulu Natal', *Journal of Modern African Studies*, 51, 3. (2013).
[9] J. Carruthers, *The Kruger National Park: A Social and Political History*, Pietermaritzburg, University of Natal Press, 1995, p. 31.
[10] Ibid. p. 48.

forced relocation of the Makuleke people and the scores of other ethnic groups from the area.[11] The reality behind the establishment of national parks and conservation sites is that thousands of Africans were forced out of their homes and lands. Contrary to the idea that Africans were a threat to nature, Honey argues that it was in fact white people who threatened the environment as they continued to hunt 'the wild game indiscriminately, sometimes for food, sometimes for trade, and increasingly for pleasure and trophies.'[12] Undoubtedly, this intensified racial tensions and sparked resistance as people did not want to lose their ancestral lands, farming and grazing fields. Originally, the creation of parks was geared by the desire to conserve wildlife and promote tourism. However, its racialization did not benefit Africans but only whites as Carruthers put it that 'the socio-political culture of South African national parks was consequently shaped by white interests.'[13] In some instances people organised and attempted to resist removals. This has been the case in the history of Dukuduku forest reserve. The Dukuduku residents organised against their relocation as Frederick Brooks, from the office of the premier in KwaZulu Natal and the coordinator of the Dukuduku Development Project, admits that 'all attempts to remove people from the forest were met with strong resistance' and 'eventually their rights were acknowledged; the forest lost its protected status and it was agreed the area would be developed as a township.'[14] The Dukuduku forest story reveals the environmental challenges during apartheid and post-apartheid periods. It appears the efforts by the state and the environmental groups to save this unique lowland forest have been met fierce resistance rendering them less effective. It highlights the tension between the indigenous people and the state on the one hand and the

[11] See M. Honey, *Ecotourism and Sustainable Development: Who Owns Paradise?*, London, Island Press, 2009
[12] Ibid.
[13] Carruthers, *The Kruger National Park*, p. 68.
[14] *IOL News*, 26 June 2015.

environmentalists on the other. The residents of the Dukuduku forest continued to embark on 'illegal' farming along the uMfolozi floodplain which has been a source of tension in the recent past.

Natural forests and their role in remote traditional communities in South Africa

> Throughout the world, people depend on forests for food security, nutrition and livelihood. This is done through consumption of forest products or selling of harvested products for economic purposes. In South Africa, forests play a significant role towards food security and livelihood in the form of Non-Timber Forests Products (NTFPs).[15]

The above statement suggests that, not only in South Africa, but globally people have relied heavily on natural forests for sustenance of their livelihoods. There is no doubt that if natural forests are poorly managed they will soon diminish and leave the world in an awkward position in as far as rainfall and climate change are concerned. In South Africa for instance, natural forests and woodlands, according to the Department of Agriculture, Forestry and Fisheries (DAFF) report (2011), are regarded as the protectors of 'land, soil, vegetation, water, climate, wildlife, landscape, aesthetics and outdoor recreation.'[16] As a result, it is difficult to deny that there is a need for protection of natural forests across the country given their usefulness to the society and their contribution to the prevention of global warming.

Natural forests and woodlands have benefited rural people of South Africa residing in the remote traditional communities a great deal. Forests in general, according to Ndlovu, are significant to the well-being of rural communities as they provide various

[15] Department of Agriculture, Forestry and Fisheries, State of the forests report, 2010-2012, March 2015, p. 27. www.gov.za
[16] Department of Agriculture, Forestry and Fisheries, State of the forests report, 2007-2009, 2011. www.gov.za

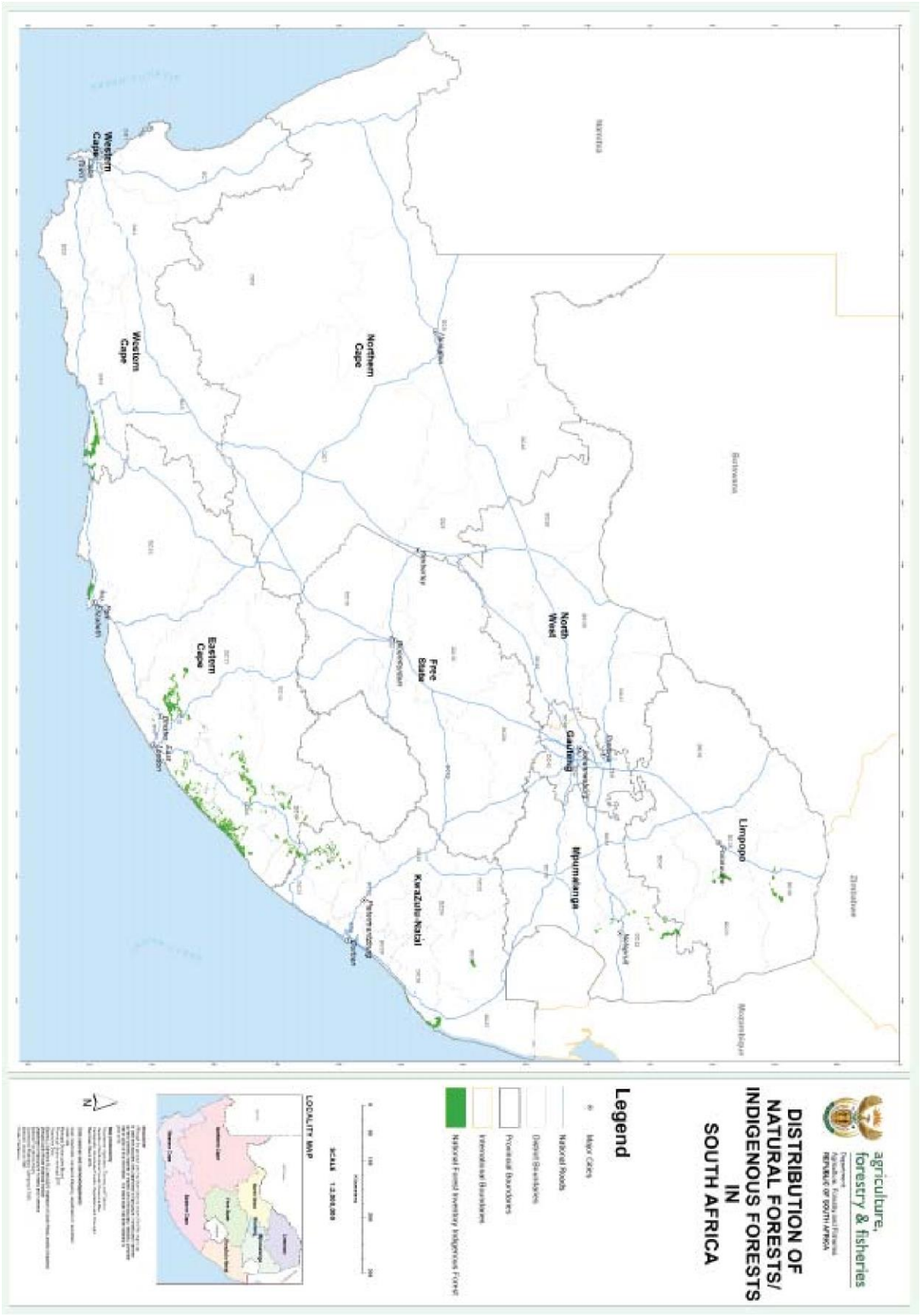
socio-economic and ecological goods and services to the communities living within or closer to such forests.[17] Given the nature and extent of poverty and inequality in rural South Africa, over the years rural people have relied heavily on woodlands for timber for housing, construction of kraals and fencing their homesteads and gardens.[18] According to the Department of Agriculture, Forestry and Fisheries (DAFF) report between 9 and 12 million people use natural forests for firewood and medicinal plants for health care. Among these people are traditional healers, herbalists and ordinary people who extract medicine from tree barks, roots and plant leaves. Meanwhile, approximately 27 million people collect wild fruits, edible insects, and other foods from the forests.[19] In addition, over the years forests have provided fertile grazing grounds for cattle. By 2015, it was estimated that about 800 000 people operate in the craft industry which is heavily reliant on woodlands resources and "up to 100 000 households in South Africa engage in small-scale trade in forest products from woodlands."[20] The natural forests have afforded rural people a chance for game hunting for various purposes be it medicinal, trade or consumption. As the report puts it that the natural forests and woodlands in South Africa are inhabited by the 'impressive wildlife that forms the cornerstone of game farming and ecotourism'.[21] Most importantly, rural people residing in non-electrified areas depend mainly on wood for fuel. Arguably, their lives would be extremely difficult without forest resources at their disposal for their day to day operation. The latter has been the case in Dukuduku forest, a case under study, that has been without electricity for

[17] N.B. Ndlovu, 'Quantifying the indigenous forest change in Dukuduku from 1960 to 2008 using GIS and Remote Sensing techniques to support sustainable forest management planning', Unpublished Master Dissertation, University of Stellenbosch, 2013, pp. 9-10
[18] Ministry of Water Affairs and Forestry, Sustainable Forest Development in South Africa, The Policy of the Government of National Unity, White Paper on Forestry. www.gov.za
[19] Department of Agriculture, Forest and Fisheries, State of the forest report, 2010-2012, p. 10. www.gov.za
[20] Ibid.
[21] Ibid.

the past century until at least mid-2020 and people have relied on the forest for firewood, wild fruits, food, crafts, housing, thatching, weaving, medicine, wild game etc. It is important to note nonetheless, that even the communities supplied with electricity such as Khula village continue to rely on firewood from the Dukuduku forest to minimize the costs of electricity. However, it should be indicated that all natural forests and woodlands are protected in terms of the National Forests Act, No. 84 of 1998.

South Africa is said to be a poorly wooded country and 'has never been one of the great forest regions of the world in historic times'.[22] The region has only about eight per cent that has adequate rainfall to allow for the growth of the forest.[23] Robertson argues that although South Africa is poorly wooded, she possesses a 'great wealth of tree species' that many of them have a great timber value. Furthermore, the report indicates that 'most natural evergreen forests are found in areas of higher rainfall, along the southern and eastern coastline and in the country's mountainous regions between eastern borders with Swaziland and Mozambique'.[24] According to McCracken, 'the great coastal forests were to be found in central Zululand on the high land south of lake St Lucia at Dukuduku and nearby Ndlovu'.[25] South Africa's indigenous forests cover about 0.4 per cent of the land surface of South Africa. They are located, predominantly, in the Eastern Cape and KwaZulu Natal provinces.[26] As indicated above these forests are cherished for their ecological value and ecotourism.

[22] D.P. McCracken, 'The Indigenous Forests of Colonial Natal and Zululand', *Natalia*, 1986, p. 19.
[23] Ibid.
[24] Department of Agriculture, Forestry and Fisheries, 2011, p. 6.
[25] McCracken, 'The Indigenous Forests', p. 23.
[26] Ibid.



Map shows the distribution of indigenous forests in South Africa. Taken from Department of Agriculture, Forestry and Fisheries.

However, according to Robertson, in the past few centuries the considerable amounts of forest have been destroyed 'intentionally or through negligence by both the native and the white man'.[27] Climate change and other factors have contributed to the decline of the forest in South Africa in the past three centuries and narrowed natural forest to about 327 600 ha which is about 0.2 per cent of South Africa's land area.[28] As a result, the depletion of the forest became a concerning factor to the ruling elite. McCracken, in his paper of 1986, reminds us that during the first thirty years of the British rule, the colonial government of Natal concerned itself very little with the natural forests. This was so until at least 1870s when destruction of the forest had been done. There were numerous reasons that compelled the colonial administration of Natal to give attention to indigenous forests. Among the reasons was the drought of the mid-1870s which many settlers believed was caused by deforestation. Problematic to their approach was that deforestation and the destruction of the forest was caused by the African people while turning a blind eye on the role of the settler population in the deforestation.[29] As a result, the Natal administration considered ways to preserve the bushes. Finally, the Natal administration adopted a comprehensive forestry policy which would preserve the 'forests in order to regulate rainfall and prevent soil erosion.'[30]

South Africa has witnessed dramatic political changes from colonial to segregation period through to apartheid and beyond. The former three epochs saw African people left on the margins of development. They became pariahs in their native land and were excluded from meaningful political participation. Through exclusive and

[27] C.C Robertson, 'The Forests of South Africa', *Empire Forestry Journal*, 3 (1), (1924), p. 199.
[28] Ministry of Water Affairs and Forestry, Sustainable Forest Development in South Africa, The Policy of the Government of National Unity, White Paper, www.gov.za
[29] McCracken, 'The Indigenous Forests', pp. 19-38.
[30] Ibid. p. 31.

segregatory legislations African people had decisions taken by settler population without their consent. In essence, Africans were reduced to mere sub-humans by the cruel regime of apartheid from the late 1940s to 1990s, leading to forced removals from across the country in favour of the white people.

The rise of environmentalism in South Africa resulted to forced removals from various parts of the country and the creation of 'protected areas.[31] Khan puts it that 'black South Africans were forced by the prevailing political realities and pervasive racial prejudice to operate outside mainstream environmentalism'.[32] It is this idea and practice that nature could be conserved at the expense of African communities that has been problematic. In most cases, African communities faced harsh treatment from authorities who evicted them from their native areas in the name of nature conservation. This has been the case in areas such as Dukuduku forest area[33], the Lake Bhangazi area[34], the Makuleke region[35] and other areas. However, the scholarship on the history of land in Africa reflects the multiple and often contradictory aims of colonizers. Evident in these aims was the creation of an independent and free-holding class of native farmers and forcing the African people to seek employment in the urban-based white owned factories and industries.[36] On the other hand, forced removals were driven by the establishment of protected areas and national conservation parks. The creation of these areas deliberately excluded

[31] See C.H. Picard, 'Post-apartheid perceptions of the Greater St Lucia Wetland Park, South Africa', *Environmental Conservation*, 30(2), 2003.
[32] F. Khan, 'Environmentalism in South Africa: A Socio-political Perspective', *Macalester International*: Vol.9, Article 11, 2000, p. 157.
[33] For more on Forced Removals in the Dukuduku Forest, see for example Nustad, *Creating Africas: Struggles over Nature, Conservation and Land*, Pietermaritzburg: UKZN Press, 2015.; Sundnes, "Scrubs and Squatters: The Coming of the Dukuduku Forest, an Indigenous Forest in KwaZulu Natal, South Africa', *Environmental*, 18, (2013).
[34] See B. Skelcher, 'Apartheid and the removal of Black Spots from Lake Bhangazi in KwaZulu-Natal, South Africa', *Journal of Black Studies*, 2003
[35] See G.L. 'Maluleke, Rethinking Protected Area Co-Management in the Makuleke, South Africa', PhD Thesis, University of Stellenbosch, 2018.
[36] See B. Derman, R. Odgaard & E. Sjaastad, *Conflicts over Land and Water in Africa*, Pietermaritzburg: UKZN Press, 2007.

black people in South Africa before and during apartheid period.[37] The establishment of in Africa and South Africa in particular was often done without the consent of the locals leading to forced evictions without compensation. Many scholars and critics have observed that preservation of flora and fauna had been favoured over the wellbeing of African people.[38] The case studies of Lake Bhangazi and Dukuduku forest provide a great example of forced removals by the state in the name of nature conservation. The Dukuduku forest contains 'the country's largest remaining patch of the lowland forest' and is said to have been under threat in the past decades.[39] Unlike Lake Bhangazi, Dukuduku is an example of successful resistance of the indigenous people who, despite all attempts by the state to relocate them, have successfully resisted evictions and continued to eke out a living in the area. The state and the Dukuduku forest dwellers have been in this tug-of-war for a very long time and it appears that this battle is far from over. As Khan puts it:

> The conflict in Dukuduku embodies the complexity of South Africa's environmental problems as well as the difficulties faced by a government burdened with an acute backlog of socio-economic problems.[40]

Post 1994, following the collapse of the apartheid regime, the new democratic state revised its conservation policies and institutions in an attempt to redress the socio-economic injustices related to the establishment of protected areas and conservation parks.[41] Despite the government's strides to reform the nature conservation and forestry industry, however, some African communities have arguably not played a

[37] Picard, 'Post-apartheid perceptions', pp. 182-191
[38] See M. Honey, *Ecotourism and Sustainable Development: Who Owns Paradise?*, London, Island Press, 2009; L. Platzky and C. Walker, *Surplus People: Forced Removals in South Africa,* Johannesburg, Ravan Press, 1985; Maluleke, 'Rethinking Protected Area Co-Management'.
[39] F. Khan, 'Environmentalism in South Africa: A Socio-political Perspective', *Macalester International* 9:11, 2000, p. 157.
[40] Ibid.
[41] Picard, 'Post-apartheid perceptions', p. 182.

meaningful role in nature conservation, in particular in rural South Africa, as triple challenges of inequality, poverty and unemployment continue to manifest in remote traditional areas in South Africa, most of whom are closer to the protected areas.

The Dukuduku forest, uMfolozi floodplain and the green politics post 1994

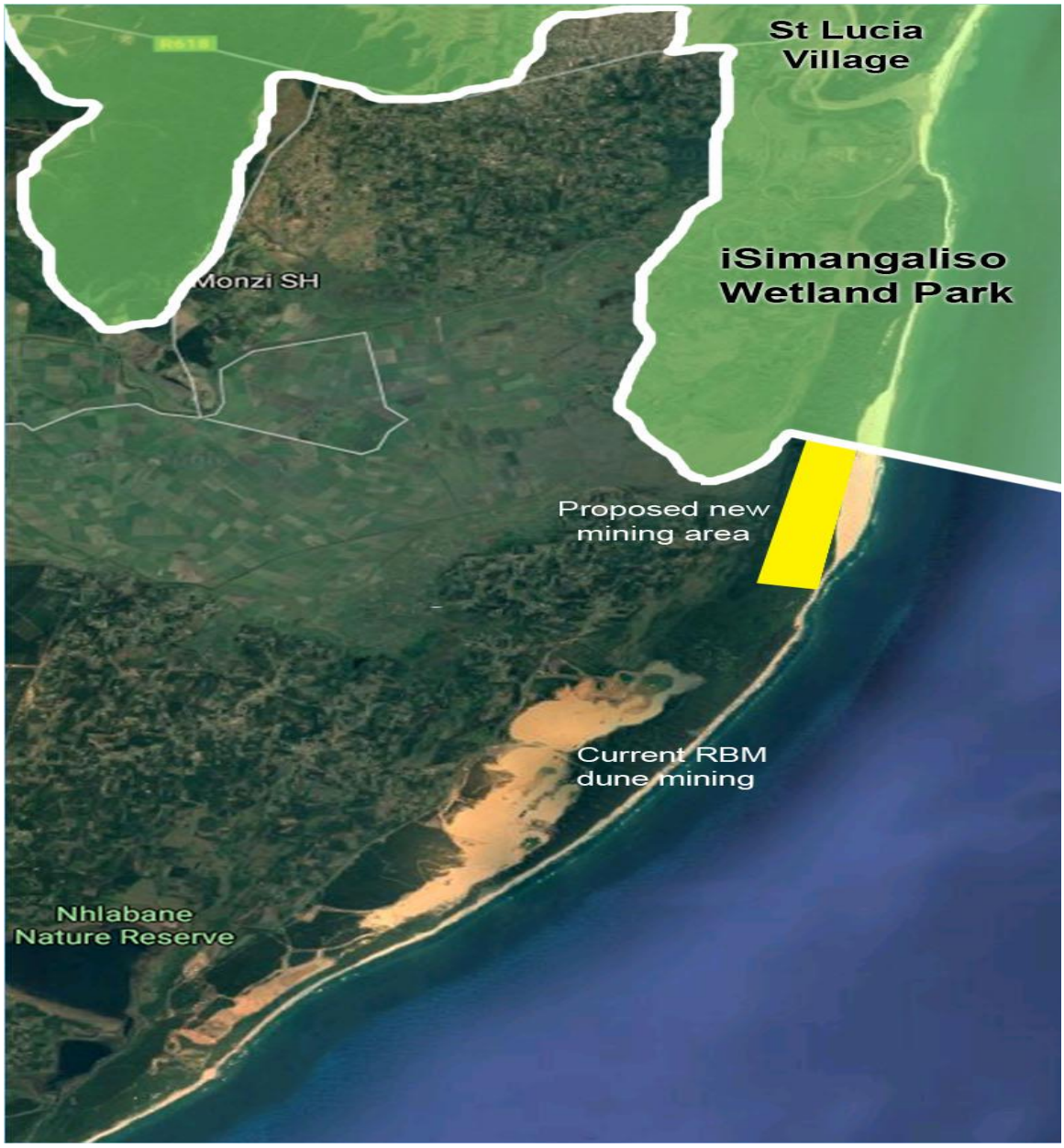
The environmentalists who have campaigned for the 'protection' and 'saving' of the forest have argued that the occupation of the forest by 'squatters' and 'their' economic activities posed a serious threat on this rare ecological forest in northern KwaZulu Natal. The vanguard of this campaign were environmental groups such as Natal Parks Board (NPB), KwaZulu Bureau of National Resources (KBNR), Wildlife Society of South Africa and Zululand Environmental Society. They claimed that people pollute and denude the forest which has a grave impact on the ecosystem.[42] However, the conflict is not simply the one between conservationists and African communities but also involves a third element, namely white commercial farmers. The fertility and productivity of these wetlands contributed to the friction between African inhabitants in the forest and the state on the one hand, and sugarcane commercial farmers and environmentalists on the other.

The report published in 1993 that provides a summary of the findings of various interested and affected parties contends that wetlands, ecological forests, dunes, rivers and marine systems should be viewed as irreplaceable assets.[43] However, there is always a need for economic development and the need for foreign investment. Firstly, many commentators and environmentalists have argued that the

[42] See, Summary Report of the Findings of various lead interested and affected parties in St Lucia Environmental Impact Assessment, June 1993.
[43] Ibid.

forest near iSimangaliso Wetland Park has been threatened by 'invasion of squatters'[44] from the 1950s, and later the threat was posed by the Richards Bay Minerals' (RBM) application to mine a portion of the eastern shores of St Lucia. Walker reminds us that in an attempt to prevent mining operations in the early 1980s, conservationists launched a nationwide campaign to ensure that RBM's application to mine along eastern shores is blocked. This campaign was seen as the most successful by the environmentalists. They called for the protection of wilderness and unique biodiversity both in the eastern and western shores of the Lake St Lucia.[45] RBM's application was dismissed on the basis that its operation posed a risk in terms of its potential to obliterate the sensitive wetlands and swamps and further compromise uMfolozi River as the mining would require the excessive use of water for its operation.[46]

[44] See Sundnes, 'Scrubs and Squatters'; Nustad & Sundnes, 'The Nature of Land'; T.E. Ntombela, 'Impact of Subsistence Farming and Informal Settlement on Dukuduku Forest as a Tourism Resource', Unpublished Master of Arts Dissertation, University of Zululand, 2003.
[45] Walker, *Landmarked*, p. 121
[46] *Mail & Guardian*, 14 November 1997.



'The proposed new mining exploration block (yellow) on the southern boundary of the iSimangaliso World Heritage Site, directly north of the current dune mining operations by Rio Tinto subsidiary Richards Bay Minerals (RBM)'. Taken from Daily Maverick, 8 November 2018

The creation of the large-scale sugarcane farming in Dukuduku (Monzi Area) in the first decade of the 20th century and pine and gum tree plantations have been seen as ecologically catastrophic on the swamps, the uMfolozi floodplain and uMfolozi river

itself.[47] Sugarcane farming commenced in 1911, long before the conservation groups called for the protection of this unique forest. The remaining smaller portion of the forest was later incorporated into the iSimangaliso Wetland Park. While sugarcane commercial farmers have used large volumes of water for irrigation and have constantly contributed to the carbon footprint through production of smoke during the cutting seasons, Africans have been denied the right to do the same along the same floodplain. Consequently, this has created an impression that only Africans are responsible for the destruction of this natural forest.

The KwaZulu Natal Bureau of Natural Resources (KBNR) acknowledged that there was a dynamic interaction of people, resources and environment in Dukuduku and therefore called for the enhancement of the quality for those communities affected by promoting wise and sustained use of natural resources. The KBNR opted for Nature Conservation and Tourism as a suitable land use option over mining, arguing that mining had more risks involved.[48] It also stressed the need for thorough and fair consultations with local and affected communities but emphasised that the mining option would be a 'gamble' and therefore should not be permitted. However, some informants claim that this was never the case, there was never a fair consultation. Msweli pointed out that authorities used money to get the influential individuals moving out of the forest but the majority remained.[49]

It was only in 1990, that the Cabinet of the apartheid regime decided that the planting of pine trees in the Dukuduku forest be discontinued, as it was believed that

[47] Summary Report of the Findings of various lead interested and affected parties in St Lucia Environmental Impact Assessment, June 1993, pp. 3-4.
[48] Ibid. p. 7.
[49] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020. (Translated).

it had serious implications on indigenous plants.[50] However, these plants were found in other parts of Dukuduku until 2015. The alien plants, according to Raymond Langa, have compromised indigenous plants a great deal, it is only now that natural plants are rehabilitating because the pine trees have been cut down and eradicated from the area.[51] Following the apartheid government's decision, pine trees were removed in many parts of the forest including today's Khula village where some people removed from the forest were resettled.

The uMfolozi river which has, for many years, provided water to the Dukuduku residents and sugarcane farmers has been severely damaged by alien plants, denudation and erosion.[52] This has been a major concern to environmentalists as it poses the risk of destroying swamps along the uMfolozi floodplain.

Apart from sugarcane farmers, many people farming along the riverbeds live in the Dukuduku forest. Nustad argues that productivity of this part of the province was instrumental in attracting sugarcane farmers. Local people give the same reasons for settling in the Dukuduku forest.[53] As a result, the main area of conflict in Dukuduku is now associated with 'illegal' farming on the uMfolozi floodplain. The uMfolozi River has played a key role in the commercial agricultural activities that have been taking place here from the early 20th century. Farmers manipulated and changed the river flow to meet their agricultural purposes.[54]

The available evidence indicates that commercial agriculture along the uMfolozi floodplain has taken a larger portion of the uMfolozi floodplain. According to the

[50] Summary Report of the Findings of various lead interested and affected parties in St Lucia Environmental Impact Assessment, June 1993, p. 16.
[51] Interview with Raymond Langa, conducted by Patrick Nyathi Ezwenelisha, KZN, 02 July 2020. (Translated).
[52] Kriel, 'Report of the Commission of Inquiry', p. 34.
[53] Nustad, *Creating Africas*, p. 147.
[54] Nustad & Sundnes, 'The Nature of Land', p. 489.

Progress Report: KZN Economic Cluster, Dukuduku Onsite Resettlement by the KwaZulu Natal Department of Local Government and Traditional Affairs, commercial agriculture along the uMfolozi floodplain has destroyed 60% of the swamps.[55] Meanwhile, the remaining smaller portion was incorporated into the iSimangaliso wetland park, denying African communities living in the forest to farm along the river banks. However, African communities did not observe calls to preserve/conserve these swamps as they continued with their economic activities despite orders from provincial and national governments. The people here remained resolute that they have all the rights to work this land as it 'belonged' to them. One interviewee commented that if white people are allowed to destroy the floodplain through sugarcane farming, why then Africans are disallowed. There is a sense that Africans residing in the Dukuduku forest feel victimised by their own democratic government. Interviewee X had this to say:

> Thousands of people living in the forest and elsewhere, including myself make a living through farming along the banks of the uMfolozi river. Should that be taken away from us, crime rate would increase. Most people came here to make ends meet through farming. We do not want the government to build houses for us somewhere else. What we want is to work the land and build our own dignified homes.[56]

There has been a sense of betrayal of the public by local leaders who are said to have been holding meetings with environmental authorities of iSimangaliso Wetland

[55] KwaZulu Natal Department of Local Governance and Traditional Affairs, Progress Report: KZN Economic Cluster, Dukuduku Onsite Resettlement Project, 26 August 2009
[56] Interview with Anonymous, conducted by Patrick Nyathi, Oweni, Dukuduku Area, KZN, 26 September 2019 (Translated).

Park, behind closed doors. Informants[57] claim that local leaders have accepted money from the authorities and 'sold out' the struggle against removals. This is of grave concern as it has, over time, created hostility among the community members.

Sugarcane farming along the uMfolozi floodplain was first established in 1910/11 with very few farmers. New plots were allotted to new farmers, who had participated in the War, after the end of World War I as compensation for their service. According to Nustad and Sundnes the establishment of a sugar mill in Mtubatuba in 1916 was a precursor to a largescale sugarcane plantation along the uMfolozi river banks. However, it should be indicated that during this period there was no focus on nature conservation. It was, at one stage, suggested that the Dukuduku forest be made available for white settlement, as Heaton Nicholls, had believed that in the forest there was no timber of any value.[58] The uMfolozi Cooperative Planters association also felt that farming units were too small and more land was needed. It is argued that regular flooding made it difficult to farm but the 'same flooding had turned the area into extremely fertile ground.'[59] Severe flooding occurred in 1916 and 1925 respectively, leaving the farms devastated and the latter flooding destroying the recently built sugar mill. The government was then forced to find an alternative land to compensate flood victims.[60] Measures were taken to avoid floods destroying crops and uMfolozi river was channelled which would have a negative impact on the Lake St Lucia system.[61] After the channelization of the uMfolozi River, sugarcane farming expanded. More white people settled in Dukuduku after the Second World War,

[57] Zibuse Mncube and Nkombane Msweli pointed out in separate interviews that some prominent individuals in the community were bribed to convince the people to leave the forest. many of those who received a bribe were awarded tenders for the elimination of alien plants in the iSimangaliso Wetland Park. interviews conducted by Patrick Nyathi, Dukuduku Forest, KZN, (Translated).
[58] Nustad & Sundnes, 'The Nature of Land', p. 493.
[59] Ibid.
[60] Ibid.
[61] Interview with Ernest Mlambo, conducted by Patrick Nyathi Ezwenelisha, KZN, 26 December 2019, (Translated).

many of them being ex-soldiers.[62] According to Harrison, land was made available to the ex-combatants for sugarcane production. About thirty applicants who had proved to have sound knowledge of cane production and had served in the army during the war (World War II) were compensated with land.[63]

There is a sense in which the white expansion in the area for farming created a burden for Africans in the area. Africans who had occupied the forest at the time had to serve the newly established white farms in Monzi. Those who were willing to provide labour to these farmers were allowed to stay, guided by the obligations of labour on the farms and restrictions on family size were imposed.[64] It was hoped that this would discourage African occupation of the forest but that has never been the case. According to Sundnes, many Africans in the forest resisted restrictions imposed on them and continued to engage in hunting, harvesting and remaining on land reserved for new forest plantations. They also refused to dip their cattle on the facilities provided by the government.[65] In 1950s the government allowed for the expansion of commercial forestry in Dukuduku[66] leading to the intensified forced removals in the 1950s, now under the newly established apartheid administration. It also appears in literature that white farmers used the relocation tactic to get Africans to clear the thick forest for them and would soon remove them to another part of the forest. In an interview with Bab' Zwane, he confirmed that this was the case. People would settle and clear the forest and later a white man would claim that the cleared part belonged to him and therefore they should move to other parts. After which they

[62] Interview with Njeke Mdamba, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 27 September 2019 and Interview with Bab'Zwane conducted by Patrick Nyathi, Dukuduku Forest, KZN, 31 December 2019 (Translated).
[63] E.R. Harrison, *Memories of Early Matubatuba and District,* Mtubatuba: Zululander Stationery & Publishers, 1989, p. 86.
[64] Sundnes, 'Scrubs and Squatters', p. 293.
[65] Ibid, p. 294.
[66] J.B. Karumbidza, A Study of the Social and Economic Impacts of Industrial Tree Plantations in the KwaZulu-Natal Province of South Africa, May 2006, p. 43.

would farm the cleared space. It is possible that this was done due to shortage of labour or a wicked act of the apartheid system. This resulted in racial clashes and tensions in the forest.[67]

Over time the state has argued that the removal of people living in the forest is necessary for conservation and rehabilitation of the forest. It cannot be denied that the occupation of the forest could in one form or another threaten this unique indigenous forest in northern coastal KwaZulu Natal. This is applicable, regardless of a particular race or group occupying the forest. In Dukuduku, however, it has appeared like only Africans are capable of destroying the natural forest. With the emergence of democracy in 1994, the people of Dukuduku hoped that the democratic government would address the land question in manner that would be favourable to them. However, there is an impression among the community members that the democratic government inherited the apartheid government's project of relocating them hence the renewed tensions post-1994 elections. As a result, the government attempts to exclude those who depended on the forest has proved problematic and has complicated the process of 'saving' and rehabilitating this forest.[68] The government actions of excluding the people in the Dukuduku matter validates claim made by various commentators that in the South African context, 'saving' environment has been prioritised over African people residing in affected areas, where there are conservation interests.

[67] Interview with Bab' Zwane, conducted by Patrick Nyathi Ezwenelisha village, KZN, 31 December 2019. (Translated).; also see Sundnes, 'Scrubs and Squatters', pp. 277-308; Nustad, *Creating Africas*.
[68] AFRA, Dukuduku: The Forest of our Discontent, 2003, p. 14.

The Dukuduku forest reserve covered a far larger scope than it appears today.[69] By the 1960s, Dukuduku forest had three distinct uses: plantations (state commercial forests) in the north, Dukuduku forest reserve made up of natural forest areas and a portion along the uMfolozi floodplain was set aside for the sugar cane production.[70] It was not only the occupation of the forest by Africans that compromised the nature of the forest. By the 1950s, the government allowed for the expansion of sugarcane production, which had started in 1911 and expanded state commercial forest in Dukuduku which had a grave impact on the natural forest. According to Ndlovu, there were two major threats in the forest, commercial afforestation and sugarcane production. Other threats included sugarcane farming on a small scale by African farmers living in the forest and the use of natural resources by residents in the sustenance of their livelihoods.[71] It would be arbitrary to draw a conclusion that the forest was destroyed only by the settlement of Africans. White community in the area, in particular commercial farmers and the former department of forestry should also take the blame on the deteriorating state of this indigenous forest.

Survival in Dukuduku forest on the Threshold of Democracy and post-1994: Economic activities in the Dukuduku forest and their impact on the environment.

It is important to note that during difficult times the African people living in Dukuduku forest never ceased to engage in economic activities for survival. The claim that the forest was not occupied until at least 1988 or 1989 is misleading and must be

[69] Interview with Joseph Thethwayo, Nkombane Msweli and Zibuse Mncube, conducted by Patrick Nyathi (separate interviews: Translated).
[70] AFRA, Dukuduku: The Forest of Our Discontent, 2003, p. 18
[71] N.B Ndlovu, 'Quantifying the Indigenous Forest Change', p. 12.

rejected outright. Before the arrival of whites, Africans had occupied the forest and kept herds of cattle in the area.[72] The idyllic lifestyle and livelihoods of the Dukuduku people was disrupted by the state's efforts to relocate them in an attempt to save the forest.

Given the fact that land in the Dukuduku forest is arable, it is not surprising that many people settled there, made a living through farming and fiercely resisted removals. The forest was to them life and breath. Nkombane Msweli had this to say;

> I grew up here. That fenced section which is today a game park, it's where my original home was located. They took away our bread and forced us out. Our cattle died, when I went to GG to demand a compensation, I was told that I was not forced out but I volunteered. We were forced to come back into the forest. We could not starve while we had left our food in the forest.[73]

In this way it becomes evidently clear from many informants that people in the forest made a living through subsistence farming. They grew mainly *amadumbe*, banana, beans, sweet potatoes, sugarcane, gum trees, etc. Seeds for all these crops were obtained from Mtubatuba town.[74] For a long time these people have grown crops for domestic consumption and have struggled to find an external market for their produce. Although Dukuduku is a 'state' land, informants have indicated that the allocation of land/sites in the area is the responsibility of induna. Other sites are bought from those who have larger portions of land, in particular the claimants. Crops are planted closer to homesteads but most are found along the river banks of the uMfolozi river, which has created tension between the inhabitants and the

[72] See AFRA, Dukuduku Special Report, 2002.
[73] Interview with Nkombane Msweli, conducted by Patrick Nyathi Dukuduku Forest, KZN, 05 January 2020. (Translated).
[74] AFRA, Dukuduku Special Report, 2002.

iSimangaliso Wetland Park authority. It has been argued by environmentalists that economic activities along the uMfolozi floodplain has a negative impact on this sensitive ecosystem. Africans have viewed this as a direct attack by environmental authorities and continued attempts by the state to take over their land. Most strikingly, to date sugarcane farming in Monzi has destroyed about 60 percent of the uMfolozi flood plain/swamps.[75]



The photograph shows the sugarcane plantation along the uMfolozi floodplain, Taken from: Progress Report: KZN Economic Cluster, Dukuduku Onsite Resettlement Project, 26 August 2009

Generally, farming whether subsistence or commercial, crop or stock, has the potential of affecting the environment negatively. It can cause changes to landscape

[75] KwaZulu Natal Department of Local Government and Traditional Affairs, Progress Report: KZN Economic Cluster, Dukuduku Onsite Resettlement Project, 26 August 2009.

and reduce soil fertility and may also result in soil erosion.[76] In most cases farming is associated with deforestation. This is caused by a variety of reasons, but the most prominent of these is that farming is geared by a desire to provide produce for local and international markets.[77] This has been the case in the Dukuduku forest, subsistence farming has taken a toll and for years provided the community with food, while the commercial sugar industry which provides for the South African market is said to have destroyed about 60 per cent of uMfolozi swamps, has been driven by a desire to accumulate profit.[78] These agricultural activities in the area have contributed to the deterioration of the Dukuduku indigenous forest which would later, according to many commentators, compromise the tourism sector in the nearby iSimangaliso Wetland Park which is an international tourist attraction.[79]

Given the lack of industries and high unemployment rate in Mtubatuba, and Dukuduku in particular, the tourism sector as a land use option has proven to be less effective. One interviewee indicated that the tourism industry does not benefit the larger portion of the community but the selected few elites. He claimed that tourism jobs pay very little and one cannot do much with little money they earn, citing that as the main reason why they will never cease farming along the uMfolozi floodplain despite all the state's effort to preserve the swamps along the uMfolozi river.[80] Other commentators have blamed the authorities of the iSimangaliso Wetland Park for their failure to educate the affected people about the significance of nature conservation in this area that has a unique biodiversity. Joblessness and poverty in the area has

[76] See T. E. Ntombela, 'Impact of Subsistence Farming'.
[77] Ibid., p. 32.
[78] See KwaZulu Natal Department of Local Government and Traditional Affairs, Progress Report: KZN Economic Cluster, Dukuduku Onsite Resettlement Project, 26 August 2009.
[79] See Ntombela, 'Impact of Subsistence Farming'.
[80] Interview with Anonymous, conducted by Patrick Nyathi, Oweni, Dukuduku Area, KZN, 26 September 2019. (Translated).

been given as the main reason for resistance by residents to stop their agricultural activities along the uMfolozi floodplain. Most recently, the Dukuduku residents have resorted to the charcoal industry which is produced by cutting and burning of trees. This has had a devastating impact on the environment as fires have contributed negatively to the deteriorating state of the forest. Another notable factor in the deteriorating state of the forest is the plantation of gum trees by residents in the area. This is said to have a negative impact on the natural and indigenous grasslands in that the expansion of the forestry leads to destruction of grasslands and are said to be consuming more water than indigenous plants.[81] Karumbidza cited one farmer who claimed that 'afforestation is taking over good agricultural land natural grassland.' The impact of these plantations was felt in the early 1990s with a lot of pressure from the environmental groups, forcing the Ezemvelo KZN Wildlife to embark on a project of rehabilitating the forest.[82] In an interview with Raymond Land, he admitted that gum trees are alien plants and need more water to grow. Consequently, they affect the indigenous forest, mentioning that since authorities embarked on a project of rehabilitating the forest by destroying commercial forestry in Dukuduku there is hope for the restoration of some parts of the forest.[83]

In addition, some residents of the Dukuduku area make a living through craft, and many of them use indigenous trees which are endangered. They craft masks, izingqoko (wooden trays) and a variety of animal species around the iSimangaliso Wetland Park. These products are mainly sold to tourists along the R618, the St Lucia market, Siyabonga Craft market and along the St Lucia beach by merchants.

[81] J.B. Karumbidza, A Study of the Social and Economic Impacts of Industrial Tree Plantations in the KwaZulu Natal Province of South Africa, May 2006, pp. 42-43.
[82] Ibid.
[83] Interview with Raymond Langa, conducted by Patrick Nyathi, Ezwenelisha, KZN, 2 July 2019. (Translated).

This trade in crafts has been seen by environmentalists as a catastrophe to the endangered plant species. Lately the 'selling of the forest's coastal lowland tree roots ornamented upside down trees has drawn much criticism from conservationists.'[84] 'This practice involves felling, burning and uprooting the forest's trees and selling the upturned root system as an ornament.'[85] Tourists visiting the area are usually reminded by the tour guides that uprooting trees and their roots ornaments is 'illegal' and therefore purchasing it encourages the destruction of the forest.[86]

Mlambo blames lack of consciousness about nature conservation on the part of residents and lack of commitment on the part of conservationists. As people are confronted by triple challenges of inequality, poverty and unemployment, it is not adequate to tell them to stop destroying nature, but of vital importance is to educate them on how to participate in building their economies in the area that appears to be a lucrative industry. One can also describe such activities as forms of 'resistance'. Some residents or informants have acknowledged that nature is worth conserving, but poverty leaves them with no choice but to temper with it. One informant who requested not to be mentioned pointed out that they benefit nothing from nature conservation, but few individuals who claim to be leaders benefit.[87]

[84] *Zululand Observer*, 18 March 2015.
[85] *Zululand Observer*, 10 December 2013.
[86] Ibid.
[87] Interview with Anonymous X, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 26 September 2019. (Translated).



The photograph shows another lucrative trade by inhabitants of the forest who sell 'upside down' trees as ornaments to passing tourists along the R618. 'This practice involves felling, burning and uprooting the forest's trees and selling the upturned root system as an ornament'. *Taken from: Zululand Observer, 10 December 2013*

There have been attempts to rehabilitate the forest by removing the pine trees and replacing them with indigenous plants, as well as conscientising residents about the importance of conserving the forest. This initiative was recommended by the Kriel Commission in 1966. It appears, however, that the battle to 'save' and rehabilitate the forest is likely to fail, due to high unemployment rate and perhaps lack of sound leadership at provincial and municipal level.

In a series of interviews conducted by AFRA in the area of study, it became evident that people are aware of the need to conserve the forest for future generations. However, the iron-fisted and authoritarian manner in which the issue of conservation

was handled by apartheid government made it difficult for African communities to see the woods from the trees. As a result, conservationism seems to have been turned into a poisoned chalice that is proving difficult for the post-apartheid government to resolve. Due to what the forest can provide, the residents are unwilling to leave the forest and neither are they prepared to cease their agricultural activities along the uMfolozi floodplain.[88] The people strongly believe that, should they cease farming along the uMfolozi floodplain there would be nothing left for them to eat as nature conservation and tourism will continue to benefit white people and the few African elite in the community who have been benefitting from this conundrum for years.[89]

Renewed Disputes over the uMfolozi Floodplain; 2008 and Beyond

In its continued efforts to 'save' the forest, the democratic government on 8 April 2008 fenced off part of the forest in order to protect it from 'invasion' by subsistence farmers. However, the fence was soon damaged and stolen. The state hired guards to safeguard the fence but that proved futile. The failure to completely remove the people from Dukuduku forced the government to succumb to the demands of the residents. In September 2009, the government decided to allow people living in the forest to continue residing there 'but subject to the preservation of uMfolozi floodplains and the rehabilitation of the original natural forest along the new boundary with the World Heritage Site.'[90] By 2008, only about half of the natural

[88] Interviews conducted by AFRA in Dukuduku Forest, Digital File No: C 0081, undated
[89] Ibid.
[90] Africa Resource Centre for Housing, Rule 5 Research Report: Dukuduku Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018, p. 56.

forest was left.[91] The government's decision to allow people to continue staying in the forest but cease their agricultural activities along the uMfolozi floodplains was not heeded by the residents who continued with their normal farming activities defying the state's orders. They clearly indicated that, if the government development would mean starving them, they might as well continue farming without state's housing, electricity and other commodities. The induna of the Dukuduku forest, Almond Sithole said the community supported 'a R1 billion government development project, but were against the clearing of the boundary between Dukuduku forest and the uMfolozi floodplains.'[92] The community also objected to being prevented from farming along the uMfolozi floodplains and argued that that was precisely where their crops grew best. The attempt to clear a new boundary between the Dukuduku forest and the uMfolozi floodplains gave rise to new conflicts between the residents and the authorities of iSimangaliso Wetland Park. It was claimed that people had agreed to refrain from any form of agricultural development on uMfolozi floodplain and that there would be a green corridor between Mtubatuba and St Lucia.[93] It was later alleged that Almond Sithole, an induna in the forest had accused those who participated in the project of clearing as 'selling out to the government' and threatened them that should they continue they would be killed and have their houses burnt. Mike Mabuyakhulu, the MEC for Economic Development, Tourism and Environmental Affairs in the province at the time, secured an interim interdict against the induna and eight others, 'stopping them from threatening, physically harming or killing teams employed to clear and demarcate the boundaries of the project and from illegally selling off sections of land.'[94] When asked about all these allegations,

[91] Ibid.
[92] *Daily News-IOL*, 26 June 2015.
[93] Ibid.
[94] *The Mercury*, 9 March 2015.

the induna, Almond Sithole dismissed these claims and clearly stated that the Dukuduku is for the people. He pointed out clearly that as a traditional leader it is his duty to allocate land if there is any when a person is in need. He further accused the authorities of lack of a proper and transparent approach to the whole Dukuduku matter. He summarised the history of the Dukuduku people as one characterised by suffering, pain and misery caused by the government of apartheid and the democratic government. 'We never had peace in the area of our forefathers, our predecessors never had peace, we do not have peace, and they are not at peace. Other areas are developed but not ours'.[95]

For many years Dukuduku forest has been turned into a battleground where the residents have been pitted against the conservationists on one level, and on another level the state has been at loggerheads with the residents. It needs to be emphasized however, that the settlement of the forest is not a recent occurrence. Archaeological research traces it as far back as seven hundred years ago.[96] It is therefore not surprising that this part of the KwaZulu Natal province has witnessed political, social and economic instability for over a century, as a result of various attempts by the state to remove the Africans in order to give way, firstly to the expansion of state forestry and sugar cane production and later to conservation interests. From the early 1990s, the residents who claim ancestral ties to the area have been battling for the land rights on the Land Commission and have strongly argued that the land is theirs.

The most recent development which has caused new conflict on the Dukuduku matter and the iSimangaliso system as a whole is the closure of uMfolozi mouth by

[95] Interview with Almond Sithole, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 02 January 2020. (Translated).
[96] Sundnes, 'Scrubs and Squatters', p. 299.

iSimangaliso Wetland Park Authority. The early reports of the people who had visited the area indicate that water in the Lake St Lucia (which separate the eastern and western shores – western being the Dukuduku forest) has always been fresh water and has been a habitat to 'hundreds of hippopotami, large flock of birds and school of fish'.[97] There are many factors that have affected the aquatic life in the lake, amongst others is the closure of the mouth. Historically, the mouth would intermittently close and open naturally due to changing weather conditions. However, the recent closure of the mouth by iSimangaliso Wetland Park and Ezemvelo KZN Wildlife has caused serious tension between the environmental authorities and the sugarcane farmers on the one hand, and the state and the Dukuduku residents on other. It has led to legal battles between the farmers' association and the iSimangaliso Wetland Park and the Department of Water and Sanitation. The farmers' association accused the iSimangaliso Wetland Park Authority for the closure of the mouth and wants the court to force the authorities to open the closed mouth in order to avoid back flooding.[98]

The vegetation in Dukuduku and St Lucia systems provide food and shelter to hippos, crocodiles and other small aquatic animals. The lake has worms, shrimps, prawns, shell fish, mullet, mud bream and a range of other animals.[99] There is a concern that if this flora and fauna is destroyed the value of this park will be lost. The banks of the Lake St Lucia and uMfolozi Rivers have provided reed and incema which have been used by African people from Dukuduku and other parts of the Zululand region as a natural resource for shelter and making of sleeping mats. It is

[97] Kriel, 'Report of the Commission of Inquiry', p. 34.
[98] See Court Verdict, Case No: 7942/2015, www.supremecourtofappeal.org.za/index.php
[99] Kriel, 'Report of the Commission of Inquiry', p. 84.

an economic booster to the majority of unemployed women and youth in the area who benefit from cutting and selling incema and reed to other parts of the province.

Why did the iSimangaliso Wetland Park authority decide to close the uMfolozi River mouth? What impact has the closure of the uMfolozi River mouth had on the sugarcane farms? What impact has this closure had on the Dukuduku residents' small-scale farms along the uMfolozi flood plain? These three questions are vital to understanding the recent battle over the uMfolozi floodplain which remains complex. Firstly, it is important to note that 'the St Lucia Estuary forms the core of iSimangaliso Wetland Park.'[100] This system is driven by five rivers, amongst them uMfolozi river is the largest.[101] Generally, St Lucia estuary operated as one estuarine system which closed naturally during dry winter seasons and drought period and opened naturally during rainy seasons. Occasionally, the natural closure of the mouth would cause back flooding and affect negatively low lying farms on the uMfolozi floodplain.[102] This would also affect small-scale farms belonging to the African people living in the Dukuduku forest. ISimangaliso Wetland Park Authority focused on 'diverting water from uMfolozi river into the lake and allowing uMfolozi and St Lucia mouths to join.'[103] This would allow the estuarine system to function as naturally as possible. The Park Authorities have argued that the artificial breaching of the mouth currently being demanded by sugarcane farmers would serve the interests of the few farmers but undermine the health of the St Lucia system by preventing water from entering the estuary via the back channel.[104] However, the natural

[100] KwaZulu Natal High Court Local Division: Durban, Judgement, Monzi Planters Association vs iSimangaliso Wetland Park and others, Case No: 7942/2015, www.safli.org/za/cases/ZAKZDHC/2015/
[101] Ibid.
[102] Ibid.
[103] iSimangaliso Wetland Park Authority, Understanding the problem and finding the solution, 2011, p. 2.
[104] Ibid, p. 19.

closure of the mouth has dealt a blow to sugarcane farmers on the uMfolozi floodplain as this has resulted in back flooding which eventually destroyed their crops. Farmers took the Park's authorities to court demanding the artificial breaching of the mouth in August 2015. They 'complained that they had been affected by the natural closure of the river mouth and accused the park authority of being a "bully" and not having proper management policies.'[105] The farmers' case was dismissed by the High Court on the basis that iSimangaliso Wetland Park Authority has done all that was necessary and fair consultations were held on how the Lake St Lucia system would be rehabilitated.[106] The matter was taken to the Supreme Court of Appeal (SCA) where it was again dismissed.[107] The SCA ruling was seen as a victory of environment and the ruling favoured the iSimangaliso's move to rehabilitate the Park. The Supreme Court of Appeal has given the thumbs up for the continuation of what is said to be South Africa's largest ever wetland rehabilitation project at the St Lucia Estuary.[108] It appears that although subsistence farmers are negatively affected by back flooding on uMfolozi floodplain, they are not in a position to challenge the iSimangaliso Wetland Park Authority as their activities there are described as illegal. Therefore, when there is flooding, theirs is to sit back and wait for the natural drainage of water so that they can proceed with their farming activities.

[105] *Mercury*, 07 August 2015.
[106] KwaZulu Natal High Court Local Division: Durban, Judgement, Monzi Planters Association vs iSimangaliso Wetland Park and others, Case No: 7942/2015. www.safli.org/za/cases/ZAKZDHC/2015/
[107] The Supreme Court of Appeal, Judgement, uMfolozi Sugar Planters vs iSimangaliso Wetland Park and others, Court Case No: 873/2017, www.safli.org/za/cases/ZAKDHC/2017/17.html
[108] *Sunday Times*, 01 October 2018.

Conclusion

The occupation of the Dukuduku forest is not a recent phenomenon, as the archaeological findings trace human existence to some seven hundred years back.[109] The fertile riverbanks of the uMfolozi river 'have attracted both commercial agriculture and the inhabitants of the Dukuduku forest.'[110] This floodplain has provided fertile ground for the thousands of the Dukuduku forest dwellers for agricultural activities. Arguably this is among fundamental reason behind their refusal to leave the forest. Historically, the government has attempted to remove the people from the forest as early as 1930. The Dukuduku story revolves around dispossessions and environmental conflicts between the forest dwellers and the state on the one hand and the environmental interest groups on the other.

The Dukuduku forest matter and nature conservation is complex due to conflicting interests. In the late 1980s, the environmental groups exerted pressure on the government to remove African people occupying the Dukuduku forest. They believed that the presence of the African community in the forest was a threat to this unique indigenous lowland forest in the north coast of the KwaZulu Natal of South Africa. However, the efforts by both the environmentalists and the state to relocate the people from the forest have been met by fierce resistance. Consequently, these efforts have been futile.

Environmentalists have created an impression that African people, who had continuously cleared the forest for agricultural purposes, are a threat to this unique forest, while turning a blind eye on the white owned sugar plantations along the uMfolozi floodplain, which according to reports have destroyed at least 60% of the

[109] See Sundnes, 'Scrubs and Squatters',
[110] Nustad and Sundnes, 'The Nature of Land', p, 503.

floodplain. Africans on the other hand who have embarked on agricultural activities on the same floodplain have been labelled as ‘illegal’ farmers in the protected area. Most recently, the argument that has taken centre stage on the recent battle over the closure of the uMfolozi river mouth is that iSimangaliso Wetland Park is insensitive of the sugarcane farmers who had their crops destroyed by the back flooding.

The attempts to save the forest according to some informants and commentators should include environmental education. Raymond Langa, a keen environmentalist, believes that people should be conscientised about the importance of the nature conservation, while Mlambo believes that nature conservation means nothing when corruption among authorities is still rife. Community members should benefit as the area proclaimed as tourism destination.

This chapter has challenged the one-sided story that has always been told by the state and the environmentalist, which has viewed African people residing in the forest as deviant and ‘invaders’ of nature without consciousness of nature conservation. This narrative has been disrupted by first, bringing in the argument that African people living in forest has ancestral connection to the area, and therefore hold a view that the area ‘belongs’ to them. Second, the chapter presented contradictory actions by the state, on the one hand the state allowed for the development of sugarcane industry along the uMfolozi floodplain which had destroyed about 60 per cent of the floodplain which is part of the unique sensitive ecosystem, on the other hand, under the Department of Water Affairs and Forestry allowed for commercial forest in the forest. Later in the 1980s when people returned in the area of their birth the government saw the need to protect the forest, arguably because of the pressure exerted by nature conservationists, calling African people living in the Dukuduku forest ‘squatters’ and ‘invaders’ on their own land.

Chapter Five

Conflicts, Contestations and the 'Invention' of Traditional Leadership in Mtubatuba, KwaZulu Natal

Introduction

Mtubatuba, within which Dukuduku forest is located, is situated along the northern coastal belt of KwaZulu Natal, approximately 200km north of Durban. The town is ideally located as a base from which to explore the rich culture of the Zulu nation, a world renowned game reserve and the Greater iSimangaliso Wetland Park, previously known as St. Lucia. The town was named after the Inkosi Mtubatuba Mkhwanazi of the Mkhwanazi clan of KwaMpukunyoni. The Mtubatuba local municipality falls within the jurisdiction of the Mpukunyoni Traditional Authority.[1] The previous chapter dealt with the ecological value of the Dukuduku forest and its role in the livelihood of the people occupying it. Environmentalists and government authorities over years have attempted to save this unique indigenous forest situated between the St Lucia and Mtubatuba town. Conservationists have argued that the occupation of the forest by the people threatened the value of the forest and had a potential to compromise the international standard of the Greater iSimangaliso Wetland Park. In an attempt to save this forest, authorities interacted with various stakeholders including traditional leadership in Mtubatuba.

Mtubatuba is an example of a remote community in the countryside where both traditional leadership and democratic governance structures operate side by side, often resulting in conflict over overlapping responsibilities. This coexistence of different institutions of governance has proved problematic and some have

[1] P. Nyathi, 'Traditional Leadership and Social and Political Conflicts in Mtubatuba, KwaZulu Natal, 1980-2011', Unpublished BA Hons Dissertation, University of the Witwatersrand, Johannesburg, 2018, p. 55.

suggested that this has compromised or delayed service delivery in rural South Africa. Conflicts have revolved around the roles of these two, which are seemingly incompatible. According to Ntsebeza, other scholars have argued that the institution of traditional leadership has survived to the present because not all traditional leaders were collaborators during the apartheid period.[2] This institution which many thought would die in the new dispensation managed to revive and assert itself firmly during the transition period in South Africa, However, after the local government elections of 1995/6 tensions manifested themselves between newly elected rural councillors and traditional leaders.[3] Many ordinary South Africans, including rural elected councillors thought that land administration, which was a key responsibility of traditional leaders during apartheid and before, would now be the responsibility of the elected councillors in rural areas, however this was not to be the case.[4] Some chiefs demanded that municipalities should not be established in areas under their control, however not all chiefs have taken this position.[5] They were fears amongst traditional leaders that the establishment of municipal councils would replace them. On the other hand, some believed that incorporating traditional leaders into a new system of democracy is a compromise to democratic values and principles.[6] It cannot be denied that traditional leadership has been the local government in rural South Africa throughout history before the establishment of democratic local governance structures. Over the years, they have maintained law and order and resolved issues related to customary law in areas under their jurisdiction. Arguably,

[2] L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of Land in South Africa*, Boston: Brill, 2005, p. 18.
[3] L. Ntsebeza, 'Democratic Decentralization and Traditional Authority: Dilemmas of Land Administration in Rural South Africa', *European Journal of Development Research*, 16 (1), (2004), p. 75.
[4] Ibid. p. 77.
[5] H. Mwalukomo and Z. Patel, 'Chieftaincy and democratic local governance in rural South Africa: Natural resources management in QwaQwa', *Development Southern Africa*, (2012), p. 261.
[6] For some of these arguments see for example, Ntsebeza, *Democracy Compromised*.

traditional leaders still have an important role to play in new a democratic South Africa, as Kompi and Twala argued that:

> Traditional leaders continuing importance is demonstrated in the social and political life of their communities. They are valued because they provide a sense of continuity and stability in an era of great change.[7]

Since the attainment of democracy in South Africa, traditional leaders in rural areas are increasingly becoming involved in party politics. This concerns citizens in rural areas under the jurisdiction of such traditional leaders as they are expected to take a neutral stand when addressing conflicts in their areas. In Mtubatuba, Dukuduku in particular, some traditional leaders have become active in party politics and this has led to a debate on whether or not this is the right posture to take. As a result, this chapter attempts to address the impact this has had in the area, taking into cognizance the role traditional leaders and ward councillors have to play in social upliftment.

Dukuduku area is under Mtubatuba Municipality. The area comprises of three sections (wards) out of nineteen that make up the Mtubatuba Local Municipality under the UMkhanyakude District. As indicated earlier in chapter three, Dukuduku area is made up of Khula village, Ezwenelisha village and Dukuduku forest area. The surroundings being St Lucia, and Monzi which the indigenous people claim it is part of the Dukuduku area and was forcefully taken from them by the whites. This also includes the conserved Futhululu forest and the nearby game reserve. It is worth noting that a claim over the whole area has been lodged at the land claims court by a group claiming to be indigenous to the area and this the rightful owners of the land.

[7] B. Kompi and C. Twala, 'The African National Congress and Traditional Leadership in a Democratic South Africa: Resurgence or Revival in the Era of Democratisation?', *Anthropologist*, 17(30), (2014), p. 985.

Therefore, besides the conflicts in the area between traditional leadership and elected councillors, the land claimants constitute the third key role players in the area that adds more complexity to social and political developments in the area. Most strikingly, the land claimants do not form part of the traditional leadership in the area and contest claims of ownership made by the established Mpukunyoni traditional authority. These land claimants, who refer to themselves as original owners of the Dukuduku forest[8], have made it clear that the whole Dukuduku area belongs to them and not the Mpukunyoni Traditional Authority.[9] While this study is not interested in issues of land claims in the area *per se*, nonetheless the existence of land claimants adds another layer of complexity to the question of land administration and land ownership.

Lastly, Mtubatuba just like the entire Dukuduku area was a stronghold of Inkatha, a cultural-cum-political organisation under the leadership of Prince Mangosuthu Buthelezi.[10] However, the local government elections in 2011 marked a turning point in the history of Mtubatuba Local Municipality and saw the African National Congress (ANC) assuming power in the area for the first time since the inception of the municipality. Commentators attributed this regime change to the formation of the National Freedom Party (NFP) of Zanele KaMagwaza Msibi, which broke away from the IFP and thus severely weakened the mother body. Dukuduku seemed to have played a key role in regime change in Mtubatuba as one of its major wards (Ward 4) was taken over by the ANC for the first time. Following the ANC's victory in

[8] For on the settlement of the Ncube people in Dukuduku forest, see A.T. Bryant, *Olden Times in Zululand and Natal Containing Earlier Political History of the Eastern Nguni Clans*, London: Longman, 1929.
[9] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, 23 December 2019, Translated; Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 29 December 2019. (Translated).
[10] For more on the history of Inkatha, see for example, Mzala's, *A Chief with a Double Agenda*, London: Zed Books, 1988; Shula Marks' *The Ambiguities of Dependence in South Africa: Class, Nationalism, and the State in 20th Century Natal,* The John Hopkins University Press, 1986.

Mtubatuba the municipality did not operate effectively, leading to its dissolution in 2015 and again in 2018.

The nature of traditional leadership in KwaZulu Natal

The Mtubatuba local municipality falls within the jurisdiction of the Mpukunyoni Traditional authority only, unlike other municipalities that through demarcation find themselves falling within the jurisdictions of more than one Inkosi.[11] Similarly, the KwaZulu Natal province has one recognized king of the whole province, Ingonyama Goodwill Zwelithini KaBhekuzulu under whom all chiefs fall.[12] Traditional leadership was 'hijacked' or co-opted by the colonial and later apartheid governments in order for this institution to serve the interests of the colonial or apartheid government, as well as to achieve the central control over black rural areas in South Africa. According to Koenene traditional leadership can be divided into four periods, namely, precolonial, colonial, and post-apartheid.[13] Evidence in available literature suggests that this institution has evolved over time. While other traditional leaders succumbed to colonial and apartheid administrators some resisted.[14] Prior to 1878 in the then Natal colony, all amakhosi and izinduna were responsible to the king, who was perceived as the guardian of the rights of all people. The colonial authorities used chieftainship to control large colonised territories in which the African majority lived.[15] Daphne reminds us that 'the distortion of the chiefs' position began with 1878 Code

[11] Nyathi, 'Traditional Leadership', p. 55
[12] See M. Buthelezi & D. Skosana, 'The Salience of Chiefs in Post-Apartheid South Africa', in L, Comaroff & J, Comaroff (eds.), *The Politics of Custom: Chiefship, Capital, and the State in Contemporary Africa,* Johannesburg: Wits University Press, 2018.
[13] M.L.J. Koenene, 'The role and significance of traditional leadership in the governance of modern democratic South Africa', *African Review*, 10 (1), (2018), p. 61.
[14] Ibid.
[15] P. Daphne, 'Tribal Authority and Community Organisation', *Publication Series of the Centre for Research and Documentation,* University of Zululand, Occasional Papers, 3, (1982), p. 1.

of Native Law administered in Natal.[16] From then the institution of traditional leadership has not been fully autonomous in its dealings with the subjects. As a result chiefs became what Ntsebeza, van Kessel & Oomen viewed as 'puppets', 'stooges' and collaborators of the white oppressive government in South Africa.[17] Buthelezi & Skosana point out that although chiefs were viewed as collaborators of the apartheid administration in other places they were symbols of resistance.[18] The passing of the Bantu Authorities Act in 1951 undermined African resistance and laid the foundation for the final incorporation of chiefs into the apartheid system of 'tribal' government and establishment of the Bantustans in the 1960s. By 1960s, resistance was successfully crushed as chiefs were finally incorporated into the Bantustan system and new forms of 'tribal' government were imposed.[19] In this way chiefs became accountable to the apartheid government and carried out instructions from their 'new' white masters. The apartheid government secured the support of chiefs through giving them greater powers and increasing their stipends. However, their powers 'were to be exercised in pursuit of, and within the confines of, the broader apartheid project.'[20] As a result, the legitimacy of traditional leadership was gravely affected as they were forced to implement apartheid's unpopular policies.[21] This institution became less and less effective to a point where many Africans called for the obliteration of the institution with the view of a democratic local government approach. The advocates of such were the United Democratic Front (UDF), a coalition of many different organisations – civics, youth, church, women and other

[16] Ibid.
[17] See Ntsebeza *Democracy Compromised*; I. van Kessel & B. Oomen, '"One Chief, One Vote": The Revival of Traditional Authorities in Post-Apartheid South Africa", *African Affairs*, 96, (1997), pp. 561-585.
[18] Buthelezi & Skosana, 'Salience of Chiefs in the Post-Apartheid South Africa', 2018, p. 113.
[19] Ibid. p. 113.
[20] M. Butler, 'Traditional Authorities in KwaZulu Natal: Know where to land: Traditional Authority and Land in KwaZulu Natal', *Research for the Association for Rural Advancement*, May 2002, p. 16.
[21] Ibid, p. 16.

organisations brought together by their common hated of, and opposition to, apartheid system. The ANC on the other hand did not publicly denounce the institution of chieftainship. Debatably, this institution only staged its remarkable resurgence in the 1990s when the country entered into a period of transition from apartheid to post-apartheid.

In Natal and KwaZulu, Inkatha had mobilised the Zulu speaking people in the province to rally behind Inkosi Mangosuthu Buthelezi. It is not surprising that most chiefs in KwaZulu rallied behind Buthelezi and his Inkatha Freedom Party (IFP) as the party was founded on cultural grounds. Chiefs would also be used to mobilise their subjects to support the party. Therefore, traditional leaders became the backbone of the IFP power and influence in the province of KwaZulu Natal.[22] During the negotiation period, the IFP advocated for a position that would guarantee that traditional leaders do not lose their powers post-1994 elections. With the first local government elections approaching, worst fears struck traditional leaders across the country feared that their powers would be eroded. Inkosi Mangosuthu Buthelezi had this to say in an Imbizo of the Zulu nation in Durban in December 2000:

> Throughout this process we were assured that the powers of traditional authorities would not be obliterated. There has always been general recognition that traditional authorities are necessary to promote development and foster the welfare of the people. We received promises that the Constitution would be amended and the legislation changed to ensure that powers of traditional authorities would not be eroded, or would be restored if such erosion had already taken place in law. The President himself made this commitment to traditional leaders on two occasions … In the end, elections are taking place without any legislation having been adopted, or the

[22] See Butler, 'Traditional Authorities in KwaZulu Natal'.

Constitution having been amended to avoid the obliteration of the powers of traditional authorities.[23]

The post-apartheid government did not clearly stipulate the key roles and functions of traditional leaders in areas under their jurisdiction. As a result, traditional leaders felt that the introduction of democratic local government, without the government having to clearly stipulate what would be their roles and functions in the local governance was a serious blow. Hence, the traditional leaders, in particular those under the IFP in the province argued that there was no need for the introduction of local councillors; and therefore should be allowed to continue with their roles and functions that they had executed under apartheid, such as land administration, conflict or dispute resolutions, and so forth. The IFP was at the forefront in making these calls.

It is common knowledge in Mtubatuba that most, if not all, of the traditional leaders were members of the IFP during the first decade of the democratic South Africa. Inkosi M.M. Mkhwanazi of the Mpukunyoni Traditional Authority was the member of the IFP. Apparently at one stage, fearing that democratically elected local councillors will take his roles and responsibilities, Inkosi Mkhwanazi wanted to contest during the first local government elections in 2001, but was disallowed by the IFP leadership.[24] As indicated earlier that Mtubatuba falls within the jurisdiction of only one Inkosi of the Mpukunyoni Traditional Authority, it is not surprising that the IFP enjoyed popular following in the area during the first decade of post-apartheid South Africa. Given the fact that Inkosi was the member of the IFP, one can argue that he would not appoint his political opponents into positions within the traditional council

[23] M.G. Buthelezi, Speech delivered: Imbizo of the Zulu Nation, Durban, 3 December 2000. www.if.org.za/documents
[24] Interview with Mduduzi Ntombela, conducted by Patrick Nyathi, eDashi Reserve, 01 July 2018. (Translated).

and as izinduna (headmen) across Mtubatuba. As a result, many of these izinduna were associated with the IFP. Amakhosi used their traditional powers to help the IFP to maintain its hegemony in this region. Furthermore, Inkatha's dominance was evident after 2001 local government elections as many traditional leaders and all the newly elected democratic councillors were IFP members. Ntombela, a former ward 13 IFP councillor, pointed out that this was so until government allowed for floor-crossing (a system introduced in 2002, under which members of Parliament, members of provincial legislatures and local government councillors could change political party (or form a new party and take their seats with them when they did so) in democratic government structures. This was viewed as the ANC-led government's strategy to dismantle IFP's stronghold or any other opposition elsewhere in the country.[25] Although the floor crossing was blamed by the IFP, the major turning point in the party politics in the province of KwaZulu Natal came with the 2011 local government elections, with the emergence of a new role player in local and provincial politics, the National Freedom Party (NFP) of Zanele KaMagwaza Msibi. The newly established NFP was made up of the majority of former IFP members who called themselves 'friends of VZ'[26] and had advocated for her to become the new IFP leader. Some conservative party leaders and general members were not prepared to be led by her and did all they could to crush her campaign. The old guards within the party backed and supported the name of the General Secretary Musa Zondi to take over IFP presidency from Inkosi Mangosuthu Buthelezi. As her chances of becoming the future party leader were becoming less and less likely, she

[25] Interview with Mduduzi Ntombela, conducted by Patrick Nyathi, eDashi Reserve, 01 July 2018. (Translated).
[26] VZ refers to the initials of Zanele KaMagwaza Msibi (Veronica Zanele Magwaza). 'Friends of VZ' was a term used to describe those who supported her campaign of leading the IFP which included the IFP Youth Brigade and the IFP's student wing SADESMO, while the old guards in the party supported the name of Musa Zondi.

was associated with the ANC. Many commentators had predicted that she would join the ANC given her good relations with the then KZN Premier Dr Zweli Mkhize during her tenure as the Mayor of Zululand District Municipality. However, she announced her new party, the National Freedom Party in 2011. Inkosi M.G. Buthelezi described Magwaza's departure from the party as "bitter-sweet".[27] The formation of the NFP was a fatal-blow for the IFP in the province and for the first time in Mtubatuba, IFP's hegemony was seriously challenged. Dukuduku area, in Mtubatuba was not an exception in these new developments. The split of the IFP and the formation of the NFP saw the ANC claiming their first ever victory in Dukuduku Ward 4 (made up of Dukuduku forest area and Ezwenelisha village). One needs to point out however, that the ANC's rule in the Mtubatuba local municipality since then was not effective, resulting in the dissolution of the municipality in 2015. It also witnessed widespread service delivery protests, which many ANC leaders in the municipality were quick to describe as an IFP strategy to disrupt service delivery and cause public uproar in order to discredit the new ANC-NFP led administration. Nomusa Dube, the then MEC for Cooperative Governance and Traditional Affairs (COGTA) pointed out in a media statement that the municipality was plagued by a series of power games which disrupted the delivery of services. It also spilled over to the community leading to community protests.[28] Among the reasons for the dissolution of the municipality were, 'financial problems, refusal to cooperate with administrators deployed to support it and unauthorised, irregular and fruitless expenditure.'[29] From 2012 to 2015 the municipal council remained largely dysfunctional thus creating a public uproar.[30] The dissolution of the municipality was followed by the resignation of the Municipal

[27] M.G. Buthelezi, Newsletter: Zanele Magwaza-Msibi has abandoned the IFP, 26 January 2011, www.ifp.org.za/documents
[28] *Sowetan*, 07 February 2015.
[29] Ibid.
[30] Ibid.

Manager, Siyabonga Ntuli, who had a total of 52 charges against him. According to the administrator deployed by COGTA, Mbamba Ndwandwe, Ntuli's resignation made it impossible to proceed with disciplinary hearing against Ntuli.[31] The Democratic Alliance (DA) blamed the ANC, arguing that the MEC was not fit for office therefore should be sacked. George Mari (DA spokesperson in KZN) argued that dissolving the 'municipality will result in further burdens on the taxpayer and also reflects ANC's lack of commitment to service delivery and improving the lives of KZN people.'[32] The IFP on the other hand lambasted the ANC, blaming it for its failure to run the municipality effectively since they occupied office. Inkosi Buthelezi asserted that the ANC and NFP had 'spent time in political power games, bickering and mismanaging resources.'[33] It is worth noting that in the post-2011 local government elections neither the ANC nor the NFP got enough votes to take control of the municipality. As a result, they entered into a coalition agreement immediately after the elections, which the IFP described as the 'arranged marriage of convenience.'[34] This coalition agreement was taken at a provincial level, probably without proper consultation with all NFP structures in the province, which led to internal conflicts in the NFP and power struggles in all ANC/NFP-led municipalities. Having abandoned the IFP for the NFP, some councillors were not prepared to work with the ANC and preferred working with the IFP which was against the agreement between the NFP and ANC in KwaZulu Natal. In many ANC/NFP led municipalities, these power struggles became evident resulting in many of them dissolving and by-elections taking place.[35]

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[31] L. Mabaso, KwaZulu Natal Cooperative Governance on resignation of Mtubatuba Municipal Manager, Media Statement, 19 February 2015. www.gov.za/kzncogta
[32] G. Mari, Media Statement, 6 February 2015, www.dampl.co.za
[33] M.G. Buthelezi, Meeting in Mtubatuba to welcome new members to the IFP, 26 April 2015.
[34] Ibid.
[35] Mkhuleko Hlengwa, www.ifp.org.za

During all these political developments in Mtubatuba the Mpukunyoni Traditional Authority, under which Mtubatuba falls, was wrecked by internal conflicts over royal succession, following the death of Inkosi Mzondeni M. Mkhwanazi. Inkosi Mkhwanazi ruled for 24 years in the Mpukunyoni chieftaincy (1983-2007). He died on 29 August 2007, and Siyabonga Mkhwanazi was positioned to take over as his successor as he enjoyed the support of the royal family (uMndeni weNkosi). However, before he could be nominated and confirmed, Siyabonga died in a car accident. Dalisu was second in the line of succession and had the support of uMndeni weNkosi but was interdicted by the 'Premier of KwaZulu Natal and the member of the executive council for the Cooperative Governance and Traditional Affairs who are first and second respondent respectively in the case (Case No: 11037/2011).'[36] Dalisu and Mzokhulayo became contestants in this battle over the throne. Although Mzokhulayo did not have massive support of uMndeni weNkosi, he was appointed by the Premier of KZN and COGTA. However, his reign faced serious opposition and was therefore short lived and he was soon deposed.[37] Even though he was removed from office, Mzokhulayo continued with his royal duties such as appointing and installing izinduna across Mtubatuba. Two of these izinduna are from Dukuduku, the Dukuduku forest and Ezwenelisha village, respectively. Their legitimacy has been questioned and challenged in the area as it is believed they were appointed by an illegitimate inkosi. One informant pointed out that the induna of Ezwenelisha was a land claimant from KwaSokhulu and should not have been appointed to hold office in Dukuduku area because his interest were in KwaSokhulu, his traditional area of birth, where he was still fighting for the return of the land of his forebears.[38] Other

[36] Nyathi, 'Traditional Leadership', p. 45.
[37] See Ibid; and Verdict Case No: 11037/2011. www.saflii.org/za/cases/ZAKZPHC/2017/41.html
[38] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019, (Translated).

commentators have claimed that Inkosi Mzokhulayo Mkhwanazi appointed people who would support him in his succession dispute against the family and the traditional council. Inkosi Mzokhulayo after this long-waged succession battle in the Mpukunyoni Traditional Council succumbed to short illness in June 2015. The current MEC for KZN COGTA described his passing as 'a great loss',[39] which is not what many people thought.

Local Traditional Authorities and Local Party Politics in Dukuduku: Power Struggles

> According to officials and maps of the Department of Traditional and Local Government Affairs, the geographical area between Mtubatuba and St Lucia within which Dukuduku is situated, does not have a proclaimed "tribal" or traditional authority structure. The closest proclaimed traditional authorities are south of the uMfolozi River (KwaSokhulu and Mbonambi Traditional Authorities) and north east of Mtubatuba (Mpukunyoni Traditional Authority). Proclaimed traditional authorities are those which are recognised as such by the national government and formally proclaimed in government gazette notices.[40]

The above assertion suggest that the Dukuduku area falls outside the jurisdiction of the Mpukunyoni Traditional Authority according to the KwaZulu Amakhosi and Iziphakanyiswa Act No. 9 of 1990.[41] However, in the Dukuduku area there are traditional leaders appointed and installed by the Mpukunyoni Traditional Authority, in all the three sections of Dukuduku area, namely Dukuduku Forest Area and the two villages of Ezwenelisha and Khula. The traditional leaders in these sections

[39] Sipho Hlomuka, MEC KZN Cogta, Media Statement, 5 June 2019, www.kzncogta.gov.za/media-statement-kzn
[40] AFRA, Dukuduku Research Project: Final Report, 2002, p. 25.
[41] See KwaZulu Amakhosi and Iziphakanyiswa Act No.9 of 1990, www.gov.za

report at Mgeza, the headquarters of the Mpukunyoni Traditional Council. Given that Dukuduku is not proclaimed as a traditional authority, we have to investigate how the traditional leadership institution was established here in a state land. To complicate this, government authorities have been seen in Dukuduku collaborating and endorsing operations of the institution of chieftainship in the area.

Historically, the area of KwaMpukunyoni and Dukuduku forest belonged to the Mthethwa traditional authority during the pre-Shakan era and Mkhwanazi was allocated KwaMpukunyoni area which is today widely known as Mtubatuba[42]. As discussed at length in chapter 2, the Mpukunyoni Traditional Authority, which is made up of Mkhwanazi clan was given the land by the Mthethwa, a powerful pre-Shakan polity that was dominant in present day northern KwaZulu Natal prior to the establishment of the Zulu kingdom in the late 1700s. However, the land given to them did not form part of the Dukuduku forest area. According to Zibuse Mncube, one of my key informants from the area, Dukuduku belonged to Ncube, who was also given land by the Mthethwa.[43] Ncube was granted the land the same way it was conferred to Mkhwanazi. He was given the area across the uMfolozi river to settle with his amabutho and establish themselves as a community of Ncube. The area stretched from uMfolozi river to Dengeni (original land), although the shape and size of this land has been tempered with, resulting in a significant change in landscape. It has been reduced significantly in the past century or so. When Ncube established himself here he did not become inkosi but remained u*Mnumzane* (a prominent member of the inkosi's council) recognizing that Mthethwa was his superior.[44] Joseph Thethwayo, the chairperson of the Dukuduku Land Claims, concurs with

[42] Nyathi, 'Traditional Leadership', 2018.
[43] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku forest, KZN, 29 December 2019. (Translated).
[44] Ibid.

Mncube's assertion that Ncube did not become inkosi continued to pay his allegiance to the Mthethwa.[45]

The available evidence from literature and information from the informants, regarding the ownership of Dukuduku forest, is contradictory. There are sources that claim that Dukuduku area was under the authority of Mpukunyoni Traditional Authority while on the other hand the Ncube people are fiercely opposed to this notion. They claim that the Mkhwanazi people, during the reign of Chief Somkhele Mkhwanazi, only used the forest for refuge during clashes with whites and other groups during the colonial period, and during the dry season they grazed their livestock in and around Dukuduku forest.[46] According to the research report by the Africa Resource Centre for Housing, 'the whole of St Lucia area fell under Chief Somkhele KaMalanda (1839-1907)' Somkhele, apart from being inkosi of Mpukunyoni area, was a prominent member of Usuthu, regiment faction of the Zulu nation that was led by King Cetshwayo KaMpande.[47] He established himself in Dukuduku forest in order to escape the British who were pursuing him 'for attacking the magistrate.'[48] However, my informants, the Ncube land claimants in particular, maintain that inkosi Somkhele Mkhwanazi only used the forest for hiding and had no authority over the area.[49] According to Harrison, during times of wars, in the late nineteenth century many people were harassed and some sought refuge with Inkosi Somkhele of KwaMpukunyoni. Inkosi would hide these people and their cattle in the Dukuduku

[45] Interview with Joseph Thethwayo, conducted Patrick Nyathi, Khula village, 23 December 2019, (Translated).
[46] For more details on the dynasty of the Mkhwanazi leaders, see for example Goodwill Mkhwanazi's, *Umlando Wakwa-Mkhwanazi KwaMpukunyoni 1600-2007*, Barnes and Noble Press, 2018.
[47] Africa Resource Centre for Housing, Rule 5 Research Report: Dukuduku Land Claim, Ref No: KRN6/2/2E/28/2018, Oct 2018, p. 40.
[48] Ibid. p. 43.
[49] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Dukuduku forest, KZN, 29 December 2019 (Translated); Interview with Zibuse Mncube, conducted by Patrick Nyathi, Khula village, KZN, 26 December 2019, (Translated).

forest.[50] Notably, during the reign of Somkhele Mkhwanazi in the Mpukunyoni area, the Ncube people were already occupying the Dukuduku forest but the evidence on the encounter of the Ncube people in Dukuduku forest and the Mkhwanazi people is sketchy.[51]

During the first three decades of the twentieth century, the colonial government appropriated the land from the ocean to Mtubatuba town, away from the African people who had inhabited it from time immemorial. This portion of land was then declared state land and the people who had occupied it became squatters and pariahs on their own land. In 1930, the Dukuduku forest was proclaimed as the state forest in terms of the Forest Act No 16 of 1913 and was 'demarcated as such in Government Notice No 1479 dated 15 August 1930.'[52] This was soon followed by evictions which commenced in September the same year, and the introduction of state commercial forest in Dukuduku. Informants clearly indicated that although other sources claim that the area is under Mpukunyoni authority, this is untrue and they advance the notion that Dukuduku area belongs to Ncube, as Bryant put it that the Ncube 'were allotted a home about the Dukuduku bush, near the mouth of St Lucia Bay' in the early 1800s by Inkosi Jobe of the Mthethwa.[53]

Informants also raised the silence of the Mpukunyoni Traditional Council when people were evicted in Dukuduku. They claim that inkosi and his council sided with the whites and persuaded the people to leave the forest. There is a general

[50] E.R. Harrison, *Early Memories of Matubatuba and District*, Mtubatuba: Zululander Stationery & Publishers, 1989, p. 101.
[51] For more on the settlement of the Ncube people in Dukuduku forest see A.T. Bryant, *Olden Times in Zululand and Natal Containing Earlier Political History of the Eastern Nguni Clans*, London: Longman, 1929.
[52] B.N. Ndlovu, 'Qualifying Indigenous Forest Change in Dukuduku from 1960 to 2008 using GIS and Remote Sensing Techniques to Support Sustainable Forest Management', Unpublished Master Dissertation, University of Stellenbosch, 2013, p. 15.
[53] See Bryant, *Olden Times in Zululand and Natal*.

impression that Inkosi Mzondeni Mkhwanazi pushed his way into the Dukuduku matter only in the late 1980s and early 1990s because there were mining interests in St Lucia which could enrich him and his family, and later in Dukuduku when land claims were introduced. Msweli pointed out that Inkosi Mkhwanazi denounced them not once when they sought intervention to help resist evictions in Dukuduku. Inkosi told the people of Dukuduku that they are living on the white man's land.[54] The latter part of this chapter explores how the Mpukunyoni Traditional Authority finally established its authority over the people of Dukuduku despite the denouncing and distancing itself from them in a long time.

The 'Invention' of Traditional Leadership in Dukuduku State Forest during the Transition period and post-1994

Following three evictions in the 1930s, 1950s and 1970s, the African people who had been residing in the forest returned in numbers in the late 1980s. Induna Almond Sithole, Bab' Zwane, Joseph Thethwayo all have argued that, what is described as an 'invasion' of the forest by Africans is in actual fact a propaganda used to discredit the people in their fight to reclaim their ancestral land from thieves who attempted to forcefully take it away from them. Although the whites had claimed that the forest was empty, available evidence suggests that the forest was always occupied and had never remained unoccupied. Mncube pointed out that during the attempt of forced removals between 1993 and 1994, the people often concealed themselves in the forest so much that the soldiers thought they had evicted everyone.[55] Backing

[54] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020, (Translated).
[55] Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 29 December 2019, (Translated).

Mncube's assertion, Msweli asserts that during the devastating cyclones of 1984 and 1986 that took the lives of many people who were living in the forest growing crops along the banks of the uMfolozi river. Therefore, the notion that the forest was unoccupied by Africans ahistorical; it is an unfounded propaganda that borders on the myth of an empty land. Msweli, describing how he returned to the forest, had this to say:

> Our people never ceased growing crops in the forest. I personally came back because our cattle were dying in numbers and there was no food in the area where we were abandoned. One officer from GG told me we would not be compensated for resettlement as it was considered voluntary. The extent of poverty in the new resettlement was unbearable.[56]

Sithole shares the same sentiment with Msweli in that the primary reason they returned to the forest was that they had left their crops unattended in the forest and were dying of hunger in the new settlement. Farming was almost impossible and cattle were dying, the grass was always dry.[57] This is the massive return of people in the 1980s that the apartheid government described as the invasion of the forest by squatters. But in actual fact, it was the return of the original people who could not bear the level of poverty in the Mpukunyoni area. Other sources suggest that during the period of unrest in South Africa in the 1980s, many people were terrorized by the widespread violence which claimed more than 20 000 lives in KwaZulu-Natal alone[58], and thus they sought refuge in the Dukuduku forest. The situation was

[56] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020. (Translated).
[57] Interview with Almond Sithole, conducted by Patrick Nyathi Dukuduku Forest, KZN, 02 January 2020, (Translated),
[58] See B.J. Liebenberg and S.P. Spies, *South Africa in the 20th Century*, Pretoria: van Schaik, 1994; R. Taylor, 'Justice Denied: Political Violence in KwaZulu Natal after 1994', *Violence and Transition Series*, 6, (2002).

exacerbated by the ANC/IFP rivalry which other commentators described as a mini-civil war.[59]

The people who remained in the forest sought help from the local inkosi of Mpukunyoni, Inkosi M.M. Mkhwanazi around 1985, regarding their plight against forced evictions and he denounced them. Mgenge and others approached Inkosi M.M. Mkhwanazi in 1985 to seek assistance on how they could address the forced evictions in Dukuduku, using what Mlambo describes as a *Shembe* approach. They believed that as Mgenge was a prominent member of the Nazareth Baptist Church, widely known as the Shembe Church, Inkosi Mkhwanazi would assist him because of the shared religion. However, their attempts were futile as Inkosi could not assist, pointing out that his territory did not go beyond railway line that crossed Mtubatuba town through to Mozambique.[60] Mlambo also argued that the SAP police station in Mtubatuba was meant to serve the white community from town down to St Lucia and Monzi and the other one situated in KwaMsane for KwaZulu Police (KZP) was meant to serve the African communities under the jurisdiction of Inkosi Mkhwanazi.[61] As a result, African people living in Dukuduku were only regarded as illegal 'squatters' and therefore could not report criminal cases in either of the two police stations.

This brief background is necessary to understand the dilemma of traditional authority and land ownership in the Dukuduku area. It is evident that the Inkosi had denounced and distanced himself from the Dukuduku people. However, the renowned struggle against evictions in the late 1980s and early 1990s reached a

[59] For more on the nature and genesis of political intolerance and violence between the IFP and ANC in KwaZulu Natal see, for example, H.S. Ntuli, 'Probing the Rots of Political Violence in KwaZulu-Natal since 1979', *Gender & Behaviour*, (2016); Injobo Nebandla, 'Freedom from Strife?, An Assessment of Efforts to Build Peace in KwaZulu Natal', The Centre for the Study of Violence and Reconciliation, *Violence and Transition Series*, 2005.
[60] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha, KZN, 23 December 2019. (Translated).
[61] Ibid.

turning point for a variety of reasons. Among them was the imposition of a moratorium on evictions of the people from the land as the country was entering the transition phase towards the much anticipated first general democratic elections and the involvement of political parties in the struggle against removals.

The 1990s saw the establishment of the Mkhwanazi Traditional Authority in Dukuduku after years of distancing itself from the people. Shikishela Caiphus Mkhwanazi was the brother of Inkosi Mzondeni Mkhwanazi. After he had seen his brother distancing himself from the plight of the people of Dukuduku, he saw an opportunity to establish himself as a leader there. Apart from being the member of the Mkhwanazi royal family, he was also the member of KwaZulu parliament and a prominent member of the IFP. Upon his arrival in Dukuduku he was not in good terms with some leaders in the forest due to hostile treatment they received from the royal house when they sought help. He attempted to establish himself as Inkosi of the Dukuduku people and eventually became a chief negotiator with the conservation authorities that sought to evict people from the forest. The apartheid government had resorted to this approach as it was clear that forced evictions were becoming less likely. It was also because of the moratorium as the country had entered the phase of negotiation towards democracy. The people of the Dukuduku were given three options as resettlement areas namely, Indlovu village, Phongolo and Khula village.[62] In as much as Shikishela got some people rallying behind him, it is evident that he divided the people of Dukuduku forest by giving in to the demands of conservation authorities, who wanted to save the forest at all cost. In 1993, he agreed to move to Khula village whereas many people were against his decision and therefore resisted to move with him. He only moved with a few who did not abandon

[62] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha, KZN, 22 September 2020. (Translated).

their farming plots in the forest, thus making the project of removals a dismal failure, marking the establishment of Khula village as a section 21 company in 1993.[63] In the new settlement, Shikishela operated and carried out duties and functions of a traditional leader. It can be argued that Shikishela played a role in connecting the Mpukunyoni Traditional Authority with the Dukuduku community which had been left in the periphery by the royal house for long.

Secondly, in 1993, Richard's Bay Minerals sought permission to carry out mining operations in the dunes of the eastern shores in St Lucia. This application was opposed by the Park, the state and the Mbuyazi people who were removed from the area in 1970s by the apartheid government. They argued that they would not allow the mine to scatter the bones of their forefathers. However, Inkosi Mkhwanazi backed the faction that favoured mining and 'claimed the eastern shores of Lake St. Lucia as a part of his historic jurisdiction.'[64] He was accused by the Mbuyazi people of not fighting for land against apartheid government during removals and only appeared because there was a possibility of accumulating profit from mining operations.[65]

Lastly, the introduction of the Restitution of Land Rights Act saw many dispossessed communities filing land restoration claims. Claimants from Bhangazi in the eastern shores of Lake St. Lucia and Dukuduku in the western shores filed land restoration claims for these respective areas, and Inkosi Mkhwanazi filed a separate land restoration claim for the same land Bhangazi people had claimed. Many people from Bhangazi described this move as a desperate attempt on the part of the chief to

[63] Interview with Joshua Nxumalo, conducted by Patrick Nyathi, Dukuduku Forest, KZN 26 September 2019. (Translated).
[64] B. Skelcher, 'Apartheid and the Removal of Black Spots from Lake Bhangazi in KwaZulu Natal, South Africa', *Journal of Black Studies*, 33:6 (2003), p. 778.
[65] Ibid.

have money, power and control without the people's interest at heart. At the end Bhangazi people and the Mpukunyoni Traditional Authority had to merge their claim committee into one for the facilitation of the claim.[66]

Although the Dukuduku area is demarcated as a state land, one can argue that the government continued to recognise the traditional leadership institution in the area and allowed them to participate in key decision making platforms. In 1997/8 Ezwenelisha agri-village was established. Ikhwezilokusa Trust was set up to facilitate development of the area. Jeremiah. Buthelezi being the chair of the Trust was soon appointed induna of the village by Inkosi Mkhwanazi and was recognised by iSimangaliso Wetland Park authority and COGTA. He was thus given the powers of a traditional leader in charge of the villagers on state land who previously had no induna presiding over them. Induna Buthelezi and his traditional councillors sold plots and charged people accordingly. The farm was bought to resettle people from the forest but, like in Khula village, this move failed to serve its purpose. Many people who flocked into Ezwenelisha were not the intended beneficiaries but people from various parts of KwaZulu Natal, including those who had flocked into the area during the era of political violence in the late 1980s and early 1990s. Many people who had come to work in sugarcane farms in Monzi benefitted greatly from this project, in particular people from the far north of the KwaZulu Natal province and Mozambique. They bought sites from people who were tasked to allocate sites to people from the forest. Xaba, who later became Induna's councillor, outlining how he arrived in Dukuduku said:

[66] See C. Walker, *Landmarked: Land Claims and Land Restitution in South Africa*, Sunnyside: Jacana Media, 2008; Skelcher, 'Apartheid and the Removal of Black Spots'.

> I came to Dukuduku in the early 2000s. I got a site in the Forest but there was no easy access to public transport due to lack of proper roads. I was still working in Johannesburg at the time. I came [here], Buthelezi was induna, and he welcomed me. I paid a R500 khonza fee to the induna and his council.[67]

The above assertion suggests that although the land was demarcated as a state land, and set up for resettlement of the Dukuduku forest residents, the institution of traditional leadership established itself and operated as such. It is worth noting that Xaba was from Msinga in central KwaZulu Natal. The allocation of plots to people from outside other than from the Dukuduku forest could be described as defeating the main purpose of setting up this village by the state. The state wanted to conserve and rehabilitate the forest and hoped that many would move to Ezwenelisha. However, they did not budge. Msweli pointed out that from the beginning the forest people had not agreed that they would move to Ezwenelisha. Only a few that received the R30 000 'bribe' or incentive from the authorities agreed to move and thus betrayed the struggle against the removals. They were further compensated by 'Working For Water' tenders, a project that sought to eliminate alien plants that compromised indigenous plants both in the eastern and western shores of the Lake St. Lucia.[68] Xaba reminds us that the position of induna upon his arrival was highly contested, suggesting that those who left the forest for Ezwenelisha were desperate for wealth and power. Inkosi Mzondeni Mkhwanazi trusted and appointed Buthelezi.[69]

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[67] Interview with Xaba, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 24 September 2019, (Translated).
[68] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020. (Translated).
[69] Ibid.

In the forest, things were no different, Inkosi Mkhwanazi appointed Ntuli to be the induna in the mid-1990s, but his reign was short-lived. He was shot dead at Mgeza, the headquarters of the Mpukunyoni Traditional Authority. It was speculated that Ntuli was an ANC member and had to be eliminated before he could influence people 'negatively' while others hold a view that he did not agree with inkosi on the issue of relocating Dukuduku dwellers.[70] He was succeeded by Induna Mthembu who was chased away by the community, as it was alleged that he was on the payroll of the iSimangaliso Wetland Park Authority. Mthembu, together with Inkosi Mkhwanazi, was believed to have signed the agreement on behalf of the Dukuduku forest residents, that they had agreed to be resettled. He had to escape to save his life and that of his family members from the outraged community members who wanted answers regarding the allegations of selling out to the white authorities.

Nkombane Msweli was expected to become an induna. Accordingly, he had played a key role in the fight against removals and had been brutalised and arrested by white police officers during the struggle. He is also a descendant of Makhakhathana Msweli, who was the leader of the people in the forest, in a portion that stretches from Mkhazi to Hluhluwe. He believes that he was not made induna by the Mpukunyoni Traditional Authority because he was not prepared to betray his people. He asserted that Inkosi had promised him that he would be made an induna but on the day of appointment Inkosi Mkhwanazi appointed Ntuli, who was soon killed. This suggest that Inkosi was not on the side of the people but conservationists. Ntuli is counted among young revolutionaries who had fought tirelessly against forced removals in Dukuduku. It appears that Inkosi Mkhwanazi wanted a person who would submit to the demands of the whites and lead people out of Dukuduku. It is

[70] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku Forest, KZN, 05 January 2020, (Translated).

widely believed in Dukuduku that Mthembu as an induna was appointed because he was prepared to assist conservationists catalyse the project of evictions.[71] The current izinduna are merely the agents of white people and are only concerned with self-enrichment through engaging in illegal activities and entering into questionable agreements with authorities.[72]

All these izinduna in the Dukuduku carried out the duties and functions of all traditional leaders as enshrined in KwaZulu Amakhosi and Iziphakanyiswa Act No. 9 of 1990 in KwaZulu Natal, despite the area being demarcated as state land. Amongst the functions they carried out included land administration, traditional courts, conflict management, and so forth. Major conflicts however, appear to have been caused by the same traditional leaders with their divisive approach in their dealings with community issues, in particular land administration. In addition, their involvement in party politics proved problematic and contributed to criticism against them.

Given that Dukuduku was demarcated as state land, land administration by traditional leaders should be considered illegal and should have only been carried out by Development Trust. However, traditional leaders carried out these duties for years in Dukuduku. They had been involved in selling plots of land, which has been the cause of great havoc in the area, in particular when the same plots had been sold to more than one person. Timothy Maphanga, a former IFP ward four councillor (2006-2011) and induna in Dukuduku forest had faced counts of selling plots to the people in the forest. He was charged under the Prevention of Illegal Eviction and Unlawful Occupation Act of 1998. Maphanga was accused of soliciting funds from

[71] Ibid.
[72] Interview with Xaba, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 24 September 2019. (Translated).

selling plots in government land from 2006.[73] During his multiple appearances in court he had a massive support from members of Inkatha from Dukuduku and around Mtubatuba. He had been described as one key figure who played a key role in the struggle against removals in Dukuduku. Before becoming a ward councillor in 2006, he had been arrested on several occasions for clashing with law enforcement agencies trying to evict the people from the forest. Between 2015 and 2018 Induna Almond Sithole, who took over after Timothy Maphanga was demoted from his position as induna[74], faced similar charges of selling state land to people.[75] To complicate this further, the appointed izinduna were not the original members of the community or were not part of the original claimant community.[76]

According to Thethwayo, the chairperson and founder of the Dukuduku Land Claim Trust (previously known as Dukuduku Land Claim Committee), traditional leaders should be appointed amongst the original members of the community, but Inkosi Mkhwanazi appointed non-claimant community members for his ulterior motives. It is not in the interest of this study to explore the nature of the Dukuduku land claim, but it is worth noting that the existence of such claim has contributed to instability and discontent in the area between claimants and traditional leaders on the one hand and amongst the land claimants themselves. Thethwayo emphasized that traditional leaders cannot administer land that is not theirs. 'Dukuduku belongs to us [original

[73] *Zululand Observer*, 31 July 2015.

[74] It is widely speculated that Timothy Maphanga was demoted as induna because he did not agree with Inkosi Mzokhulayo Mkhwanazi on matters pertaining to the Dukuduku forest and state's attempts to save it.

[75] *The Mercury*, 9 March 2015.

[76] According to the Dukuduku Claimant Community Resolution of 13 November 2009, original members of the community are beneficiaries of the of the Dukuduku land Claim Trust which is made up of the direct descendants of the people who are originally from Dukuduku. These families include Ncube, Mthiyane, Thethwayo, Nkunzi, Msweli and others.

members of the community] and these leaders are not.'[77] Skirmishes have arisen from within the claimant community over the worthwhile option for land use and the beneficiary package. To mitigate these tensions, the Dukuduku land claimant community resolved 'to accept the non-claimant community members on our claimed state land where we all live as part and parcel of the Dukuduku community land claim on this state land.'[78] According to this Resolution Document, the Dukuduku claimant community are original owners of the land. They have allowed COGTA to implement integrated development in the area to benefit all the residents.[79]

Land administration has been a bone of contention in the area. Traditional leaders according to KwaZulu Amakhosi and Iziphakanyiswa No. 9 of 1990, are expected to administer land in areas under their jurisdiction. However, traditional leaders in Dukuduku have faced criticism and might of the law for carrying out these functions in the area. This problematizes the authority of traditional leadership in the area, bringing forth the question of legitimacy of this institution in Dukuduku. Xaba pointed out that they had been forbidden to continue carrying out these tasks but continued anyway. F.R. Brooks, Deputy Director General and Government Coordinator of the Dukuduku Project, asserts that the sale and administration of land by local leaders is prohibited, and described it as 'fraudulent sale of state land.'[80] In this letter he points out that 'the only way in which a piece of land or site in Dukuduku Forest, Khula village and Ezwenelisha can be sold is if the land is purchased directly from the Department of Public Works and the necessary statutory legal requirements for the sale of state land have been met.'[81] Both the Trust and traditional leaders in

[77] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 26 December 2019, (Translated).
[78] Dukuduku Claimant Community Resolution, 09 November 2009.
[79] Ibid.
[80] F.R. Brooks, Letter, 12 September 2018.
[81] Ibid.

Dukuduku have no right to sell land, but these traditional leaders, who are also members of this Trust, have been selling plots of land for years.

Instead of these functions carried out by izinduna, should be carried out by the trust chaired by COGTA but limited to the sale of land. It is worth noting that izinduna are members of the trust which complicates the question of land ownership and land administration as the government continues to recognise the institution of traditional leadership in a state land.

In a meeting held by all stakeholders involved in the development of Dukuduku, it was deliberated that leaders of different structures do not respect leaders of others structures thus causing conflict amongst the followers or members of such structures. It was said that they misrepresent their structures at the community level and advance their narrow personal interests at the expense of the community. It appeared they engaged in illegal activities including land sale.[82] Another major causes of conflict which emerged from this meeting, was the community meetings in the area, where structures differed on the protocols to be followed when meetings of such structures were called. The impression created is that other structures would call meetings and misrepresent and accuse other structures for discontent in the area. As a result, it was suggested, as a means to minimise conflict, that when each structure calls a meeting other structures should be invited as well. It was also recommended that izinduna be notified of meetings called by these structures.[83]

[82] Stakeholder Meeting, 09 October 2014.
[83] Ibid.

Traditional Leadership and the Democratically Elected Representatives in Mtubatuba, Post-2001.

The events leading to 1994 general elections marked a turning point in the history of South Africa. It marked change in governance and policies. In 1994 political power had to change hands from whites to Africans, marking the beginning of a new democratic era in South Africa. Soon after the remarkable general elections of 1994 new developments such as the passage of Municipal Structures Act (Act No. 32 of 2000, regulating planning, service delivery, performance monitoring and public participation); the Municipal Finance Act (Act No. 56 of 2003, regulating financial management, accounting, supply-chain management, reporting and budgeting); and the Traditional Leadership and Governance Framework Act (Act No. 6 of 2004, providing for relations between municipalities and traditional leadership).[84] These developments, however, were viewed with suspicion by traditional leaders across the country.

The introduction of democratic local government structures created tensions in that amakhosi and izinduna felt that these new democratic structures at local government level would compromise the roles and powers they have had. The IFP leader and the premier of the Zulu nation, Mangosuthu Buthelezi, addressing Amakhosi on 5 May 2000 had this to say:

> I have come to this meeting with a heavy heart but a clear conscience. My heart is heavy because today we can see how some of the worst fears we have nourished for many years have unfortunately come to pass. What we feared could happen is about to happen, in spite of having received

[84] For more on the introduction of local government structures in the post-apartheid South Africa, see S. Booysen*, Local Elections in South Africa: People, Parties, Politics*, Stellenbosch: SUN Press, 2012.

> innumerable assurances that it would not happen. We were told over and over again that the process of transformation which followed from the liberation of South Africa would not deprive Amakhosi of their traditional role, powers and functions.[85]

In his remarks, Buthelezi felt that the ANC-led government had betrayed traditional leaders, despite many promises, by introducing local government structures that would deny amakhosi the role of being in the forefront of the service delivery in areas under their jurisdiction. They had anticipated that they would remain in the forefront and serve as drivers in local development and rural transformation in areas under their control. However, the introduction of local governmental structures was a fatal blow to the institution of traditional leadership.[86] Initially, traditional leaders were fiercely opposed to the idea of demarcating areas under their jurisdiction into municipalities. They threatened not to participate in the local government elections. The introduction of local municipalities would see territories previously controlled by the traditional leaders divided into municipalities, each governed by an elected municipal council.[87] Given this background, there is no doubt that tensions would inevitably manifest between the newly elected democratic structures expected to deliver social services to the areas under the jurisdiction of traditional leaders.

While the Constitution of the Republic of South Africa guarantees a place for traditional leaders in the new dispensation, it fails to outline the precise nature of its authority and its relationship with other institutions. In the post-1994 elections traditional leadership would no longer be the only governance institution in rural

[85] Inkosi Mangosuthu Buthelezi, Remarks in the meeting of Amakhosi, Emandleni-Matleng, 5 May 2000, www.ifp.org/archives/documents
[86] See Nyathi, 'Traditional Leadership', 2018.
[87] D. Powell, 'Imperfect Transition – Local Government Reform in South Africa, 1994-2012', in S. Booysen, *Local Elections in South Africa; People, Parties, Politics*, Stellenbosch: SUN Press, 2012, p. 11.

South Africa and it had to coexist with the new local government structures voted for by the people.[88] Despite the opposition to the first local government elections, the ANC-led government was determined to strengthen democracy in remote traditional areas falling under the jurisdiction of traditional leadership. Inevitably so, local government elections had to take place. Mtubatuba was the stronghold of Inkatha Freedom Party and all traditional leaders were members of this political party. Therefore, it was not surprising that this party was able to secure most of the seats in the municipal council.[89]

The coexistence of these two seemingly incompatible systems of governance in rural South Africa, arguably deprived rural development, particularly in areas where there are serious tensions between the traditional leadership and democratically elected councillors. This has been the case in Mtubatuba.

In Mtubatuba, before the establishment of local governance structures, in 2001, traditional leadership was responsible for the allocation and distribution of resources in the area. With the invention of democratically elected local governance structures, this changed. The democratically elected representatives operating in areas under the jurisdiction of traditional leaders had to ensure that all activities carried out are reported timeously to the inkosi or induna responsible for the area. Mduduzi Ntombela, a former ward 13 councillor in Mtubatuba, pointed out that "you could not do anything before consulting induna, who would take the matter to Mgeza (Mpukunyoni Traditional Authority office) for consideration."[90] This would also apply to ordinary citizens, for instance, when you want to have a ceremony of some sort,

[88] J. Williams, *Chieftaincy, the State and Democracy: Political Legitimacy in Post-Apartheid South Africa,* Indiana: Indiana University Press, p. 89.
[89] www.iec.org.za
[90] Interview with Mduduzi Ntombela conducted by Patrick Nyathi, eDashi, KZN, 01 July 2018. (Translated).

be it umgcagco (wedding ceremony), funeral, and any other major event, you had to report. Arguably, fear and frustration of traditional leaders were primary factors yielding to a clash between them and elected ward councillors. There is an impression that amakhosi undermined elected councillors as one chief cited by Williams in KwaZulu Natal claimed that he is in charge and 'nothing happens without my permission.'[91] This has been the outcry of many ward councillors across Mtubatuba, for one could not deliver services or call community meetings without the permission from induna. Sipho Mathe, a young business man in Ezwenelisha village and a former member of the Ward Committee, observed that this protocol is unnecessary and delays service delivery to the ordinary people.[92] A woman who requested not to be mentioned, pointed out that this process negatively impacts on service delivery and has failed the community because induna would decide when the meeting should be held no matter how urgent the matter to be addressed. Ntombela observed that, in as much as this has delayed service delivery, it has not halted the delivery of services as often assumed. Izinduna and inkosi of KwaMpukunyoni and all ward councillors during the first five years of local governance in Mtubatuba were all IFP. As a result, clashes were minimal. He recalls that as IFP councillors, were workshopped to work hand in hand with traditional leaders and failure to do so would result to serious disciplinary processes or even losing your portfolio as a councillor. Amakhosi and izinduna were always first to know about proposed projects.[93] Informants have observed that, ward councillors and traditional leaders usually worked well when belonging to one organisation (in

[91] Williams, *Chieftaincy, the State and Democracy*, p. 95.
[92] Interview with Sipho Mathe, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 25 June 2018, (Translated).
[93] Interview with Mduduzi Ntombela, conducted by Patrick Nyathi, eDashi, KZN, 01 July 2018. (Translated).

case of Mtubatuba between 2001 and 2006, the IFP). Clashes would be evident when leaders;

> both elected and traditional could not agree on a particular issue or when the traditional leader felt overlooked or bypassed by the ward councillor or when the ward councillor felt oppressed or sabotaged by the traditional leader. In Mtubatuba, as most of them were IFP, inkosi, izinduna and ward councillors took directives from inkosi Mangosuthu Buthelezi, the president of the IFP and the prime minister of the Zulu nation.[94]

In Dukuduku things were no different, between 2006 and 2011, Timothy Maphanga was a ward councillor for ward four (Dukuduku forest and Ezwenelisha), Ezwenelisha village had Jeremiah Buthelezi as induna. Both Maphanga and Buthelezi were members of the IFP. They worked relatively well and there was a certain degree of tolerance and cooperation, although at times there would be instances of conflicts, over major projects in the area. Some of these conflicts emanated from the fact that Ezwenelisha is state land and ought not to have been administered by induna. However, induna insisted that he was in charge and had been legitimately appointed by Inkosi Mzondeni Mkhwanazi and therefore demanded recognition. Furthermore, tensions between Maphanga and Buthelezi emanated from the fact that Buthelezi was amongst the group of people who voluntary left the forest to be resettled at Ezwenelisha village, in 1998 whilst Maphanga led the group of people that resisted relocations.[95] Meanwhile, in Khula village, ward three of Mtubatuba municipality, the 2006 election the ward was won by Sipho Zungu, an ANC candidate while induna Philip Mkhwanazi was the prominent member of the

[94] Nyathi, 'Traditional Leadership', p. 66.
[95] Interview with Fika Buthelezi, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 29 June 2018, (Translated).

IFP. However, Sipho Zungu's victory was short-lived. An unknown gunman brutally ended his life on 12 February 2008. According to Simo Mhlongo, the regional deputy chairperson of the ANC in Umkhanyakude, 'Zungu had been threatened after taking over a ward in 2006.'[96] Given the nature of political intolerance in the province of KwaZulu Natal, community members assumed that Zungu was assassinated for political motives. Inkatha in the region condemned the killing of Sipho Zungu and discouraged the killing of political figures in the region and the province.[97] After the death of Sipho Zungu, by-elections were held on 07 May 2008 and Vusimuzi Moses Ncube of Inkatha Freedom Party took over ward three. Arguably, Inkatha enjoyed a sense hegemony during 2008 and 2011. However, this changed in 2011 with the emergence of National Freedom Party (NFP) of Zanele KaMagwaza-Msibi. In Dukuduku forest many supporters and members of the NFP were those who broke away from the IFP. Notably, the establishment of NFP weakened the IFP and challenged its hegemony to a certain degree in Mtubatuba generally and Dukuduku in particular. During the 2011 local government elections, ANC won the Mtubatuba municipality for the first and governed the municipality in coalition with the NFP, what Mangosuthu Buthelezi described as the 'marriage of convenience.'[98] Both the villages of Khula and Ezwenelisha and Dukuduku forest fell in the hands of the ANC, with Siyabonga Khumalo in ward three (Khula) and Sibongile Manqele, ward four (Dukuduku forest and Ezwenelisha village). Community members were optimistic that this change would bring about prosperity in the area, however, the Mtubatuba municipality did not function effectively leading to its dissolution in 2015.

[96] *Sowetan*, 14 February 2008.
[97] Ibid.
[98] Statement by Inkosi Mangosuthu Buthelezi on the departure of Zanele KaMagwaza-Msibi and the formation of the NFP, www.ifp.org.za/documents/archives

It is difficult to decide who should be the sole leader of the rural communities, between izinduna and ward councillor because they both play different roles of paramount importance. For instance, induna is required to bring order and enhance unity in the area while the ward councillor is expected to deliver services to the people. Although some informants believe that the institution of traditional leaders should be done away with, there is an impression that some rural people still utilize this institution. Rural villagers perceive traditional leaders as accessible and within easy reach, while elected councillors are usually based in town and sometimes inaccessible. Fika Buthelezi argued that 'we cannot afford to do away with traditional leaders, we need them for their ceremonial roles, they are important but they should learn to leave politics to politicians.'[99] Mathe concurs with Buthelezi in that the constitution of the Republic of South Africa recognises customary law and therefore it cannot be done away with. He argued that the despite the lack of proper training, traditional leaders are still best in rural areas, effective and cheap in dealing with local issues relating to customary law.[100] On other hand, a woman who requested not to be mentioned, observed a certain degree on unfairness of traditional leaders in dealing with cases in the area. She pointed out that some people do not get deserved justice in the traditional courts, in particular those are ANC members as the traditional leaders in the area are all IFP.[101] These different views in Dukuduku are reflective of the ongoing debate with people showing mixed feelings about the coexistence of traditional leadership and democratic government structures. There are two sides of the coin, as views regarding the institution of traditional leadership

[99] Interview with Fika Buthelezi, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 29 June 2018. (Translated).
[100] Interview with Sipho Mathe, conducted by Patrick Nyathi, Ezwenelisha, KZN, 25 June 2018. (Translated).
[101] Interview with Interviewee X, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 26 June 2018. (Translated).

differ from person to person and from one place to another. This is because various people view this institution differently.

Conclusion

This chapter does not put forward that the African people living in the Dukuduku forest are rightful owners of the land. But subject to available evidence, there has been several forced removals of African people in the area. African people had occupied [this] area long before Zululand was incorporated into the British Natal colony. The fierce resistance and the resilience of African people kept them rooted in the area. Their occupation of the forest has been described as squatting and thus causing a great harm to the Dukuduku indigenous forest.

The period between 1989 and 1999 has been characterized by unrest in the area as the state attempted at all costs to evict the people who resisted evictions violently. There have been instances of violent clashes between the residents and the police during this period. This period was very significant, not only in KwaZulu Natal and Dukuduku forest, but in the history of South Africa. Between 1989 and 1994, the country faced uncertainty with regards to change of the regime from apartheid to South Africa. Post-1994 marked the emergence of new conflicts with regards to service delivery. The euphoria that came with the first general elections was short lived. The state was to introduce democratic local government structures in 1995/1996 in some parts of the country local governance structures were only introduced in 2000/1. The introduction of the democratic governance structure created tensions between newly elected councillors and traditional leaders who feared that their roles in rural areas would be taken over by the newly elected

councillors. Meanwhile, the democratic government continued to recognize traditional leadership. In the political and academic arena this created a robust debate on whether or not should the government continue to recognize the institution of traditional leadership. Some scholars have viewed the recognition of traditional leaders in a democracy as the continued legacy of the apartheid regime.[102] As a result in the new era, traditional leaders have been fighting for recognition by the state. This chapter has attempted to explore and problematize the legitimacy of the local traditional leadership and local party politics and its role in service delivery in Mtubatuba in general and Dukuduku forest in particular. It has assessed the relations between traditional leaders and elected councillors in Dukuduku.

It is evident that the existence of many power houses in the Dukuduku area has been the main cause of conflict over development in the area. It has complicated the approach which should be followed to deal with matters relating to land administration and conservation and land use options. It appeared in a stakeholder meeting held at Siyabonga Centre, St Lucia, on 9 October 2014, that leaders of various structures did not respect nor work in harmony with leaders of other structures, instead they lambast each publicly for the advancement of their narrow interests at the expense of the general public.[103]

The existence of land claimants in the area has exacerbated conflicts on the issue of conservationism and land administration. They claim their birth right to the land and

[102] For more on the continued debates on the coexistence of traditional leadership and democratic governance structures in rural South Africa, see for example, Ntsebeza, *Democracy Compromised*; 'Democratic Decentralization and Traditional Leadership', pp. 71-89; Oomen, *Chiefs in South Africa;* S. Mnwana, F. Hendriks and L. Ntsebeza, 'Chiefs and Rural Local Government in Post-Apartheid South Africa', *African Political Science*, 4 (1), (1999).; J.L. Comaroff and J. Comaroff (eds.), *The Politics of Custom: Chiefship, Capital and the State in Contemporary Africa*, Johannesburg: Wits University Press, 2018; M. Buthelezi, D. Skosana and B. Vale, (eds.), *Traditional Leaders in a Democracy: Resources, Respect and Resistance*, Mapungubwe Institute for Strategic Reflection, 2019.

[103] Minutes of the Meeting, Stakeholder Meeting, Siyabonga Centre St Lucia, 9 October 2014.

strongly believe that it is theirs and therefore they should be responsible for the development and administration of the area, pointing out that izinduna in charge are not original (non-claimant) members of the community.

Chapter Six

Conclusions

The Dukuduku case study demonstrates dispossessions that involved nature conservation, sometimes referred to as green-grabbing.[1] Initially, these removals were motivated by the state's desire to expand commercial forestry and sugarcane production along the riverbanks of uMfolozi river. The Department of Forestry during the apartheid era attempted to evict African people occupying the forest but their attempts were challenged by the forest dwellers. The state managed to remove people from one part of the forest to another but not on a permanent basis. Therefore, the idea that by early 1980s the forest was left unoccupied is a mere fallacy.

Dukuduku forest managed to attract many people in the late 1980s and the early 1990s as a result of its productivity and the ongoing rivalry between ANC and IFP in KwaZulu and Natal. This is when the state's interest in the Dukuduku forest 'began to consolidate after the so-called 1988 'invasions' when it declared its need to conserve the area.'[2] In order to 'protect' and 'save' nature the government deemed it necessary to remove the people who lived in the Dukuduku forest. The nature conservationist groups such as Natal Parks Board, Wildlife Society of South Africa and others backed the government's decision to remove 'illegal squatters' from the forest. These removals led to the establishment of Khula village in 1993 and Ezwenelisha village in 1998. In 1994, the Government of National Unity inherited the Dukuduku problem from the apartheid state. The ANC-led Government of National Unity was determined to 'save' the forest but the forest dwellers were always

[1] K.G. Nustad and F. Sundnes, 'The Nature of the Land: The Dukuduku forest and the Mfolozi flats, KwaZulu Natal', *The Journal of Modern African Studies*, (2013), p. 503.
[2] Association for Rural Advancement, The Forest of Our Discontent, (2003), p. 32.

organized to resist any form of removals. It cannot be denied that forced removals in South Africa before and during apartheid had a devastating impact on the livelihoods of the dispossessed. While in other parts of South Africa, resistance against removals was crushed, the Dukuduku forest matter provides an example where the government, both apartheid and post-apartheid, dismally failed to dislodge African people permanently from the land. Both governments failed to 'save' this unique forest in northern KwaZulu Natal.

The fertile riverbanks of the uMfolozi river attracted both commercial farmers and subsistence farmers from the Dukuduku forest.[3] The floodplain has provided a ground for thousands of Dukuduku forest dwellers for farming and this has kept them rooted in the forest. The Dukuduku forest matter is complex due to conflicting interests. In the late 1980s and 1990s, the conservationist groups pressured the government to evict all the people living in the forest. The environmentalists created an impression that African people are a threat to nature, while turning a blind eye on the destruction of the uMfolozi floodplain caused by the white owned commercial farms. The idea that Africans destroy nature while overlooking the destructive nature of white owned farms on the same floodplain exposes the deep-rooted double standards and phoney nature of environmentalism discourse in South Africa.

The period between 1989 and 1999 in the Dukuduku forest has been characterized by unrest as the state attempted at all costs to evict the people who resisted evictions, even through violent means. In 1994, when most South Africans celebrated the birth of a new democratic and non-racial South Africa, the Dukuduku forest dwellers had nothing to celebrate. Calls to remove them from the forest were

[3] See K.G. Nustad and F. Sundnes, 'The Nature of the Land: The Dukuduku forest and the Mfolozi flats, KwaZulu Natal', *The Journal of Modern African Studies*, (2013).

intensified and there have been violent clashes between the residents and the police during this period. In 1998, the ANC-led government bought two farms to resettle the Dukuduku residents. It is not surprising that the Dukuduku forest dwellers did not move to the new resettlement area as no consideration was given to their livelihoods. Only few people moved from the forest to Ezwenelisha, signifying the failure of this attempt by government to save the forest. Nkombane Msweli, a land claimant and an instrumental figure during the fight against evictions, pointed out those who led a group that left the forest were not traditional leaders as other sources have claimed. According to Msweli, they were a group of men and women who were bribed by the authorities to convince people to leave the forest.[4]

The history of Dukuduku is characterized by a great deal of unrest, forced removals, bloodshed and resilience of the people living there. The livelihoods of African people were, according to many sources, disrupted by the displacement ignited by the desire of the former colonial and apartheid authorities to expand commercial forests and sugar cane production. In summary, Sundnes puts it thus:

> Interventions in the Dukuduku forest and its vicinity in the early twentieth century were driven by notions of its economic prospects and potential forestry and agricultural uses. These developments displaced the African population dwelling in and living off the same lands. With emerging nature conservation movement came new interests in the Dukuduku forest.[5]

Sundnes' assertion suggests that African people occupied the land long before the advancement of colonial powers to this part of KwaZulu Natal province and disrupts the claim that African people cannot claim ancestral ties to the area as it is

[4] Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 5 January 2020. (Translated).
[5] F. Sundnes, 'Scrubs and Squatters: The Coming of the Dukuduku Forest, an Indigenous Forest in KwaZulu-Natal, South', *Environmental History*, 18, April (2013), p, 295.

demarcated as state land. The seniors, land claimants and informants[6] have pointed out that the area belonged to the Ncube people who, according to Bryant, had settled there in the early 1800s.[7] According to many interviewees, the Mpukunyoni Traditional Authority had distanced itself from the people living in the forest since its demarcation as a state land. The Mpukunyoni Traditional Authority had for a long time been used by white authorities in the process of evictions. They are said to have deliberately distanced themselves from the forest dwellers when their intervention was required. Somehow strangely, the Mpukunyoni Traditional Authority established itself firmly in the area in the 1990s, owing to various factors, such as land claims in Bhangazi area and Dukuduku forest and his personal interests in proposed mining in the eastern shores of the Lake St Lucia system. However, some informants have argued that the involvement of the Inkosi in Dukuduku was not in their favour as he supported the environmentalists and the Park. Accordingly, on several occasions he persuaded the people to leave the forest to allow for the conservation of the biodiversity in the forest.[8]

Of great concern to the claimants is that when the Mkhwanazi established themselves as traditional leaders in Dukuduku, they did not recognise the land claimants and this caused some hostile relations between the chieftaincy and those who claimed that the land belonged to them. According to Thethwayo, this is evident in that izinduna that were appointed by Inkosi are not indigenous people of

[6] Informants of these study includes senior citizens with deep knowledge of the area and land claimants who claim ancestral connection to the area, such as Joseph Thethwayo, the chairperson of the Land Claims Trust formally known as Dukuduku Land Claims committee, Zibuse Mncube, the land claimant, Njeke Mdamba, the senior citizen whose family was displaced in the first eviction of 1930, Nkombane Msweli the descendants of Makhakhathana Msweli who was induna of the eDengeni section in the forest and many others.

[7] See A.T. Bryant, *Olden Times in Zululand and Natal Containing Earlier Political History of the Eastern Nguni Clans,* London: Longman, 1929.

[8] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019. (Translated).

Dukuduku. They had come from other areas. Even the current induna of Dukuduku forest who claims to be an indigenous person is said to have been among the group that was removed from Bhangazi, the western shores of the Lake St Lucia. Those removed from there were the Mbuyazi led by Njojela Mbuyazi.[9] Many of them are believed to have hid in the Dukuduku forest after the forced removals in 1974. The same evictions were carried out in the Dukuduku forest forcing many to resettle in Mpukunyoni but would later return. While others settled in KwaShikishela some remained hiding in the forest.[10] Fragmentary literature suggests that the forest was never left unoccupied and the informants concur with that assertion. Therefore, the myth of the empty land, the notion that no people inhabited the forest, is unfounded and misleading.

The study attempted to problematize the question of land ownership in Dukuduku by investigating conflicts between the leadership structures that exist in the area. It is interesting that, despite the demarcation of the land as state land and thus not adjudicated under traditional authorities, traditional leaders soon constituted themselves in the area and somehow received recognition by the Department of Cooperative Governance and Traditional Affairs (COGTA) in the province. The state has somehow overlooked its own land laws by entering into negotiations and consulting unapproved traditional leaders rather than engaging the occupiers of the land.[11] As a result, this was perceived as the legitimization of traditional leadership institution on state land. To this day, this institution is in existence although it has been forbidden from administering land in the area. The state labelled their land

[9] See B. Skelcher, 'Apartheid and the removal of Black Spot from Lake Bhangazi, KwaZulu Natal, South Africa, *Journal of Black Studies*, (2003).
[10] Interview with Nkombane Msweli, conducted by Patrick Nyathi, KZN, 05 January 2020. Translated; Interview with Zibuse Mncube, conducted by Patrick Nyathi, Dukuduku forest, KZN, 29 December 2019. (Translated); Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019. (Translated).
[11] AFRA. Dukuduku: The Forest of our Discontent, p.32.

administration activities as illegal as it was only the Development Trust that had such powers in the area.[12] In addition, this has led to renewed conflict as the Dukuduku people question the legitimacy of traditional leadership in the area. Ernest Mlambo, the co-founder of Manukelana Art and Nursery and Joseph Thethwayo, the chairperson of The Dukuduku Land Claims Trust, pointed out that the current izinduna are all illegitimate as they were appointed by Inkosi Mzokhulayo Mkhwanazi whose position was also disputed.[13] According to Thethwayo, the Inkosi must be appointed and confirmed by the family and anointed by the King. Mzokhulayo's matter was still in court and yet he continued to appoint izinduna. Mlambo and Thethwayo's argument was based on the idea that Inkosi must first be confirmed before he can make appointments.[14] Inkosi Mzokhulayo passed away on 4 June 2019 after a short illness. The land claimants – those who are descended by the Ncube who were allocated this area by the Mthethwa in the early 1800s – hold a strong view that their land will soon be returned to them as the rightful owners. A trust has been established to facilitate the land once it is given back to them. However, this battle seems to be far from over as fears have arisen that major conflicts will break out once the land has been given back. Another conundrum the land claimants might face is that demographically, the non-claimant community is far greater than the claimant community. In addition, among the claimant community, they have not agreed on the form of compensation. Thethwayo indicates that some are interested in monetary compensation while others want the return of the land

[12] See F.R. Brooks, Letter to Mtubatuba SAPS Station Commander, dated 12 September 2018
[13] See Court Verdict, KwaZulu Natal High Court, Pietermaritzburg, Case No: 11037/2011, www.saflii.org/za/cases/ZAKZPHC/2017/41.html
[14] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 23 December 2019 and Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 22 September 2019. (Translated).

itself.[15] Conflict of interests and political influence have been blamed by the claimants as the major cause of delay in the finalisation of their claim.

The Dukuduku matter is more complicated than it appears on the surface. The displacement in Dukuduku was motivated by the economic prospects of the area. Initially, as discussed in Chapter Two, the primary reason for displacement was the expansion of commercial forestry and sugarcane production. The segregationist government did not have the conservation interests to protect this indigenous forest. The situation remained the same until the 1960s, when new conservation interests emerged under the apartheid government. This exacerbated the plight of the Dukuduku people. In essence, it strengthened the government's attempts to remove the resilient group of people dwelling in the forest. This was after the report of the Kriel Commission which recommended that the area be conserved.[16] The removal of the people from Dukuduku Forest at different intervals complicated the land question in the area. It is evident in available literature and oral sources that the state dismally failed to remove the people completely from the forest. Some would move from one part of the forest to the other part. For instance, some people who were removed from Bhangazi, the eastern shores of the Lake St Lucia, in the 1950s and 1970s settled in the Dukuduku forest in the western shores of Lake St Lucia system.[17]

The major cause of conflict in the area is the existence of three centres of power, namely land claimants, who claim ownership of the area, traditional leadership and elected local government structures. This has not only complicated the land question but it has seriously compromised socio-economic development. Mlambo pointed out

[15] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 26 December 2019. (Translated).
[16] See J.P. Kriel, Report of the Commission of Inquiry into the alleged threat to animal and plant life in the St Lucia Lake, 1967
[17] See B. Skelcher, 'Apartheid and the Removal of Black Spots from Lake Bhangazi, KwaZulu Natal, South Africa', *Journal of Black Studies*, 2003.

that the existence of traditional leadership in Ezwenelisha village alone denied local pupils a right to education by selling the land reserved for the development of a school. It also denied them their right to access healthcare by allowing members of a church group to establish a church in a space mapped for the construction of a clinic. He indicated that the 'budget is there, but now we do not have the land to build a high school and the clinic for our people.'[18] There is a strong feeling in the area that traditional leaders should focus on customary practices and leave politics to politicians. Generally, if the land is traditional, Inkosi and his izinduna administers the land and allocate sites to their people. However, Dukuduku is demarcated as state land and does not fall within the jurisdiction of the Ingonyama Trust land, which makes land administration by traditional leaders illegal. Nonetheless, traditional leaders in Dukuduku have overlooked this reality and carried out their activities of land administration, which Brooks, the Government Coordinator of the Dukuduku Project, has described as a 'fraudulent sale of state land'[19]. Land claimants believe that the land should be administered by them, as they claim that the land belongs to them. Meanwhile, land administration is vested in the Dukuduku Development Trust which is chaired by COGTA in the province.

The conflicts over land administration remained unresolved until such time that the Dukuduku Development Trust was set up to mitigate land administration challenges and facilitate the Dukuduku Project. This Trust, according to Mlambo, was set up because the structures that existed in the Dukuduku area failed to account for their operations. Initially, Khula village was established as a Section 21 company, Ikhwezilokusa Trust was established in Ezwenelisha and the Committee of Ten in

[18] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 22 September 2019. (Translated).
[19] F.R. Brooks, Letter to Mtubatuba SAPS Station Commander, dated 12 September 2018.

the Forest.[20] All these structures failed to account for the state funds and as a result were dissolved and one new Trust[21] representing the whole Dukuduku area was set up. Interviewee X pointed out that the Trustees in Ezwenelisha used public funds to enrich themselves and to build their houses using material for the construction of RDP houses in the area. Strangely, these Trustees became traditional leaders with Buthelezi as induna and other members his traditional council members.[22] These irregularities were committed by the Trust members who had voluntarily left the forest to settle in Ezwenelisha. According to Mafika Buthelezi and other informants, this was a desperate move for power and control of resources meant to develop the entire community.[23]

The current Trust which replaced the three structures discussed above, is made up of two representatives from each of the three sections of the Dukuduku Area, namely Dukuduku Forest, Ezwenelisha and Khula villages, two members of the Dukuduku Land Claims Trust, two representatives from the Mtubatuba Local Municipality, and two representatives from the Mpukunyoni Traditional Authority. The Trust is chaired by COGTA.[24] However, there is a sense that the Trust is used by the state to impose its own agenda. Mlambo puts it that the disturbing part about the current Trust is that both the Chairperson and the Secretary of Trust are from the Department of Cooperative Governance and Traditional Affairs in the province of KwaZulu Natal.

[20] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 22 September 2019. (Translated).
[21] Refers to Dukuduku Development Trust.
[22] A woman who requested not to be mentioned, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 26 June 2018, (Translated).
[23] Interview with Fika Buthelezi, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 29 June 2018. (Translated).
[24] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN, 26 December 2019. (Translated).

He believes that either the chairperson or secretary should be from within the area to avoid imposition of decisions by COGTA.[25]

In addition, the land claimants established their own trust, known as the Dukuduku Land Claims Trust. Thethwayo argued that, to establish this Trust they 'converted the Dukuduku Land Claims Committee into a Trust with the aim of effective administration of our land once it is returned to us officially.'[26] Initially, the people did not understand the rationale behind the establishment of the Land Claims Trust. Some land claimants distanced themselves from the newly founded Trust, accusing Thethwayo of setting-up the Trust that would benefit him personally. Thethwayo indicated that those who distanced themselves from the Trust worked against it to advance their narrow selfish agendas.[27] The claimants have accused the provincial land commissioner in KwaZulu Natal for the delay of the claim process. However, it became evident that among the claimants there are some cleavages on the issue of the land use option upon the official return of the land.

This study has argued that conflict amongst the community leaders and various leadership structures in the area of Dukuduku Forest have negatively affected the African people inhabiting the Dukuduku area and deferred their prosperity. There is adequate evidence to argue that such conflicts did not only create instability in the area but deprived the community of many development projects such as the construction of schools, a clinic, and the community library. Land reserved for these facilities have been allotted to other people either for settlement or business

[25] Interview with Ernest Mlambo, conducted by Patrick Nyathi, Ezwenelisha village, KZN, 22 September 2019. (Translated).
[26] Interview with Joseph Thethwayo, conducted by Patrick Nyathi, Khula village, KZN,26 December 2019. (Translated).
[27] Ibid.

purposes by traditional leaders. The conflict between these structures continues to manifest in community meetings.

The occupation of the Dukuduku forest is not a recent phenomenon. The white community in the area initially characterized the forest as infested and unhealthy; however, this view soon changed as the forest became a great potential for the state commercial forestry and sugarcane production.[28] This view meant that African people inhabiting the forest had to face evictions. Primarily, the forest provided space for agricultural production until the 1960s when the new conservationist approach emerged. As a result, evictions were intensified to "save" the forest. This study has argued that the view that nature could be conserved at the expense of African people occupying land is problematic and has led to unnecessary bloodshed and compromised livelihoods of the people inhabiting the forest. This did not only compromise the livelihoods of the people but dealt a spiritual blow to many who had to leave graves of their relatives in the forest. Today, some indigenous community members are still not at peace as they believe that the government did not respect them and their forefathers. They have indicated that graves of their ancestors are within what is today known the game park.[29]

Apart from the painful past, the people of Dukuduku have endured for about a century, they managed to sustain their livelihoods through various means. These people engaged in various activities including subsistence farming in the forest and along the riverbanks of uMfolozi river. Before the 1890s, the state removed people from the forest without the provision of various strategies people would use to

[28] F. Sundnes, 'Scrubs and Squatters: The Coming of the Dukuduku Forest, an Indigenous Forest in KwaZulu-Natal, South', *Environmental History*,18, (2013), p. 299.
[29] Interview with induna Almond Sithole, conducted by Patrick Nyathi, Dukuduku forest, 02 January 2020, (Translated); Interview with Nkombane Msweli, conducted by Patrick Nyathi, Dukuduku forest, KZN, 05 January 2020; Interview with Njeke Mdamba, conducted by Patrick Nyathi, Dukuduku forest, KZN, 27 September 2019. (Translated).

sustain their livelihoods in their new settlements which forced them to return to the forest. As they returned in larger numbers in late 1980s, the state hastened to label such return of the indigenous people as an 'invasion' of the forest by 'squatters'. The picture painted by the apartheid government and the environmentalists that African people were detrimental to the forest and therefore deserved to be relocated, is unreasonable in that the apartheid government had no intention of conserving the forest until after 1960. The same government that evicted the people to make way for the expansion of commercial forests sang a different tune in the 1980s. The commercial forest and sugarcane production in Dukuduku had far-reaching effects on biodiversity and the Lake St Lucia system, however the blame was only placed on African people as potential destroyers of the forest and its natural magnificence. Compensation was racialized in that African people were removed without compensation while white farmers were compensated once they were affected by the new conservation interests.

Most recently, the environmentalists have attempted to employ an all-inclusive approach to educate the people about the importance of nature conservation.[30] These attempts have been met with various reactions. It is still striking that the land use option of the area as an eco-tourism site does not benefit the community but a few elites. Community members have blamed community leaders for exploitation of resources intended to benefit the community. This has given rise to new tensions with more vibrant youth demanding answers on where levies and funds from iSimangaliso Wetland Park are kept. It is clear that subsistence farming which has been the pillar of many people in Dukuduku is becoming less and less viable given

[30] This includes programs of removing alien plants and replanting the indigenous trees in the area with an aim of rehabilitating the forest. Participants in these projects are from Dukuduku area.

the population growth. Now that subsistence farming cannot sustain the livelihoods of many forest dwellers other means of sustaining their livelihoods must be sought.

After more than two decades of calling for the protection of the Dukuduku indigenous forest, the Wildlife Society admitted, in April 2007, that now the forest is damaged and could not be rehabilitated. In its weekly newsletter the society admitted that the conservation battle in Dukuduku forest has been lost.[31] A year later the democratic government, in its attempt to save the remaining part of the forest, 'fenced off part of the forest but the fences were soon damaged or stolen.'[32] Following the failure of these attempts the state also gave up the fight. In 2009, the government allowed people to continue living in the Dukuduku forest, 'but subject to the preservation of the uMfolozi floodplains and the rehabilitation of the original forest along a new boundary with the World Heritage Site.'[33] This move by the state renewed tensions as community members vowed they would not stop their agricultural activities along the uMfolozi floodplains.

Another conundrum this study had to address is the existence of three centres of power in Dukuduku, namely, traditional leaders, land claimants and elected democratic councillors. There have been clashes amongst the three institutions in Dukuduku, and that has been seen by many as a cause of the delay in service delivery and improvement of infrastructure. Some informants have argued that the land should be administered by the land claimants, not traditional leaders. This is because traditional leaders in the area are not indigenous and does not form part of the land claimant community.

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[31] Conservation of Dukuduku flops (iol.co.za), 18 April 2007.
[32] Africa Resource Centre for Housing, Rule 5 Research Report: Dukuduku Land Claim, Ref No: KRN6/2/2E/28/0/018, Oct 2018.
[33] Ibid.

This study has not only contributed to the scholarship on environmental challenges in South Africa and the clashes between traditional leaders and ward councillors but also complicated the land question in a democratic society. Dukuduku forest being the claimed land, with government insisting that the forest is state land, the issue of land administration has become a thorny issue for the provincial and national government. To complicate this further, in May 2020, two key political figures were brutally killed in less than two weeks in Dukuduku. Thengezakhe Maphanga, a former Ward 4 IFP councillor and former induna in Dukuduku forest, was shot more than twenty-eight times.[34] Meanwhile, Philip Mkhwanazi, induna of Ward 3 and an ANC councillor in Mtubatuba municipality was shot more than twenty times in broad day light.[35] These two incidents raised serious concerns about political tolerance in the area. It is interesting that the death of these two key figures gave the Ncube people the impetus to reclaim their land and are establishing themselves once again on what they call their forefathers' land.

[34] *The Citizen*, 11 May 2020; *Zululand Observer*, 11 May 2020.
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Appendix 1

UNIVERSITY OF THE WITWATERSRAND JOHANNESBURG

Research Office

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

CLEARANCE CERTIFICATE	**PROTOCOL NUMBER: H19/10/31**
PROJECT TITLE	Prosperity deferred: Mining development, conservation and conflicts between traditional authorities and local councillors in Mbabatuba. KwaZulu Natal, 1980 to the present
INVESTIGATOR(S)	Mr P Nyathi
SCHOOL/DEPARTMENT	Social Sciences/
DATE CONSIDERED	18 October 2019
DECISION OF THE COMMITTEE	Approved
EXPIRY DATE	08 December 2022

DATE 09 December 2019 **CHAIRPERSON** (Professor J Knight)

cc: Supervisor : Professor S Lekgoathi

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.**

_____ _____/_____/_____
Signature **Date**

PLEASE QUOTE THE PROTOCOL NUMBER ON ALL ENQUIRIES

Appendix 2

Participant Information Sheet

Study Title: Prosperity Deferred: Conservationism and Conflicts over development in Dukuduku, KwaZulu Natal, 1980 to the present.

Principal Researcher: Nyathi Patrick

Organisation: Department of History, University of Witwatersrand, Johannesburg

Dear Sir/Madam

I, Nyathi Patrick, a full-time postgraduate student in the History Department at the University of the Witwatersrand, would like to invite you to participate in my research project as an interviewee.

This is a research project based in Mtubatuba titled "**Prosperity Deferred: Conservationism and Conflicts over development in Dukuduku, KwaZulu Natal, 1980 to the present."** This research seeks to understand the local politics of Dukuduku and how the people of Dukuduku have organised themselves against forced removals in the name of nature conservation. It also seeks to evaluate how conflicts between local traditional and democratic authorities have compromised development in the area.

You are kindly invited to participate in the research. Your involvement in this research requires your participation in an interview which will be scheduled at a time and place that is suitable for you. The interview will take approximately **one hour**. The content of interview will be used for my MA dissertation and may be presented in seminars or conferences. This means the interview may be used for direct quotes, paraphrases or summaries. The research is conducted for academic purposes only and there is no payment. Participation is voluntary.

If you agree to be interviewed I would like to record the interview using an audio-recorder. You are not forced to answer every questions. You cannot answer questions you are not comfortable with. You have a right to remain anonymous and you can withdraw from participating in this project at any stage.

If there are questions that are not clear to you, please ask for clarity before you can respond

All data collected through the interview will be stored in password protected computer to ensure confidentiality and upon completion of research data will be stored in the university archives.

If you feel you require any additional information, please contact my supervisor, Prof SP Lekgoathi on +27 11 717 4315 or Sekibakiba.Lekgoathi@wits.ac.za. You are also welcome to contact the Wits Human Research Ethics committee (non-medical) via Shaun Schoeman on 011 717 1408 or Shaun.Schoeman@wits.ac.za .

Thank you for your support.

Kind regards,

Nyathi Patrick

083 761 2652

1660902@students.wits.ac.za

Appendix 3



Consent Form

Working Title: Prosperity Deferred: Conservationism and Conflicts over development in Dukuduku, KwaZulu Natal, 1980 to the present.

I …… voluntarily agree to participate in Patrick Nyathi's research project titled, 'Prosperity Deferred: Conservationism and Conflicts over development in Dukuduku, KwaZulu Natal, 1980 to the present.'

I understand that even if I agree to participate now, I can withdraw at any time or refuse to answer any questions without any consequences of any kind. Yes ☐ No☐

The purpose and nature of the study was explained to me and I had the opportunity to ask questions about the study. Yes ☐ No☐

I agree to my interview being audio-recorded. Yes ☐ No☐

I understand that I will not benefit directly from participating in this research. Yes ☐ No☐

I understand that all information I provide for this study will be treated confidentially. Yes ☐ No☐

I understand that extracts from my interview may be quoted in Patrick Nyathi's dissertation and may be used in seminars and conferences. Yes ☐ No☐

I want to remain anonymous. Yes ☐ No☐

I understand that I am free to contact the researcher Nyathi Patrick, the supervisor Prof SP Lekgoathi on 011 717 4315 or Sekibakiba.Lekgoathi@wits.ac.za and/or the Wits Human Research Ethics committee (non-medical) via Shaun Schoeman on 011 717 1408 or Shaun.Schoeman@wits.ac.za, to seek further clarification and information.

Signature.....

Date.....

Appendix 4

19 September 2019

To Whom It May Concern

Re: Letter of Introduction of a Researcher: Mr. Patrick Nyathi

This is to certify that Mr. Patrick Nyathi is a registered full-time postgraduate student doing a Master of Arts (MA) by Dissertation in the Department of History at the University of the Witwatersrand, Johannesburg.

Mr. Nyathi is currently doing fieldwork research on the topic "**Prosperity Deferred: Conservationism and Conflicts over development in Dukuduku, KwaZulu Natal, 1980 to the Present**." At its core, this research project requires that the student conducts interviews with respondents in Mtubatuba and surrounding areas in KwaZulu Natal.

I am writing in my capacity as the student's supervisor to ask for your consent to be interviewed by the student for purposes of his research project. This study is intended purely for academic purposes, that is, to fulfil the requirements for a Master's degree. Your assistance and cooperation will certainly help fill in a huge gap in the historical literature on this forgotten and marginalised area of South Africa.

Should you require any additional information please do not hesitate to contact me. I thank you in anticipation of your help.

Yours sincerely,



Professor Sekibakiba Peter Lekgoathi (Ph.D.)

Associate Professor & Former Head of Department: History

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Cell: 082 560 5526

Email: Sekibakiba.lekgoathi@wits.ac.za

Appendix 5

Sample Interview Questions asked

Biographical Questions

What is your name and surname?

Where and when were you born?

How long have you been here (Dukuduku)?

On Dukuduku:

What do you know about the history of Dukuduku?

Why according to the authorities you were removed from the forest and why you resisted?

How was the nature of resistance?

Who organized resistance, were you part of the resistance or not?

How would you describe the role of traditional leaders in the struggle against removal?

What was the role of local political activists in the resistance against evictions?

What was your role?

On Mining:

Do you believe that mining in this area would benefit you and other community members?

How people and the environmentalists have responded to the call for mining in protected wetlands of St Lucia Park?

Do you support the idea of tourism or mining in St Lucia and why?