BRICS Initiative for Critical Agrarian Studies

RANEPA
THE RUSSIAN PRESIDENTIAL ACADEMY OF NATIONAL ECONOMY AND PUBLIC ADMINISTRATION

The 5th International Conference of
the BRICS Initiative for Critical Agrarian Studies
[New Extractivism, Peasantries and Social Dynamics: Critical Perspectives and Debates]

Conference Paper No. 28

Game Farming Policy, Private Game Farming and the South African Rural Landscape

Tariro Kamuti
Shirley Brooks

13-16 October 2017
Russian Presidential Academy of National Economy and Public Administration (RANEPA)
Moscow, Russia

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With funding support from:

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October, 2017

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Abstract

This paper is a critique of game farming policy which has a bearing on the practice of game farming and its influence on the South African rural landscape. The paper adopts an institutional approach by looking at the regulation of the private wildlife sector and its effects. In-depth interviews with key industry players, documentary evidence and observations were used to generate information for this paper. The development of a coherent game farming policy revolving around issues such as agriculture, environmental affairs, tourism, land reform and rural development has been characterised by uncertainty. Game farming in South Africa represents new forms of nature commodification which make capitalism to remain as a major threat to ecologies and bodies of all kinds at different scales. The continuous skewed ownership of land post-1994 justifies questioning of the role of the state in confronting challenges of social justice and transformation within the economy. Game farming can thus be viewed as a lens through which to study the broad challenges facing a democratic South Africa, and to interrogate the regulatory and policy framework in the agricultural and wildlife sectors at their interface. The state lacks a coherent plan for the South African countryside, as shown by the outstanding land restitution and labour tenant claims on privately owned land earmarked for wildlife production. The South African government is therefore confronted with a context in which the status quo of the prosperity of the middle classes under neoliberal policies is pitted against the urgent need to improve the material well-being of the majority poor. Unless such issues are addressed, this necessarily undermines democracy as a participatory social force.

1 Introduction

Game farming or wildlife ranching on privately owned land has boomed in South Africa, mainly fuelled by land use changes in the agricultural sector over recent decades (Spierenburg and Brooks, 2014; Van der Waal and Dekker, 2000; Smith and Wilson, 2002). The increase in game farming has spawned a number of issues surrounding the character and trajectory assumed by the private wildlife sector in relation to local and global contexts. Game farming on private land has effects on or is inherently linked to for instance, biodiversity conservation, hunting, tourism, agriculture, land and agrarian issues, economic empowerment and rural development.

> Since returning to Springvale in 1996, Craig has seen ecotourism and game farming transform the Alicedale region. He believes this has been detrimental to the region's social fabric, as stock farmers and their workers have made way for large-scale game ranching. "Ranchers were initially buying the marginal farms but in the end they began buying the most productive ones," he says. "Although there are various successful eco-tourism and hunting operations in the area, too many farms are being used more for recreation than production." (Farmer's Weekly, 2 December 2011)

The above scenario illustrates this trend of change of land use from conventional farming to game farming in South Africa in recent decades (Van der Waal and Dekker, 2000; Smith and Wilson, 2002; Reilly, Sutherland and Harley, 2003; Cousins, Saddler and Evans 2008; Hearne, Santika, and Goodman, 2008; Spierenburg and Brooks, 2014). The South Africa game industry is managed under a market economic system and this offers an opportunity to game ranchers and game meat producers to enter the sector (Hoffman, Muller, Schutte, Calitz and Crafford, 2005; Bond, Child, de la Harpe, Jones, Barnes and Anderson, 2009). This is a manifestation of the 'financialisation' of conservation (Sullivan, 2013) among other institutional platforms aimed at achieving the social needs of people from available wildlife resources (Marsh, 2004). International wildlife tourism has also been growing (Tapper, 2006) and fuelling the local South African wildlife sector (Jones, 2006; Bothma, Suich, Spenceley, 2009). This has resulted from the efforts towards reintegration of South Africa into the international community post-1994 (Cousins *et al.*, 2008) as part of the transition of South Africa into a democracy (Bond, 2005). However, tourism is increasingly associated with the exploitation of nature through neoliberalism and this trend has expanded globally for the past 20 to 30 years (Castree, 2008; Büscher, 2009; Duffy and Moore, 2010). There has been a paradigm shift towards adopting market-based approaches to conservation on the basis of the idea that the creation of an operating environment that is conducive for those who own and manage natural resources, will encourage them to utilise these resources sustainably (Bond *et al.*, 2009; Cousins, Saddler and Evans, 2010; Arsel, 2012; Barret, Brooks, Josefsson and Zulu, 2013).

Game farming in South Africa represents new forms of nature commodification and this has attracted increased attention from scholars who are interested in developing critiques of neoliberal conservation. Cock (2011: 45) has argued that nature commodification entails the conversion of inherent "social relations into economic relations", entrenching forms of "social and environmental injustice." Through commodification of nature, capitalism remains a major threat to ecologies and bodies of all kinds at different scales (Castree, 2003; Higgins-Desbiolles, 2008; Spierenburg and Wels, 2010; Büscher and Fletcher, 2014; Spierenburg and Brooks, 2014). Here "the market sphere internalises the non-market sphere by projecting its principle into the other ... the market sphere transfers its own meaning into the non-market sphere" (Suzuki, 2005: 279). In other words "commodification of spaces" is occurring even in spheres such as nature that were far from the reach of capital (Negi and Auerbach, 2009a: 101). Development based on the welfare of people has been overtaken by emphasis on integration into the global market economy (Bond, 2005; Higgins-Desbiolles, 2008) as the state is not necessarily neutral in the commodification experience (Dagan and Fisher, 2011; Fairhead, Leach and Scoones, 2012).

Until recently, few scholars have addressed the social and socio-economic impacts of conversions from conventional farming to game farming on vulnerable groups in society. However, a major research project in which the present authors participated, was established in the late 2000s to pay attention to this significant land use change on South African farmland. These scholars are interested in for example, the implications of game farming for local people and the dynamic agrarian issues related to the topical land question in South Africa (Brooks, Spierenburg, van Brakel, Kolk and Lukhozi, 2011; Spierenburg and Brooks, 2014). Literature on the effects of private land ownership in the wildlife sector with regard to the welfare and displacement of farm dwellers, disruption of agrarian livelihoods and other stakeholders is now emerging (Wels, 2000, 2003; Brooks, Spierenburg and Wels, 2012; Brandt and Spierenburg, 2014; Brooks and Kjelstrup, 2014; Josefsson, 2014; Mkhize, 2014; Spierenburg and Brooks, 2014).

This paper is a critique of game farming policy which has a bearing on the practice of game farming and its influence on the South African rural landscape. The paper adopts an institutional approach by looking at the regulation of the private wildlife sector and its effects. The development of a coherent game farming policy revolving around issues such as agriculture, environmental affairs, tourism, land reform and rural development has been characterised by uncertainty. The argument made in this paper is that given the phenomenal rate at which the wildlife sector in South Africa has grown, the sector poses challenges to the regulatory regime, with spiral effects to vulnerable groups in society and their rights to land. This growth also accentuates new avenues of capital accumulation by local and foreign elites through the massive restructuring of agro-ecological systems which resembles new extractivism. In this context, there are concerns about the effectiveness of the regulations and the veracity of the approach in the situation of uncertainty that has ensued. Thus it is important to realise that "regulations need to be accompanied by political will to tackle the power-hold of vested interests because simply improving the formal regulations ... is not enough to bring about a wholesale improvement in governance" (Wood and Garside, 2014: 3). When the state does respond by stipulating regulations, there is tension which is reflective of the power relations of the stakeholders based on their interests and projections in the governance of the private wildlife ranching sector. There is need for the stakeholders to admit the diversity in views and understand the political nature of policy-making processes involving biodiversity (Spierenburg, 2012).

2 The socio-spatial context: impacts of game farm conversions in the KwaZulu-Natal countryside

While the research presented in this paper was conducted primarily in the province of KwaZulu-Natal, the paper is located within the general context of game farming in South Africa. The data collection process involved in-depth interviews with key industry players, the gathering of documentary evidence and observation. Fieldwork was conducted intermittently over the period 2011-2015. The paper also draws on studies conducted by other members of the research team.

Conversions of previous farming land to conservation or wildlife production include a wide range of initiatives and outcomes. In addition to hunting farms, ecotourism and even property development is included in these transformations, which can broadly be described as a transition from productivism to post-productivism – the countryside as a form of leisure consumption. The state and nature of ecosystems in KwaZulu-Natal are important as they form the basis for the wildlife production systems. In this case, the mix of the spectacular landscapes, rich biodiversity and prevailing climatic conditions make wildlife production systems attractive. It is important to bear in mind, however, that as Pascual and Perrings (2009: 151) argue, "there are differences in the way that social groups identify and value biodiversity-based services ... investment/disinvestment decisions [are] made in the context of a certain set of preferences, 'value systems', moral structures, endowments, information, technical possibilities and social, cultural and institutional conditions." This shows that the biophysical characteristics favourable to wildlife-based land use are only one aspect to consider, as decisions into actual wildlife production are influenced by a mix of factors as Pascual and Perrings (2009) hint.

Farm conversions can be analysed as the modification or destruction of the previous form of economic activity contributing to capital accumulation, to the birth of a new system that is adaptable to prevailing economic conditions to perpetuate capital accumulation (see Negi and Auerbach, 2009a; Arsel and Büscher, 2012; Büscher, 2012; Büscher and Arsel, 2012). Thus this process of farm conversions constitute "the history of creative destruction written into the landscape of the actual historical geography of capital accumulation" (Harvey, 2003: 100).

Studies conducted by the research team in KwaZulu-Natal have begun to show the complexity of the social relations in this agrarian context and to demonstrate how the introduction of wildlife production over the last three decades (and especially since the early 1990s) has altered these relationships. Due to the social history of the region, landowners are involved in relations of labour (re)production with poor African families who historically lived on the land as labour tenants. In this paper, such people are referred to as 'farm dwellers', as their only home is on the farms. A paper by Kjelstrup and Brooks (2014) describes in detail the way in which the conversion of land to ecotourism has led to the dispossession of communities despite post-apartheid legislation intended to protect such people from arbitrary eviction. This work clearly shows that after the families were removed from the farms and relocated to other areas, they were significantly worse off in terms of livelihoods as well as social integration, and the relocations were associated with negative but less tangible outcomes such as a loss of spiritual contact with ancestors buried on the farms. The state has proved unable to meaningfully protect such communities since "lands from which dwellings, livelihoods and different nature values have been removed to create and maintain 'wildlife' and 'wild' landscapes for elite access and resource capture have long characterised societies exhibiting extremes of privilege and poverty" (Sullivan, 2011: 335).

At the Land Summit of 27-30 July 2005, various concerns were raised with regard to the upsurge in game farms, in particular the suspicion that this surge was a ploy by landowners to oppose any possible change in land ownership (Department of Agriculture, 2006). There was, it stated, a fear that landowners would be able to cite 'conservation' significance as a justification for the fact that the land is no longer to be used for conventional agricultural purposes. This situation of converting land to game farming could thus be a form of gate-keeping on the part of the current owners of private land. It is a difficult point to prove as the cases that we came across show that some game farmers have offered their land for sale to the government or they have not contested restitution claims, and yet government has been dragging its feet to settle such cases.[1] In cases where the first author asked this question to game farmers, they would not agree to the charge but cited mainly economic reasons associated with the factors favourable to game farming as an investment. One example is an interview conducted with, unusually a female game farmer, on 6 March 2013 in Estcourt. She indicated that her venture into game farming was purely driven by its attraction as a lucrative sector particularly when taken as a long term investment.

The fugitive nature of wildlife and the "subsequent compartmentalisation of wildlife through game fences brings the idea of the double-edged significance of the fence", which causes tension between game farmers and local people (Kamuti, 2015: 161). The fence is used curb human-wildlife conflict (Kesch, Bauer and Loveridge, 2015), but it also creates a situation that eventually "excludes the local people" (Kamuti, 2015: 161). This situation is thus contrary to the environmental justice movement in South Africa which gravitates towards "social transformation directed to meeting basic human needs and rights" (Cock, 2004: 6). A clear boundary has been set for a resource that all concerned actors could have some form of access to. In other words "such boundary acts are always false attempts to shut-out ... translocal ties that in part *constitute* those places" (Castree, 2007: 135). These boundaries

[1] In any case, if this was a strategy, it has not been particularly effective in KwaZulu-Natal Province. An official from the KwaZulu-Natal Regional Land Claims Commission indicated in 2012 that within the land they had bought in the province in the last couple of years there were many game farms (Interview, 18th July 2012, Pietermaritzburg; see also Ngubane and Brooks, 2013).

between game farms and sometimes densely populated surrounding communal areas are steeped in the historical separation of white and black people characterised by "mutual distrust, stereotyped ideas about each other's identities and 'normal' behaviour, which in conjunction with each other prevented the two groups from initiating or even considering any form of positive reciprocal exchange" (Wels, 2003:19). Effectively these exclusive spaces constitute "islands of wealth within a sea of poverty" (Kamuti, 2015: 155).

3 The policy environment: the largely unregulated nature of game farming

The broad policy context in South Africa is crucial in forming the basis for sector-specific policies; for example the national environmental policy in turn cascades down to the private wildlife ranching sector. The first chapter of the National Development Plan (NDP) is entitled "Policy making in a complex environment". As the report notes, "The current financial crisis has highlighted the increase in economic inequality globally and given rise to a call for efficient market policies that also embrace principles of social justice" (Government of South Africa, 2012: 76). This suggests that economic issues have precedence over social issues as shown by the "call for efficient market policies" that is only secondarily expected to "embrace principles of social justice."

While policy making in South Africa in general is immersed in a complex environment, it is not merely coincidental that policy making in the wildlife sector is also shrouded in a context of uncertainty. The contradictions of a neoliberal framework in policy formulation are reflected in the governance of natural resources (in the form of wildlife in this case) as argued here. National legislation and regulations are under constant review and measures not intentionally aimed at game farming may end up impacting on the sector anyway.[2] With the wildlife sector envisaged to have grown ahead of regulation (Cousins *et al.*, 2010), the state is not clear of its role in regulating private landowners.

At the national level, the private wildlife industry effectively puts the Department of Environmental Affairs and the Department of Agriculture, Forestry and Fisheries against each other as actors in institutional processes that govern the private wildlife sector (Kamuti, 2014). The important role of the Department of Rural Development and Land Reform (DRDLR) in game farming is obscured in the tussle between the DEA and DAFF, but nonetheless has a critical role to play. The Department of Tourism also has an influence on issues relating to the packaging of the wildlife industry as part of the tourism sector. Thus, this situation has much significance in understanding the operations, overall outlook and trajectory of the game farming sector. We shall not delve deeply into the details of each of the pieces of legislation here, as our interest lies mainly in the identification of the issues that were raised by the various stakeholders interviewed, who of course react to the various pieces of legislation or regulatory processes.

While each department brings its own thrust and focus in meeting a common goal, they also have overlaps and points of differences in how they operate. In reality the involvement of various departments at different levels of governance inherently brings with it diverse interests, a situation that Cleaver (2012: 45) terms "fuzzy assemblages of meaningful practices." Sometimes certain institutional processes tend to dominate others, thus pointing the governance arrangements towards a particular trajectory. For instance, the role of the DRDLR on game farming is obscured in the tussle between the DEA and DAFF and yet issues concerning land are significant to game farming. There is also disagreement about which department should be leading the process of streamlining all the regulations on game farming.

[2] In a bid to cater for or catch up with developments in the agricultural and environmental sectors with regards to land, rural development, game farming and biodiversity conservation, the South African state is shifting its policies and laws governing the natural resources such as land and wildlife as argued here.

The DAFF took the initiative of developing a game farming policy, while the DEA has been leading its traditional crusade for biodiversity conservation in the country. In the Government Gazette of the 7th July 2006 (Notice 874 of 2006), the then Department of Agriculture published a policy on game farming and called for public comments. Important issues relevant to this study were raised in this proposed policy on game farming and these are highlighted here. The document notes that:

> While game farming may have been recognised as an agricultural activity by the former Department of Agricultural Development in 1987, this was not formalized during the amalgamation of the Departments in 1993, with the result that uncertainty still exists as to where this sector belongs (Department of Agriculture, 2006: 5).

To date there is no coherent game farming policy in South Africa. That 'uncertainty still exists' in the sector, not only as to where it belongs but in terms of the modalities of their operations, is partly connected to this background. A clear game farming policy would act as the guiding framework to base different forms of legislation crafted to regulate the private wildlife sector. Game farmers are currently operating on the basis of abiding by the different pieces of legislation and regulations emanating from these two major departments from mainly the national and provincial levels, and to a lesser extent from the local level.

Two proposals were advocated for in the game farming policy as part of addressing some of the concerns raised by the Land Summit (Department of Agriculture, 2006). The first one is about creating a national register for game farmers. The second recommendation was the mandatory assessment and permitting system for any changes in land use before they are allowed to take place. These proposals would require linking legislation from both the then Department of Agriculture (DoA) and the then Department of Environmental Affairs and Tourism (DEAT) in support of National Environmental Management Act No. 107 of 1998 (NEMA) regulations, with respect to Environmental Impact Assessments (EIAs) and other requirements. These mechanisms would supposedly facilitate community decision-making in the case of common pool resources and also help to discourage the development of too many private game farms. These recommendations point to the potential role of two national government departments as key bricoleurs in advancing the regulatory mechanisms in the sector, but in reality the recommendations have not been implemented.

In light of the need to revisit the prevailing land tenure system, the DRDLR came up with a Green Paper on land reform in August 2011 whose first vision is:

> A re-configured single, coherent four-tier system of land tenure, which ensures that all South Africans, particularly rural blacks, have a reasonable access to land with secure rights, in order to fulfil their basic needs for housing and productive livelihoods (Department of Rural Development and Land Reform, 2011: 4).

The 2010 predecessor to the 2011 Green Paper stressed the significance of both "continuity and change" (Department of Rural Development and Land Reform, 2010: 1). Continuity was understood as the need to proceed with already existing ideas incorporated in the Freedom Charter of 1955, the South African Constitution of 1996 and the Reconstruction and Development Programme of 1994 (Department of Rural Development and Land Reform, 2010). However taking into account the need to address the current impacts of the apartheid legacy, as well as incorporate ruling party resolutions, and embrace new developments such as the 'green economy' and the idea of a developmental state, there was realisation of the need to change the trajectory of the land reform process (Department of Rural Development and Land Reform, 2010). These changes, it was claimed, would mark a radical shift of the state's policies governing land tenure and subsequently distribution, access and use of natural resources, with ripple effects on the economic and social fronts. For example, the state has made pronouncements on its intention to move away from the 'willing-buyer, willing-seller' principle in the acquisition of land for redistribution purposes (see Jara and Hall, 2009).

The available evidence suggests that the various government departments currently "operate in silos" (Kamuti, 2014: 192). For example, while game farming could certainly be having an impact on other sectors of the economy and society, the conversion from conventional farming to game farming is happening without being tracked. Thus the scale of game farming nationwide is not accurately known. The response of the KwaZulu-Natal Department of Agriculture and Environmental Affairs (KZNDAEA) to land use changes illustrates this lack of coordination. The KZNDAEA has a concern in general regarding conversion of land use from conventional agriculture to any other land use, be it gated estates, golf estates, normal residential units or game farming (Interview, 20th June 2011, Pietermaritzburg). It does not appear that they are concerned that agriculture may be replaced totally as such. The interviewee suggested a wider concern about land use patterns, as they do not have a system of monitoring land use changes.

A proper land audit, initiated in 2010 by the Minister of Rural Development and Land Reform, is yet to be completed. So far a report by the Chief Surveyor General released in September 2013 mainly shows how much land in the country as a whole is in private hands (79%), as against the state (14%), and the rest is not yet accounted for (Department of Rural Development and Land Reform, 2013). There is no official information yet about the racial composition, or local ownership against foreign ownership of land out of the 79% of land owned privately (Department of Rural Development and Land Reform, 2013). Chris Barron writing in the *Sunday Times* of 8 March 2015 said that "Foreigners own 3% of the land in South Africa and very little of this is productive farmland. Most of it is game farms and recreational farms."[3] If Barron is correct, the proposal by the government to ban foreign ownership of land would have an impact on the game farming sector although not a major one.

In connection with the changes mooted in the Green Paper on land reform the South African President Jacob Zuma at the State of the Nation address on 12 February 2015 said that:

> In terms of our new proposed laws, a ceiling of land ownership will be set at a maximum of 12 000 hectares. Foreign nationals will not be allowed to own land in South Africa but will be eligible for long term lease. In this regard, the Regulation of Land Holdings Bill will be submitted to Parliament this year. Through the Land Reform Programme, more than ninety thousand hectares of land have been allocated to small holder farmers, farm dwellers and labour tenants. The process of establishing the Office of the Valuer-General is underway, which is established in terms of the Property Valuation Act. Once implemented the law will stop the reliance on the Willing Buyer-Willing Seller method in respect of land acquisition by the state.4

This seems to be an indication of the new legislation that will come into place on the basis of the Green Paper on land reform.

On the issue of a proposed cap on land ownership, the then Deputy Minister of Agriculture Pieter Mulder said in an interview with the *Farmer's Weekly* of 16 September 2011 that:

> Although better than the first draft, the Green paper on Land Reform is still a cause for concern. This will have a big impact on food security and will be detrimental to both the economy and the land reform process. Currently, 15% of the farmers produce 80% of the country's food, but the land ownership platform will ruin these numbers.5

Pieter Mulder is the leader of the Freedom Front Plus (a political party) and this statement could be taken to represent his constituency which constitutes the white landowners or famers, some of whom

[3] See "Zuma stance may harvest a food crisis" *Sunday Times*, 8 March 2015.
[4] See "State of the Nation Address by His Excellency Jacob G. Zuma on the occasion of the Joint Sitting of Parliament, Cape Town" 12 February 2015 [Online] URL: http://www.thepresidency.gov.za/pebble.asp?relid=19024 Accessed: 11/03/2015.
[5] See "Land reform Green paper better; not ideal" *Farmer's Weekly* 16 September 2011.

are participants in game farming. As suggest, the argument of the negative impact of land reform on food security is a discourse emanating from agrarian capital composed of white commercial farmers and agribusiness to project and protect their interests, especially their stronghold on land (Jara and Hall, 2009). In this way agrarian capital has managed "to secure a weak legislative and policy framework, which it has exploited to block meaningful land reform" (Jara and Hall, 2009: 214). However, since he was part of government during President Jacob Zuma's first term from 2009 to 2014, Pieter Mulder's statement shows that there were divisions in government.

These few examples referred to in the Green Paper on land reform illustrate how land and land reform are key concerns in game farming, thereby drawing in the DRDLR as the lead department – even though it appears to have a minor role in the development of game farming policy. It must also be noted that, whilst concerns such as that regarding foreign ownership have been raised, the South African government is working to attract considerable foreign direct investment to fuel economic growth and development, thus further entrenching the dominant role of foreign capital with limited social transformation (Government of South Africa, 2012).

The lingering question in the regulation of the private wildlife sector relates to which one among the government departments is the lead department to direct the overall conduct of the sector in order to create an environment of certainty and stability (Kamuti, 2014). As mentioned above, challenges in the game farming industry resulting from the tussle between the DAFF and DEA are further complicated by issues relating to land; particularly those connected to outstanding land claims under the restitution programme, which are handled by the Department of Rural Development and Land Reform (Kamuti, 2014). This seems to be the situation prevailing in the regulation of the game farming sector in South Africa given the tension caused by how the various government departments interact. The ultimate aim of the then DoA (now DAFF) in developing the discussion document was to develop a "One Game Farming Policy for South Africa", in order to address the numerous shortcomings that were apparently stifling the industry from the perspective of multiple stakeholders, with the buy-in of cabinet and concerned Departments, for subsequent implementation at all spheres of governance (Department of Agriculture, 2006: 8). It is not surprising therefore, that game farmers have been openly showing leanings towards DAFF and complaining more about the DEA.[6]

The policy document on game farming acknowledged that the National Environmental Management Act, 1998 (Act 107 of 1998) was the preserve of the then DEAT to lead in the implementation of particular national environmental management laws (Department of Agriculture, 2006). This is understandable on the basis that the environmental portfolio requires the skills and capacity to administer environmental regulations. However, there is acknowledgement in the policy proposal that even though National Acts look easy to interpret, there have been discrepancies at provincial level, especially in relation to the movement of animals and the introduction of species to areas where they did not naturally occur. Each province has its own "take" on the same issue, which makes it difficult for game farmers when they have to deal with different provincial authorities. In a media briefing on the 6th February 2006, Phumzile Mlambo-Ngcuka (the then Deputy President of South Africa) speaking on the Accelerated and Shared Growth-South Africa (ASGISA) strategy, noted key constraints to sustainable growth. One of those constraints, she said, was "deficiencies in state organisation, capacity and leadership". According to Phumzile Mlambo-Ngcuka, "certain weaknesses in the way government is organised, in the capacity of key institutions, including some of those providing economic services, and insufficiently decisive leadership in policy development and implementation all negatively impact on the country's growth potential" (Government of South Africa, 2006: 3). These challenges facing the state affect the way the game farming sector is operating and being regulated given its increasing role and complexity in the South African economy.

[6] In my interactions with game farmers they have expressed their need to report more and deal with the DAFF. I suppose it is because currently game ranching is acceptable on the basis that game is recognised as an agricultural product under the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996) (South African Government, 2011). This piece of legislation is administered by DAFF.

Intra-governmental relations are critical in the execution of the state's mandate to effect sustainable utilisation of natural resources. A game farming policy would have constituted the glue that allow the government departments to communicate effectively about the state's stance with regards to the regulation of the sector, through their regular interactions as guided by formal and informal processes. Thus institutional processes (formal and informal) regulating the wildlife sector would develop and keep changing in adjustment to the changes in circumstances. If as in this case there is no widely accepted vision, then it is difficult to tell which way the wildlife sector is headed in order for each actor to play their part in relation to the other(s). Intra-governmental relations here are taken as the interactions between the relevant government departments at different levels. There is poor vertical and horizontal integration, as well as a lack of the direction that an agreed upon game farming policy would provide. This is presenting a gap in which the actors on the ground (or bricoleurs) are 'stitching together' institutional practices. Applying the concept of institutional bricolage at the level of government, the various departments straddled by game farming would constitute the bricoleurs, as each department serves a particular mandate.

It should be noted however that according to the institutional bricolage approach, formal processes of regulation on the basis of design principles are not enough to yield the desired result of accepted and acceptable governance. In this instance, game farmers themselves are key bricoleurs. In contrast to the state departments, game farmers through their various representative organisations seem to be united in voicing their concerns to the government. They constitute a strong special interest or lobby group. Many of these organisations voice complaints about the state's actions. For example, game farmers and hunters allege that the public participation processes are not done well (Wildlife Ranching South Africa, 2012). The game farmers through the organisation Wildlife Ranching South Africa say that they participate in various forums where they are invited by government, but thereafter there is no feedback. The next thing that happens is the publication of new regulations to which they must conform, as for example in the case of new controls regarding the M99 drug, used in tranquilizing game for relocation (Wildlife Ranching South Africa, 2012). These decisions, in the view of the game farmers and hunters, are made without adequate consultation.

A study of the economics of game ranching in South Africa, pointed out that government departments apply "command and control methods to ensure compliance and fail to reflect more contemporary approaches of incentives and co-management" (Musengezi, 2010: 128). This depicts a situation that is referred to as monocentric governance (Newig and Fritsch, 2009). However, in this study the extent of involvement of other role players suggests that the state does not currently dominate in the governance of the wildlife ranching sector, as farmers have largely thrived in the challenging policy context. In reality environmental governance is done through a blend of "governmental command-and-control, market tools and community-based institutional arrangements" in the management of natural resources (Muradian and Rival, 2010: 93). They argue that such a medley of approaches is suitable to deal with difficult situations that arise from the governance of natural resource use. For example, in their analysis of the success of Payment for Ecosystem Services (PES) programmes, lack of trust amongst stakeholders can be a hindrance to achieving the environmental targets even when there are economic benefits (Muradian, Corbera, Pascual, Kosoy and May, 2010). The democratic record of the current South African government is relatively short and given the tough negotiated process of the democratic transition, there are strong elements of mistrust between the state and private game farmers in the new democratic order.

Christopher Merrett writing in *The Witness*[7] quoted Alexis de Tocqueville, a nineteenth century French political philosopher, who said that: "There is no country in which everything can be provided for by laws, or in which political institutions can prove a substitute for common sense and public morality." This is relevant to both the state and game farmers in that there is room to look beyond the formal legalistic route, and this involves the institutional bricolage of interactions and relations that

[7] "The curse of legalism", *The Witness, 31 March 2011.*

benefit the actors in their desired goals. So this transformation of the institutional processes mediating the governance of the private game farming sector has been a long drawn process, emerging perhaps without conscious intent of either party which has shown the restructuring of agro-ecological systems related to nature conservation in South Africa.

4 Conclusion

National government faces a number of key imperatives in the current era related to addressing the negative legacies of apartheid, and these include aspects such as job creation, poverty reduction, land issues, and so on. In addition to these political pressures, national government has to ensure food security and is certainly open to arguments presented to it by organised agriculture. The lack of a pro-poor agricultural policy is a reflection of a broader trend in Africa (Jara and Hall, 2009; Poulton, 2014). However there is a "lack of coordination between Ezemvelo KwaZulu-Natal Wildlife, the KwaZulu-Natal Department of Agriculture and Environmental Affairs, and the Department of Rural Development and Land Reform in dealing with issues related to the effects of game farming" (Kamuti, 2014: 203) especially with regard to the rural communities in the province. At the local level, there is a myriad of tourism, and local economic development imperatives wedging in the mix of private game farming governance mechanisms, all of which according to critics like Ramutsindela and Shabangu (2013), say that they are profoundly shaped by the merger between capitalism and conservation. The state lacks a coherent plan for the South African countryside, as shown by the outstanding land restitution and labour tenant claims on privately owned land earmarked for wildlife production. The South African government is therefore confronted with a context in which the status quo of the prosperity of the middle classes under neoliberal policies is pitted against the urgent need to improve the material well-being of the majority poor. Unless such issues are addressed, this necessarily undermines democracy as a participatory social force.

References

Arsel, M. 2012. Between 'Marx and Markets'? The State, The 'Left Turn' and Nature in Ecuador. *Tijdschrift voor Economische en Sociale Geografie [Journal of Economic and Social Geography]* 103(2):150–163.

Arsel, M. & B. Büscher. 2012. Nature™ Inc.: Changes and Continuities in Neoliberal Conservation and Market-based Environmental Policy. *Development and Change* 43(1):53–78.

Barret, G., S. Brooks, J. Josefsson & N. Zulu. 2013. Starting the Conversation: Land Issues and Critical Conservation Studies in Post-Colonial Africa. *Journal of Contemporary African Studies* 31(3):336–344.

Bond, P. 2005. *Elite Transition: From Apartheid to Neoliberalism in South Africa*. Pietermaritzburg: University of KwaZulu-Natal Press.

Bond. I., B. Child, D. de la Harpe, B. Jones, J. Barnes & H. Anderson. 2009. Private Land Contribution to Conservation in South Africa. In: Child, B. (ed). *Parks in Transition: Biodiversity, Rural Development and the Bottom Line*. London: Earthscan. 29–61.

Bothma. J. du P., H. Suich, & A. Spenceley. 2009. Extensive Wildlife Production on Private Land in South Africa. In: Suich, H., B. Child, & A. Spenceley. (eds). *Evolution and Innovation in Wildlife Conservation: Parks and Game Ranches to Transfrontier Conservation Areas*. London: Earthscan. 163–184.

Brandt, F. 2013. Tracking an Invisible Great Trek: An Ethnography on the Re-Configuration of Power and Belonging on Trophy-Hunting Farms in the Karoo. Unpublished PhD Thesis. Amsterdam: Vrije University.

Brandt, F. & M. Spierenburg. 2014. Game Fences in the Karoo: Reconfiguring Spatial and Social Relations. *Journal of Contemporary African Studies* 32(2):220–237.

Brooks, S., M. Spierenburg & H. Wels. 2012. The Organisation of Hypocrisy? Juxtaposing Tourists and Farm Dwellers in Game Farming in South Africa. 201–224. In: van Beek, W. & A. Schmidt. (eds) *African Hosts and their Guests*. Rochester: James Carey.

Brooks, S., M. Spierenburg, L. van Brakel, A. Kolk & K. B. Lukhozi. 2011. Creating a Commodified Wilderness: Tourism, Private Game Farming, and 'Third Nature' Landscapes in KwaZulu-Natal. *Tijdschrift Voor Economische en Sociale Geografie [Journal of Economic and Social Geography]* 102(3):260–274.

Brooks, S. & L. Kjelstrup. 2014. An Anatomy of Dispossession: Post-Apartheid Land Rights and Farm Dweller Relocation in the Context of a Private Game Reserve Initiative, Northern KwaZulu-Natal. *Journal of Contemporary African Studies* 32(2):238–257.

Büscher, B. 2009. Letters of Gold: Enabling Primitive Accumulation through Neoliberal Conservation. *Human Geography* 2(3):91–93.

Büscher, B. & M. Arsel. 2012. Introduction: Neoliberal Conservation, Uneven Geographical Development and the Dynamics of Contemporary Capitalism. *Tijdschrift voor Economische en Sociale Geografie [Journal of Economic and Social Geography]* 103(2):129–135.

Büscher, B. & R. Fletcher. 2014. Accumulation by Conservation. *New Political Economy* [Online] URL: http://dx.doi.org/10.1080/13563467.2014.923824 Accessed: 23/07/2014.

Büscher, B. 2012. The Political Economy of Africa's Natural Resources and the 'Great Financial Crisis'. *Tijdschrift voor Economische en Sociale Geografie [Journal of Economic and Social Geography]* 103(2):136–149.

Castree, N. 2003. Commodifying What Nature? *Progress in Human Geography* 27(3):273–297.

Castree, N. 2007. David Harvey: Marxism, Capitalism and the Geographical Imagination. *New Political Economy* 12(1):97–115.

Castree, N. 2008. Neoliberalising Nature: The Logics of Deregulation and Reregulation. *Environment and Planning A* 40:131–152.

Castree, N. 2009. Crisis, Continuity and Change: Neoliberalism, the Left and the Future of Capitalism. *Antipode* 41(S1):185–213.

Cock, J. 2004. Connecting the Red, Brown and Green: The Environmental Justice Movement in South Africa. [Online] URL: http://146.230.128.54/ccs/files/Cock%20Connecting%20the%20red,%20brown%20and%20green%20The%20environmental%20justice%20movement%20in%20South%20Africa.pdf Accessed: 27/02/2015.

Cock, J. 2011. Green Capitalism or Environmental Justice: A Critique of the Sustainability Discourse. *Focus* 63:45–51.

Coombes, B. 2007. Defending Community? Indigeneity, Self-Determination and Institutional Ambivalence in the Restoration of Lake Whakaki. *Geoforum* 38:60–72.

Cousins, J.A., J.P. Saddler & J. Evans. 2008. Exploring the Role of Private Wildlife Ranching as a Conservation Tool in South Africa: Stakeholders Perspectives. *Ecology and Society* 13(2) [Online] URL: http://www.ecologyandsociety.org/vol13/iss2/art43/ Accessed: 09/03/2010.

Cousins, J.A., J.P. Saddler & J. Evans. 2009. Selling Conservation? Scientific Legitimacy and the Commodification of Conservation Tourism. *Ecology and Society* 14(1): [Online] URL: http://www.ecologyandsociety.org/vol14/iss1/art32/ Accessed: 01/09/2010.

Cousins, J.A., J.P. Saddler & J. Evans. 2010. The Challenge of Regulating Private Wildlife Ranches for Conservation in South Africa. Ecology *and Society*, XX(YY) [Online] URL: http://www.ecologyandsociety.org/volXX/issYY/artZZ/ Accessed: 30/08/2010.

Dagan, T. & T. Fisher. 2011. The State and the Market – A Parable: On the State's Commodifying Effects. *Public Reason* 3(2):44–60.

Department of Agriculture. 2006. Publication of Policy on Game Farming for Public Comments, Government Gazette (Notice 874 of 2006) 7th July 2006.

Duffy, R. & L. Moore. 2010. Neoliberalising Nature? Elephant-Back Tourism in Thailand and Botswana. *Antipode* 42(3):742–766.

Fairhead, J. M. Leach & I. Scoones. 2012. Green Grabbing: a New Appropriation of Nature? *The Journal of Peasant Studies* 39(2):237–261.

Fletcher, R. 2013b. Using the Master's Tools? Neoliberal Conservation and the Evasion of Inequality. *Development and Change* 43(1):295–317.

Government of South Africa. 2012. *National Development Plan 2030: Our Future—Make It Work.* Pretoria: National Planning Commission.

Harvey, D. 2003. *The New Imperialism*. Oxford: Oxford University Press.

Hearne, J.W., T. Santika & P. Goodman, 2008. Portfolio Selection Theory and Wildlife Management. *Orion* 24(2):103–113.

Higgins-Desbiolles, F. 2008. Justice Tourism and Alternative Globalisation. *Journal of Sustainable Tourism* 16(3):345–364.

Hoffman, L.C., M. Muller, De W. Schutte, F.J. Calitz & K. Crafford. 2005. Consumer Expectations, Perceptions and Purchasing of South African Game Meat. *South African Journal of Wildlife Research* 35(1):33–42.

Jones, S. 2006. A Political Ecology of Wildlife Conservation in Africa. *Review of African Political Economy* 33(109):483–495.

Josefsson. J. 2014. Safe-Guarding the Colonial Present: Game Farms on the Frontier in KwaZulu-Natal's 'Battlefields Route'. *Journal of Contemporary African Studies* 32(2):258–274.

Kamuti, T. 2014. The Fractured State in the Governance of Private Game Farming: The Case of KwaZulu-Natal Province, South Africa. *Journal of Contemporary African Studies* 32(2):190–206.

Kamuti, T. 2015. A Critique of the Discourse of the Green Economy Approach in the Wildlife Ranching Sector in South Africa. *Africa Insight* 45(1): 146–168.

Kesch, M.K., D.T. Bauer & A. J. Loveridge. 2015. Break on through to the Other Side: The Effectiveness of Game Fencing to Mitigate Human–Wildlife Conflict. *African Journal of Wildlife Research* 45(1):76–87.

McCarthy, J. 2012. The Financial Crisis and Environmental Governance 'After' Neoliberalism. *Tijdschrift voor Economische en Sociale Geografie [Journal of Economic and Social Geography]* 103(2):180–195.

Marsh, T. L. 2004. The Economics of Conserving Wildlife and Natural Areas. *Wildlife Society Bulletin* 32(1):299–300.

Mkhize, N. 2014. Game Farm Conversions and the Land Question: Unpacking Present Contradictions and Historical Continuities in Farm Dwellers' Tenure Insecurity in Cradock. *Journal of Contemporary African Studies* 32(2):207–219.

Moyo, S., P. Jha, & P. Yeros. 2013. The Classical Agrarian Question: Myth, Reality and Relevance Today. *Agrarian South: Journal of Political Economy* 2(1):93–119.

Muradian, R. & L. Rival. 2010. Between Markets and Hierarchies: The Challenge of Governing Ecosystem Services. *Ecosystem Services* 1:93–100.

Muradian, R., E. Corbera, U. Pascual, N. Kosoy & P.H. May. 2010. Reconciling Theory and Practice: An Alternative Conceptual Framework for Understanding Payments for Environmental Services. *Ecological Economics* 69:1202–1208.

Musengezi, J. 2010. Wildlife Utilisation on Private Land: Understanding the Economics of Game Ranching in South Africa. Unpublished PhD Thesis. Gainesville: University of Florida.

Negi, R. & M. Auerbach. 2009a. Primitive Accumulation, Capitalism and Development. *Human Geography* 2(3):100–104.

Ngubane, M. &. S.J. Brooks. 2013. Land Beneficiaries as Game Farmers: Conservation, Land Reform and the Invention of the 'Community Game Farm' in KwaZulu-Natal. *Journal of Contemporary African Studies* 31(3):399–420.

Newig, J. & O. Fritsch. 2009. Environmental Governance: Participatory, Multi-Level – and Effective? *Environmental Policy and Governance* 19(3):197–214.

Pascual, U. & C. Perrings. 2009. Developing Mechanisms for *In Situ* Biodiversity Conservation in Agricultural Landscapes. In: Ninan, K.N. *Conserving and Valuing Ecosystem Services and Biodiversity: Economic, Institutional and Social Challenges*. London: Earthscan.

Poulton. C. 2014. Democratisation and the Political Incentives for Agricultural Policy in Africa. *Development Policy Review* 32(S2):s101–s122.

Ramutsindela, M. & M. Shabangu. 2013. Conditioned by Neoliberalism: A Reassessment of Land Claim Resolutions in the Kruger National Park. *Journal of Contemporary African Studies* 31(3):441–456.

Reilly, B.K., E.A. Sutherland & V. Harley. 2003. The Nature and Extent of Wildlife Ranching in Gauteng Province, South Africa. *South African Journal of Wildlife Research* 33(2):141–144.

Smith, N. & S. L. Wilson. 2002. *Changing Land Use Trends in the Thicket Biome: Pastoralism to Game Farming.* Report Number 38. Port Elizabeth: University of Port Elizabeth Terrestrial Ecology Research Unit.

Spierenburg, M. 2012. Getting the Message Across: Biodiversity Science and Policy Interfaces: A Review. *GAIA–Ecological Perspectives for Science and Society* 12(2):125–134.

Spierenburg, M. & S. Brooks. 2014. Private Game Farming and its Social Consequences in Post-Apartheid South Africa: Contestations over Wildlife, Property and Agrarian Futures. *Journal of Contemporary African Studies* 32(2):151–172.

Spierenburg, M. & H. Wels. 2010. Conservative Philanthropists, Royalty and Business Elites in Nature Conservation in Southern Africa. *Antipode* 42(3):647–670.

Sullivan, S. 2011. Conservation is Sexy! What Makes This So, and What Does This Make? An Engagement with *Celebrity and the Environment*. *Conservation and Society* 9(4):334–345.

Sullivan, S. 2013. Banking Nature? The Spectacular Financialisation of Environmental Conservation. *Antipode* 45(1):198–217.

Suzuki, H. 2005. Is there Something Money Can't Buy? In Defence of the Ontology of a Market Boundary. *Journal of Critical Realism* 4(2):265–290.

Tapper, R. 2006. *Wildlife Watching and Tourism: A Study on the Benefits and Risks of a Fast Growing Tourism Activity and its Impacts on Species*. Bonn: United Nations Environment Programme and Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals.

Van der Waal, C. & B. Dekker. 2000. Game Ranching in the Northern Province of South Africa. *South African Journal of Wildlife Research* 30(4):151–156.

Wels, H. 2000. Fighting over Fences: Organisational Co-operation and Reciprocal Exchange between the Save Valley Conservancy and its Neighbouring Communities, Zimbabwe. [Online] URL: http://dare.ubvu.vu.nl/handle/1871/50617 Accessed: 08/10/2014.

Wels, H. 2003. *Private Wildlife Conservation in Zimbabwe: Joint Ventures and Reciprocity*. Leiden: Koninklijke Brill NV.

Wood, R.G. & B. Garside. 2014. Informality and Market Governance in Wood Charcoal Value Chains. [Online] URL: http://pubs.iied.org/17274IIED Accessed: 21/01/2015.

About the Author(s)

Tariro Kamuti
I am a Postdoctoral Research Fellow at the Centre for Africa Studies of the University of the Free State. I hold the following qualifications: a joint PhD in Geography from the Vrije University Amsterdam and the University of the Free State; MPhil in Geography and Environmental Studies from the University of Fort Hare; BSc Honours in Geography and BSc in Biological Sciences and Geography from the University of Zimbabwe. My PhD thesis is entitled: Private Wildlife Governance in a Context of Radical Uncertainty: Dynamics of Game Farming Policy and Practice in KwaZulu-Natal, South Africa. My research interests are as follows: Land and environmental policy, governance issues surrounding sustainable utilisation of natural resources and the social dimensions of biodiversity conservation.
Contact: Email: tikamuti@gmail.com or KamutiT@ufs.ac.za

Shirley Brooks, *Department of Geography, Environmental Studies & Tourism, University of the Western Cape*
Email: sbrooks@uwc.ac.za

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