

Conflicts in a Rural Land Restitution Case: Reconstructing the Elandskloof Mission Community, South Africa

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ABSTRACT

Research in informal settlements in South Africa has shown that conflict is inherent between groups within a settlement and between the broader community and the land administration authorities. In general, groups and sub-groups continually form, reform and dissolve within informal settlements. Moreover, the internal rules that a community creates relating to land tenure tend to be manipulated by sub-groups as they compete for land, resources and power. Internal rules are not static but are subject to continual change. Similar characteristics were observed in Elandskloof, a rural land restitution case in the Western Cape province of South Africa.

This paper analyses behaviour within the Elandskloof community during attempts to reconstruct the community and resettle members of the community on the land as part of South Africa's land restitution programme, and compares Elandskloof with similar behaviour that was observed in informal settlements in South Africa. These observations provide useful guidelines for land administrators to view the interrelationships between instruments and processes that support formal property rights, these being the cadastral system and land administration system, and prevailing land tenure in both informal settlements and certain rural land restitution cases. They should facilitate understanding by an outsider of seemingly contradictory, irrational behaviour due to competition for power, land and resources within a community.

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