

# Association For Rural Advancement

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## External Evaluation Report 2004 – 2006

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**AFRA** Association For  
Rural Advancement

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## **Executive summary**

### **Achievement of Key Result Areas**

AFRA has made some meaningful contributions to the rural land sector in the past three years, continues to be highly valued by the rural men and women and communities it works with, and to retain the respect of its peers and of various government departments.

This evaluation, using AFRA's own defined three-year focus and key result areas, finds the organisation's impact to be surprisingly limited. While the people AFRA has worked with know their rights better, and a few have been helped through the land legal cluster, rural men and women have not significantly improved their tenure security due to the organisation's work with them, using AFRA's own indicators of tenure security. Apart from the success with the Burials Act, AFRA's work has not resulted in rural men and women significantly influencing the policies and implementation strategies of government.

There are two main reasons for the apparent disjuncture between the above two paragraphs:

- AFRA is not setting three-year goals and objectives that are realistic and attainable, and that are the basis for measurable indicators which can then be used to give a fair reflection of its performance and impact.
- The context is one which is hostile to, rather than enabling of, AFRA's aims and the influence of civil society organisations on the policies and programmes of government.

### **Identity and Scope**

The lack of a single clear political economy ideology in AFRA is a current reality, and is viewed as a weakness by many. There are recognised areas, which lack clarity that hamper consistent and strategic action. This characteristic does, however, allow the organisation the space to thoroughly discuss issues, and to then develop positions and programmes based on organisational values. In its three year strategic planning AFRA does need to set out what it is clear on, and where it is not; where it needs to work for clarity and what can be left "fuzzy" at this time.

Including "livelihoods and integrated rural development", and the cross cutting issues of gender and HIV/ AIDS, it is easy to feel pulled into territory without clear boundaries. And indeed the connections between things, the forward linkages, the impacts, and community expressed needs and priorities, are important in terms of understanding systems, and "how the world works". An important function in strategic planning will be to bring back into sharp clarity the primary focus for the future work, and the place of the surrounding and impacting issues in this. The focus and approach identified for the coming three years is likely to call for changes to the current structure of projects.

### **Outcomes of projects**

Projects display a mixed set of outcomes. If AFRA's approach is looked at in terms of the three interlinked aspects of work: COMMUNITY >> << LEARNING >>> LOBBY & ADVOCACY, then the strengths and weaknesses can be extracted and identified as aspects to build upon, and aspects to drop or change.

### **Successes to build on:**

- The exciting, innovative and effective work done on the “Matters of Life and Death” use of video, along with the processes and event of the Farm Dweller Dialogue.
- The successes of the lobbying and advocacy on the Burials Act and in training provide examples of excellent practice for the team and for AFRA to draw from and build upon
- PILAR is an excellent example of action research and linking community work to learning and documenting. It was also effective at sharing learnings at some levels, whilst not at others, and this offers its own lessons.
- The so far under-utilised opportunity that the Restitution Forum offers for reflection on practice and new ways to lobby.

### **Aspect to change:**

- Projects are not working efficiently and consistently, and are too frequently not following up in a strategic manner on work into which considerable energy and resources have gone.
- While there have been attempts to work in a systematic manner to build capacity of district structures and the TSCC, there needs to be a change in how the work is conceived and carried out. This needs to enable a change in the relationship with the TSCC and districts, away from the high levels of dependence, and away from “organizing” to “support” for social mobilisation.
- It would be more effective to do a few focused things well and thoroughly than many things poorly. Do less, better; with clarity on limits and clear strategies and timelines for taking lessons out and forward.
- The purpose behind working intensively in a few communities is in order to draw lessons for advocacy and lobbying on alternative frameworks. As analysis and documentation is weak this is largely not happening, with PILAR as a notable exception.
- The Restitution, LEP and FDT projects are working without a strong theoretical or strategic framework that is kept alive through reflection. This indicates the need for support to draw learning from work to date, which can then inform strategies.
- The PILAR project hit political and power dynamics at provincial and national level which blocked its advocacy impact. As PILAR continues, new strategies for advocacy should be developed, drawing on lessons from across the AFRA projects.

### **Cross Cutting Issues**

#### **LIVELIHOODS**

All the projects display an awareness of livelihoods. However what is needed now is to push this forward beyond a first level of understanding. A livelihoods approach is quite different to the paradigm underlying current mainstream thinking about Local Economic Development (LED). AFRA has initiated building livelihoods thinking in as a starting point to planning. However just how to argue for this and how to take the next step to enable more incisive engagement with communities and with other stakeholders when it comes to development planning and to LED, is called for now.

## **GENDER**

Along with the existing strategy, make it each project manager's responsibility that gendered activities take place in work and in reflection, that distinguishes men and women's interests, and the gender dynamics between them. Encourage them to do so with simple yet sophisticated support from senior management. Contract in resources if needed for this support, so that it is structured in.

## **HIV and AIDS**

There is a danger that this becomes "another issue not followed up on". A clear decision should be made on what the next steps are. If the broad approach is agreed with, perhaps each project should first have an internal process with the Gender Advocacy Forum (GAF) of thinking through what it may mean in that project. It would make sense for this to be done after strategic planning – thus the suggestion is that this is planned for in the strategic planning session.

## **SOCIAL MOBILISATION SUPPORT**

Community members feel dependent on AFRA, they value and trust AFRA as a champion, and as a means to gain access and also collective power, which they would find very difficult to do on their own. Inevitably there are also discomforts with this dependency and the power relationship.

Clarity is needed on what AFRA understands its role to be in providing support to social mobilisation. The work of AFRA staff is currently largely with organizing the district structures, and with the TSCC. It is not clear to all how these relate to the Landless Peoples Movement, and what exactly constitutes the "social movement".

The financial relationship AFRA currently has with district structures and with the TSCC structures can and should be changed. The financial team at AFRA is in a good position to set up simple systems at the right scale, and to give regular support and capacity building inputs, which is also a monitoring role. Funding proposals should ideally be written together, and there could be a level of co-management of these funds.

## **Internal Issues**

### **Governance**

AFRA's Board is made up mostly of two distinct and different kinds of people:

- Those with a long history of involvement with AFRA, with a deep loyalty to it, (all white men at this stage).
- More recent members who are drawn from the communities AFRA works or has worked with (almost all rural black men and women).

There is a perceived (and observed) "culture" of interaction in the meeting between older members that is excluding of inputs of more recent members. This is partly the informal manner: the language, tone and joking; and also the rushed nature the meeting. The Board is now also over-large in numbers.

A lot of leadership in the organisation's direction and strategy comes from senior management, for whom the Board have a high regard. More clarity on delegation of powers is desired by these senior managers.

There is a serious question arising about AFRA changing its organisational form from that of a membership-based voluntary organisation to something else. This should not be delayed, for what is not a crisis now could become one should it not be dealt with proactively. During this process the current problems facing the Board should also be addressed.

### **Reporting and meetings**

Systems need to find the right balance in terms of meeting organisational needs and not becoming unwieldy and thus starting to work against what is required of them. There are signs that some systems need revisiting. Systems for reporting look coherent and highly organised, but are not always followed through. It is not clear exactly where the problems with reporting and communication all lie, but it may well be linked to the phenomenon expressed as “too many meetings”, and lack of writing and computer skills.

Clarity on the purpose of meetings, better preparation for them, and clear prioritization are called for. The regular meetings and fora should be redesigned in order to be streamlined and their functioning improved, by building on what has worked well in the past and leaving behind what has not worked.

The current practice of spreading people across many projects should be changed to more focused, higher quality work, using other means for communication and sharing across projects.

### **Staffing and skills**

A skills assessment and more careful allocation of skills is called for, recognising internal skills, and where they are best deployed, and which skills are needed from outside for specific roles. Like all ngos, AFRA has a fairly high staff turnover. This has not been found debilitating as yet, as the organisation has had sufficient depth. Nevertheless people remain the organisations major resource, and need to be managed for sustainability too. Capacity building should be focused on skills needs.

### **Setting objectives**

Careful formulation of objectives and indicators for the next period, at the 3-year strategic level, will provide the framework for implementation plans and for monitoring progress. Team and organisational evaluation can then be more rigorous. Staff are not self-critical enough in evaluations. Having clearer indicators can help this. It is also important to link the performance bonus to individual, as opposed to organisational, performance review. Linking performance bonuses directly to an internal view on organisational success works against honest criticism for learning and to inform new planning.

### **Sustainability**

AFRA is secure financially in the short term because of its reserves - however there are budget constraints, and shortfalls of funds in 2005 and 2006, which should be viewed with concern. It would be wise to anticipate a steady increase in project based funding, which requires different systems and a greater awareness by project managers and staff of budgets and the need to monitor these, including budgets for time. AFRA may need to seek new sources of funds. There are proposals for the Board to consider on alternative ways of funding the organisation. It is timeous to consider these now.

The tightening and changing funding environment confirms the need for greater efficiency and for project managers to develop higher levels of budget management skills, and the computer skills that go with this. AFRA should consider investing some of its own reserve

funds in updating its computer systems and encouraging greater skills and independence regarding computers and information management in each team.

### **Networking**

AFRA has played an active role in national networking in the NLC. With the national office gone, relationships with affiliates remain. AFRA is highly respected and seen as a leader in the land sector. This means that AFRA can lead collaborative work with affiliates. Such work should be sought proactively, and be clearly focused on content and pre-defined, desired outcomes.

As the recent internal strategic session on networking displayed, AFRA has a great number of networking relationships. Interaction should be prioritised and clearly based on the meeting of objectives.

AFRA has prioritised working with local government, and this will present a set of new challenges as well as providing real opportunities. A strategic engagement must not only make connections for Local Government at a content level, but also in relation to how they actually operate and what struggles they face quite practically.

### **Conclusion**

AFRA continues to be a significant NGO in the land and rural sector in KZN and in South Africa. AFRA works on issues that are critical and yet are marginalized, with people who remain some of the most vulnerable in the country. AFRA also continues to draw on innovative and cutting edge ways of thinking and working. This is at a time when civil society more generally is weakening rather than growing in influence and robustness. The organisation cannot rest on the regard it has earned with complacency however, for while there are strengths to build upon, there are critical weaknesses it will need to address. Moreover the coming few years are not likely to be comfortable ones for the organisation, and tightening internal practices will be important to engage effectively and meaningfully, and to survive an increasingly tough funding environment.

## **Section 1. Introduction**

### **1.1. AFRA's context**

AFRA is an NGO working on land rights and agrarian reform which has been operating since 1979, when it was first established to support communities threatened with forced removals. Its role, approach and methods have adapted over time: from an active role in supporting the development of policies for the new land reform programme, to a shift into supporting communities to understand their predicaments, to identify the source and nature of the problems they face and to mobilize and organize to overcome these.

It is AFRA's view that the current framework for the land reform programme is flawed, that it does not attempt to rectify or transform the skewed power relations created by skewed access to critical resources like land; and that it is guided in the first instance by its impact on the market both nationally and in the global arena. The current programme will need to be challenged for it to be changed; and for it to be challenged meaningfully and effectively, landless peoples themselves will need to drive this process. AFRA's approach is to support the building of broad based landless people's organizations across the province. Where specific communities are supported this is with a view to drawing lessons for improving implementation options in land reform and for lobbying and advocacy on proposed alternatives to the current framework.

This approach was first adopted in the 2001 – 2003 strategic plans and refined in the 2004 – 2006 strategic plan. In 2005 AFRA reviewed its communication strategy, which resulted in identifying local government as a key stakeholder to target in lobbying, in the hope of developing new strategic partnerships in engaging in the struggle to revise the land reform framework.

### **1.2 Background to the external evaluation.**

As part of the Planning and Evaluation Cycle of the organization AFRA evaluates the progress and impact of its interventions, strategies and project work annually. As its work is framed within a three year strategic plan AFRA undertakes an external evaluation every three years to evaluate its effectiveness and provide a sound platform for planning the next three-year strategies.

The previous external evaluation was undertaken by Umhlaba Development Services in 2003.

The Terms of Reference (ToR) for the evaluation were comprehensive. Here the overall goals of the evaluation are noted for the reader's more immediate reference.

#### Overall goals of the evaluation

- Assess the continued relevance of AFRA's mission within the provincial and national context and in relation to its target group;
- Assess the effectiveness of the current projects and programmes, the methodology used and the structure in relation to the mission of AFRA and the target group;
- Assess the impact of the projects and programmes in relation to the key focus area and strategies;

- Assess the effectiveness of AFRA's planning, monitoring and evaluating system in terms of progress, impact and cost.

### **1.3. Methodology**

From the TOR, a framework was developed, and this was discussed and agreed to with the Project Managers Forum (See Figure 1 below). Thereafter a number of documents were reviewed (see the list of documents reviewed in Appendix 2), and a series of semi-structured interviews was held, in meetings and through phone calls, with each project team, some staff members, some Board members, some community members and structures and some external stakeholders. I also accompanied staff to two community meetings to both observe the processes, and to interact with community members, and also observed two internal AFRA meetings. (See a full list and schedule of activities in Appendix 1). Emerging observations were discussed with the Director and Deputy Director as the evaluation proceeded. A draft evaluation report was sent to AFRA management for comment and distribution. A 2- day workshop was thereafter designed and run with staff and some Board members, working with the draft evaluation report, to affirm and deepen the analysis and identify key issues for strategic planning.

Two weeks later a 2-day strategic planning session was held with staff and some Board members. This was captured in a separate report.

### **1.4. Limitations**

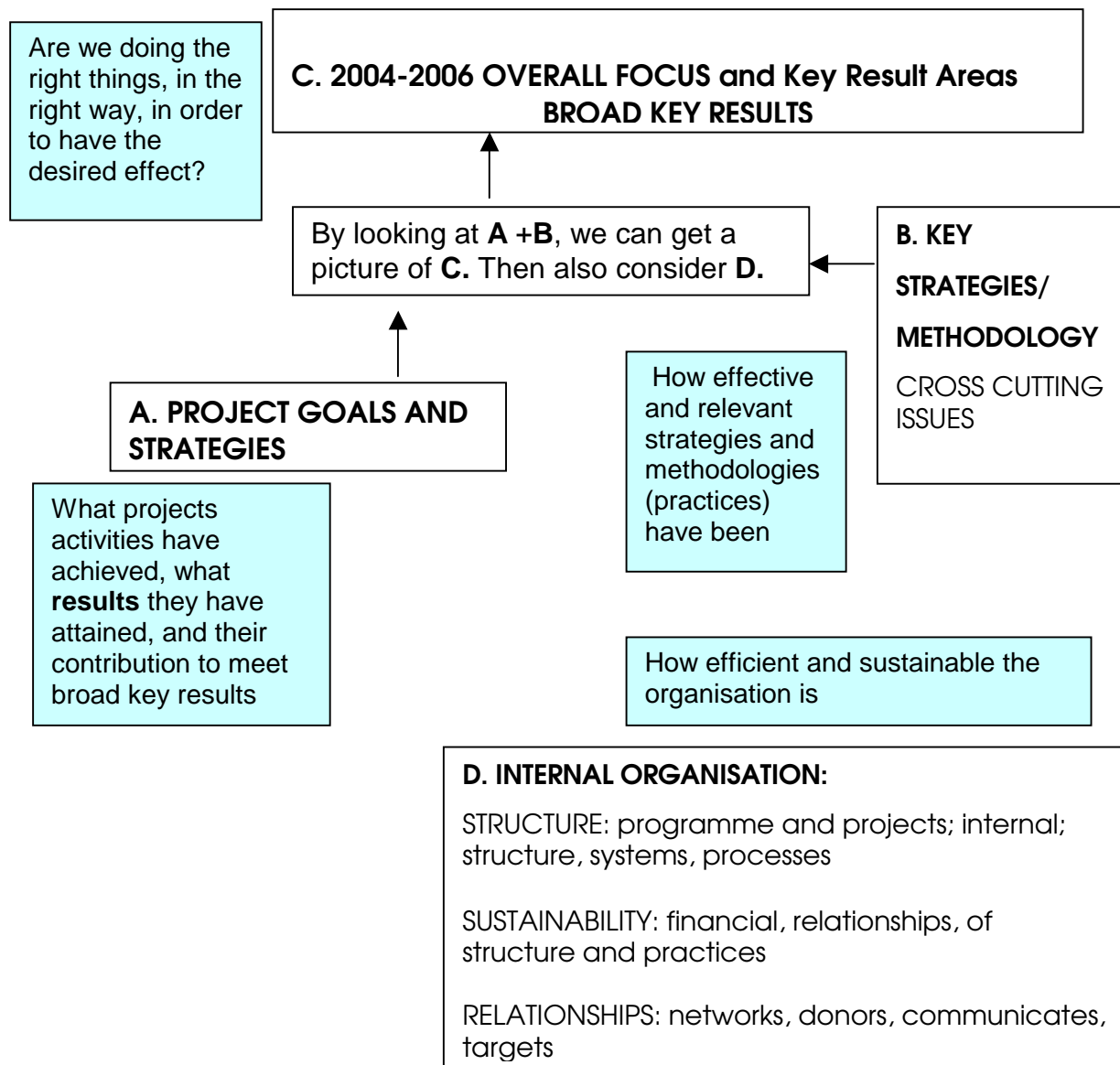
Not all the people were interviewed who were identified as important by AFRA. Two more project team leaders were to be accompanied to the field, but they were then not available for this. Some of the Board members and external stakeholders were not available in the time period available. The 2 –day evaluation workshop was cut to one and half days due to the Impendle community protest and AFRA staff involvement in this.

However a broad enough view was obtained for the results to be valid in my view, and this was affirmed by the staff and Board members present at the evaluation workshop, who interacted with the draft report in great detail.

**Figure 1: Framework for the Evaluation**

The following framework for evaluation was adopted, which sets out the aspects of AFRA’s plan, and the questions asked of each aspect, and how these add up to providing a view of the organisation.

**An overall view on the relationship of aspects evaluated**



## **Section 2. Contextual analysis of land and agrarian reform issues**

South Africa is an embedded part of the global economy, and the trends globally are reflected in our national policies, which have local impacts. The dominant global economic policies create a framework, one expression of which is the marginalization of transformative land and agrarian reform.

The current picture of South Africa, and projections for the coming few years, are full of promise for the privileged, and depressing for the marginalized and those that seek to support them. The business pages of South African newspapers celebrate the mega-profits of large corporates and government congratulates itself on the success of its economic policies. But poor men women and children living in city, town and country remain trapped in vulnerable, contingent lives. Backlogs regarding provision of water and housing increase in size, “delivery” is not winning the battle.

The political will behind land reform, and the protection and development of the poorest remains low. Land reform is slow and failing in its targets of redistribution, restitution and of providing secure tenure to all South Africans. Evictions continue on farms, and farm dwellers remain largely unprotected from abuse. There is a growing acknowledgement that the LTA and ESTA are flawed legal instruments, and this is combined with the lack of capacity of government to implement and support its own laws. Restitution draws rapidly to the end of its extended lifetime, with many claims unresolved. Restitution is not taking place in a way that leads to real redress. Redistribution was to be re-thought post the Land Summit, but all that has emerged is some talk of expropriation for restitution. The Communal Land Rights Act is not yet being implemented, and is being challenged in the Constitutional Court, creating further uncertainty about its future, and about tenure reform for the ex-homelands and the millions of rural people who live there.

For those who do succeed in obtaining land under land reform, for some this secures their base, but too many are unable to utilise it to improve their livelihoods. There is no systematic support for land reform beneficiaries, and this is part of the larger lack of a vision or systematic programmes for agrarian reform, or to enable or support development, i.e. structural changes that create the basis for the majority of poor people to become economically active. The new national programme of Asgisa is proposed to do this, and there are promises of large injections of funds into programmes aimed at poverty eradication. There is every expectation that this will in large measure be more of what we have seen already – the growing black middle class, a growing black elite and a growing black poverty class. The divides remain and increase, and the colour make-up changes to an extent, but the majority of the poor are either little better off or worse off.

Municipalities and departments struggle to deliver services. The problem is not primarily one of not enough money – we regularly see budgets under-spent in departments and at municipal level. There is a problem of the ability to spend money, which is an institutional weakness. Municipalities are still young institutions, but are the channel for local development. Planning frameworks for integration to exist in theoretically, but are unevenly implemented. They do still provide local opportunities for improving planning and delivery of services, but do not offer vision. This is a limitation, but given the state of development, also perhaps an opportunity for proactive engagement.

### Some forecasts

- The political priority of land reform will dip with the ‘end’ of restitution
- There will be declining space for a populist land reform agenda, but increased need for engaged critical voices on these and related issues
- AGRI-BEE is likely to dominate discourses around land and agriculture. With the transformation agenda and the Agri-BEE charter, we can expect to see more land rights infringements and evictions in future, and increasingly with black farm owners (we are already hearing things like “but these restrictions on land rights did not apply to whites before!).
- The land sector will still be fragmented, but there will be a continuing need for links and collaboration with others.
- There will be some funding directed to social movements, and the need for them to deepen their leadership and skills – maybe a continued high dependence on ngos
- Pressing new problems will arise – unsustainable patterns of resource use, more conflicts over energy, water and other scarce resources, an increase in urbanization and urban poverty
- Continuing disjuncture between policies and practice/realities in relation to natural resource regimes
- Links between natural resource regimes, structural poverty and socio-economic rights will continue to be problematic
- Underlying all of these: the dominance of an industrial, capitalist models of agriculture, natural resource exploitation, and food production/distribution systems, both globally and in SA – these are resource hungry, environmentally destructive and exclude the poor, for whom food security will be a major problem.
- HIV AIDS will increasingly be felt, and remain high on the agenda. Its linkages to other forms of vulnerability, poverty and gender and children, will be come clearer.

The question for AFRA is what is most critical to give attention to, given its own mission. Which challenges and opportunities should be the focus of attention, when so much is linked and clamours for priority? In the evaluation workshop with staff the following visual picture of the context was developed, in which the major challenges and opportunities were set out. People then considered where there seemed opportunity to engage and to have some influence or impact, and where it was not likely and influence could be exerted, but it is nevertheless important to understand and track.

The symbols shown here were used to identify where the following questions were answered

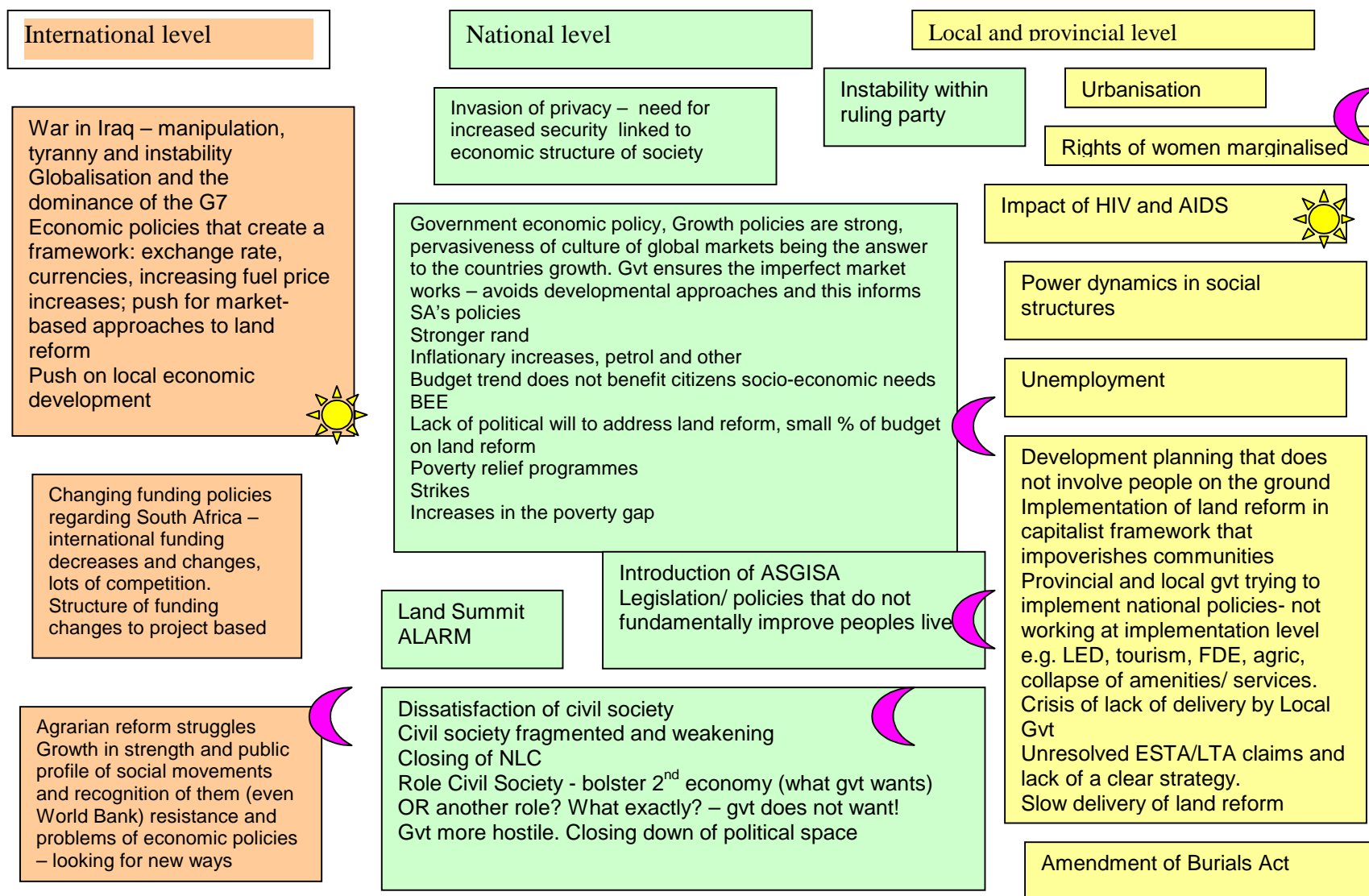
**Where should we engage?**



**Where should we seek to understand and manage?**



**Figure 2. Picture of AFRA's context**





**Engage where?**

Agrarian reform: Understand and articulate that land reform happens within agrarian reform  
Civil society: Influential role in and beyond the land sector on the role of civil society  
Land reform policy: engage it on critiques and alternatives  
Developmental policy frameworks: engage those that impact on service delivery  
Rights of women: engage with in our work – seek to achieve what?



**Understand and manage where?**

Understand economic and political issues, discourses, frameworks, and alternatives  
Understand impacts of HIV AIDS on our clients, and what this means for policy in our field

## Section 3. Evaluation results

### 3.1 Overall focus results

#### **2004-2006 OVERALL FOCUS AREA**

*To secure tenure in order to improve livelihoods within an integrated rural development framework.*

#### **BROAD KEY RESULTS**

- *Rural women and men have improved security of tenure in KwaZulu-Natal, particularly the communities with whom AFRA works.*
- *Rural women and men influence Government and other stakeholders' policies, implementation strategies, plans and budget priorities to recognise and improve their livelihood strategies and its effect on achieving agrarian reform.*

AFRA has made some significant contributions to the rural land sector in the past three years. The organisation continues to be highly valued by the rural men and women and communities it works with, and to retain the respect of its peers and of various government departments.

This evaluation, using AFRA's own defined 3-year focus and key result areas, finds the organisation's impact to be surprisingly limited. While the people AFRA has worked with know their rights better, and a few have been helped through the land legal cluster, rural men and women have not significantly improved their tenure security due to the organisation's work with them, using AFRA's own indicators of tenure security. Apart from the success with the Burials Act, AFRA's work has not resulted in rural men and women significantly influencing the policies and implementation strategies of government.

There are two main reasons for the apparent disjuncture between the above two paragraphs:

- AFRA is not setting 3- year goals and objectives that are realistic and attainable, and that are the basis for measurable indicators which can then be used to give a fair reflection of its performance and impact.
- The context is one which is hostile to, rather than enabling of, AFRA's aims and the influence of civil society organisations on the policies and programmes of government.

These two points frame the evaluation given below, and the recommendations for the future that flow from this.

As a general statement one can say that in the past three years there has been some good, and some excellent, practice, and results; and also some poor practice, and so poor results. It is instructive to reflect on some of the findings and recommendations of the previous evaluation, for it helps to put the current findings in some context. Thus where relevant these will be referred to.

To look at this in detail we turn to considering first each project.

### 3.2 Project goals and strategies

The project goals and indicators are not very useful for looking at impact – as they are very broad and most are not measurable – they are more in realm of long term aims, from which more grounded 3 year goals and objectives were not developed. This became evident to each project team as we reflected on progress towards them. Some lower level milestones were developed and are more useful to track progress, but goals and objectives are too broad to provide implementation direction to the projects, and do not cover the various aspects the projects should be active and achieving in if impact is to be achieved.

Project goals and team reflections on progress towards meeting these

#### Farm Dweller Project

To facilitate the relevant support needed by Farm Dwellers in order to resolve claims and applications so that they secure their tenure and access sustainable development and support by 2006.

*Team comment: This goal is very broad – the time frame is not really realistic for 3 years. A lot of this is not in our control, and we are a long way from achieving it. The context is that DLA has a new strategy for resolving ESTA claims but we fear this will not take place – DLA is not doing anything. Our strategies have been more towards development than secure tenure.*

#### Restitution Project

Restitution claimants (Dukuduku, AbeKunene and Gongolo) settle their claim through a restoration of land option that contributes to enhancing their livelihoods and integrating their development with the broader environmental and economic plans in the district.

*Team comment: Achieving the goal depends on the Restitution Land Claims Commission (RLCC) – mostly it is not in our control. There is a lot we do not know. We don't have a clear time-line one can work on to say "this is how long it will take".*

#### Legal Entity / PILAR Project

Land administration systems and communal property institutions that secure the rights of individuals, households and the group and provide a base for improved livelihoods are in place in three different communities in KwaZulu-Natal by 2006.

The land administration system developed locally at Ekuthuleni has clear institutional linkages into public systems of administration and recourse, and is useful in dispute resolution, credit access and improved state provision of infrastructure and services.

*Team comment: The project goals and indicators are very ambitious, the way they are formulated. The indicators we drew from the Leap Project are useful, and we did use them to reflect, but it would be better if we formulated them differently.*

#### Land Legal Cluster Project

To increase the security of tenure of Farm Dwellers through facilitating improved access to legal recourse, improved knowledge of their land tenure rights, and improved policy, legislation and practices that establish and support farm dweller land tenure rights

*Team comment: The team finds the way the goals are framed quite difficult to relate to. The context is such that there is simply not enough in the system that works for farm dwellers recourse – and we cannot do enough. The question for us is has the Cluster project added value? Given recourse?*

The 2003 evaluation had a similar problem “*In the case of AFRA, some of the Key Result Area’s they chose are largely out of their control. ...This is an organisational systems and planning weakness.*” The above reflections need to be consolidated into learning, and a different approach taken to formulation of objectives and indicators for the next period, at the 3-year strategic level, at a level down from the longer-term goals. This is critical as it can provide the framework for implementation plans and for monitoring progress and impact. “What we measure is what we do”. Formulation needs skilled and strategic management input, and some agreed guidelines that all work from.

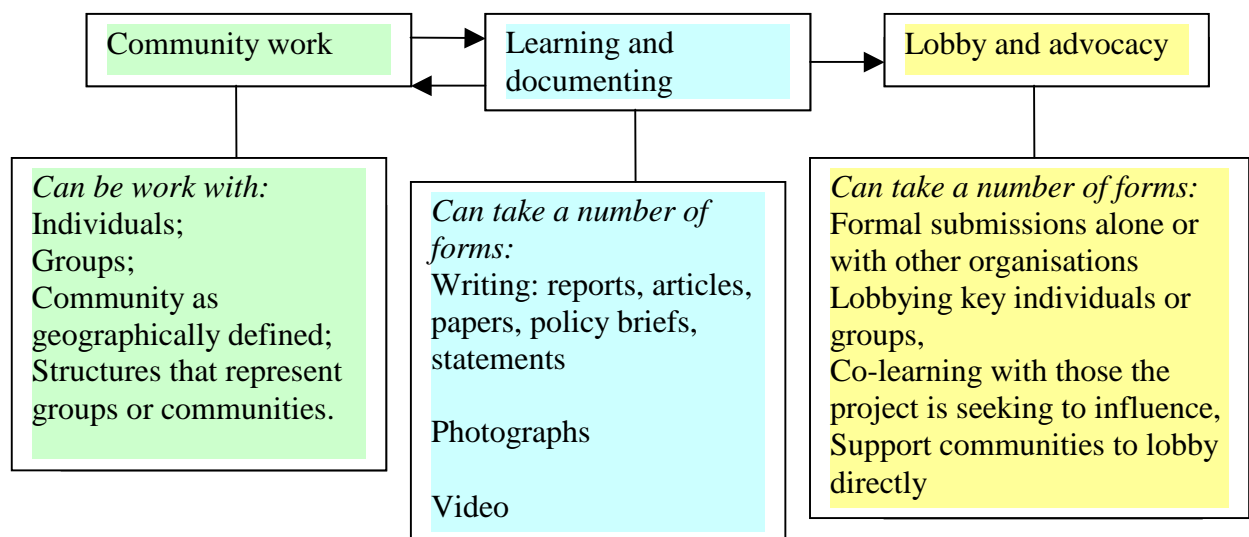
As noted earlier, that projects are not meeting their three-year goals does not mean they have not achieved anything. In order to reflect usefully on what has been achieved and what has not, and where the strengths and weaknesses of each project lie, this will be set out according to the operational model that AFRA has adopted for implementation.

### 3.3 Key Strategies and Methodology

Although this is not how the methodology is articulated in the plans, the operational model AFRA is working with can be articulated as having three components, which feed into and inform each other.

- Community level
- Learning organisation – documenting experience and learning
- Lobby and advocacy

**Figure 3 Operational model**



Work with communities is carried out, is reflected upon and learned from and documented, this then feeds back into further, improved work with communities, and also into advocacy work.

Each project should be working at all three levels in this way, although exactly how will vary depending on the project.

## **3.4 Farm Dweller Project**

### **3.4.1 Approach and background**

AFRA has a long history of working with and promoting farm dweller issues, for this group remain vulnerable and largely marginalized from broader development initiatives in their areas, and poorly served by land reform programmes. AFRA thus planned to continue to support the organised formation of farm dweller structures, as this should give them a stronger voice to speak out, and to argue for recognition and support. This is also seen as contributing to the building of a social movement. Plans were to support nine district structures, which built upon the previous three years work of setting up district committees in 7 areas and work with the TSCC. "Districts" is a loose definition AFRA uses which do not match with formal boundaries. The evaluation of 2003 noted that these structures were dependent on AFRA, and were calling for an increased presence of AFRA, while AFRA sought to see its role gradually minimised. It also noted that an increased linkage with municipalities appeared appropriate, and that the changing terrain made an ongoing role for AFRA in providing updated information.

The Farm Dweller Project (FDP) team had capacity constraints at first, as the capacity needs were initially underestimated, and then team further suffered from staff resignations in 2004. While there are now 10 districts some are better established than others, and in some places there are conflicts which make work there difficult and more time consuming.

### **3.4.2 Strategies and methodologies**

#### 3.4.2.1 Community

The community aspect of this project works primarily to support the development of representative structures for farm dwellers. The expression of this has been working with each of the (currently 10) farm dweller district committees and also with the Tenure Security Coordinating Committee (TSCC). This project is currently the biggest in AFRA in terms of budget and numbers of staff involved.

Community work involves staff supporting the establishment of the district committees: that each district establish a structure, and that each structure has women represented on it. Each structure is helped to develop an annual plan of action, which is then supported and monitored each month. Team members guide what these plans focus on, and AFRA provides some limited budget to support these planned activities, as well as support to the management of and accounting for these funds.

The project team also provides capacity building and training – their programme focused on the understanding of local governance issues covering four broad areas: co-operative governance, the legal frameworks for community participation and for local governance, and Integrated Development Plans (IDPs). Financial management and budgeting was also done with the TSCC. Other training workshops were organised: one on CLaRA with the PILAR team, and one on HIV AIDS, and a Provincial Gender Workshop for farm dweller women was also held to raise women's specific interests. Team members supported planning and evaluation by the TSCC, and played a crucial role in facilitating the first ever TSCC AGM. AFRA provides office space for the TSCC in its building.

The FDP team was faced with many conflicts with structures, such as Ingogo and between TSCC and FEDCO, which then need to be managed and resolved. Processes are underway to develop “contracts” with each district in order to clarify roles and responsibilities.

#### 3.4.2.2 Documenting /learning

The documenting /learning aspect has been taken up in a number of ways.

**Baseline surveys** were planned, to draw up profiles for each district, to guide strategic interventions and provide a base of information to capture and build upon.

In conceptualizing the FDP plans in 2004 it was anticipated that the baseline surveys would be an important vehicle in guiding the team’s strategic intervention in districts. However this didn’t materialize since the team under-estimated the amount of work need to be done in this regard, and also kinds of problems to be faced on the ground. This resulted with two districts being completed (Ingogo and Greytown) and third one started but not completed (Mooi River).

**Reflection** happens within team meetings and during organizational strategic sessions.

**Monitoring and evaluation** sessions with district structures includes some element of reflection for learning

The two above are documented inconsistently, and usually in limited ways.

**Three initiatives** for analysis, learning and documenting took place in the period under review within this project’s ambit.

In the wake of the high profile World Parks Congress held in Durban, AFRA contracted research on the relationship between conservation and tenure security for farm dwellers. AFRA then convened a workshop on **Communities, Conservation Eco-Tourism and Tenure Security** to feed back the results and to facilitate discussions between communities on their perspective and experience.

The **documentary video “Matters of life and death”** was produced in which farm dwellers articulated their own situation and experience directly, in a media that could then be shared and raise the issues very powerfully. The content was also captured in written form in an issue of AFRA News “Matters of life and death” (Nov 2004).

Following this initiative up with a series of **workshops with communities** in mid 2005, provided a platform for farm dwellers to discuss collectively their understanding of the challenges which impact on their livelihoods and tenure security and also to articulate their concerns about problems and failings of the government’s national land reform programme, with recommendations for resolving such. The outcomes also informed AFRA’s own developing positions on emerging issues. AFRA documented the outcomes in workshop reports and in an overall analysis report in English and Zulu.

#### 3.4.2.3 Lobbying and advocacy

The “Matters of life and death” video was launched at a public event, in the context of 10 years of democracy celebrations. The video was followed by the workshops with farm dwellers and then an event organized by AFRA of a Farm Dweller Dialogue, in the Pietermaritzburg City Hall, between farm dwellers, landowners, government officials and parliamentarians. The video, workshops and Dialogue also contributed to the lobbying for

amendments to the legislation preventing burials on farms (Provincial Cemeteries and Crematoria Act), and to the ultimate success of this. It also led to farm dwellers attending the Provincial Land Summit well prepared to articulate their views and issues.

There have been engagements with local government to make them aware of farm dweller and land reform issues. This work has resulted in a slight shift by municipalities. Now most municipalities are acknowledging farm dwellers, and invite them to meetings discussing development on farms, and they are also represented in IDP forums. The work is on-going, and currently there is active engagement with the Amajuba Municipality, to whom AFRA presented a discussion document on the issue of development on commercial farms.

### **3.4.3 Strengths**

Community based organisations and social movements are currently seen as critical to community and to civil society having “voice” in the land sector at this time by almost all actors (communities, ngos, government, donors). AFRA is prioritizing the support of this and investing considerable of its resources here, seeking a systematic approach to capacity building that supports and guides but does not control, and that clarifies its relationship with the structures. The team is well aware of the tensions it has to manage in this relationship, and the need to move away from the current dependency.

The video and the Dialogue are examples of excellent and innovative practice – enabling and supporting of the farm dweller voice, facilitating analysis and developing a collective stance being empowering, and documenting it thoroughly for multiple advocacy purposes. Strategic advantage was taken of the opportunity of the 10 years of democracy hype, it created platforms for analysis and advocacy, and fed into specific legislative review and succeeded in this. While full use of advocacy out of this may not yet have been made, this does provide a good example of practice that links the elements of the methodology as envisaged, in an appropriate role for AFRA.

### **3.4.4 Weaknesses**

In seeking to be systematic in working with structures, and actually being rather inefficient and inconsistent, AFRA ends up having too much control over structures. AFRA is playing an organising rather than a support role, which is not appropriate. Annual plans from each district wait on project staff organizing/ facilitating this. Well into the second quarter not all have been done, and this appears to be a mix of some districts being better organised than others, but also of team members not getting their side in place. With 7 team members and 10 structures this is difficult to justify. The importance and scale of the project, and its initial under-capacitation, has led to including members from all the other project teams in this project team. Team members complain that there are many demands on them, and that “things come up”, such as internal and external meetings. To an observer it looks like some poor prioritization and inefficiency, and there are signs that this staff spread is leading to inconsistent practice, and possibly a lack of accountability.

It also looks top-heavy, given that AFRA is seeking to support and not control. The TSCC itself complains of inconsistent practices across districts, and of what they perceive as favoritism. There was also report of a feeling that some staff “are not committed”, but that it is difficult to take this up with AFRA as there is no clear platform or process. Meetings take place generally monthly with districts, and yet even these can be cancelled by AFRA with little notice, which is extremely difficult for a district structure. There have been plans by the

team to set in place clear agreements with the districts, which has not yet happened in all of them.

The financial relationship is clearly not easy, and causes some TSCC members and districts to feel controlled, although others recognise that it is a matter of working within given budgets. There have been specific meetings to clarify issues of relationship, and while some inherent tension seems inevitable (for people are and feel extremely dependant on AFRA for access to resources, to information, for connections and to be heard) thus it is clear that a further shift is needed, in the relationships and in the way this work is organised and carried out by this team.

Conservation and tenure security is an issue highly relevant and topical: for many specific communities, for land reform more generally, and with a national and international focus of attention on conservation and tourism. The initiative of the research plus the workshop was not, however, taken further into focused and strategic lobbying and advocacy, which is a waste then of opportunity and of resources.

Documenting has happened when there has been a focused, planned process with advocacy outcomes, with inputs from outside the team. Within the team, even keeping up with organizational written reporting requirements is difficult.

From the Dialogue a focus on advocacy regarding ESTA and the LTA was identified, but has not been taken forward. The internal team view is that this is another example of not taking initiatives forward with clarity and impetus.

### **3.4.5 Summary outcome**

- This team works on an important and prioritised aspect of AFRA's work.
- While there have been attempts to work in a systematic manner to build capacity of district structures and the TSCC, there needs to be a review of and change to how the work is conceived and carried out. This needs to enable a change in the relationship with the TSCC and districts, away from the high levels of dependence, and away from an "organizing" to a "support" role.
- There has been some exciting, innovative and effective work done within this project, specifically the "Matters of Life and Death" use of video, along with the processes and event of the Farm Dweller Dialogue.
- The project is not working efficiently and consistently, nor is it following up on work into which considerable energy and resources have gone, in a strategic manner.
- It would be more effective to do a few focused things well and thoroughly than many things poorly.

## 3.5 Restitution Project

### 3.5.1 Approach and background

The Restitution Act of 1994 provides that those dispossessed after 19 June 1913 be either restored their ancestral land, given monetary compensation, alternative land combination of alternative land and monetary compensation. The market led approach and bureaucratic processes of implementation leads to the slow pace of settling claims. The lack of integrated planning and between DLA and RLCC confuses and divides communities. In some cases restitution claims take priority over labour tenancy and this fuels tensions and conflict in the community.

Restitution is supposed to be about redress of losses that people incurred with regards to land. However AFRA believes that several issues are ignored in the debate and practice of restitution, making it flawed in conception and this is worsened in practice. AFRA has a history of working with some specific communities in support of their claim, but in so doing, raising fundamental challenges to the restitution programme implementation practice in each case.

The previous evaluation suggested that AFRA should reconsider its approach in the area of restitution to ensure that its impact goes beyond the handful of communities its works with, and that it should therefore focus on its advocacy role in this area. Thus there was some emphasis on the first key output being to lobby and advocate for and restoration through drawing lessons from community work. However the objectives and outputs for the three year plans were developed in relation to each community, and not for the project as a whole, thus the focus indeed has been more on the specific communities.

The three communicates are diverse in their history, situation and relationship to the restitution programme. A very summarised statement of where each community was at the start of the three-year cycle reported on here is now given:

Dukuduku saw people forcibly removed in the apartheid era, and even after lodging a restitution claim facing harassment for their decision to remain in the forest while the claim is investigated and resolved. Environmental and economic development plans for the area will be weighed up against their restitution claim. In 2003 the claimants challenge to the Commission, with AFRA's assistance, was successful, when the Land Claims Court instructed the Commission to gazette their claim within a 30-day period. This presented Dukuduku with the opportunity to be part of deliberations aimed at deciding their fate.

Abekunene were removed from Boschoek Farm after an expropriation in 1966 and the use of that land by the SANDF ever since. AFRA assisted the Sigwe Tribal Authority to lodge a claim in 1995, which was subsequently validated by the Commission. The Sigwe people currently reside in an established area over 50 kilometers away from the claimed land, but they wished to have the land restored to them. The Commission and the SANDF insisted that the claimants settle for alternative land with some limited access rights to Boschoek. Claimants were reluctantly agreeing to consider this, but no serious efforts to identify such land was being made.

Gongolo is an area across Estcourt, Weenen and Mooiriver with a long and troubled agricultural history, fraught with removals, evictions and banning of labour tenants from farms. At present over 1200 people call this area “home”. Local farmers earmarked this area for a Wildlife Game Reserve. Over 70% of the proposed game reserve area is under claim, from some 1,000 claimants, in numerous claims. Government and farmers have joined forces to turn this into an eco-tourism venture, which requires all current occupiers to relocate, and which points to profits being our before the interests of poor people. AFRA is working with a committee that represents labour tenants, occupiers, claimants and community members, who are seeking to assert their rights and needs.

### **3.5.2. Strategies and methodologies**

#### 3.5.2.1 Community

This project has worked with the three restitution communities of Dukuduku, Abekunene and Gongolo. In this case specific communities that are engaging in restitution processes were supported, with a view to drawing lessons for lobbying and advocacy on proposed alternatives to the current framework. The team has worked primarily with community committees, supporting them through:

- Building their unity and capacity: providing information, running some capacity building workshops (IDPs, conservation and game parks research workshop,) assisting in setting up legal entities appropriate to their situation, helping them to develop their own visions and plans based on clear information, and linking them into district community structures and the TSCC.
- Supporting them to develop working relationships with relevant stakeholders: liaising with government actors (e.g. RLCC, local government, DLA, DWAF), their service providers and also with landowners; informing communities of developments and the progress of their claims; holding regular meetings to discuss and devise strategy for negotiation and interaction.

The three communities are in very different situations, and work has progressed differently with each. AFRA withdrew from working with the Abekunene after leadership was contested, power shifted and this community as a “project” accepted the RLCC processes of alternative land. Not all community members agreed with this, and there are numerous unresolved issues, frustrations and concerns. However it became untenable for AFRA to work in a divided community. The team continues to work with the other two communities.

#### 3.5.2.2. Documenting/learning

There have been team and organisational internal processes of reflection, some exchange visits and joint reflection with NLC affiliates, and reflection with the “Restitution Forum” (Church Land Project (CLP), Centre for Civil Society (CCS), TSCC and LPM).

Lessons from Gongolo were articulated from this team in an article in AFRA News no 59. The team recognises a need to draw out and document lessons from the Abekunene; this is in their plans – although it’s not clear exactly how this will happen.

In the joint initiative with the Restitution Forum, CLP is now carrying out the reflection and action research aspect (“*what has our practice been as civil society, what are the results and lessons*”), – however it is not clear that there is joint learning, or that there is collective clarity on learning processes or what this should, or will, result in.

An internal strategic session on restitution in late November 2005 articulates an analysis of restitution, and what this means for AFRA working with specific communities who are caught within the bounds of given implementation of restitution, and the broader picture of the problem, limits and inequities of the current approach. It left questions for the Restitution Project, rather than any clear direction of what this then means for them to take forward.

### 3.5.2.3 Lobbying and advocacy

Gongolo has been a complex and a contentious project. The advocacy activities have been a combination of getting a unified community position and voice, clear information, then having bi-lateral meetings and then a multiple stakeholder forum, in order to achieve a common approach amongst the multiple interests and having the community perspective heard. While AFRA and the Claimants Committee can articulate this as strategy, AFRA is not perceived by other stakeholders to have been a successfully constructive player here. While this may well be an expression of what is simply another perspective (i.e. that AFRA should be supporting communities within governments framework), it was specifically contrasted with what was seen by the same government respondents as a positive role in Dukuduku (challenging the RLCC), and in supporting the TSCC (government needs to be challenged). The project itself says it is hard to judge progress, as it is confusing and that there is as yet no one agreed process. This indicates that the strategy for Gongolo as articulated has not been successfully advocated yet. What has made progress particularly difficult is that local government elections meant that an agreed structure (including mayors from 4 municipalities) was dissolved due to the elections, and thus a new strategy was needed.

The Restitution Forum initially planned a “conference of the betrayed” for restitution communities, to allow them space to talk through their challenges, frustrations and disillusionment, and come up with a campaign to challenge government. However the interactions with communities did not affirm this as an appropriate activity. It was then resolved that the Forum should focus on sharpening people’s critical analysis, and so build their confidence to take up their own struggles.

The NLC had planned a national campaign that would discourage communities from opting for monetary compensation, and AFRA planned to take this up provincially. This campaign did not take place.

The issues identified for advocacy have been those of the limits of monetary compensation, and the limits of what is being restituted. However the question for this programme has been how to take these up, in the context of the approach to lobbying and advocacy being that communities and social movements should lead their struggle. A clear strategy for taking the issues and the approach forward regarding restitution is not yet in place, but is being grappled with, within AFRA and within the Forum.

### **3.5.3 Strengths**

Building capacity of committees, through information collection for and with them, training workshops and linking them to other communities via the district and TSCC structures, and through cross-visits, to enable them to find other sources of support and collective action.

### **3.5.4 Weaknesses**

It is not clear that the ongoing relationships with three and now two communities are meeting the objectives of this project. Linking the committees to the social movement and providing capacity development via that engagement may provide much of the input they need. The

intense involvement in three cases has not helped those cases with quick resolution, although it may be providing some insight into what is complex from the community side, and what is flawed from the government's side. Without a strong analysis and learning component to this project these aspects are not highlighted. This means not only that lobby and advocacy are weak, but that it's "reason-to-be" gets rather lost.

It is the project teams own view is that it is difficult to know if it is having any impact, as where claims are up to is unclear to them, that their own thinking and plans do not know how to build in the livelihood and other post-settlement issues that the goal talks of, and that advocacy that meaningfully impacts on the broader problem is not happening.

The work with the Restitution Forum could potentially have provided additional inputs (ideas, energy, processes for focused reflection on practice, connections to a broader restitution focus in the province with a strong political agenda) and new ways to think and work to this team, which lacks clear strong strategic and theoretical direction. The combination of organisational management and project team ambivalence and caution towards that initiative, and a low energy engagement with it, meant the opportunity for such an exploration has been more limited than it could be.

It is interesting to note that on the one side government suspects AFRA of being "anti-government", of supporting communities in ways that are not constructive and taking on of the real challenges, for example of sustainable livelihoods. On the other side the more radically positioned CLP and CCS see AFRA as not being prepared to challenge enough and make waves, – and see a lack of clear activist politics in the organisation. Between these poles of opinion AFRA could suggest it occupies a middle ground -- however I suggest that it is rather that the project team/organisation is not clearly articulating what its ground is with respect to restitution, or perhaps it is more how it sees taking up the issues, which means it is not able to act and communicate clearly. This leads to breakdowns in relationships in its sphere, and an attitude towards it of decreasing respect, and to blockages to clear communication. A RLCC official notes that officials can "choose to go a long way around to get to something" as a blocking response, and the project team members say they do not have clear information on where processes are up to. On the other side there are different understandings and expectations regarding the Restitution Forum project, processes and expected outcomes.

### **3.5.5. Summary**

- The purpose behind working intensively in a few communities was in order to draw lessons for advocacy and lobbying on alternative frameworks, but as analysis and documentation is weak this is not happening. The approach and strategy needs review.
- Work with the communities, and also relationships with government, are not indicating particularly good or innovative practice to draw from, and some creative and strategic thinking and inputs seem called for.
- The project is working without a strong theoretical or strategic framework that it keeps alive through reflection, and has not been able to use the opportunity that the Restitution Forum and joint project with others on reflection on practice and new ways to lobby that it offered.
- Providing support to the specific communities is also taking place through their links to the social movement structures, and thus workshops on IDPs and local government that were seen as particularly useful, could be happening through that link.

## 3.6. Land Legal Cluster

### 3.6.1 Approach and background

This is a joint project that AFRA set up in 2001 with the University of KwaZulu-Natal Law Clinic (Durban Campus), the National Community-based paralegal organisation (NCBPA) and the Community Law and Rural Development College (CLRDC). It was set up in the context of the collapse of land litigation support through funding of private attorneys by the Legal Aid Board, the lack of access to legal recourse for farm dwellers, while high levels of eviction and abuse continued to occur. The vision was to provide farm dwellers with accessible and affordable legal support, provide training and information to enhance their knowledge of their rights, and to research, network, advocate and lobby for improvements to policy, legislation and practice with regard to their rights and development.

At the start of the period under review, a Project Manager was based at the Law Clinic in Durban; but he resigned as his family relocated overseas. A new Project Manager was appointed who is based at AFRA, while remaining accountable to the Cluster Management Committee, which consists of CLRDC, UKZN Pietermaritzburg Law Clinic and AFRA. The project has seen a large staff turnover, at all levels. It is proving particularly difficult to find and keep lawyers. New project management systems have been put in place to improve the monitoring of information and progress, and the performance of the Cluster.

### 3.6.2 Strategies and methodologies

#### 3.6.2.1 Community

The major focus is with individual farm dwellers and their families, to assist them to protect their land rights when these are threatened. The major activities include receiving calls for assistance, taking statements and opening a case file, advising clients and informing them of their rights and of policy and procedures, supporting them through negotiations with land owners and their attorneys regarding land rights disputes / infringements or evictions and where necessary getting legal representation from the Cluster Project attorneys, and following through to case resolution. Cases come through direct approaches (walk-ins), referrals from para-legal offices, DLA or other organisations, and through carrying out circuit visits (visits to a geographical area, with advance warning of the visit date and location and invitations to various stakeholders).

Cluster statistics as of 31 March 2006 (attorneys and paralegals): Total caseload – 1323; Closed cases – 432; Active cases – 891 (NB: These stats will have changed between March and June 2006 due to focus given in attending to and finalising pre-2004 cases by all Cluster staff during this period).

In addition, and more proactively, information and training sessions are given to farm dweller groups, through the structures AFRA works with and also church land groups. In 2004 two sessions were run for Farm Dweller groups, and four with church land groups. In 2005 no training was run. In 2006, five training workshops have been held this year in Greytown, Phongolo, Groenvlei, Eston and Gluckstad (i.e. three for farm dwellers and two for CPFs) so far and more are planned.

### 3.6.2.2 Documenting and learning

There is active internal reflection, by the project team, within AFRA more broadly, and with the Cluster partners. The collective nature of the project demands this, with issues of clarifying roles, responsibilities, perceptions and approaches demanding attention. In addition the high turnover of staff and lawyers has kept up pressure to reflect and adjust. Moreover the ongoing questioning of the contribution and value of the work also leads to a critically reflective mode, albeit to an extent defensive, within the project. The outcomes of these reflections, along with the active use of a database for information management, have been used in

- restructuring internal team practices and management to achieve greater efficiency and effectiveness, (i.e. to get better systems in place to capture, monitor and conclude cases)
- identifying trends regarding the scale and nature of land rights infringements (Trends Report)
- identifying key issues for lobbying and advocacy.

### 3.6.2.3 Lobbying and advocacy

*Note: Because the other side of informing farm dwellers of their rights are landowners and officials also understanding their responsibilities in terms of the law, a focus has been on training of stakeholders other than farm dwellers. For the purposes of this evaluation I am putting this activity under the heading of advocacy, as the purpose is to change understanding and practice of officials and other stakeholders.*

There were 15 training sessions with South African Police Services (SAPS) members in 2004, and one session with union representatives. These in many, although not all, cases resulted in a significant positive change in the practices of SAPS regarding farm dweller rights infringements – to a degree that surprised the project team. This success led to more training being planned for 2005 and 2006. Budgetary problems led to little training in 2005. In 2006 there have been 2 sessions run with Community Policing Forums.

Amendments to the *KwaZulu Natal Cemeteries and Crematoria Act 12 of 1996*, affecting burials on farms, were developed with extensive input from project team members, other civil society structures active in the land sector, farm dwellers and the structures representing them (in the video and Dialogue processes, via the TSCC district structures and forums and FEDCO). There was then intense lobbying of the Minister and the Portfolio Committee on Traditional and Local Government Affairs of the KwaZulu Natal Legislature. The farm dweller structures and partner organisations were briefed on the status of the Amendment Bill, and farm dweller participation in public hearings was facilitated. This resulted in a successful outcome.

On the same issue this team played an important role in the preparation of the Dlamini Appeal heard in the Supreme Court in Bloemfontein, overturning a Land Claims Court decision, with far reaching implications regarding burial rights of farm dwellers nationally.

The anticipated amalgamated Land Rights Bill (of Extension of Security of Tenure Act (ESTA) and the Land Reform (Labour Tenants) Act (LTA)), and the Legal Aid Board engagement in land rights, are identified as critical areas to lobby and engage in– although there is no clear strategy as yet.

### 3.6.3 Strengths

The success of the Burial Act amendment provides an example of effective lobbying, with high levels of involvement of the people affected along with concerted and focused inputs in the right places. Taking the same issue up in a different way with the Dlamini Appeal with national implications and having success again, illustrates what is required for successful advocacy and lobbying outcomes. The lessons can be extracted by AFRA to inform its own practice on other issues.

The training of SAPS demonstrated that a programme of identifying those who need to make new laws work, and building their understanding, and thus their will and capacity to do so, is an important component of changing laws, and has many other positive spin-offs in terms of working relationships in a locality. Again lessons from this could be extracted for wider application within AFRA, and in what it disseminates as learning, and advocates. Applying this to the question of compliance regarding the Burials Act could be important for example.

The project is providing some recourse for some people who are the target group of AFRA, and who would not access assistance otherwise. This is averting what one senior official noted would otherwise be a “crisis of human rights infringements”. This carries the danger of ameliorating rather than solving the problem, and doing so inadequately, as there are not enough resources to do a thorough job. So this remains a strength only if it is working actively on the other elements of the project which seek to influence structural changes, and which is learning valuable lessons about what providing such a service effectively does entail.

While facing many difficulties and challenges, some of which are structural and in the nature of the work, as well as in its design and conception, the project has reflected, identified weaknesses and acted on these to make significant changes to improve how it works.

### 3.6.4 Weaknesses

The project is aware of the constraints it faces of capacity – *“the context is such that there is simply not enough in the system that works for farm dwellers recourse – and we cannot do enough”*, and this is compounded by the problems of not finding and keeping enough lawyers and staff for long enough. However it still tries to operate as if it can and should provide a service for all who need it, rather than more clearly working within its constraints and to limit what it seeks to achieve to drawing learning and advocacy from a significantly more limited but higher quality service, with a clear strategy and time-line. Providing poor service to vulnerable people is not providing them with recourse, but can further disempower them by making it seem as if something is there that is not, and by taking the pressure off government.

The project does not appear to be building on its own strengths. In its plans the project identifies a number of possibly issues for advocacy, not drawing on its own successes achieved through focused attention and multiple activities, combining with other projects and partners, on one issue. Moreover the training intervention that was so successful seems not to have been taken forward with focus, but became dispersed and inactive. This was at least in part due to funding constraint, a weakness of the organisation, as projects do not raise their own budgets.

### **3.6.5 Summary**

- The successes of this team in lobbying and advocacy and in training provide examples of excellent practice for the team and for AFRA to draw from and build upon – but there are signs that even within the team this may not be happening.
- Doing less better, with clarity that delivering a full service is not possible or desirable, and with clear strategies and timelines for taking lessons out and forward, will help to focus the project team within Afra and in the broader Cluster. It should also lead to more supportive interactions from other teams and staff within AFRA.

## **3.7 The Legal Entity Project. (LEP) and Piloting Locally Administered Land Records (PILAR)**

### **3.7.1 Approach and background**

The problem of how to secure tenure for people and groups as a base for building livelihoods remains a challenge in South Africa. Our property system is characterized by the construct of the dualism of a formal, expensive system of ownership and registered rights on one hand and a locally administered systems of land access and use rights of “traditional systems” on the other, while in reality most live in tenure systems that lie somewhere between these poles. Legislative frameworks that can address this challenge, and also practices and methodologies for developing appropriate tenure arrangements are needed.

What were originally two distinct projects were amalgamated into one, as there is the common overall concern with these issues, and they draw on the same sets of theoretical frameworks, and, to a significant extent, methodologies. PILAR had been working with Ekuthuleni community for some time, and plans build upon that work and relationship. LEP decided to work in 3 communities. Esibayeni was a group of farm dwellers, while Dukuduku a restitution project – both being worked with by other teams. Thus LEP work would be coordinated with those teams and include capacity building of AFRA staff. Cornfields had requested AFRA’s help. AFRA had worked with Cornfields since its earliest days, but had exited in the mid 1990s, after they have acquired additional land. Now they were having internal conflicts which was hampering progress and preventing proper land administration and management.

### **3.7.2. Strategies and methodologies**

#### 3.7.2.1 Community

Specific communities are supported in this project, with a view to drawing lessons for the purposes of developing proposals on improving implementation options regarding tenure in land reform, and for lobbying and advocacy on these alternatives.

PILAR has worked with Ekuthuleni since 1998, and been piloting a land management system through administration and record development, deepening its understanding of communal land administration systems and tenure options through local research and drawing on work internationally. A key strategy has been to make clear institutional linkages of the local system into public systems, so that there is local access to dispute resolution mechanisms, credit and improved state provision of services. A participatory action research methodology

was applied, working closely with local structures and also at times with the broader community, drawing on (largely technical) expertise from other organisations, and seeking to keep officials of the DLA of various levels and sections engaged in the project. The local systems were developed through a combination of local research and workshopping and external expert input, so developing options, with implications spelt out, for local people to select from and fine-tune. This was not finalised, but a halt was called in 2005 by the community because of delays in transfer of land by the DLA to Ekuthuleni, which was causing local breakdown in authority and trust, and a sense of “there is no point if the land is not ours”. As transfer did take place in early 2006 the project is continuing again. A cross visit was carried out to another community in the Eastern Cape for cross learning. Information on CLaRA, the Property Rates Bill, IDPs and on constitutions was given through workshops.

The plan under LEP was to work with 3 other specific communities, to develop and implement land administration systems that secure tenure and also support the livelihood needs of women and men in those communities. These are seen as pilot sites for learning, from which sharing outcomes and advocacy would develop. Cornfields, Esibayeni and Dukuduku were identified as the three sites to work. They are quite different in nature, giving a range of contexts. In Esibayeni the LEP team would work with the Farm Dweller project, and in Dukuduku with the Restitution project.

Processes of situation analysis were undertaken, and responses to the specific needs as felt by the community and as identified by the team members then designed, for taking forward. The collaboration with the Restitution team in Dukuduku broke down after the first few meetings, and it was not resolved how to work together (when should Restitution Project ‘call in “LEP?”), and so Dukuduku is no longer included in the LEP project. With Esibayeni a different organising model was used, and the fieldworker from the FD Project who works with that community became part of the LEP project too. While work has gone ahead in both communities, in both cases the work is not proceeding as planned due to unresolved issues in the context. In Esibayeni the change in land purchases in greater Greytown affects them too, and so the work with them awaits some clarity on this. In Cornfields internal conflicts and mistrust, which heightened by the local government elections, have been stumbling blocks to carrying out the planned work. Cornfields has a complex set of property relations, as there are original landowners of “Old Cornfields” and their tenants, all are beneficiaries of the trust that owns the “New Cornfields”, and people are moving on and claiming rights in unclear ways. This combines with new local government to create a situation of competing sources of authority. The need for clarifying rights, roles and management of land and of services is clear – getting their needs a strategic approach.

#### 3.7.2.2 Documenting and learning

The research of the “action research” aspect of PILAR was carried through, and has it has been thoroughly analysed and documented. A strong clear conceptual framework underlay this work, and interactions with the community and with other stakeholders were often very analytic in nature. Not only project documentation exists but reflective papers have been written and presented, internally in AFRA and in other forums nationally and internationally. Community leadership can articulate the complex issues as clearly as any researcher.

LEP has not been as consistently, or effectively, analysed and documented. The processes at Cornfields, and reflections on those by the team, were initially very well documented largely by a consultant who was contracted who documents in detail. There was also conscious use of

conceptual frameworks for reflection and for design of processes. These have not, however, provided the team with enough tools to move forward in a way that meets the project and the community objectives. There is not thus not a clear sense of progress and of learning from the collective of projects, which can be captured and taken forward into improved practice or advocacy.

Esibayeni processes have been documented, although perhaps less fully than the earlier Cornfields ones. The idea is to write a case study towards the end of the year. Here too there is not a sense of emerging learnings, although progress has been made, larger questions arising in the context, from DLA's plan for greater Greytown in terms of purchasing farms, have caused delays, as until these are resolved land administration issues cannot be pursued.

### 3.7.2.3 Lobbying and advocacy

PILAR specifically set out to shape policy and governments approach so as to have support for appropriate land administration systems based on a sound understanding. There were active attempts to engage with DLA, Deeds, the Surveyor Generals Office. CLaRA was specifically targeted as an Act to engage with, offering to work jointly in Ekuthuleni as so much has been done there already. This was done through attending government processes, and by inviting these actors into project processes. While there was some interest at some times, some individuals with a deep interest, in effect there has been a lack of engagement, at times an active refusal to engage, and certainly no visible impact on policy in the end. There were also activities aimed at disseminating the learnings to other land NGOs, and to other academics, practitioners and professionals. The PILAR work has had a mixed response of excitement, resistance and apathy. Tenure practitioners (in rural and urban sectors), academics and some professionals have acknowledged it as cutting edge and very useful work, for the combination of detailed work in one community with theoretical thinking is powerful.

LEP is not identifying issues emerging from the work in Cornfields or Esibayeni into lobbying and advocacy at any level at this stage, although the potential is there.

### **3.7.3 Strengths**

The work of PILAR is an excellent example of community level work plus research – participatory action research - which has pushed conceptual and boundaries with practical focus to try out alternatives. It has worked with an issue identified locally that matches a research and advocacy interest and proceeded with clarity, despite the difficulties of a dragging and uncooperative DLA. It worked with creative processes and with the community such that leadership can articulate the issues as clearly as team members can – there was true co-learning. It is innovative, cutting edge work.

LEP has been able to take the learning from PILAR and apply it in the very different contexts of Esibayeni and of Cornfields. In Esibayeni the processes enabled people think ahead into complex and difficult issues. Both communities could be written up into rich case studies, as the documentation has been done but needs to be pulled together with analysis, for sharing with others and for informing the work itself.

### 3.7.4 Weaknesses

PILAR was not successful at advocacy and lobby with government. While it was strong on method and theory, it was weak on political engagement. It did not appear to, as a project, draw on lessons of success in AFRA in the Burials Act for re-directing its strategy, nor to call on resource people, either within or outside of AFRA, for support on this aspect. The previous evaluation noted this too. If, as one team member asserts, the strength of PILAR lay largely in the person that led the work, then perhaps the weakness lay there too. Individuals will have different strengths and weaknesses, and if it can be recognised what is needed to work successfully at all the elements of AFRA approach of

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needs a team with strengths in all these areas, and that these will likely lie in different people, then teams can be built with this in mind.

LEP selected three projects in very different situations, and has had very uneven progress. There are lessons to be drawn from these. Drawing on tenure theory is probably inadequate here and accounts for some of the frustrations – organisational development and institutional theory may have a lot to offer. Without some meaningful reflection on the learnings across as well as within the 3 selected projects, much of the value of this work for “*drawing lessons...*” will be lost, and the work may continue to feel frustrating and subject to other processes rather than purposeful and focused.

The breakdown of internally collaborative work in Dukuduku indicates a lack of organisational clarity about the nature of the work and of mechanisms for cross-project coordination.

### 3.7.5 Summary

- PILAR is an excellent example of action research and linking community work to learning and documenting. It was also effective at sharing learnings, except where it hit political and power dynamics, where it was markedly unsuccessful. This may have been due to broader political dynamics, but quite possibly it could have been more strategic in its engagement. As the work of PILAR continues, this should be thought through again.
- LEP has done some interesting work in Esibayeni, but lacks strategic clarity, and requires additional theoretical frameworks and support to draw learning from its work to date, which can then inform decisions and strategies.
- The work in Cornfields indicates the longer-term implications of complex property relations and what it means when there is no support for land administration and management. This too needs to be analysed and written up to bring value to what is otherwise frustration.

Note: There seem some interesting and more broadly applicable issues that arise from LEP’s experience that could be drawn out. e.g. the difficulty of people to agree to rules of limits, and the mixed response of who “owns” land – the beneficiary group or the Inkosi they fall under, and exactly what is meant. The Esibayeni workshop reports indicate issues being raised and

then pushed to a conclusion without real resolution within the group, which raises methodological questions. Then there are the questions of when land administration and tenure issues can be worked with in relation to the land acquisition process remains an interesting one – when are people ready and prepared to work on these issues, what does this mean for planning and for governance. In Cornfields while property rights and relationships are very complex, this is not uncommon, and if these are to be understood and some solutions proposed, and form this advocacy positions taken and supported by evidence, then in-depth action-research work is called for.

### **3.8 Cross cutting issues**

#### **3.8.1.Livelihoods**

All the projects display an awareness of livelihoods. However what is needed now is to push this forward beyond a first level of understanding. A livelihoods approach is quite different to the paradigm underlying current mainstream thinking about Local Economic Development (LED).

Livelihoods issues are often seen to be linked to post-settlement issues, and to linking people to local government. There is a sense that “we are not doing enough” from some staff, and that there is pressure from communities for AFRA to work with them on these issues, but community interpretation can quickly become narrowed to ‘income generating projects’.

There is wide recognition that having land or tenure security is not enough, it is the use of that land for that will impact on livelihoods. It is also clear that working models and coherent government programmes of support to people for using their land under any economic model is not in place or even on the horizon. Whether it be to support people to build on their current livelihood strategies, to create jobs, to generate surpluses, for enterprise development with the relevant set of skills and relationships for this – none of this is evident. A livelihoods approach is however quite different to the paradigm underlying thinking about Local Economic Development.

Relationships in partnerships or joint ventures have had successes in the country, but also seen some exploitative relationships. LED paradigms are not “pro-poor”, and push a capitalist agenda. Income generating projects are no read to eradicating poverty, they provide little bits of alleviation to a few. However simply pursuing peoples existing livelihoods strategies is not offering people a sustainable livelihood option either, so eliciting these and recognizing what they contribute is a starting point only.

The questions and pressures will continue, and AFRA’s capacity here is currently limited. AFRA has made a start on building in a livelihoods thinking as the starting point – that recognizing and valuing peoples current strategies is a fundamental starting point. However just how to argue for this and how to take the next step to enable more incisive engagement with communities and with other stakeholders when it comes to development planning and to LED, is called for now.

AFRA needs to develop an approach to this as a set of related issues, and to deepen and broaden its understanding of regarding economic options for development, LED, sustainable livelihoods and agrarian reform. Perhaps linkages with others working on this with more focus, and /or a specific research and learning focus would be appropriate here.

### 3.8.2. Gender

Gender remains an issue that the organisation has a long history of seeking to integrate, which was being carried forward in a particular way by the previous gender officer which has left a legacy of expectation, and which is currently once again being tested. The key difficulty lies in the deeply patriarchal nature of our society, very powerfully expressed by rural Zulu communities, and inevitably the stated organisational position of gender equity is not simply experienced or expressed by staff members. Whose responsibility is it to promote gender equity? What does this really mean in practice in the work? How to address the separation of men and women in meetings, and women's reluctance to speak? These questions continue to be raised.

Currently, there is a strategy articulated regarding gender and this has built on a provincial workshop with women in late 2005 that highlighted the current expression of gender inequality in communities AFRA works with. The new approach is being "piloted" in the FD project – i.e. in the work with district structures and the TSCC. While the strategy has sought to build on the long experience of the organisation on this issue, the weaknesses of the current approach are:

- The gender strategy correctly notes the core business of the organisation means that its concerns are primarily with regard to women's rights to property, and women's participation in farm dweller structures – but the piloting work is with structures, and does not take up the work at community level, which is where the grappling with women rights in land must be confronted in all its complexity.
- The task of seeing that gender integration takes place is given to a woman with little power or authority in the organisation, who has other tasks and pressures as well, which is a recipe for its marginalization.

#### Suggestions:

Along with the existing strategy, which includes internal learning processes, make it each project managers responsibility that gendered activities take place in work and in reflection, that distinguish men and women's interests, and the gender dynamics between them. Support them to do so with simple and sophisticated support from senior management. Contract in resources if needed for this support, so that it is structured in. If a piloting approach is followed, rather have each project identify a pilot – especially as work in specific communities offers the opportunity and challenge of working directly on property rights, as opposed to with gendered structures. However some of the practices can be incorporated and should become part of practices (e.g. meeting practices, and always asking "which men, and which women").

### 3.8.3 HIV/AIDS

Research was carried out with Gender Aids Forum (GAF) in late 2005. This has made a set of recommendations about how AFRA can take the issue of HIV/AIDS forward. The proposal from GAF is to start with planning an internal as well as an external response to the report and its recommendations, which includes taking a rights based approach, and specifically linking HIV AIDS to gender. Different projects seem to understand what the next step is differently – whether it is taken forward as part of the gender strategy, or whether it is now up to projects to take the report back to communities for interaction with them. There is a danger that it becomes "another issue not followed up on". A clear decision should be made on what the

next steps are. If the broad approach is agreed with, perhaps each project should first have an internal process with GAF of thinking through what it may mean in that project. It would make sense for this to be done after strategic planning – thus the suggestion is that this is planned for in the strategic planning session.

### **3.8.4 LRAD**

It is unclear why this remained in the TOR for the evaluation. There has been no specific interaction with LRAD, and no project can see why there should be. As this is a land reform programme, any interaction with it should be through a learning process on LED. Having information on its progress provincially and nationally would make sense.

### **3.8.5 Social Mobilisation Support.**

The Farm Dweller project is largely focused on supporting the development of the representative structures, which is seen to be the major way AFRA carries out its social mobilisation support – and this is the largest project of AFRA. The two projects that work with specific communities have linked those communities to the district structures and the TSCC, if there were not already. The evaluation of the FD project thus includes an evaluation of this aspect. To add a few more points:

Community members feel dependant on AFRA, they value and trust AFRA as a champion, as they experience their own disadvantage and lack of power. AFRA also accesses resources for them, funds and expertise, uses its power of articulation in support of their causes, and creates linkages that give them other kinds of access and also collective power, that they would find very difficult to do on their own. Inevitably there are also discomforts with this dependency and the power relationship.

The financial relationship is a dependency that could be changed. It is also an aspect everyone is anxious about, as it is clear that money needs managing, can be abused, and can cause or exacerbate conflicts. District structures and the TSCC have been doing plans and budgets (noting they are uneven in their capacity and unity), and this can be built upon. Learning to manage even a simple financial system is not a one-training affair. Setting up and running a system, with regular support, is the most effective way to build capacity. It should be done with more than the minimum of two people per structure – the whole committee needs to understand, and the skills be reasonably widely held. The financial management team at AFRA is keen to do more work with communities, and is in a good position to set up simple systems at the right scale, and to give regular support which is also a monitoring role. Funding proposals should ideally be written with structures, and then there could be a level of co-management of these funds. Consider internships of selected TSCC members or their nominees, who would need to meet agreed criteria, to work with the AFRA financial manager over 6 months or a year. This is then creating employable skills, that could be also be utilised by the emerging social movement. Problems may well occur, but with reasonable systems and processes in place, these can lead to learning and capacity building.

The TSCC suggested that AFRA consider giving internships to members of their communities. This seems like a reasonable idea, and a way to build skills that the TSCC itself can utilise and even employ as it builds itself into a more independent entity.

There is not a common and agreed understanding of what social mobilisation really means for AFRA. The strategic planning provides the opportunity to reflect on experience and on strategy and come to a new approach.

### **3.9. Content**

AFRA chose *tenure security to enable livelihoods within an integrated rural development framework* as its key focus for its three-year plan. This has provided a useful framework, as it covers both the fundamental land rights issues and the developmental ones. While the organisation has been able to draw quite consciously on theoretical frameworks for tenure security and for livelihoods, theoretical frameworks for integrated rural development, and for organisational development, seem to be important gaps.

There is discomfort internally about how to strategically approach the economic development/ livelihood/ rural development aspect - with communities and with government actors. The current approach is to place a strong emphasis on local government and IDPs – and in terms of institutional focus this is correct. However it is clear that IDPs are often weak and local government itself lacks vision regarding economic development and livelihoods of poor rural people. AFRA can thus see where more work on its side is needed, and the new three-year strategic plan should plan for strengthening its approach to these areas rather than radically changing direction.

However it is suggested that this not be an expansion – for AFRA rather needs to do less, with more focus, better.

In many of the interviews, with internal and external people, the question of AFRA's "position" needing to be clarified was mentioned. AFRA is clear that it has shifted in its relationship to government, and that it is not a 'service provider', for the programmes of land reform are fundamentally flawed. Moreover these can only be effectively challenged by peoples organisations, not by NGOs alone. Its role is thus to provide support to communities to have the organisational base and capacities to make such challenges. It is also to develop and offer alternative approaches to these flawed programmes. There is nothing that suggests that this view and stance needs to change at this time. What does need review is the strategic approach to addressing these.

A tension lies in the fact that people are engaging in these flawed programmes (of land reform and of development), and that these are currently the only ways they do access resources, and so they will, and will want to, access what is available. Alternatives can lie within a range of economic and political paradigms – and AFRA is not clearly situated in one specific such paradigm. Thus views on the AFRA Board range from a view that new models are needed and lie in working with the private sector on local economic development and in making markets work for the poor, to a view that AFRA holds some of the important and diminishing space of a "progressive agenda" that is prepared to challenge what emerges from a globalizing capitalist agenda and paradigm. AFRA in its staff and strategies stands is on ground between these two positions – it does not articulate a clear political/ economic view, it is prepared to challenge current economic and programmatic frameworks, but also seeks to engage, and to assist people to engage, with current programmes and sources of support, in recognition that this is what people themselves seek and is what is on offer. AFRA develops positions when it has to, through a thorough process of deliberation. Other areas are left "fuzzy". So, for example, there is not yet a clear organisational position regarding traditional authorities and

traditional practices of tenure and CLaRA – which AFRA may well find it is soon pushed to get a clear position on.

This lack of a single clear political economy ideology is a current reality, and can be seen as strength of the organisation, in that it allows it space to respond and to develop positions and programmes based on values and on the position it develops; and also some openness. In its three year strategic planning AFRA does need to be clear on what it is clear on, and is not, and where it needs to work for clarity and what can be left “fuzzy” at this time.

Including “livelihoods and integrated rural development”, and then the cross cutting issues of gender and HIV AIDS, it is easy to feel pulled into territory without clear boundaries. And indeed the connections between things, and the forward linkages, and the impacts, and community expressed needs and priorities, are important in terms of understanding systems, and “how the world works”. An important function in strategic planning is to bring back into sharp clarity what the primary focus of the coming three years will be, and the place of the surrounding and impacting issues in this. I suggest that this is what is required, more than that some major shift in direction is called for at this time.

### **3.10 Internal Organisation**

#### **3.10.1 Overview**

The current structure organises people in terms of defined focus area of work (the projects), while the deployment of staff across projects, and the organisational processes of regular meetings, seeks to ensure that all staff are informed and have an understanding of all key issues. AFRA is a medium sized organisation, requiring bureaucratic systems for staff supervision, for administrative, for administrative monitoring and for planning, monitoring and evaluation. These management and financial systems are highly developed and have a fairly long history in the organisation, which has an excellent record of managing its physical and financial resources well, and for having well thought through staff management processes.

However systems need to find the right balance in terms of meeting organisational needs and not becoming unwieldy and thus starting to work against what is required of them. There are signs that some systems need revisiting.

#### **3.10.11 Governance**

AFRA’s Board meets on a quarterly basis, and also has proved in the past able to respond when required to urgent organisational needs. The Board is made up mostly of two distinct and different kinds of people:

- Those with a long history of involvement with AFRA, with a deep loyalty to it, and a wide range of experience of the province and land and related issues (all white men at this stage). They are typically very busy people, and often sit on other such bodies, and so while committed, have limited time for this.
- More recent members who are drawn from the communities AFRA works or has worked with (mostly rural black men and women).

The more recent Board members take their responsibility very seriously, and are conscientious in attending meetings. They often do not contribute much, but on occasion

some do. They are not very confident, as for all of them this is first experience of being on such a Board. The meetings are not always run in a manner that elicits their participation. However people are encouraged to talk in Zulu if they prefer, which they sometimes do. The black members feel very respectful of the long-standing members, of their skills and commitment, and hesitate to express criticism of them. However there was a strong expression during the evaluation workshop, by Board members present there, that the Board makes decisions in too much of a hurry and without enough discussion, and that there is a “culture” of black members keeping silent.

In the immediate term I suggest the Board be more careful about the “culture” of interaction of the older members, and the ways in which this is excluding of inputs from the more recent members. The language used and “jokiness” is excluding, and sensitivity is needed to this. However the Board is also large and unwieldy, and a deeper review of organisational form and the structure of and make-up of governance is called for.

The Board has confidence in AFRA management, and is happy to be led by its suggestions in many matters. However it does want to participate in big questions concerning direction or potential big change. It is also willing to get involved in management issues where there are conflicts between management and staff, although it may not do so promptly. The reality is that a lot of leadership will continue to come from senior management, and to expect anything else is not realistic.

The previous evaluation suggested that AFRA should develop a written Delegation of Powers document to clarify the split between roles and responsibilities between the Board and management. Senior management sees value in this and it should be taken forward, using specific experience as the basis for doing so.

There is a serious question arising about AFRA changing its organisational form from that of a membership based voluntary organisation to something else. This is being thought about in a considered way, for there is not a perceived pressured need at this time. It would be best for the Board to take into account the proposal regarding funding, and the new strategic plans, so that there is clarity about WHAT AFRA will be doing and HOW, and then thinking through the organisational form, and make a decision while not under great pressure. However this should not be delayed, for what is not a crisis now could become one – the evaluation workshop saw the governance as a “pending possible crisis”, that should be dealt with proactively. It could then simultaneously take up the other problems the Board and organisation are experiencing regarding governance.

### **3.10.12 Reporting and meetings**

Systems for reporting cascade upward in a system of standardized field, monthly, six monthly and annual reports; this looks coherent and highly organised, but is not fully followed. Many staff say they feel overwhelmed by keeping up with reporting, and say it is common for people to write reports on weekends when the office is quiet, and acknowledge that the quality of reports is often poor. Senior managers note that even so reports do not come through timeously, and the information manager reports that in practice, while administrative forms work well, the streamlined efficiency the reporting system is supposed to enable does not work consistently.

It is not clear exactly where the problem lies, but it may well be linked to another phenomenon, expressed pretty much across the board as “too many meetings”. When set out it looks reasonable and necessary:

- Monthly: project team meetings, project managers forum, strategic staff forum, management committee meeting
- Quarterly: staff supervision sessions, Board meeting
- 6 monthly and annual: evaluation and planning
- Annual: staff assessment
- 3 year: evaluation and planning

One of the results of having many people in more than one team means that they then need to be part of many scheduled team meetings, but also the ad hoc meetings, and those for planning specific events and so on. Add to this a number of internal ad hoc meetings on specific issues, and the many meetings with external players who may be partners (as in the Legal Cluster, or the Restitution Forum) but also those called by government or other external actors. It may be useful for people to note that while everything is a ‘meeting’ these are in different categories. Some are clearly internal, for management. Others are for learning and strategizing. Others are to do with partnerships, either for implementation or for joint learning or strategizing. Others are for dissemination and advocacy. If they get categorized along the lines of

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a check can be kept on what the balance is looking like, and help to enable prioritization and clarity on focusing on the purpose of the meeting rather. A proper balance between these 3 aspects of work needs to be found for each project and person, along with the internal functions of management. The balance will be different for different staff members depending on their responsibilities. Clarity on priorities could be clearer. There are many, many calls on ngos to attend events, and it is not clear that choices are being made strategically. There was a call from a district structure for AFRA please not to cancel meetings at short notice, for it is so difficult for them to communicate that amongst themselves. This is worrying for it expresses the dependence on AFRA and also what then looks like a disrespect or not prioritizing community commitments, and is possibly an explanation for why district plans take so many months to get done.

The current practice of spreading people across many projects should be reassessed – there are trade-offs between everyone having a grasp on everything and more focused work in an area. I would suggested that more focused, higher quality work is the direction AFRA needs to move in, using other means for communication and sharing across projects, so that the previous problem of people working in “silos” in note re-created. The current arrangement is not only dispersing energy, it is likely leading to the imbalance of time spent on the three aspects of work as opposed to the internal management. AFRA should be seeking higher efficiency, higher quality work in fewer rather than more areas.

There is some frustration expressed that the PMF, and some of the strategic staff fora, are not fulfilling what they should. These fora should be revisited during the strategic planning, with an openness to restructuring them, again seeking to build on what has worked, and to leave behind what has not worked.

### **3.11 Staffing and skills**

An assessment of internal skills is called for, in relation to what the new strategic plans are, and the approach to their implementation. Looking at the past 3 years a more careful allocation of skills is called for, recognizing what skills are internally, and where they are best deployed, and where skills are needed from outside for specific roles. This should also inform staff skills development.

There is a fairly wide acknowledgement in the organisation that conceptual skills are not widespread, and are needed in order to enhance all three aspects of AFRA's work. In this, note that there are two kinds of conceptual skill:

- One is more on conceptualisation for learning, and to inform action research, i.e. the actions with communities and the learning from and documenting from this interaction.
- The other is other more strategic and political – recognizing where there is political leverage, and how to take issues forward into lobby and advocacy.

Like all ngos, AFRA has a fairly high staff turnover. This has not been found debilitating as yet, as there has reasonable depth in the organisation. Nevertheless people remain the organisations major resource, and need to be managed for sustainability too. Most people are willing to work very hard sometimes for quite sustained periods, but can only do so if there is an overall balance for them. Work satisfaction is a critical part of this, so deployment of people to tasks does need to take this into account, and that the balance of doing what is personally satisfying with the necessary but less fulfilling aspects, needs to be kept in balance. This should also inform staff capacity development.

### **3.12 Formulation of objectives**

Careful formulation of objectives and indicators for the next period, at the 3-year strategic level, will provide the framework for implementation plans and for monitoring progress. "What we measure is what we do". Do not leave this as a project team activity to formulate, formulation needs skilled and strategic management input. Some principle should be agreed – e.g. that objectives should keep to aspects that the organisation has control over. Team and organisational evaluation can then be more rigorous. It is visible in some evaluation reports, and is expressed by some staff, that people are not self-critical enough in evaluations. Having clearer indicators can help this. It is also important to de-link the performance bonus to organisational review, for that works directly against honest criticism for learning and to inform new planning.

### **3.13 Sustainability**

AFRA is currently secure financially, because of its reserves and because there are a number of pledges from funders of long standing. Nevertheless there are budget constraints, and shortfalls of funds to budget have had to be planned for in 2005 and 2006. Changes in foreign exchange account for this shortfall, but apart from this the structure of funding is changing. While AFRA has not had to face this as fully as many other organisations that rely on donor funding have had to, it has started to see the shift to project based funding, and to make the first adaptations to this. It would be wise to anticipate a steady increase in this type of funding, which requires different systems for budgeting and for managing funds. It also

requires a greater awareness of project managers and staff of budgets and of monitoring these, including budgets for time. This requires more management, from more people, and systems that enable this. The positive side of such a development is that it can make people far more conscious of and careful of what they spend their time on, and thus ensure more careful prioritization. Project based funding often comes with clear requirements for “products” or “outputs”. These can also be used positively, as it can help to ensure that learning and documentation take place. AFRA may need to seek new sources of funds. Research funding has not been tapped by AFRA much to date, and can be a useful source, again emphasizing learning and analysis and clear outcomes.

The tightening and changed funding environment confirms the need for greater efficiency. It is likely to require that project managers develop higher levels of budget management skills, and, I suggest, the computer skills that go with this. It is notable that computer systems are quite outdated, and there is not wide use of programmes beyond basic word processing, with a great reliance on the internal expert in relation to all computer and information matters. AFRA should consider investing some of its own funds in updating this system and encouraging greater skills and independence regarding computers and information management.

There are proposals for the Board to consider on alternative ways of funding the organisation. It is timeous to consider these now.

### **3.14 Learning organisation**

AFRA claims to be and seeks to be a learning organisation. This is expressed as the “reflecting, learning, documenting” aspect of its broad approach. To reflect so that learning takes place, and that follows into action, requires more than discussing and coming to a few conclusions. The learning cycle is:

Action >>>> reflection >>>> analysis and learning >>> planning >>>> action

However for reflection to become analysis and learning, a framework for thinking and for analysis is required. There are two kinds of framework, both of which apply for AFRA.

One is CONCEPTUAL ---- for example the tenure project uses a conceptual framework on tenure security that provides it with theories about tenure, which then informs its planning, its reflections of what is emerging and how to understand this, it informs its critique of policy and its policy inputs. Theories of social movements and how they emerge and develop, economic theory, of agrarian reform and development – these kinds of bodies of theoretical knowledge may all be relevant to AFRA’s work.

The other is linked but is more POLITICAL --- political theory, political understanding, a political consciousness to analyse what is going on, how power dynamics are playing out, and how to strategically engage with these.

I separate these two as they seem in practice to be different – often different people have interests and strengths in one or other of these, and so rather than expect everyone to have, or to develop, both kinds of analytic skills, recognise that both are important, that they offer different things to learning and advocacy and lobbying, and so plan for the skills deployment and development within the organisation’s work and its projects.

AFRA should take up more opportunities than it does so presently for writing and presenting papers. This “forces” reflection, (and can be done with support and as a staff development process), and means that views are articulated, which is part of advocating for new ways of thinking about the issues at hand. It exposes people to the world of ideas linked to practice, and to a broader perspective on the issues.

### **3.15 Relationships**

#### **3.15.1 Networking**

AFRA has played an active role in national networking in the NLC. With the national office gone, relationships with affiliates remain. AFRA is highly respected and seen as a leader in the land sector. This means that AFRA can lead collaborations, in e.g. collective analysis and learning, and for joint lobbying and advocacy. The loss of the national office can mean that relationships are more focused for AFRA on its own issues of priority, for greater efficiency and effectiveness. Collaborations should then be sought proactively, and be content based and focused.

As the recent internal strategic session networking displayed, AFRA has a great number of networking relationships. A more useful analysis of these relationships would be to think of them in relation to AFRA content areas, and then in relation to the aspects of work

Community >>> <<< learning and documentation >>> lobby and advocacy

Any interaction can then be clearly based on which aspect it is in terms of, which objectives it is helping to meet, and a view can be gained of the priority of the relationship in relation to any particular project.

#### **3.15.2 Local government**

AFRA has prioritised Local Government, as seen in its communication strategy, and this is reflected and articulated in the two most recent edition of AFRA News (nos 59 and 60) both entitled “Land and Local Government: Problem or Potential”. This is still new, and while a start was made with Amajuba Municipality in presenting a discussion document to them, and there have been interactions around IDPs, this will present a set of new challenges as well as providing real opportunities.

One of the difficulties lies in the fact that there is so much demand on local government, with everyone seeking to engage with them, and to hand on to them yet more responsibilities, while they battle to cope to fulfill their basic mandates. Because of this and that they are still new and evolving institutions, it can be extremely difficult to understand how they operate in reality, where actual bottlenecks in decision making lie and so on. A strategic engagement thus is must not only make connections for them at content level, but also in relation to how they actually operate and what struggles they face quite practically.

## **4. Conclusion**

AFRA continues to be a significant NGO in the land and rural sector in KZN and in South Africa. AFRA works on issues that are critical and yet are marginalized, with people who remain some of the most vulnerable in the country. AFRA also continues to draw on innovative and cutting edge ways of thinking and working. This is at a time when civil society more generally is weakening rather than growing in influence and robustness. The organisation cannot rest on the regard it has earned with complacency however, for while there are strengths to build upon, there are critical weaknesses it will need to address. Moreover the coming few years are not likely to be comfortable ones for the organisation, and tightening internal practices will be important to engage effectively and meaningfully, and to survive an increasingly tough funding environment.

## **Appendix One**

### **Interviews conducted and meetings observed**

#### **Team meetings: interviews**

Restitution Project team  
Farm Dweller Project team  
Land Legal Cluster Project team  
PILAR/ LEP Project team

#### **Meetings observed**

Joint Farm Dweller and Cluster team meeting  
Strategic Forum discussion on gender strategy  
Cornfields community meeting  
Gongolo committee monthly meeting  
AFRA Board meeting

#### **Community structures/ members interviewed**

Tenure Security Coordinating Committee (TSCC)  
Gongolo committee  
Cornfields community members  
Mr Myandu and Mrs. Dladla of Ekuthuleni community  
Mangaliso Kubeka

#### **Staff members**

Lisa Del Grande  
Pearl Sithole  
Gina Clowes  
Zanele Xaba  
Sanjaya Pillay  
Sifiso Kunene

#### **Board members**

Mangaliso Kubeka  
Mark Butler  
Richard Clacey

#### **External actors**

Mdu Shabane – KZN DLA  
Lukas Mufamadi – Nkuzi Development Agency  
Raj Patel – Centre for Civil Society  
Graham Philpott - Church Land Project  
Angela Conway - Southern Cape Land Committee  
Ben Cousins – PLAAS  
Tom Silinda – KZN RLCC  
Richard Birkitt - Surveyor General's Office

Those not interviewed, unsuccessful attempts made to reach:

(KZN DLA) Anwhar Madanphall, Thembeke Ndlovu Mnya Dlamini,  
(NLC affiliates) Marc Wegerig, Herchelle .....  
(Deeds registry Office) Frank Bothma, (Traditional and Local Gvt Affairs) Rudi Hillerman,  
(Local gvt) George Louwrens, Sicelo Duma,  
(Cluster partners) Langelihle Mtshali, Chantal Badul,  
(Board) John Aitchison, Thobekile Ndlovu, Shirin Motala  
(Staff – hoping to accompany on field trips) Tsietsi, Bheki.

## **Appendix Two**

### **Documents reviewed**

- Operational Plans 2004 – 2006
- Funding Proposal 2004 – 2006
- Annual Activities Report January – December 2004
- Annual Activities Report January – December 2005
- AFRA Impact Evaluation 2001 – 2003, Umhlaba Development Services
- Strategic Planning Workshop Report 7 – 9 May 2003
- AFRA Strategic Planning Workshop 4 – 7 June 2000
- AFRA Annual Report, 23 – 24 November 2004
- Board minutes 2004/2005
- Post - Induction Report, P Sithole
- Dealing with Gender Imbalances: AFRA approach, February 2006
- Strategic Forum on Networking, 23/02/2006
- Research and Advocacy Plan
- Restitution: AFRA Analysis: Strategic Forum Discussion
- The Report of the meeting between AFRA and TSCC held on the 05 and 06 September 2003 at the Treson Towers Hotel, Pietermaritzburg
- Forgotten People: realities and rights of farm dwellers in the context of HIV and AIDS. A study of and with farm dwellers in the KwaZulu Natal Midlands. November 2005.
- Strategic Forum on Networking, 23/02/2006
- AFRA News nos 59, 60.
- Project six month plans Jan – June 2006