

Revitalising municipal commonages as a key approach to land reform and pro-poor agricultural development

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1. Introduction

Major challenges face rural development in South Africa.

This paper concerns stand-alone towns in several provinces, where municipal commonage land is found on the periphery of towns. In many cases, this land is eventually utilized for housing expansion, but in other cases, this land is used by local black or coloured township residents, primarily for livestock farming. This land, which was rented by white commercial farmers before 1994, has now become an important source of food security, income generation and farming development by small-scale farmers.

Commonage has been defined as follows: Commonage or common pasture lands are lands adjoining a town or village over which the inhabitants of such town or village either have a servitude of grazing for their stock, and, more rarely, the right to cultivate a certain portion of such lands, or in respect of which the inhabitants have conferred upon them by regulation certain grazing rights (Dönges & Van Winsen 1953:303, cited in Anderson and Pienaar 2003: 7).

Historically, 'traditional' commonage provided a place for town residents to keep their transport animals, milking cows, animals for slaughter and butcher's stock. Stock being moved between grazing lands could depasture on the commonage. Commonage regulations made detailed provision for these different uses (Anderson and Pienaar 2003:8). Political change has enabled the demand by black residents for access to this land to be heard. Commonage may provide for a range of land uses: grazing, food gardening, burial of animals, firewood collection, plant harvesting, 'banking' (allowing people to 'bank' extra cash in livestock for times of need), and cultural purposes, such as keeping stock for funeral or marriage ceremonies (Anderson and Pienaar 2003: 9).

Commonage use has remained largely under the radar screen. Between 1995 and 1999, the then Department of Land Affairs purchased additional commonage for municipalities, to enable black and coloured farmers to expand their farming operations. During the last decade, however, commonage has fallen off the political radar screen – largely because the DLA has increasingly defined "land reform" as *ownership* (and not *access to land*). In this context, land reform was equated with the purchase of hectares from white owners and the transfer of land to black farmers – in various programmes (the Sustainable Land Acquisition Grant, or SLAG; the Land Redistribution for Agricultural Development Programme, or LRAD; and subsequently the Proactive Land Acquisition Strategy, or PLAS).

At the same time, the Department of Rural Development and Land Reform has prioritized the development of key rural nodes. This has, unfortunately, diverted attention from rolling out rural development systems in non-nodal areas.

Nevertheless, commonage, as a system of communal agricultural use of municipal land, fits many of Government's current policies.

2. Commonage within the context of current policies

Current land reform programmes prioritise five elements:¹

1. *Agrarian transformation*, including increased agricultural production, livestock farming, improvement of rural livelihoods, appropriate technology, and food security.
2. *Rural development* includes various forms of rural infrastructure (transport, agriculture, energy, communications, post offices and retail facilities)
3. *Improved social infrastructure*, including social mobilization in rural communities, co-operatives, clinics, recreation, youth development, education, heritage, non-farming activities, leadership development, public participation in projects, improved local governance, the development of NGOs and CBOs, and social capital.
4. *Land reform* includes increasing the pace of land redistribution, providing access to land for previously disadvantaged people (through the redistribution of 30% of white-owned agricultural land), improving post-settlement support, and improving the value for money for each hectare of land bought.
5. *Increasing the pace of land tenure reform*, including facilitating secure access to land by farm dwellers and establishing agri-villages.

In many quarters, the ambitions expressed by the Green Paper on Land Reform (2011) have been criticized as being vague, ambitious and unnecessary contentious. Such criticisms may well be true. However, it will be shown, in this paper, that the key focus of the Green Paper can be met, if a commonage-based land reform and rural development strategy is taken seriously. According to the Green Paper, “agrarian transformation” is interpreted to denote “a rapid and fundamental change in the relations (systems and patterns of ownership and control) of land, livestock, cropping and community”; and the goal of the strategy is “social cohesion and development” (DRDLR 2011: 1). According to the Green Paper, *ubuntu* or social cohesion is of the essence of land reform and rural development. Significantly, rural development is seen as a multi-faceted concept : “The key parameters for measuring development, therefore, are social, political, administrative, cultural, institutional and economic.”

The Green Paper suggests three principles underlying land reform (DRDLR 2011: 4):

1. De-racialising the rural economy;
2. Democratic and equitable land allocation and use across race, gender and class; and,
3. A sustained production discipline for food security.

As one of its four “tiers” of land tenure, leasehold of state land is specifically mentioned in the Green Paper (DRDLR 2011: 6).

The argument, in this paper, is that the proper use of municipal commonage could assist in meeting many of these goals – often, in more effective ways than conventional land

¹ http://ww2.ruraldevelopment.gov.za/DLA-Internet/content/pages/CRDP_Background_and_Framework.jsp

redistribution. Commonage land does not provide *ownership of land by beneficiaries*, but it does provide *access* to a large, and potentially growing, number of rural people. By building a new class of small-holder and emergent commercial agriculture, it will de-racialise the rural economy. It is a system which has been inclusive across boundaries of race, gender and class, and it consistently provides food security for many households.

3. Critical debates in the wake of the Green Paper on Land Reform

The 2011 Green Paper was met with widespread criticism, for several important reasons - not least, the general lack of specificity of the Green Paper's proposals. An important response to the Green Paper was that of Programme for Land and Agrarian Studies (PLAAS). Amongst its numerous comments were several valuable indicators of what a successful land reform policy should include (PLAAS 2011):

1. The policy should not promote racial polarization
2. The policy should be clear on whether the poor or the emergent capitalist class of black farmers should be promoted
3. The policy should be clear about the spatial dimensions of land reform – what land should be targeted?
4. Is there a mid-way between “willing-buyer-willing-seller” and confiscation of land?
5. Projects should be better designed, to promote successful land use
6. Rural livelihoods should be promoted, including the effective involvement of smallholders in agricultural markets
7. Agro-food systems should be improved, to promote food security of the urban poor
8. The policy should clarify choices between land leasing and land ownership
9. Marginalised groups, such as women, need to be promoted.
10. The ‘missing middle’ between the two poles of food security gardens and big commercial farms should be addressed: This refers to the untapped potential for smallholder farmers who want to produce for their own consumption *and* for a market.
11. The trend towards fewer and larger commercial farms needs to be addressed
12. The trend towards “jobless de-agrarianisation” (the loss of farm jobs) should be addressed
13. The linkages between rural and urban livelihoods, or on-farm and non-farm incomes, should be addressed
14. Land reform should articulate with other policies, notably environmental and water sectors
15. There cannot be a one-size-fits-all land reform solution, and policies have to be adjusted to different local contexts
16. Land should be allocated to people who can use it effectively, for food and fibre production
17. Confiscation should only be contemplated in areas where the public benefit is clear
18. Land reform should be one of a suite of livelihood policies in different sectors
19. Land reform should be included in local Integrated Development Plans and spatial frameworks, to allow coherent intersectoral planning and economies of scale
20. This would enable participatory planning processes, where people's needs can be accurately identified.

Once again, commonage use meets several of these key points made by the PLAAS researchers:

1. It can build racial harmony, by bringing together black and coloured commonage farmers and established (usually white) commercial farmers, in systems of mutual support
2. By involving agricultural support institutions and intensive mentoring, it can promote effective and sustainable agricultural land use
3. Rural food production would be promoted
4. Commonage can offer a mid-way position between land lease and land ownership, as successful commonage farmers can “exit” commonage use to access their own farms
5. Commonage farmers can combine agricultural and non-agricultural income streams, thus providing income security and hedging against risk
6. Local agro-processors (such as abattoirs) can assist commonage farmers to boost output and increase incomes
7. Intensive institutional support can build community cohesion, social capital and management systems
8. The inclusion of commonage in local economic development plans will show rapid development of small-holders and rural entrepreneurs.

At the same time, the strategic priorities of the National Department of Agriculture (NDA) need to be considered. These priorities are (NDA 2012: 3-5; 39)

1. The Zero Hunger programme, which seeks to find public sector markets for subsistence and small-holder producers;
2. The promotion of small-holder agriculture by means of co-operatives development, marketing, mechanization, financial services, and spatial planning
3. Agro-processing
4. Promoting extension services, particularly by means of public-private partnerships
5. Promoting agro-ecology, or environmentally sustainable agriculture
6. A strategy on urban and peri-urban agriculture
7. Promoting employment in agriculture
8. Promoting the establishment of commodity producer groups at local level.

Once again, commonage can make a contribution to these policy goals: It will promote small-holder production; it is eminently suitable for co-operatives; it can be locked into agro-processing systems (such as abattoirs); it is a cost-effective setting for agricultural extension services; it must be part of a strategy on peri-urban agriculture; it can provide employment (commonage farmers employing herders); and it can be networked with producer associations (e.g. the Red Meat Producers Organisation).

4. Key dimensions of commonage land use

Since the late 1990s, commonage land has come onto the radar screen of researchers, because of the evident potential of commonage to assist the emergence of small farmers as well as provide food security for township dwellers.

The size of commonage land holdings in South Africa is significant. The Northern Cape has the most commonage land, at 1.6 million hectares (Benseler 2003: 50).

An HSRC study was undertaken in 2003 to assess the amount of commonage land in the Free State and Northern Cape (Benseler 2003; Buso 2003). The list of municipal commonage in the Free State shows how extensive these land holdings are:

Table 1: Size of commonage in Free State municipalities (Buso 2003: 6)

Municipalities	Size of commonage
Letsemeng	10 681 ha
Metsimaholo	384 ha
Phumelela	1673 ha
Tswelopele	5610 ha
Maluti-a-Phofung	83 ha
Mohokare	8516 ha
Mangaung	Unknown
Montsopa	6073 ha
Dihlabeng	2403 ha
Moqhaka	7173 ha
Kopanong	29701 ha
Naledi	1882 ha
Masilonyana	2899 ha
Ngwathe	1446ha
Nala	2277 ha
Mafube	4850 ha
Matjhabeng	8432 ha
Tokologo	9918 ha
Setsoto	8194 ha
Nketoana	600 ha
Free State total	At least 112 795 ha

In Grahamstown, a survey showed that 44% stockowners rear livestock for non-economic reasons, such as tradition and culture, 32% for consumption, 16% sell their animals, 3% keep animals for status in the community and 5% keep animals for ‘other’ reasons, such as a hobby (Thornton 2008: 251). In nearby Peddie, 37% of stockowners tended to rear livestock for commercial purposes, 49% consumption and 14% for traditional or cultural reasons. However, it should be noted that Thornton’s study showed that social grants are regarded by local residents as their most important resource. Furthermore, the youth of Grahamstown and Peddie are distinctly unwilling to engage in urban agriculture, since they regard urban agriculture as not part of an urban lifestyle (Thornton 2008: 255). Given the safety net that social grants provide, such attitudes may be understandable, as social grants prevent extreme destitution; but it shows a significant dependency syndrome, and bodes ill for the day that social grants may have to be reduced: “The social grant system appears to encourage spending as opposed to saving or investing in developing employable skills” (Thornton 2008: 258).

In three towns in the Eastern Cape, a significant number of households use commonage. In Bathurst, Grahamstown and Fort Beaufort, commonage is used primarily for fuelwood and medicinal plants, but a significant number of households (between 11 and 21%) use commonage

for livestock (Davenport *et al* 2011). Approximately half (41 – 57 %) of those using municipal commonage are living below the poverty datum line.

An important aspect of commonage use is “pluriactivity” – i.e. households that rely on a combination of agricultural and non-agricultural incomes (Anseeuw and Laurent 2007). This is a normal dimension of modern agriculture, so it should not be regarded as an obstacle to commonage farming. Many modern commercial farmers (or their spouses) have non-agricultural or non-farm livelihoods (including professional jobs). Non-farm livelihoods generate capital for agricultural investment, and also act as safety nets during tough periods on the farm (Anseeuw and Laurent 2007:668).

5. Commonage as a land reform policy

During the late 1990s, the Department of Land Affairs expressed interest in promoting commonage as a form of land reform, and some additional land was purchased. (DLA 1997:50–51). Funds to buy new or additional commonage land are made available by DLA in terms of the Grant for the Acquisition of Land for Municipal Commonage as provided for in Section 10(1)(c) of the Provision of Land and Assistance Act 126 of 1993, (Anderson and Pienaar 2003: 10), on condition that it was made available for poor residents (i.e. a pro-poor policy).

By 2003, commonage accounted for the greatest transfer of land attributable of any single land redistribution programme, and 420 812ha (31% of land reform purchases) were attributed to the commonage programme in 2003 (Anderson and Pienaar 2003: 6). Of this figure, 74% was allocated to Namaqualand. The programme was implemented in all provinces, except Limpopo and KwaZulu-Natal. Between 1994-2000, the following amounts of land were transferred to municipal commonage (Anderson and Pienaar 2003: 15):

Table 2: Hectares transferred for commonage, 1994-2002

Province	Hectares
Eastern Cape	26 117
Free State	34 648
Gauteng	912
KZN	0
Limpopo	0
Mpumalanga	3 626
Northern Cape	340 868
North West	7 849
Western Cape	5 884

After 2000, the amount of land purchased for commonage declined dramatically (Anderson and Pienaar 2003: 7), clearly due to the new Ministerial priorities of Thoko Didiza. The overarching policy goals shifted to the promotion of commercial farmers (Anderson and Pienaar 2003: 11). Officially, the commonage policy remained in place, linked to the policy on land redistribution. The role of commonage could thenceforth be two-fold: (1) Providing access to land for supplementing income (i.e. food security by subsistence users), and as a “stepping stone” for

emergent farmers (i.e. commonage farmers could “exit” from commonage land onto their own privately –owned land (Anderson and Pienaar 2003: 11). But by 2002, only 3% of Departmental grants were allocated to commonage (Anderson and Pienaar 2003: 12).

The acquisition of DLA-funded commonage land led to the distinction between existing “traditional” commonage (not to be confused with “traditional areas”!) and “new commonage”.

6. Difficulties of municipal commonage management

A major difficulty with the DLA’s efforts to promote commonage use as land reform strategy was that local municipalities were poorly integrated. The DLA failed to understand that newly restructured municipalities were institutionally fragile. Councillors and many officials were inexperienced, without adequate institutional memory of how systems used to function. At the same time, municipalities have major problems managing commonage, for several reasons:

1. The “traditional” commonage used to be leased out to individual white farmers, which was administratively easy. Dealing with groups of up to 40 black farmers becomes administratively complex, in terms of designing and implementing regulations, securing payment of commonage fees, and maintaining infrastructure. In many cases, black and coloured users accessed commonage land, simply by a decision of the Municipal Council, and without proper administrative systems being designed. In some cases, this amounted to a type of peaceful land invasion. The fact that municipal headquarters are now often located in distant towns also multiplies administrative delays and red tape (Anderson and Pienaar 2003: 18). Furthermore, few municipalities have any records of livestock kept on commonages (Gambiza *et al* 2012: 5).
2. There has been an ongoing problem of intergovernmental relations and co-ordination. Municipalities have often not been assisted by provincial departments (e.g. COGTA and Agriculture) to develop viable management systems (Anderson and Pienaar 2003: 24). DLA remained interested only if land transfer to municipalities was at stake; the system of managing “traditional” commonages has often not been addressed by provincial departments (although there are exceptional cases, such as Koffiefontein and Carnarvon). The weak extension services in many provincial Departments of Agriculture has contributed to the neglect of commonage support services.
3. Agriculture is not a municipal function, in terms of Schedules 4 and 5 of the Constitution. Some municipalities have little interest in managing their commonages, as they believe that it should be a function of the Provincial Departments of Agriculture. Consequently, municipalities are not eager to spend a lot of time on a function which they understand very inadequately, and which is not one of their key functions. Consequently, the core municipal functions (e.g. providing water, sanitation, streets and cemeteries) have received much more attention.
4. Providing commonage land to black and coloured users (who were often reluctant to pay even the low levels of rental levied by the municipalities) has meant severe revenue losses to the municipalities. Leasing the land to established, commercial, white farmers

ensured a steady flow of revenue, which was lost when the land was made available to black and coloured users.

5. The commonage question has been poorly integrated into municipal integrated development plans (IDPs), and consequently, legislation such as the Development Facilitation Act (1995) and the National Environmental Management Act (1998) have been poorly implemented on commonage land (Ingle 2006). From the side of provinces, there is no coherent guidance on the management or development of peri-urban areas (especially since the Peri-Urban Management Board was abolished in the early 1990s).
6. Provincial Departments of Local Government have no experience of commonage management, and are therefore unable to guide municipalities.
7. Commonage users are often not well organized into collective bargaining or management associations, multiplying administrative overheads.
8. Commonage revenue is usually paid into the central coffers of the municipality, and not ring-fenced for commonage infrastructure. Consequently, infrastructure tends to deteriorate, causing local conflict and mismanagement. This lose-lose dynamic undermines both the municipality and the commonage users: “Local municipalities are required to monitor the number of livestock on municipal commonages and charge appropriate grazing fees. However, in many instances livestock owners resist paying grazing fees, even those with large herds on commonage land (Davenport and Gambiza, 2009), arguing that they cannot pay fees when there is no infrastructure for livestock provided by the municipalities. Municipalities suggest in turn that they cannot put up infrastructure and manage the commonage if livestock owners refuse to pay the fees.
9. In many municipalities, there is no effective system of encouraging commonage farmers to “exit” the commonage onto their own land.
10. In some cases, commonage land was “captured” by wealthy and politically-connected elites (including councilors and municipal officials). Owners with large herds of cattle tend to occupy key positions within local institutions such as the livestock management associations. The local elites tend to wield more power than other members of the association. There is little evidence of emergent and reasonably wealthy farmers exiting from commonage land once they have sufficient capital to do so (Gambiza *et al* 2012: 4).
11. After 2003, the DLA soon lost interest in the commonage programme, as commonage land does not count as “hectares transferred” from private white ownership to private black ownership. This is a notable example of a design of a Monitoring and Evaluation System impacting directly on development practice. If “land reform” had been defined differently from a single-minded emphasis on “hectares transferred”, to include a greater emphasis on livelihoods and productivity, commonage may well have remained an important focus of the DLA.

12. It appears that poor management systems has led to environmental degradation in some towns – although the extent of this needs to be researched. There is evidence of overgrazing and bush encroachment in some municipal commonages (e.g. Puttick, 2008).

In some towns, therefore, commonages currently reflect the notion of the “the tragedy of the commons” , where a collective good is poorly administered, leading to a net loss of benefits and sustainability: “The result has been self-help, dominance and exclusion of women and the poor, non-payment of user-fees, land degradation and severely reduced or minimal benefit to the few who manage to gain access” (Anderson and Pienaar 2003: 19).

However, other municipalities have been much more successful in their management of the commonage, as research in the Free State has shown (Buso 2003: 28; Anderson and Pienaar, 2003: 27). Our research in Carnarvon showed that the commonage farming system in Carnarvon gives the impression of being stable and organized, with a remarkably strict system of municipal management, particularly with regards to the type of livestock allowed (only sheep) and the rentals collected (significantly rental rates than many other Karoo towns). The biggest complaint was the plague of stray dogs that wandered far into the surrounding country side, often killing lambs (Taylor, Atkinson, Cupido and Samuels, 2009: 4).

Currently, there is a wide diversity of management systems, including infrastructure maintenance, revenue collection, principles of access to the commonage, use of commonage revenue, and enforcement of grazing rules.

Given the institutional complexity, it is probably not surprising that the DLA had, by its own admission, not tackled the area of encouraging local governments to make existing ‘traditional’ municipal commonage available to poor residents to bolster livelihoods (DLA 2002c; 2002d, cited in Anderson and Pienaar 2003: 12). The last contribution made by DLA to commonage management was a Commonage Manual, compiled in 2002. The evaluation of this document by Anderson and Pienaar (2003: 27) captures the nature of the Manual:

“The DLA’s commonage manual of 2002 unfortunately pays no attention to the different options that exist for crafting regulations or grazing/ allotment agreements that could work to secure the rights of individual users of commonage (DLA 2002c; 2002d). The manual contains inappropriate advice on options for regulating access to municipal commonage. It promotes the idea that portions of commonage land should be leased to a user group on similar terms and conditions to which such land is being leased for commercial purposes. The manual does not promote the conclusion of grazing/ allotment agreements or even discuss options for regulating access in terms of municipal regulations. The manual does, however, contain an example of an outdated and early draft set of municipal regulations (see documents 14(a)–(c) of DLA 2002d). The lack of attention to how the rights of users need to be defined, allocated and administered is a major flaw. But, in spite of these fundamental flaws, the manual nonetheless constitutes an extremely important tool in many respects.”

7. Commonage users as farmers

The farming skill of commonage users varies greatly. Studies of commonage farmers in various localities have shown that some farmers have extensive agricultural and ecological knowledge. Often, these are people who have many years of experience as farm workers. In Philippolis, their move to the towns, and their entry onto the commonage, has been a first step to securing their own farming operations (Atkinson 2007). In Carnarvon, the commonage farmers interviewed have enough practical knowledge to manage their operation with some success, to get veterinary help for sick animals, to find transport at sale time to get their animals to the abattoir, or to market, and to do the transactions that are needed to buy new animals or sell their surplus stock (Taylor, Atkinson *et al* 2009: 5).

There are cases of constructive institutional relationships. In Carnarvon, the provincial Department of Agriculture supports the municipality and the commonage users, and regularly provides skills training (Taylor, Atkinson *et al*, 2009: 7). Furthermore, the Grootfontein Institute has initiated a long-term monitoring programme, including rangeland monitoring across different land uses (communal/emerging, commercial, protected, and a location at the Carnarvon Research station). This monitoring programme includes grazing capacity norms, degradation gradients, climatic/rainfall monitoring, animal production norms, and biodiversity norms, with the purpose of developing different technology transfer products relevant to different stakeholders. This shows what is possible, if the required support is provided to commonage users.

Also, the impression of environmental degradation on municipal commonage is not always substantiated. In Carnarvon, the camps in the commonage lands appear to be used to the maximum yet the veld is surprisingly robust according to our botanical survey, and is not showing signs of worrying degradation. A sustainable system seems to be in place through the use of local knowledge (Taylor, Atkinson *et al*, 2009: 6). A careful land assessment by the Agricultural Research Council showed that there was not a serious problem of overgrazing.

Carnarvon also has a constructive relationship between the commonage users, commercial farmers, and the local abattoir. Courses have been introduced for commonage users, to improve the quality of their livestock, and consequently the prices that they receive for their sheep and goats.

An important aspect of commonage is that many commonage users have other income streams. “Pluriactivity” (combining agricultural and non-agricultural livelihoods) is important to ensure enough income to the household while developing the farming unit. Therefore, the measures limiting pluriactive farm practices, such as specific restrictions on access to loans or communal land, not only affects the majority of the people engaged in farming, they also disadvantage the only people with the potential to develop a viable commercially oriented farming activity. The general bias at provincial level is in favour of full-time farmers – a principle which is becoming increasingly unrealistic in modern farming conditions. Other government practices, such as farm financial systems, should be adjusted to assist commonage farmers (Anseeuw and Laurent 2007: 669).

There are still many imponderables:

1. How many local people would *want* to farm on commonage, if more land is provided? The extent of land demand (“land hunger”) requires much more research (Taylor, Atkinson *et al* 2009: 6)
2. How many local people have sufficient farming skills and capital resources to farm effectively?
3. How many people farm for subsistence, and how many want to become commercial farmers?
4. Can effective commonage users associations be established in conditions when participants have widely different levels of farming experience?
5. To what extent do commonage users stimulate the local economy? In the case of Carnarvon, almost all the commonage users purchased their inputs locally, suggesting that they may be the single strongest economic sector stimulating the local economy (Taylor, Atkinson *et al* 2009: 28).

Commonage is not a panacea in all cases. Thornton (2008:258) found, in the Eastern Cape, a disinterest in urban agriculture amongst key stakeholders: “Urban and peri-urban agriculture does not receive adequate support from institutional and non-governmental actors, individually or in partnership. In place of cooperation are prevailing negative attitudes, where suspicion and distrust persist amongst local residents, municipal officials, academia and NGOs.”

8. The social profile of commonage users

Commonage land is used by a remarkably diverse range of local people: “Users are divided between strong farmers and resource-poor farmers; commercial, part-time, income-supplementing and subsistence farmers; middle-class residents with additional stock investments, poor *inkommers* [in-migrants] from the farms and migrant workers using the commonage to ‘bank’ income” (Anderson and Pienaar 2003: 16).

A similar diversity was found by Davenport *et al* (2011): Commonage-using households can be divided into four livelihood types:

1. The urban poor who engage in a diverse range of livelihood activities, including casual wage labour, social grants, remittances and regular collection of commonage resources. The latter contributes more than 30 % of their total livelihood made up from multiple resources such as fuelwood, grazing, medicinal plants, building timber and so on.
2. Social grant dependent households who receive more than 80 % of their income from social grants and supplement this with use of commonage resources (11 % of income).
3. Employment dependent households who obtain more than 80 % of household income as cash from wages, salaries and self-employment. They make only limited and ad hoc use of commonage resources, typically for grazing of livestock.
4. Households who are more or less equally reliant on employment income and income from social grants. They make only limited and ad hoc use of commonage resources.

In Philippolis (southern Free State) , in 2006, the following types of commonage users were found (Atkinson and Buscher 2006):

Table 3: Categories of livestock ownership

Livestock ownership category	Number of users	Percentage of users
Up to 10 head of livestock	16	57
Between 11 and 30 head of livestock	6	21
Between 31 and 100 head of livestock	4	4
More than 100 head of livestock	2	7

Table 4: Professions of commonage users

Profession	Number	Percentage
Unemployed	15	54
Gardener/labourer	2	7
Municipal worker	2	18
Domestic worker	5	7
Full-time commonage user	2	7
Other	2	7
	28	100%

This diversity is both a strength and a weakness of commonage. It is a positive feature, in that it shows how versatile commonage land can be, and indirectly, shows how vibrant and diverse local economies and communities are. In many cases, these user groups have evolved their own regulations, demonstrating surprising institutional robustness. In Carnarvon, people across a range of income levels have access to commonage opportunities in Carnarvon and there seems little resentment between the members about access to land (Taylor, Atkinson *et al* 2009: 5). But if this diversity is not well managed, “The varied profile of potential commonage users produces a high degree of conflict and struggle to capture the benefits of access to the commonage” (Anderson and Pienaar 2003: 16).

9. How should commonage be managed and promoted?

The institutional challenges facing commonage management are significant. Any common-property resource requires careful institutional management, as the notable author Elinor Ostrom has recognised: “In a setting in which few individuals share norms about the impropriety of breaking promises, refusing to do one’s share, shirking, or taking other opportunistic actions, each appropriator must expect all other appropriators to act opportunistically whenever they have the chance. In such a setting it is difficult to develop stable, long-term commitments” (Ostrom 1990: 36).

Ostrom launched three decades of research on common property institutions, which has collective a massive following world-wide. Research on grazing land, forests, shared water sources, the oceans and numerous other setting has generated extensive insights on how common property resources can be managed. It is possible to avoid “the tragedy of the commons”. This requires three levels of rules which are “nested” within one another: Operational rules (day-to-day decisions), collective-choice rules (deciding who is eligible to use the resource, and on what terms), and constitutional rules (who decides how the resource should be managed?) (Ostrom, Gardner and Walker 1994: 46). It remains a challenge to build sufficient social capital and constructive norms to underpin the

behavior of commonage committees (Vollan 2006). In the case of Carnarvon, many commonage users regularly donated livestock to local churches (Taylor, Atkinson *et al* 2009: 27).

Elinor Ostrom devised several key rules which are required to manage common property resources (1990: 91-102)

1. Common pool resources have to be characterised by clearly defined boundaries
2. Appropriation rules that determine “time, place, technology, and/or quantity of resource units” have to be established.
3. Individuals who utilise the resource can change the operational rules by which they govern the commons through community participation and collective inputs.
4. There should be an effective monitoring system that requires accountability to the users of the resource.
5. Offenders against operational rules are to be sanctioned by co-users or external officials that are accountable to the users. This deters people from breaking the rules and it provides users with the sense of assurance that other users comply to the rules. This creates a sense of security that all user rights are protected.
6. Effective conflict resolution mechanisms are in place to be utilised when there is conflict between the users or between users and officials. This mechanism is to be at local level, easily accessible and must ensure quick response.
7. Users should have the rights to “devise their own institutions” and these remain unchallenged by “external government authorities”. This prevents external government agencies from imposing rules on the users, which are not appropriate to the local circumstances.

The rules which should govern commonage use include:

1. Who qualifies to use the commonage?
2. What time-frames should govern these use agreements?
3. What land uses are acceptable?
4. What stocking rates should be maintained?
5. How much should users pay in municipal fees?
6. How should such fees be utilized? Should it be paid into a dedicated commonage account?
7. How should the commonage users be governed – by a collective association, or by individual agreements with the municipality?
8. If a collective association is established, what would be its powers and procedures? How would it be accountable to both its members and to the municipality?
9. How should the activities of the users be monitored?
10. Who should maintain the infrastructure, and who should pay for it?
11. How should rules be enforced?
12. How should the municipality be staffed to administer commonage?

13. And most importantly, how can commonage be included in livelihoods strategies and local economic development (LED)?

This is a formidable range of questions, and it will require extensive involvement in commonages to assist users and municipalities to create effective institutions. This support can be provided by Provincial Departments of Agriculture, Agricultural Colleges, NGOs, and producer organizations.

10. What are the future prospects of commonage land as a pro-poor strategy?

Insufficient quantitative research has been done on the extent and current use of commonages: “Until the amount of commonage made available to black farmers has been quantified, and the number of stock being grazed and number of beneficiaries have been counted, any calculations regarding benefits of the programme will largely be descriptive, rather than quantitative” (Anderson and Pienaar 2003: 19).

Dealing with these issues will require initiatives from national and provincial level:

1. *Increasing our understanding of the nature and extent of commonages:* “Despite the significance of municipal commonage in the land reform programme and its contribution to livelihoods of the urban poor, the extent of municipal commonage is unknown nationally. In many instances local authorities are uncertain of the precise boundaries of the municipal commonage purportedly under their care. There is an urgent need for an audit of the extent of municipal commonage around each town, provincially and nationally if it is to be managed productively and wisely to secure and enhance its contributions to the livelihoods of poor people” (Gambiza *et al* 2012:3).
2. *Recognising the potential role of commonages in poverty mitigation:* “There is a lack of national and local authority recognition of the role of commonages in poverty mitigation. Commonages are used extensively by the urban poor but are not managed for such by the local municipalities. Over 10 % more urban households would fall below the poverty line if commonage resources were diminished or made inaccessible to them” (Gambiza *et al* 2012: 3).

But there is a *prima facie* argument that such vast land holdings, administered well, can have a major impact on livelihoods. For example, it was calculated in 1997 that the 31 2 777ha that had been acquired by the four local municipalities in Namaqualand *potentially* represented R8 530 200 of additional income per annum based on carrying capacity (Anderson and Pienaar 2003: 20). Commonage is a buffer against destitution, particularly during times of growing unemployment.

In some ways, commonage is a better form of land access than is conventional land redistribution: “Commonage as a form of land tenure further provides a low risk and low investment livelihood opportunity for the very poor as virtually no capital is required and the land cannot be sold if the user incurs debt. The municipality is not allowed to alienate the land and it thus remains a resource for the poor in perpetuity. Freehold tenure may offer an investment in land, but this

may be a risky investment for the poor” (Anderson and Pienaar 2003: 21). There is significant demand from township residents for land, for both commercial purposes (such as livestock production for sale) and subsistence, “safety nets” or customary purposes (such as woodfuel, medicine plant collection, and keeping of livestock for social functions). A study in three Eastern Cape towns found that commonage contributions to total livelihood incomes ranged between 14 and 20%. If the contributions from commonage were excluded, the incomes of over 10% of households in each study town would drop below the poverty line (Davenport, Shackleton and Gambiza : 2012).

The potential developmental impact of commonage is well described by Anderson and Pienaar (2003: 31):

Commonage provides a relatively inexpensive and potentially very effective option for land reform. The municipal government system means that the necessary regulatory framework for rights administration and land management is already in place. Municipal legislation both empowers local authorities to act as agents of development and ensures that management is devolved to the lowest possible level. The municipality as the land holding entity is not a topdown, absentee landlord, but a key agent of local economic development.

A major shift in thinking is required in South African land reform, as well as rural development. Land ownership is not the only end goal of land reform. Land reform must be aimed, primarily, at promoting local and rural livelihood streams. There are international precedents for focusing on land *lease* systems. In Western Australia, for example (Government of WA 2008:v):

Over the last 35 years, ownership of pastoral leases has provided some 60 Aboriginal communities in Western Australia with a range of economic, social and cultural benefits. Pastoral enterprises have provided communities with the ability to access income streams that are independent of government programs, and have provided community members access to training and employment in an industry that many know and love. A number of communities have also developed auxiliary businesses on their pastoral leases, such as low impact tourism, roadhouses and seed collection programs.

The Western Australian Government is planning a wide range of programmes to support Aboriginal leaseholders. These include measures to encourage the youth to become involved in agriculture; promote skills training; assist with community-level governance institutions; and creating an Indigenous Pastoral Enterprise Development Programme. Such a programme would assist indigenous farmers to access markets and to diversify their enterprises into other sectors (e.g. ecotourism).

A similar integrated support system should be introduced for South African commonages, to ensure that this land yields the best possible impacts.

In Canada, there are vast commonages, where state land is rented out to commercial farmers. However, the Canadian state governments provide extensive support: Infrastructure

maintenance (fences, boreholes, windmills, kraals, dams, troughs); access routes to and from camps and drinking holes (trampling of the soil by livestock); vaccination protocols and the weeding out of infected livestock; identification conventions (to counter theft and for monitoring compliance); control of timing, intensity, and duration of grazing (scientific rotation); optimal stocking rates (overgrazing and plant management); erosion management (drainage); and water source contamination (Ingle 2006: 7).

In South Africa, support to municipalities and commonage users' associations have been provided primarily by NGOs, such as FARM Africa, Surplus People's Programme (SPP) and the Legal Resources Centre (LRC).

Commonage development should be regarded as a key component of developmental local government. In many rural towns, municipal commonage is the only natural resource available to the community. Therefore it has great potential as a basic resource for local economic development. Additionally, as mentioned in the introduction, commonage presents an opportunity to improving rural livelihoods (Benseler

Local municipalities can only provide services on a sustainable basis if there are sufficient revenue streams to support the services rendered or they are subsidized nationally (Gambiza *et al* 2012: 5). Consequently, grazing fees should be implemented for livestock owners who have larger herds. Municipalities should implement mechanisms for a regular count of livestock numbers on commonage land and to levy the agreed fees. These revenues should then be used to improve the condition and management of commonages.

If necessary, national or provincial subsidies and technical assistance should be provided to municipalities. At the very least, municipalities should be assisted to establish good governance systems, with adequately skilled staff and budget (Gambiza *et al* 2012: 5).

In some localities, Provincial Departments of Agriculture are playing a growing role in commonage management. The most far-reaching is the Free State Department of Agriculture, which has devised a stepping-off strategy, whereby the larger commonage farmers can exist the commonage and access their own farms:

FREE STATE COMMONAGE POLICY

Category 1 farmer:

This stage could be termed as an entry stage to farming in particular livestock. The requirements for an emerging farmer to qualify for this category should be:

- New entrant into the commonage system.
- Subsistence farmer who has not intentions of engaging in commercial farming.
- To reside within town owning the commonage and be registered owner of animals.
- Must rent land from the municipality on a communal basis.
- Each farmer should have a maximum of 5 cattle, 30 sheep or goats or a combination of animals that is equal to 5 cattle.
- As farmers have no intention of upgrading themselves, no time limitations have been placed on this category.
- An annual review of the number of animals is to be conducted with the purpose of considering factors such as carrying capacity of the land, potential of new entrance and compliance with the grazing agreement.

The municipality will assist the farmers within this category with:

- The provision of a bull for the cattle and/or a ram for the ewes.
- The application for drought relief funds in times of drought.
- The provision of vaccination and animal health mechanisms through interaction with the Department of Agriculture.

Category 2 farmer:

This is a stage where farmers show an interest in improving their knowledge and skills in farming. The following are the requirements for this category:

- The farmers share a piece of land with a maximum of four other farmers.
- The maximum number of animals is 15 cattle or 90 sheep or goats or a combination that is equal to 15 cattle.
- The time period for a farmer to remain in this category is a maximum of five years.
- The municipality will provide veterinary services at a subsidized rate and the costs of medication will be the responsibility of the farmers.
- Farmers can own corporately own/rent bull and/or rams.

Category 3 farmer:

This stage prepares the farmer for exit and be the owner of a farm. This is a stepping stone for the farmers to become the commercial farmers on their own land. This is facilitated through the LRAD programme and the DoA will assist in completing the LRAD application.

- Each farmer is allocated a piece of land on rental basis.
- The number of animals a farmer can have is 30 cattle, 180 sheep or goats or a combination of animals equal to 30 cattle.
- The maximum period allowed for the farmer is three years.

A special category for those whose livestock has exceeded the required number is catered for under the Interim Category. It is in this stage where the farmers use their livestock and any other assets as part of their own contribution in obtaining land reform subsidies.

11. Conclusion

This nuanced approach by the Free State Department of Agriculture shows how subsistence farming, small-holders and emergent commercial farming can be promoted *simultaneously* on a well-managed system of commonage. This can promote several benefits: food security, asset accumulation, market access, and local economic multipliers.

The main challenge is to integrate different dimensions of government activity:

1. Agriculture promotion
2. Municipal management
3. Environmental conservation, and
4. Community-level institutional development.

This involves technical, social, ecological and governance skills. What is now needed, is an intersectoral programme of commonage development, drawing on a wide range of existing legislation and White Papers.

It is now time to learn from international experiences in common property management – particularly regarding grazing land – and bring these lessons home to South Africa.

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