

# Article

## Land of dreams: land restitution on the eastern shores of Lake St Lucia

Cherryl Walker

From the 1950s to the early 1980s some 1,200 Zulu-speaking households were removed from what is now the Greater St Lucia Wetland Park (GSLWP), a World Heritage Site stretching along the northern reaches of the KwaZulu-Natal coastline. Some lost their land in the name of nature conservation; others were dispossessed to make way for commercial forestry and the establishment of a South African Defence Force (SADF) missile base on the Ndlozi Peninsula in 1968 (Surplus People Project 1983). The claims of the dispossessed to this land first began to receive serious recognition from national policy-makers in the early 1990s, during the hard-fought battle between conservationists and mining interests over an application by Richards Bay Minerals (RBM), a subsidiary of a major multi-national company, to mine the valuable titanium deposits in the high dunes running along the Eastern Shores of Lake St Lucia. After a protracted Environmental Impact Assessment (EIA) – the largest of its kind in South Africa to date – conservationists won a qualified victory in 1996, when the new, post-apartheid government decided in favour of conservation linked to eco-tourism as the development strategy for the region.

Today the legacy of forced population removals remains one of the biggest challenges facing the GSLWP Authority. In coming to terms with the past and looking to the future the Park Authority and other conservation officials accept that they must respect local communities' claims to the area, thus distancing themselves from previous conservation policies that accorded little intrinsic value to black people's land rights and citizenship. Turning that acceptance into practice within the mandate of conservation with development remains difficult, however. It also raises complex questions about how 'community' is to be understood in relation to the Park. Not only are there tensions between those people whom the post-apartheid state has

recognised as legitimate land claimants and other, neighbouring groups who do not have direct ancestral ties to conservation land, yet still look to the Park and the uncertain promises of eco-tourism for improved livelihood opportunities. There have also been bitter struggles among restitution claimants themselves over whose claims are legitimate and why, as well as who should represent them and why. Furthermore, external interest groups – government officials, local politicians, mining company representatives, environmental non-governmental organisations (NGOs), development consultants, researchers – continue to advocate their own understandings of community, land ownership and the public interest, driven by competing visions of how the public interest is constituted, what the landscape represents, and where responsibility for decisions about its future should lie.

This article explores these knotty issues as they weave themselves through one of the pivotal land claims in this region – that of the Bhangazi (Mbuyazi)<sup>1</sup> people to the Eastern Shores of Lake St Lucia. This claim was formally settled in September 1999 in terms of the Restitution of Land Rights Act of 1994, thereby clearing the way for the declaration of the GSLWP as a World Heritage Site. The history of this claim reveals the limitations of easy, ahistorical notions of community identity that inform much of the popular and policy discourses around land restitution since 1994. It also brings to the fore the difficulty of reconciling the very different scales of public interest that are vested in the environment of Lake St Lucia, as well as the differentials of power that shaped the claim settlement yet were not hegemonic in determining the outcome.

The claim is also interesting because the formal settlement – financial compensation and a stake in the future development of the area, without the restoration of underlying ownership of the land to the claimants – is out of step with the official policy that has since been approved by the post-apartheid government to guide the resolution of claims on conservation land. This policy aims to combine claimant ownership of protected areas with the continued conservation status of their land, by means of partnerships with national or provincial conservation agencies. The rationale is that this represents the optimal balance, a harmonious synthesis, between restitution and conservation – one that will both guarantee widespread support for conservation among otherwise disaffected claimants and ensure that economic benefits arising from the protected area status of their land will flow also to them. This approach was pioneered in the celebrated case of the

Makuleke land claim in the northern Kruger National Park, in 1998 (see de Villiers 1999).

A comparative national study of settled claims on conservation areas, the different social and political dynamics at work in each, and how well individual settlement agreements are performing once the celebrations have faded is overdue, but beyond the scope of this particular case study, which must, rather, be regarded as a contribution towards that larger project. My contention is that the Bhangazi claim differs from the Makuleke claim in at least one crucial respect – unlike in Makuleke, the ‘community’ that claimed Lake St Lucia’s Eastern Shores was geographically dispersed and socially fragmented, with no alternative land of their own from which to exercise group rights of ownership that excluded resettlement on their historical land. A broader and more controversial point to explore in relation to current conservation orthodoxies, that must also await further explication, involves the legitimacy of the principle of state ownership of protected areas in cases where the significance of the natural resources and landscapes in question extends beyond local (almost inevitably parochial) constructions of community and place.

## **The eastern shores: historical background**

### *Human settlement on the eastern shores before 1956*

Obscured within the designation of the Eastern Shores as a nature reserve today, the imprint of human settlement on this peninsula stretches back nearly two millennia. The very earliest Iron Age sites yet uncovered in South Africa, dating to 300 and 400 AD, are located on this strip of land, along with a string of Late Iron Age sites from the second millennium. Its marshlands, dune forests and coastline with ‘rich shellfish beds’ combined to provide ‘ideal locations’ for these pioneering farming settlements (Hall 1987:36). They long predate the ethnic histories inscribed in current restitution claims and proclaim the historical significance of the Eastern Shores for a much larger, southern African community than the claimants alone represent.

However, within this broader historical continuum, the Mbuyazi clan occupies a substantial slice of the more recent past. Their residence on the Eastern Shores appears to span some 200 years, to the pre-Shakan era. Their name for this territory is Nkokhweni, according to the spoken traditions of Phineas Mbuyazi, the leader who spearheaded the Bhangazi claim for this land in the 1980s and 1990s. In his telling, the sea is a significant marker of Mbuyazi identity. They are coastal people, ‘people of the sea’, who should not be separated from their land – ‘It’s like taking the fish from the ocean and

thinking that the fish will survive' (Mbuyazi interview). He describes his forebears as an offshoot of a chiefdom located in Kwambonambi to the south, near present-day Richards Bay, who first settled on the Eastern Shores in the early nineteenth century under their *inkosi* (chief), Sokana. Documentation supporting the Bhangazi claim gives Sokana's dates as *inkosi* as 1812 to 1821 and recounts a genealogy of six *amakhosi* (chiefs), ending with Lokothwayo Njojela Mbuyazi, a *sangoma* (diviner) of considerable repute who headed the clan between 1913 and 1971.<sup>2</sup> In broad outlines, the oral traditions recounted by Mbuyazi corroborate those recorded by the Zulu-speaking missionary-ethnographer, AT Bryant. In his *Olden Times in Zululand and Natal* (1929:105,117-8) he recounts how 'Mbonambi spear-smiths' vanquished the abaNtlozi (a group of 'artless arcadians' already living on 'that out-of-way peninsula') and 'subsequently develop[ed] into a separate and independent clanlet calling itself aba-kwa-Sokana (They of Sokana)'.

From the late nineteenth century, Lake St Lucia began to feature on British maps drawn without cognisance of or interest in the local people whose land it was. In 1879, at the end of the Anglo-Zulu War, the English Crown divided the defeated Zulu kingdom into 13 supposedly independent chiefdoms, and allocated (temporarily) the southern portion of Lake St. Lucia and the Eastern Shores to the once powerful Somkhele (Mpukonyoni) chiefdom of the defeated Zulu kingdom, whose heartland lay inland, to the west of the lake (Guy 1994:72-74). The following year imperial authorities annexed Lake St Lucia to block Transvaal Boers' ambitions for a sea harbour on the Indian Ocean (CSIR 1993a:20). In 1887 Britain annexed historic Zululand, excluding the substantial western tracts taken by Boer farmers. A decade later Zululand was incorporated into the Natal colony; henceforth the former kingdom's development was to be subordinated to the political and economic interests of white settlers to the south and west.

In the early twentieth century the people living on the Eastern Shores became, unbeknownst to themselves and along with thousands of their compatriots, squatters on their own land. In 1904 Zululand was 'delimited' by a commission of British and Natal colonial officials, which set aside 60 per cent of the territory for African occupation in 21 reserves. The remaining 40 per cent, which included the Western and Eastern Shores of Lake St Lucia, was declared Crown land (Surplus People Project 1983:23). A decade later the Natives Land Act of 1913 confirmed this devastating division between official 'native reserves' and crown land. Yet while the Zululand Delimitation

Commission had recommended that ‘natives’ be allowed to buy plots outside their reserves ‘if they wish to do so’, the 1913 Land Act prohibited African people from acquiring land beyond the seven per cent of land on its national schedule (Brookes and Webb 1965:186). With this foundational act of twentieth century white rule, the Bhangazi people were reduced to rightless occupants, their continued existence on their land dependent on an inaccessible and unaccountable bureaucracy. The 1936 Native Trust and Land Act reconfirmed this status.

Missionary, leisure-holiday and conservationist concerns precipitated other encroachments on Bhangazi land. During the 1890s Norwegian Lutherans moved into the St. Lucia area, establishing a mission at Mt Tabor (Dominy 1992:430). From the 1920s to 1930s the first lots of an all-white holiday town named St Lucia were laid out at the estuary mouth (CRLR 1999b). This meant that homesteads in the south had to shift northwards while the Bhangazi community as a whole lost access to communal lands and the estuary mouth. A series of official conservation interventions between the 1890s and 1940s further reduced land use options.<sup>3</sup> Then in 1956 some 25,000 hectares on the Eastern Shores were demarcated as the Cape Vidal Forest Reserve, opening the way for the Department of Forestry to plant exotic pine plantations in the southern section. Ownership of this land remained vested in the Republic of South Africa, but the management of the Eastern Shores was split between several national and provincial arms of government, with the Natal Parks Board (NPB) responsible for conservation (CRLR 1998a).

By the mid-twentieth century, the Bhangazi people’s way of life was being squeezed from all sides. The 1951 census recorded 2,075 ‘natives’ resident in the Cape Vidal Forest Reserve, of whom 58 per cent were female (CRLR 1998a:Annexure 26).<sup>4</sup> The considerable gender imbalance points to the prevalence of polygynous marriages as well as the degree to which homesteads had come to rely on male migrant labour to supplement household income. Born in the 1940s, Phineas Mbuyazi, for example, worked as a young man on a sugar farm in Empangeni (Mbuyazi interview). Yet the Bhangazi people continued to sustain many elements of their traditional way of life. Cattle constituted a major social and economic resource, with a total of 2,373 cattle recorded at two local cattle dips by the 1954/55 Agricultural Census (CRLR 1998a: Annexure 26). Homesteads practiced shifting cultivation in the shallow soils, supplementing agricultural yields with hunting, fishing and gathering of natural resources such as shellfish, despite pressure from

conservation authorities who classified these activities as poaching (Forrest interview). The Bhangazi people also maintained cultural and spiritual rituals in which the sea and lake system featured prominently. Infants were baptised in the sea and Mbuyazi *amakhosi* enjoyed a totemic relationship with the hippo living in the lake system, never eating their meat and calling on them in intercessionary ways in times of community conflict; Phineas Mbuyazi recounts a story of how two hippo followed Lokothwayo to Lake Bhangazi from Kosi Bay, after he had married two 'daughters' from that area (Mbuyazi interview). Speaking to field workers from the Commission on Restitution of Land Rights in the mid 1990s, Mbuyazi gave three reasons why he wanted to return to the Eastern Shores, which bound together social identity and the specificity of the place: *isiko* (local clan-based customs), *ulwandle* (the sea), and the lake with its hippo.<sup>5</sup>

In the mid-twentieth century the political relationship between this isolated group and the Mpukonyoni Tribal Authority was ambiguous. The suzerainty accorded the Mpukonyoni chiefdom by the British in the late nineteenth century had formally lapsed with the subsequent annexation of the Zulu kingdom and the declaration of the Eastern Shores as crown land. In 1951 the Bantu Authorities Act reconstituted tribal chiefs and councils across South Africa as petty functionaries of the state, thereby radically compromising any claims made by apartheid-era Tribal Authorities for direct political continuity between themselves and their nineteenth-century antecedents. At this time immediate authority over the African residents of the Eastern Shores lay with the local, white native commissioners and magistrates, first at Hlabisa, later Mtubatuba, who appear to have given the Mbuyazi a degree of recognition as a distinct entity, while also 'working closely with what [they] considered the relevant tribal authorities' (Forrest interview). According to Jeff Guy 'It is clear that this [Bhangazi] occupancy of the land was recognised by the magistrate and native commissioner, at least in the 1940s and 1950s when representatives of the Mbuyazi were sometimes present at the Quarterly Meetings of Chiefs, Headmen and People' (Guy 1995:2).

In the 1990s the Mpukonyoni Tribal Authority, under *Inkosi* Mkhwanazi, argued that the Mbuyazi leaders were *izinduna* not *amakhosi*, claiming as evidence that the Mpukonyoni *amakhosi* used to graze their cattle on the Eastern Shores. This claim was disputed at the time by the NPB Conservator on the Eastern Shores, Gordon Forrest, who could not recall a noticeable Mpukonyoni presence on the Eastern Shores when he started working in the

area, in 1964, but did remember strong links between the Bhangazi people and other coastal communities to the north (Forrest nd). For his part Phineas Mbuyazi insists that the people of the Eastern Shores lived independently of the Mpukonyoni *inkosi* before they were removed, although he concedes that at one point the local magistrate demoted Lokothwayo and temporarily designated, but then never instituted, the Mpukonyoni *inkosi* as regent on behalf of Lokothwayo's son (Mbuyazi interview).<sup>6</sup>

Regardless of how others interpret the Mpukonyoni/Bhangazi relationship, in his relationship to the Eastern Shores it is his identity as Mbuyazi that is core:

My *isibongi* (clan name) is Mbuyazi, Mbonambi is my *isithakazelo* (praise name). I know who I am. (Mbuyazi interview)

He also describes Lokothwayo as the first Mbuyazi *inkosi* to see himself as Zulu – before that ‘they were independent, they were not being regarded as Zulu, just Mbuyazi’. He dates the shift to the time of Zulu King Cyprian (1948-1964), when there was ‘a change in the system’, an apparent reference to the Bantu Authorities Act and the beginnings of the apartheid state's bantustan policy.

#### ***Apartheid-era forced removals, 1956 -1974***

In the 1950s and 1960s a series of decisions by various state agencies finally destroyed the Bhangazi people's precarious hold on their land. The first move came from the Department of Forestry, which in October 1956, after the proclamation of the Cape Vidal Forest Reserve, announced that henceforth only people who were prepared to work for it would be allowed to live in the areas under its control, and then on its terms. Addressing a meeting called with ‘Induna Lokotwayo Mbuyaze and about 75 followers’ at Lake Bhangazi, the Chief Native Commissioner, AJ Turton, listed stringent terms of residence:

Any family wishing to stay must have one member ... in service. The family will be able to graze 5 head of cattle in [the] area. The family will have a kraal site and 1 acre of land for crops. You will ask – How do I feed myself? My answer is – from wages earned from the Forestry Department. ... [You] are given three months to make up [your] minds. ... If [families] go they must be gone by May. Some can find their own places in the Reserve. (CRLR 1998a:Annexure 31)

Having sounded the death knell for the Bhangazi, Turton limited discussion since, he said, he did not have ‘all day . . . questions must be to the point’. In conclusion Turton's assistant described the stark choice facing the Bhangazi people as ‘more generous than anything you could have expected’.

He claimed that those people who had already been moved from the Western Shores, who previously had 'cried', 'have now told me that we should have moved them a long time ago because they have been living like baboons among the bushes but now have good land' (CRLR 1998a:Annexure 31).

The second intervention was precipitated by a small conservation lobby, which began marshalling white public opposition to various commercial forestry, agricultural and irrigation projects in the region that had been identified as undermining the environmental health of Lake St Lucia and its environs. In response the government appointed the Kriel Commission, which released a report in 1966 extolling the 'unique environment' of the Lake and recommending the enlargement of the existing conservation zone under a single management; this preserve, it argued, would 'represent a vignette of the original wild life of Zululand' (Dominy 1992:430). The Kriel Commission ignored the interests of the Bhangazi people, recommending instead that they be removed and 'absorbed' into the adjacent African reserves (Dominy 1992:430). In 1986 environmentalists achieved a significant victory when St Lucia was proclaimed a wetland of international importance in terms of the international Ramsar Convention of 1971 (CSIR 1993b: 643).

At the same time, as the political isolation of South Africa and decolonisation in the rest of the continent gathered pace, apartheid military forces entered the scene, emphasising the strategic importance of this remote coastal area. In 1968 the SADF established a missile testing range extending from the tip of the Ndlozi Peninsula, over the northern reaches of Lake St Lucia and a coastal strip, to Sodwana Bay. This military installation led to the forcible and ill-planned relocation of some 3,400 Mbila people, the northern neighbours of the Bhangazi people, between 1972 and 1979 (Surplus People Project 1983:261-67). The missile range also affected Bhangazi homesteads living north of Lake Bhangazi, who were forced to shift southwards before being moved from the area altogether (Forrest interview). Also at this time, and notwithstanding the growing conservation interest in Lake St Lucia, between 1969 and 1976 several mining companies applied for and received prospecting rights in three lease zones on the Eastern Shores from the Department of Mineral and Energy Affairs (CSIR 1993a:21-24).

By 1964 there were no longer any Bhangazi homesteads south of Lake Bhangazi. Gordon Forrest describes the living conditions of those who remained on the Eastern Shores through the 1960s and early 1970s as 'rough'. A severe drought, followed by floods, decimated subsistence production. Grazing was poor, hippos a problem, and money in short supply

– in his view, this ‘was not Eden’ (Forrest interview). Throughout this time the charismatic Lokothwayo provided a focal point of Bhangazi solidarity, but in 1971 he died. In the laconic phrase of one unidentified white official, this old man, likely in his 80s at the time of his death, had always been ‘somewhat adamant’ against moving.<sup>7</sup> With his death the last flickers of Bhangazi resistance went out (Mbuyazi interview), and in 1974 the Department of Forestry trucked the remaining 79 families out of the Eastern Shores into the Mpukonyoni area, from where they dispersed (CRLR 1998a: Annexure 34). For Phineas Mbuyazi, who was moved at this time, relocation meant that the Bhangazi people were severed not simply from livelihood opportunities but from the place that defined who they were:

We left our food in the fields. Our mealies, our bananas, our *madumbe*, we left them like that. Some of our goats were left behind in the forest. When we returned to fetch them, they said, ‘No, no one is allowed to enter here’. We were the last. Those who were removed, their houses were burned. If you had money inside, it did not matter. Our removal was a great heaviness. ... We were separated from our environment. I am referring to the graves of our revered ancestors. (Mbuyazi interview)

Because the Bhangazi people were classified as squatters they were not eligible for compensation, but were told to *ukukhonza* (declare allegiance to) neighbouring *amakhosi* to obtain homestead sites. Many ended up in the Mpukonyoni Tribal Authority. Some moved illegally into the adjacent Dukuduku state forest, while others drifted north to Mbazwana. While the ecological health of the Lake St Lucia system was beginning to draw public attention, the Bhangazi removal passed unnoticed in the mainstream press; the Mpukonyoni Tribal Authority raised no protests either (Forrest interview). Although the apartheid government’s notorious forced removals policies were beginning to receive critical attention in some opposition quarters (Desmond nd, Platzy and Walker 1985), the Bhangazi people were too small and isolated a community to be noticed. They were merged into the seemingly routine impoverishment of the surrounding districts over a period of nearly 20 years, powerless in the face of official insistence and the lurking threat of state repression.

### **Claiming the eastern shores, 1974-1995**

The history of the land claim can be divided into three stages. The first phase covered the period 1974-1989, when a small group of male elders toiled in obscurity to press their plea to return to their land, first to the newly established Self-Governing Territory of KwaZulu and, when that failed to

garner any results, to the Natal Provincial Administration (NPA). At first the proponents of the claim were individual men, contemporaries of Lokothwayo (Geva, Alos, Makhuzakhuza, Mhlanga and Mpesheya), all of whom died within a few years of the final removal (Mbuyazi interview). Phineas Mbuyazi dates his emergence as leader to '[PW] Botha's time', in the mid 1980s, when Lokothwayo appeared to him in a dream and instructed him to launch a struggle to restore his people's land.<sup>8</sup> The dream, Mbuyazi recalls, left him feeling sick and disturbed but, with the blessing of Lokothwayo's son, Daniel (who was reluctant to take the lead himself), he submitted to its authority.

When Lokothwayo came to me through the dream, I called the people of Bhangazi together. Then I explained to them about this representation. They gave me their support. Thereafter I pursued this matter. (Mbuyazi interview)

To mark this momentous step, Mbuyazi's own father slaughtered a goat and 'told [Lokothwayo] that the child has received the burden and will carry it'. Lokothwayo has continued to haunt Mbuyazi's dreams ever since: 'There were times when I would get fed up and want to stop, but Lokothwayo would come to me and say, "Who said you could stop?"' (Mbuyazi interview).

Backing him was his wife, Thokozisiwe Mbuyazi, who, unlike her husband, was literate and played a key role in writing the letters Mbuyazi dictated to the sequence of officials to whom bureaucrats, well versed in the art of referral, directed him. A small group of older Bhangazi men constituted a support committee; one of them, VJ Mlambo, owned a taxi in which the committee traveled 'up and down to Ulundi', the capital of the KwaZulu bantustan (Mfeka interview). The decision to approach officials in the KwaZulu government was occasioned less by loyalty to the institution than by pragmatic considerations; in the 1980s it would have been hard for Mbuyazi to imagine options outside the bantustan structures. However, he soon reached the limits of this route – 'At Ulundi they said they could not take the matter forward; I needed to reach up to the big government' (Mbuyazi interview) – and thereafter turned to the NPA and the NPB. Gordon Forrest remembers first meeting Mbuyazi about the land claim in 1987, when he was working for the NPB on the Western Shores (Forrest interview).

By 1989 South Africa was on the brink of a tumultuous period of transition. In August 1989 the more flexible FW de Klerk replaced the bellicose PW Botha as state president, clearing the way for formal negotiations between the ruling National Party and the leadership of the exiled African

National Congress (ANC). In February 1990 de Klerk released Nelson Mandela from prison. The following year the National Party formally abandoned its apartheid policy and abolished the 1913 and 1936 Land Acts. Under mounting pressure to address the legacy of forced removals, it also established an Advisory Committee on Land Allocation (ACLA), to make recommendations on the disposal of state land, including to formerly dispossessed people (RSA 1991). Also during these momentous years, conservationists launched a nation-wide campaign to block RBM's plans to mine the Eastern Shores.

The Campaign for St Lucia grew rapidly into one of the largest environmental campaigns yet mounted in South Africa, conducting an effective media campaign, collecting signatures for a national petition, and lobbying parliament. A prominent theme for the Campaign was the need to protect what conservationists defined as the unique 'sense of place' that visitors to the Eastern Shores experienced; in summarising this position the EIA Report noted how 'The St Lucia subregion, which is perceived as wilderness, has gained a special symbolic value in the minds of many South Africans, and people overseas' (CSIR 1993a:122). A major partner in the Campaign, the Zululand Environmental Alliance (ZEAL), argued that the St Lucia region 'constitutes a treasure of untold environmental richness which belongs to all the people of South Africa, indeed of the world' (CSIR 1993b:136). The de Klerk Cabinet responded to the unprecedented pressure by commissioning a full EIA of the mining option, and in 1991 appointed a Review Panel under Judge Leon to make recommendations based on the EIA, once that was finalised (CSIR 1993a).

The seismic shifts in the South African political order marked the start of the second phase of the Bhangazi land claim, which profoundly influenced the future course of developments at Lake St Lucia. Initially the former residents of the Eastern Shores were largely invisible in the public debate that erupted around the EIA between the proponents of mining and of conservation. Both lobbies regarded the landscape over which they battled as essentially unattached to local social geographies – their conception of the public interest did not include local black people as citizens but, rather, as abstract and undifferentiated beneficiaries of their preferred EIA outcomes. The managers of the EIA process themselves identified only one black organisation among 14 'lead interested and affected parties', and that was the National Union of Mineworkers, which was chosen to represent RBM workers and did not participate actively in the EIA (CSIR 1993c:1.21).<sup>9</sup>

However, as the process unfolded through the early 1990s, the previously submerged rights and interests of land claimants began to assume an unfamiliar legitimacy. In 1992 the expert commissioned to report on historically and culturally significant ‘structures’ that might be affected by mining referred briefly, in a catalogue of buildings and shipwrecks, to the history of removals and the possibility that ‘in the present situation ... the previous inhabitants of the area may feel that they have a rightful claim to the land’ (Dominy 1992:437); he recommended that some symbolic acknowledgment of their ‘contribution to the history of the area’ would be appropriate.

The recognition of the history of dispossession introduced new uncertainties into the EIA but also opened up strategic opportunities for key players. For the Bhangazi people their hitherto very locally framed objectives were now subsumed within national, even global, concerns, which were embedded in very different world-views and struggles over resources from their own. Phineas Mbuyazi tried to use the changing dynamics to press, doggedly, his claim ‘to go back to our land to Bhangazi if possible because we have ... developed a special relationship [to the] shores’.<sup>10</sup> In late 1992 he submitted a claim to the NPB, again approached the KwaZulu government, and contacted a member of the Natal Provincial Executive, who referred him to ACLA. In March 1993 he wrote to ACLA. The following month he arrived unexpectedly at an unrelated ACLA hearing in Richards Bay, from where he was directed to the EIA Review Panel. The Panel heard his story in November 1993 and referred him back to ACLA. That body decided that it did not have clear authority and requested the Deputy Minister of Regional and Land Affairs to determine whether it could consider Mbuyazi’s claim (CRLR 1998a:13). By this time, however, Mbuyazi was no longer the only spokesperson for the claim. In September 1992, the Mpukonyoni Tribal Authority entered the fray, with active support from RBM, who hired lawyers to undertake research in support of the Mpukonyoni claim, as a precursor to negotiations with the *inkosi* about future land-use options. Taking the lead in the Tribal Authority claim were several youthful advisers of the *inkosi*, who had never lived on the Eastern Shores themselves but were alive to the economic potential of its mineral wealth. RBM also embarked upon a major public relations exercise that appealed to ‘at least 100 *indunas* and *inkosi* from as far away as Eshowe’ to back the Mpukonyoni claim (Marais 1993:35).

Compared to RBM, the conservation lobby’s response to the land claims was less coherent. The Campaign for St Lucia was comprised of many

organisations, overwhelmingly white, who had a common enemy in mining but did not all agree on the optimal relationship between conservation, human rights and development. Most organisations within the coalition downplayed the legitimacy of the claims, fearing that recognition of either claimant group as equal partners would play into the hands of RBM.<sup>11</sup> By 1992/93, however, a smaller grouping had emerged which was working to ‘democratise the battle for St Lucia by consulting and involving local residents’ (Marais 1993:35). They were receptive to new ideas about including local communities in the management of protected areas under the slogan ‘People and Parks’ (New Ground 1993). Their sympathies lay with the Mbuyazi grouping, which was seen as independent of RBM, although not supportive of a pure conservation option for their former land.

In November 1992 the Review Panel requested that the public participation programme be extended to include a ‘Rural Liaison Programme’ to facilitate the involvement of ‘rural communities’ in the EIA. These were defined as ‘those communities living within or adjacent to the subregion who are largely illiterate, whose first language is Zulu, who are not communicable by post, and who are ... affected by any of the two land-use options’ (CSIR 1993c:2.2). In practice, however, the liaison programme was weighted towards black employees of RBM and the NPB on the one hand, and KwaZulu structures on the other, with the Mpukonyoni Tribal Authority assumed by the facilitators to enjoy ‘*de facto* authority’ (Mlambo and Mzimela 1993:1-2).

However, during this Programme some union members alleged that ‘Chief Mkhwanazi knows full well that he is not the legitimate representative of the people of the Eastern Shores’ and referred the facilitators to ‘a certain old man [who] claims to have some documents that prove the ownership of the land by the Mbuyazi people’ (Mlambo and Mzimela 1993:17). When interviewed by the Programme facilitators, Mbuyazi emphasised the autonomy of the Bhangazi people and expressed concern ‘that Chief Mzondeni Mkhwanazi has entered into an understanding on the issue of mining on the Eastern Shores with RBM’, because ‘Chief Mkhwanazi ... is not and his ancestors never were the traditional rulers of the territory across the St Lucia estuary’. He warned of a pending ‘bloodbath’ and claimed that RBM was manipulating the situation in its favour by ‘giving chief Mkhwanazi the center stage’ (Mlambo and Mzimela 1993:17).

The draft EIA Report was released in 1993. It tentatively outlined a potential compromise: mining in a reduced area, subject to mitigation, and

the development of ‘nature conservation and eco-tourism activities’ in the remaining area, within the framework of an enlarged wetland park (CSIR 1993a). The Report stated that the resettlement of the previous inhabitants of the area was not an option it could consider ‘on the grounds that present government policy determined that the area would revert to nature conservation’, but suggested that this might have to be revisited ‘in view of the developments with respect to this issue in South Africa today’ (CSIR 1993a:39). Subsequently the EIA Review Panel recommended in favour of the eco-tourism option, because:

... mining the Eastern Shores would cause unacceptable damage to a place which is special because of its rich history, ecological and biological diversity and the significance it has in the eyes of its many visitors. This unique combination makes the Greater St Lucia Area a very special asset for the nation. (quoted in Baskin 1995:4)

The Panel also identified the plight of the original inhabitants as in need of serious attention. In the meantime, however, senior officials in the then Department of Regional and Land Affairs (DRLA) had advised the Deputy Minister against referring the Mbuyazi claim to ACLA, arguing that the claim had no legal merits and the population relocation that had taken place had never been forced. These officials were anxious to prevent the claim from derailing their favoured land-use option – ‘balanced development’ encompassing both eco-tourism and mining – and did not regard community structures operating outside the Tribal Authority as legitimate. Their plan was to establish a single claimant committee under *inkosi* Mkhwanazi, and then bring selected parties together in a negotiations forum under the DRLA to settle the land claim (CRLR 1998a:14).

In April 1994, in its dying days, the apartheid Cabinet decided to delay the final decision on the EIA until the uncertainties around land ownership in the Eastern Shores had been resolved. At the time, this decision was seen to reward mining interests. While the first democratic elections ushered in a new dispensation, including an ANC Minister of Land Affairs and a restyled Department of Land Affairs (DLA), they did not signal a rapid shift in the state bureaucracy. The same officials who had managed the Eastern Shores claim on behalf of the DRLA before the elections continued to do so for another year. In early 1995 they motivated successfully to Minister Hanekom to appoint a mediator, Professor de Clerq of the University of Zululand, to resolve the dispute about the leadership of the land claim (CRLR 1998a). This mediator, who had worked closely with the KwaZulu government

on regional development initiatives in Zululand in the past, had no doubts about the right of the Mpukonyoni *inkosi* to represent the Bhangazi people in terms of Zulu customary law.

At this point local tensions escalated sharply. In April 1995 Gordon Forrest had to escort Mbuyazi to safety after a threatening mob had surrounded the Mtubatuba hall where a mediation meeting was underway (Mbuyazi interview, Forrest interview). In this intimidating environment, the men who remained behind after Mbuyazi had left, including three members of Mbuyazi's own committee, signed an agreement as 'members of the Bhangazi sub-committee of the Mkhwanazi tribe' agreeing to submit 'one claim for the return of the land ... to the Mkhwanazi tribe' (CRLR 1998a: Annexure 63). Shortly thereafter, following the murder of a member of the Bhangazi group, Mbuyazi felt compelled to flee the Mpukonyoni district with his wife and moved north to a shack on the sandy flats west of Mbazwana. As the time of finalising this article, he was living there still.

### **Land restitution: negotiating the land claim, 1995-1999**

The third phase in the history of the claim was initiated by the appointment of the national Commission on Restitution Land Rights (CRLR) by the ANC government in March 1995. A few months later, alerted to the DLA's in-house negotiations process by an Empangeni-based lawyer acting for Mbuyazi, the newly appointed Regional Land Claims Commissioner (RLCC) for KwaZulu-Natal (myself) intervened to take over responsibility for the claim. Mbuyazi had been referred to this lawyer by conservationists who were concerned about their own exclusion from the DLA's negotiations process and hoped this might shift the balance of power.

The Land Claims Commission tried to minimise the significance of the leadership dispute by arguing that historical land rights to the Eastern Shores belonged to the actual people among the claimants who once had lived there, and that they could be represented by more than one set of leaders – a position that did not sit comfortably with either Mbuyazi or Mkhwanazi, both of whom operated in traditionalist, chiefly mode. Now attention turned to identifying the people who had been removed from the Eastern Shores, whose identity, interests and preferences were always indistinct in the presence of their leaders or at public 'community' meetings called on their behalf within the Mpukonyoni district. In a patriarchal society women were particularly reluctant to make their voices heard. Then, as now, the people with ancestral ties to the Eastern Shores were generally very poor,

scattered over considerable distances, with no records that documented their family histories. They relied primarily on the radio, Tribal Authority meetings, neighbourhood and family networks, as well as rumour, for information and were extremely vulnerable to intimidation - several times the author had the disconcerting experience of being loudly condemned by members of Mbuyazi's committee at meetings with the Tribal Authority, men who on other occasions, at less public meetings where they participated openly as members of Mbuyazi's delegation, were friendly and supportive.

In the meantime, Derek Hanekom, the new ANC Minister of Land Affairs, had instituted his own review of the EIA, which his reviewers criticised as 'essentially an academic study' that was 'biased in favour of "concerned parties" with technical capacity, rather than the neighbouring communities who would be materially affected by the decision' (Baskin 1995:5). For the ANC-aligned Land and Agricultural Policy Centre (LAPC), the consultants appointed to assist the Minister with this task, the understanding of local community needed to extend beyond just those involved in the land claim:

Given the high levels of poverty in the Hlabisa district, it is arguable that the conceptualization of the problem should be redefined to answer the question: how can the natural resources of the region be utilized in a manner that brings tangible and sustainable development to the sub-region? (Baskin 1995:6).

Within this framework this ministerial review ultimately endorsed the eco-tourism route, while urging that land claims be resolved as quickly as possible 'not through reoccupation of land, but through equity-sharing in eco-tourism ventures and/or through the provision of alternative land' (Baskin 1995:22). In March 1996 the national ANC Cabinet finally rejected the mining option and adopted a development strategy that tied the conservation status of the future GSLWP to the promotion of eco-tourism as a spur for economic growth for the entire subregion. In the same month the Land Claims Commission formally accepted that the people who had been removed from the Eastern Shores had a valid claim, while also recognising that at that stage they had two sets of representatives.

Two major challenges facing the next round of negotiations were, firstly, to identify, enumerate and verify the actual claimants; and, secondly, to establish the negotiating positions of the principal parties, ie the claimants, the NPB, and the state (which was by then represented by a new echelon of DLA officials). Over several weeks in 1997 a team made up of community elders, a lawyer, a surveyor equipped with Global Positioning Satellite (GPS)

technology, an anthropologist, and CRLR, DLA and NPB staff walked the Eastern Shores to locate old homestead sites that the surveyor had already identified off historical aerial photographs, and then record the names and whereabouts of the families who once had lived there. To make the wilderness area north of Lake Bhangazi accessible, the NPB provided a helicopter – for the old men who flew for the first time, it was a memorable experience to view their former land from the air.

This mapping exercise proved extremely significant in bridging the divisions among the elders from the two leadership camps, who had time in the evenings to sit and talk, to review the day's work and its relationship to their past, their present and their future. Revisiting the land separated those who had lived there from those who had not; already, at an earlier demonstration organised by the Mpukonyoni Tribal Authority at the park entrance to the Eastern Shores, local people had observed that the *inkosi* did not know where to march to assert his claim when he climbed out of his car:

He could not take anyone, he could not show anything, he was weak.  
But Phineas went and said, 'You see that bush, you see that there?  
That's where we were.' (Bhangazi Community Trust interview)

Andrew Spiegel (1999), the anthropologist on the mapping team, was struck by the ease with which the men walked – remembered with their feet – old pathways that were invisible to him; he also remarked on the contrast between their confident resurrection of place in the indigenous forests and grasslands and their acute disorientation in the pine plantations.

During this time the DLA developed its negotiating position, based on the state's commitment to preserving the Eastern Shores as a protected area. At the same time, the NPB – always fiercely protective of the conservation integrity of the Eastern Shores – began to acknowledge the need to incorporate claimants more actively in the benefits and management of Park resources. In early 1998 a settlement appeared finally within reach. The Mpukonyoni Tribal Authority, weakened by the loss of external support, effectively withdrew from the negotiations and in March 1998 a single committee, with one legal representative, was finally chosen at a claimant meeting in the NPB auditorium at St Lucia town (CRLR 1998b). (After intense discussion among the men about the nature of South Africa's new democratic dispensation, the committee was enlarged to include a number of women as well.) Thereafter the CRLR undertook two polls to gauge claimant settlement preferences, in which the overwhelming majority of respondents opted for

financial compensation above land restoration. Mbuyazi was one of only seven claimants who opted for the land. For many beneficiaries, especially younger descendants of the original inhabitants, who had only tenuous links to the Eastern Shores, cash was an attractive proposition. However, committee members also maintain that the outcome of the poll reflected claimants' belief that at the end of the day money was all the state was prepared to offer (Bhangazi Community Trust interview).

### ***The settlement agreements***

The Bhangazi land claim was finally settled by means of two separate but interlocking agreements in late 1999. The first agreement, between the claimants and the Minister of Land Affairs, formally settled the land claim by means of a financial settlement. In arriving at the quantum, the state treated the land rights of the Bhangazi people as *de facto* equivalent to those of ownership, and then determined a total value for the land under claim, based on a determination of its presumed agricultural value in 1999. Through the process of negotiations the parties eventually settled on an amount of R16,680,000. They also agreed to fix the size of the dispossessed community at a maximum of 556 families;<sup>12</sup> the financial settlement thus meant a cash payment of R30,000 per beneficiary family. A further clause committed the DLA to assist 'as far as possible' those beneficiary families who wished to use their compensation to acquire alternative land.

As already noted, in deciding not to make an offer of land restoration, the state followed a different course from other high-profile claims on protected areas, including the Makuleke claim that had been settled the year before. The Bhangazi settlement was shaped by a number of overlapping considerations concerning the land, its regional significance, and the nature of the claimant community. A primary consideration was the pending World Heritage Site status of the park, which was regarded as central to a regional development strategy intended to benefit more people than the claimants alone. Another consideration was the poor agricultural potential of the land (a judgment vehemently opposed by claimants), which the state believed would effectively mean restoring claimants to continued poverty if they were to return to the land in any numbers. While ownership could have been restored without rights of settlement, as in the Makuleke case, the absence of a coherent, settled, functioning community in the Bhangazi case worked against this option. Local politics in the St Lucia area were extremely unstable, with deep fissures surrounding the mining issue. Furthermore, those former residents most strongly invested in the restoration of the land,

such as Mbuyazi, were not interested in symbolic ownership of the Eastern Shores. If they could not settle on the land, they needed alternative forms of compensation. Related to this was the question of the wider public interest in the Eastern Shores and its holistic management as part of the larger wetland park. In the words of Jean du Plessis, chief DLA negotiator:

In this particular case we were one hundred percent convinced that running cattle on that land would destroy an asset that belongs to the nation and the world for perpetuity. We argued that the settlement should confer a form of ownership that gives the claimants a real return, through gate fees and whatever, and also gives them a powerful symbolic presence that would make it impossible for visitors not to know who that land belongs to. (du Plessis interview)

The second agreement cementing the settlement was between the claimants and the KwaZulu-Natal Nature Conservation Board. It anticipated the establishment of a Bhangazi Community Trust, which would be the major beneficiary of a community levy on tourists visiting the Eastern Shores, and also committed the Park management to the establishment of a 4.6 hectare Heritage Site for the Bhangazi people at Lake Bhangazi. To operate for a period of 75 years, the community levy required hard negotiations, as the state was anxious not to exclude the Mpukonyoni Tribal Authority altogether from the benefits of the settlement, in the interests of stability, while the claimant committee wanted all proceeds to go only to its Trust. Eventually the parties settled on 70 per cent of the gate levy to the Trust, 20 per cent to the Tribal Authority, and ten per cent to the central community fund of the Conservation Board. The agreement stipulates that these funds are to be used for the education and benefit of the community of beneficiaries as a whole and identifies the Trust as the mechanism for representing the Bhangazi people in their future dealings with the GSLWP. The agreement also commits to the protection of important community grave sites and granted a number of additional benefits to claimants, such as free access to the Eastern Shores during normal gate hours, eligibility for seeds, cuttings, and culled animals ‘in accordance with Board policy’ and consideration for employment opportunities by the conservation authorities.

The agreements were signed by the parties at a major ceremony next to Lake Bhangazi on 24 September 1999 (Heritage Day) – a ‘hot, hectic day’ infused with last-minute tensions and logistical dramas (Walker 2003:3). In recognition of the importance of the settlement, then Deputy-President Zuma as well as the premier of KwaZulu-Natal, the new Minister of Land Affairs, the Chief Land Claims Commissioner and members of the KwaZulu-

Natal Conservation Authority (the successor to the NPB) were all present, as well as hundreds of local people who were bussed in to witness the event. There were speeches, a school drama performance, and a feast, for which the NPB and the St Lucia Town Board (relieved by the outcome of the settlement) donated beasts for slaughter. It was an emotional occasion. For conservationists it was a moment to savour. For other participants it was a bitter-sweet moment, with an 'element of sadness ... in this moment of congratulation' for those who 'had always hoped that one day they would be able to return to their former homes' (CRLR 1999a). For Phineas Mbuyazi, putting his thumbprint to the settlement documents signaled a painful conclusion to his labours. While he could finally rest, for which he professed himself grateful at the time, he also had to come to terms with the knowledge that his promise to Lokothwayo, made in his dreams, would not be fulfilled (Mbuyazi interview).

## **Conclusion**

Five years after the signing ceremony, it is still premature to pass final judgment on the resolution of the Eastern Shores claim. The main provisions of the two agreements have been implemented, with the unfortunate exception of the provision for DLA 'assistance' to the handful of claimants who had indicated that they were interested in buying alternative land with their payout. That undertaking was never pursued aggressively by the parties once the settlement was signed and with time became increasingly unrealisable, as the officials involved in the claim left their positions or moved on to other claims and the beneficiaries spent their money.

The longer-term success of the settlement remains in the balance as the state's developmental vision for the subregion struggles to take off in an extremely difficult socio-economic environment. The payout process roused expectations of compensation beyond those homesteads identified as claimants by the settlement and also stirred tensions within extended beneficiary families as to who would receive the money and how it should be spent. The Bhangazi Community Trust includes a younger generation of leaders from those who fought the claim in key positions; the transition has been a bumpy one, with Mbuyazi particularly unhappy about the new dispensation, from which he feels excluded. The development of the Heritage Site has not yet moved beyond the concept stage, nor have the Trustees come up with policies around the development projects the Community Trust should fund; by February 2003 the fund stood at over R750,000 (Bhangazi Community Trust interview). To this group now falls the major

responsibility for defining the relationship of the Bhangazi people to the new Park management, the GSLWP Authority. Trustees are regularly called upon as representatives of the Bhangazi people in ‘People and Parks’ events – for instance, the consultation held at Cape Vidal on the Eastern Shores as a precursor to the World Parks Congress in Durban in September 2003. Engaging the dispersed members of the community in consultation around development initiatives remains a major challenge, however. Managing substantial community funds well, in the midst of poverty, is another.

Given the history of the claim and the impoverished rural context in which the settlement must work, these problems are not surprising. Yet what may surprise those interested in the dynamics of land reform is just how contested the boundaries of community and expectations of land restitution have been in the Bhangazi claim. The struggle for restoration of the Eastern Shores was driven by a patrilineal clan-based identity, organised around a very specific relationship to place, that successfully challenged attempts to subordinate it to a larger tribal identity; that identity was located within a particular, nationalist version of Zulu history that allied itself to mining, not resettlement, options for the land. In the process, the land claim came up against other struggles for the Eastern Shores, which drew on very different and ultimately more powerful constructions of place, development, and the public interest, and steered the claim in a direction which has finally confined Mbuyazi’s vision to the world of dreams. Today his confident articulation of Bhangazi identity has given way to the still inchoate aspirations of a younger generation struggling to find its feet in a post-apartheid, post-bantustan, and, I would suggest, post-peasant era.

## **Acknowledgements**

I am grateful to the John D and Catherine T MacArthur Foundation for their support towards this work. I also wish to thank Mzamo Mathe for his assistance with several of the interviews, Jeff Guy for discussion on the pre-colonial and colonial history of the Eastern Shores, and those who gave so generously of their time and expertise in interviews and referees’ reports.

## **Notes**

1. ‘Mbuyazi’ is a clan name while ‘Bhangazi’ is the name of the small lake near Cape Vidal on the Eastern Shores that lies at the heart of the claimants’ former land. Terminology for the claimants has fluctuated over the years. While ‘Mbuyazi’ was more common in the land claim phase, ‘Bhangazi’ has become the dominant appellation since then and is the one I favour in this text.

2. The claim form submitted by Phineas Mbuyazi records: Sokana Mbuyazi, 1812–1821; Makhungu Mbuyazi, 1821–1829; Dobo Mbuyazi, 1829–1840; Hlawukane Mbuyazi 1840–1910; Siyakatha Mbuyazi (regent), 1910–1913; Lokothwayo (Njojela) Mbuyazi, 1913–1971 (Mbuyazi land claim form, Commission on Restitution of Land Rights (CRLR), File KRN6/2/2/E/8/0/0/1473, Commission on Restitution of Land Rights, Pietermaritzburg). When interviewed by the author in 2003 Mbuyazi referred in addition to Mabhodla, a Moses-like figure with magical powers (reported to have parted waters with his stick), who appears in the interview to have predated Sokana. Mbuyazi also described Dobo as the son of Sokana and did not refer Makhungu. The claim form supplied by *inkosi* Mkhwanazi on behalf of the Mpukonyoni Tribal Authority largely confirms the genealogy, but places Makhungu after Dobo and describes all these Mbuyazi leaders as headmen of the Mpukonyoni *amakhosi* (Mkhwanazi land claim form, CRLR, File KRN6/2/2/E/8/0/0/1473, Commission on Restitution of Land Rights, Pietermaritzburg). Bryant (1929:105) also mentions Mabhodla and speculates that Sokana could have been another name for Mabhodla, ‘or that of his grandfather, or that perchance of his son’.
3. In 1895 a game reserve was declared over Lake St Lucia and the Eastern Shores. Although the 1895 decree was withdrawn in 1928 (amidst settler pressure on the government to eradicate game in order to control tsetse fly), a bird sanctuary was proclaimed for the Eastern Shores in 1927 and a nature reserve reproclaimed over the lake and a reduced section of the Eastern Shores in 1938. See Brooks *et al* 1993: 310-3.
4. This population total corresponds reasonably well with the tally of 381 former homestead sites that the CRLR mapped as part of its claimant verification exercise in the mid-1990s (CRLR 1998a: 8).
5. Hand-written notes on a meeting with Phineas Mbuyazi, Mbazwana, 7 March 1997, copy in possession of Cherryl Walker.
6. At the time Lokothwayo was facing a charge of arson; the details of this case are not known.
7. The quotation comes from an undated and unsigned memorandum, ‘Squatters in crown ground between the sea and the St Lucia Lake system north of Mtubatuba’, a document possibly generated by the NPB; copy in possession of Cherryl Walker.
8. The exact nature of the relationship between Lokothwayo and Phineas Mbuyazi was a matter of considerable dispute during the land claim process. In different testimonies Phineas Mbuyazi describes Lokothwayo as his father, as well as the brother of his father, while other sources maintain that Phineas Mbuyazi’s father and Lokothwayo were, in western terms, cousins not brothers. However, Phineas Mbuyazi recognised Lokothwayo’s biological sons; for him Lokothwayo was a close, senior clansman who figured as a social rather than a strictly biological father.

9. The 14 'lead interested and affected parties' were: the Chamber of Mines, Department of Environment Affairs, Department of Mineral and Energy Affairs, Natal Parks Board, Natal Provincial Administration, Regional Development Advisory Committee (Region E), Richards Bay Minerals, KwaZulu Bureau of Natural Resources, Wildlife Society, Zululand Environmental Alliance, Department of Water Affairs and Forestry, Pinechem (Pty) Limited, St Lucia Town Board, and the National Union of Mineworkers (NUM). NUM did not submit comments on the EIA Report, though some members were interviewed as part of the Rural Liaison Programme initiated by the Review Panel in late 1992. Interestingly, this Programme reported that NUM was anti-mining, because of skepticism about the nature of the job opportunities promised by RBM (CSIR 1993c: 2.5).
10. The quotation comes from a photocopied document headed 'Translation of a letter written in Zulu to the Advisory Land Commission dated 24-3-93, written by Mr. Pheneas Mbuyazi', copy in possession of Cheryl Walker.
11. These comments are based on submissions made to the author when she was serving as RLCC.
12. Although the list of families was based on field evidence from the mapping exercise, its finalisation was, inevitably, a political process. The actual number of households on the list was 548, made up of 342 homesteads identified in the field by the CRLR, with a living, verified beneficiary, 39 homesteads identified in the field but without a living, verified beneficiary and 167 homesteads identified by the claimant committee as valid community members and accepted as such by the Commission through the process of negotiations.

## References

- Baskin, J (1995) 'A report outlining the key choices that decision makers need to consider with regard to the future of St Lucia'. Johannesburg: Land and Agricultural Policy Centre.
- Brooks, Shirley, Ruth Edgecombe, Bev Ellis, Steven Kotze and Milner Snell (1993) 'Comments on Chapter 13, History of Lake St Lucia eastern Shores'. CSIR *Environmental Impact Assessment*, Volume Four, Part Two. Pretoria: CSIR Environmental Services.
- Brookes, EH and Webb, CdeB (1965) *A History of Natal*. Pietermaritzburg: University of Natal Press.
- Bryant, AT (1929) *Olden Times in Zululand and Natal*. London, New York and Toronto: Longmans, Green and Co.
- Commission on Restitution of Land Rights (CRLR) (1995) 'St Lucia Eastern Shores: Chronology of land claim. Compiled from DLA files and ACLA file. 27.6.95'. Pietermaritzburg: Regional Land Claims Commissioner, KwaZulu-Natal.

- Commission on Restitution of Land Rights (CRLR) (1998a) 'Negotiations Report. Claim for Restitution of Land Rights. Eastern Shores Lake St Lucia'. Pietermaritzburg: Regional Land Claims Commissioner, KwaZulu-Natal.
- Commission on Restitution of Land Rights (CRLR) (1998b) 'Minutes of meeting, St Lucia/Eastern Shores Land Claim, NPB Auditorium, 28 March 1998', Annexure B to 'Deed of Settlement, Agreement entered into between the Republic of South Africa and the community of former St Lucia Eastern Shores/Bhangazi beneficial occupants and their direct descendants, 24 September 1999'. Pietermaritzburg: Regional Land Claims Commissioner, KwaZulu-Natal.
- Commission on Restitution of Land Rights (CRLR) (1999a) 'Statement by the Regional Land Claims Commissioner', in 'Media briefing pack. Settlement of the restitution claim, Eastern Shores, Lake St. Lucia, 24 September 1999'. Pietermaritzburg: Regional Land Claims Commissioner, KwaZulu-Natal.
- Commission on Restitution of Land Rights (CRLR) (1999b) 'The history of the claim' in 'Media briefing pack. Settlement of the restitution claim, Eastern Shores, Lake St. Lucia, 24 September 1999'. Pietermaritzburg: Regional Land Claims Commissioner, KwaZulu-Natal.
- CSIR Environmental Services (1993a) *Environmental Impact Assessment. Eastern Shores of Lake St Lucia. Kingsa/Tojan Lease Area. Environmental Impact Report*, Volume Three. Pretoria: CSIR Environmental Services.
- CSIR Environmental Services (1993b) *Environmental Impact Assessment*, Volume Four, Part Two. Pretoria: CSIR Environmental Services.
- CSIR Environmental Services (1993c) *Environmental Impact Assessment*, Vol. 4, Part One. Pretoria: CSIR Environmental Services.
- Desmond, Cosmas (nd) *The Discarded People*. Braamfontein: The Christian Institute.
- De Villiers, Bertus (1999) *Land Claims and National Parks. The Makuleke experience*. Pretoria: Human Sciences Research Council.
- Dominy, GA (1992) 'History of Lake St Lucia Eastern Shores', in *Environmental Impact Assessment. Eastern Shores of Lake St Lucia. Kingsa/Tojan Lease Area. Reports on the Key Issues*, Volume Two. Pretoria: CSIR Environmental Services.
- Forrest, GW (nd) 'Background – E Shores Land Claim' undated typescript, c 1995, copy in possession of Cherryl Walker.
- Guy, Jeff (1994) *The Destruction of the Zulu Kingdom. The civil war in Zululand 1879–1884*. Pietermaritzburg: University of Natal Press.
- (1995) 'Political power and land distribution in the St Lucia area from the nineteenth century', typescript, July 17 1995. Jeff Guy, History Department, University of KwaZulu-Natal.
- Hall, Martin (1987) *The Changing Past: farmers, kings and traders in Southern Africa, 200–1860*. Cape Town and Johannesburg: David Philip.

- Marais, Hein (1993) 'When green turns to white', *Work in Progress* 89, June 1993.
- Mlambo, Bonga and Themba Mzimela (1993) 'St Lucia Rural Communications Programme: Comments from Rural Communities on the Environmental Impact Report', CSIR Environmental Services *Environmental Impact Assessment*, Volume Four, Part One, Appendix 1. Pretoria: CSIR Environmental Services.
- New Ground (1993) *People and Parks*, supplement recording the GEM [Group for Environmental Monitoring] conference, 23 May 1993, Broederstroom.
- Platzky, Laurine and Cherryl Walker (1985) *The Surplus People. Forced removals in South Africa*. Johannesburg: Ravan Press.
- Republic of South Africa (RSA) (1991) *White Paper on Land Reform*. Pretoria: Government Printer.
- Spiegel, Andrew (1999) 'Walking memories and growing amnesia in the land claims process, Lake St Lucia, South Africa', paper presented at the Annual Conference of the Association for Anthropology in Southern Africa, University of Zimbabwe, Harare and at the Trauma and Topography Colloquium, University of the Western Cape.
- Surplus People Project (SPP) (1983) *Forced Removals in South Africa. The SPP Reports, Natal*, Volume 4. Cape Town: Surplus People Project.
- Walker, Cherryl (2003) 'The land claim process', unpublished presentation, Greater St Lucia Wetland Park NGO Information Weekend, 10-11 May 2003.
- Zululand Environmental Alliance (ZEAL) 'Submission by the Zululand Environmental Alliance (ZEAL) to the Review Panel of the Environmental Impact Assessment (EIA) of the Eastern Shores of Lake St Lucia (Kingsa/Tojan Lease Area)' CSIR *Environmental Impact Report* 4(2). Pretoria: CSIR Environmental Services.

### ***Interviews cited***

- Bhangazi committee: group interview with community trustees by Cherryl Walker, assisted by Mzamo Mathe, Mtubatuba, 25 February 2003.
- Du Plessis, Jean: former Chief Director, Department of Land Affairs, interviewed by Cherryl Walker, Durban, 12 May 2003.
- Forrest, Gordon: formerly with the Natal Parks Board (Curator, Eastern Shores 1993 – 1997; working in the Greater St Lucia area from 1964), interviewed by Cherryl Walker, Bergville, 25 August 2003.
- Mbuyazi, Phineas: community leader, interviewed by Cherryl Walker, assisted by Mzamo Mathe, Mbazwana, 25 and 26 February 2003.
- Mfeka, Ephraim: Chairperson of the Bhangazi Community Trust, interviewed as part of the group interview with community trustees by Cherryl Walker, assisted by Mzamo Mathe, Mtubatuba, 25 February 2003.