Umhlaba Wethu 6

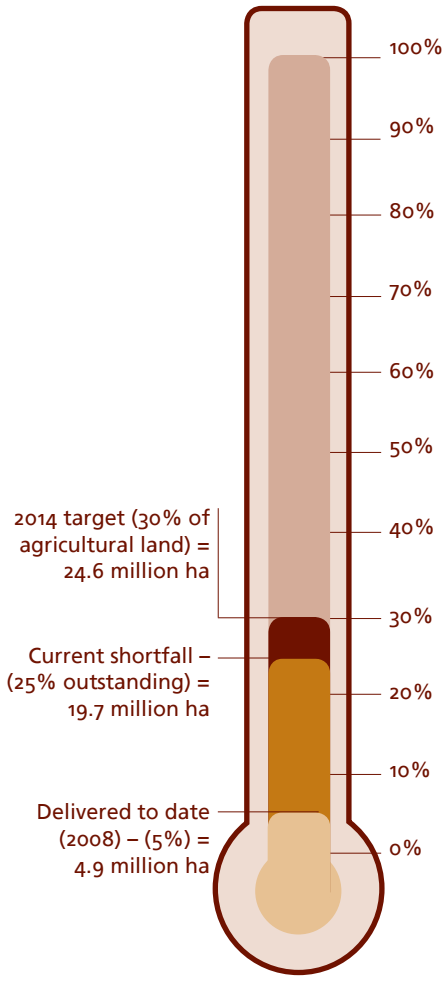
October 2008

A bulletin tracking land reform in South Africa

PLAAS

In this edition

Land barometer



Source: Department of Land Affairs (DLA), June 2008

This edition of *Umhlaba Wethu* focuses on communal tenure and specifically on the Communal Land Rights Act (CLRA), which, if implemented, will see the transfer of private title to communal land to 'traditional communities'; and the Traditional Courts Bill (TCB), which, if enacted, will grant jurisdiction over customary matters to traditional courts.

The TCB move to legalise traditional justice systems will decentralise courts to the local level of traditional communities living under customary practices. This has generated debate about the nature of the judicial functions the Bill aims to consign to traditional leaders. The issue is not so much whether traditional leaders should be responsible for the administration of justice, but the extent and nature of their involvement. In this edition, the Department of Justice and Constitutional Development explains what the Bill sets out to achieve, and critics raise a number of concerns about its shortcomings.

Meanwhile, four rural communities will soon challenge the CLRA in court. This edition explains the reasons for and process of the legal challenge. Also, a community leader of one of the communities involved in this litigation explains their relationship with traditional authorities and their concerns about the Act.

I'd like to thank all who contributed to the newsletter. The next publication will focus on land redistribution and agrarian reform. You are invited to submit articles.

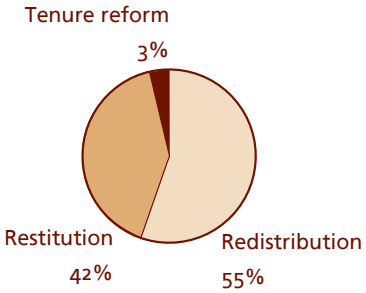
Karin Kleinbooi

Land reform summary (as at 30 June 2008)

- Land reform delivered 4.9 million ha since 1994
- The redistribution programme redistributed 2.7 million ha
- The restitution programme restored 2 million ha
- The tenure reform programme transferred 165 773 ha

The above includes 857 645 ha of *state land* of which 701 292 ha were transferred through the redistribution programme (including tenure reform) and 156 353 ha transferred through the restitution programme.

Percentage of land delivered by project type at 30 June 2008



Source: DLA, June 2008

2008/9 land targets and rate of delivery

- The strategic plan of the Department of Land Affairs for 2008–2011 sets out a target of transferring 1.5 million ha in the current budget year (2008/9).
- As at June 2008, progress towards this target stood at 64 585 ha, of which 20 177 ha were transferred through redistribution and tenure reform, and 44 408 ha were transferred through restitution.
- Targets are due to increase incrementally in the coming two years to 2.8 million ha and 3.8 million ha.

Source: DLA, June 2008

Restitution summary

Claims settled and outstanding as at 30 June 2008:

Province	Total claims settled	Rural claims outstanding
Eastern Cape	16 164	552
Free State	2 591	91
Northern Cape	3 637	215
Gauteng	13 158	0
North West	3 689	213
KwaZulu-Natal	14 676	1 722
Limpopo	2 818	671
Mpumalanga	2 571	829
Western Cape	15 504	595
Total	74 808	4 888

- By 30 June 2008, the CRLR had settled 74 808 claims out of the 79 696 claims lodged.
- The number of outstanding claims, all of which are rural, now stands at 4 888.
- This suggests that all urban claims are settled.
- After missing the second presidential deadline in March 2008, the CRLR announced it plans to conclude the restitution process by 2011.
- The CRLR indicated that another R18 billion is needed to settle all the outstanding rural claims.

Source: CRLR, June 2008

CLRA not yet in operation: Court hearing on 14 October 2008

While DLA seems determined to go ahead with the implementation of Communal Land Rights Act (CLRA), communities contesting the constitutionality of the Act are going to court to get their voices heard.

In March 2006 members of four communities – Kalkfontein, Makuleke, Mayaeyane and Dixie – initiated a court challenge to the Communal Land Rights Act (CLRA). They have asked the court to declare the CLRA unconstitutional because it does not secure their land rights as required by Section 25(6) of the constitution. The date for the court hearing is 14–17 October 2008.

The CLRA is not yet in operation. In February 2008 the Department of Land Affairs (DLA) advertised draft regulations and asked for comment on them by 8 April 2008. These draft regulations aim to address some of the shortcomings in the Act and, in effect, can be seen as admission that the Act poses many problems.

The court papers contain arguments for and against the constitutionality of the Act, and there are over 2 500 pages of affidavits by community leaders, experts, officials and traditional leaders. Some of the key arguments put forward by the litigants are:

1 **Wrong procedure:** The CLRA was rushed through parliament before the 2004 elections, and proper procedures through the National Council of Provinces were not followed.

2 **Breach of Section 25(6) of the Constitution:** The CLRA undermines security of tenure. Customary law recognises layered rights at different levels of social organisation, and decentralised decision making over land. Under the CLRA, traditional leaders will get extraordinary powers that disregard key features of customary law.

3 **Taking of property:** The CLRA authorises the transfer of property from Communal Property Associations (CPAs) and community trusts that received land under land reform. A traditional council may become the land administrator and safeguards in place to prevent CPAs and trusts from selling land could fall away.

4 **Racial discrimination:** The CLRA discriminates against African owners of property – white owners do not have to deal with traditional councils, the Minister of Land Affairs cannot change land use and make other determinations on their land.

5 **Gender discrimination:** The CLRA titling and registration processes will disadvantage women and make their tenure more insecure.

6 **Fourth tier of government:** The CLRA creates a system for the regulation of the land affairs of approximately 44.8% of the South African population through a fourth sphere of government that is not recognised by the constitution.

The legal challenge raises issues of signal importance to our fledgling democracy. These include questions on the roles and powers of traditional leaders, especially in relation to land, and the more general question of the compatibility of 'traditional' systems of governance with the core institutions of constitutional democracy, as well as questions of how to secure gender equality within rural communities characterised by patriarchal social relations.

Another key question is whether or not to attempt to secure property rights by means of registered title deeds, implying a system of private ownership. The Act tries to combine elements of both land titling and recognition of customary land tenure but may have ended up with the worst of both worlds. The CLRA provides that individual community members will hold only a secondary right to land and ownership will vest in a large group (the population living under the jurisdiction of a traditional council) represented by a structure (a land administration committee) that will exercise ownership on behalf of the group. Where that committee is coterminous with a traditional council, its legitimacy will supposedly be drawn from 'custom' but mechanisms to ensure its accountability to community members – indigenous accountability mechanisms or more formal ones such as regular elections – are largely absent.

The Act provides that customary land rights will be recognised but a key challenge is deciding what constitutes 'custom' in a rapidly changing society. There is an important distinction between 'official' customary law, created by the state and the legal profession, and 'living' customary law, which refers to those social practices actually observed by people. While the living law is flexible and open-ended, which facilitates adaptive change, courts have always preferred codified and rule-based versions that make use of common law constructs such as ownership. Recent Constitutional Court judgments question the legitimacy of the official versions created under colonial and apartheid rule, and indicate a preference for the living law.

A living-law interpretation of custom opens up the determination of its content to the whole range of people who apply it in practice in local settings. This challenges the veracity of official and rule-based versions and could open up the process of rule formation to include the multiple actors engaged in negotiating, challenging and changing property and power relations in everyday struggles in rural areas. In relation to the CLRA, the court might decide that there is insufficient recognition of the need to allow ordinary community members' voices to be heard in the rule-making process (in relation to land tenure and the powers of traditional leaders in particular), and that the Act reinforces interpretations of the powers of traditional leaders that suited colonial and apartheid regimes pursuing the objective of 'indirect rule'.

The legal challenge thus has major implications for the key issue of what role customary law should have in a contemporary, democratic South Africa.

Ben Cousins – director, PLAAS

'CLRA will not benefit us' – A voice from Kalkfontein

With the CLRA court hearing approaching, Umhlaba Wethu *interviewed Robert Ndala, a community leader in Kalkfontein, Mpumalanga, one of the communities that is legally challenging the CLRA. We asked him to explain the reasons that led to the initiation of the court proceedings.*

Were you involved in discussions prior to the Act?

We have been working with our lawyers at the Legal Resources Centre (LRC) for a long time. They helped us to set up a trust. Our lawyers informed us about the CLRA and that it was about to go through Parliament. Despite not hearing from the government, we knew it would not be good for us because it was doing what we have been trying to avoid all these years – to be bound by chieftancy. There was not enough time to think about how this will change the community but we managed to make our presentation to government.

What were your concerns about the Act and how will the CLRA impact on your community?

Our predecessors, who were all co-owners (not in a tribal context but communally), bought the farm. Because we had no chief, the land was registered in the name of the former Homeland Minister to hold the land in trust for my community. We elected our own committees, which administered how we used the land and allocated rights to families and individuals in our group. In 1979 the area became a tribal area. Daniel Mahlangu was appointed chief by the previous government but my community wasn't happy. Part of the farm was given to outsiders, who were allocated land by the chief. These decisions were out of our hands. Today some people live in Kalkfontein A but have land in Kalkfontein B and C. Others who live here on farm A were allocated land on another piece of land. If there is a new land-administration committee from another area, we will not have a say in our own land. The CLRA will not benefit us.

How do you deal with conflicts over land?

There had been differences about land in the past. It was mainly because the appointed chief gave away parcels of land to people that supported him. Problems created a split in the communities. People that were against the chief were victimised and land was taken away from us, the rightful owners, and allocated to outsiders.

Why did you decide to take the government to court?

We decided to go to court because we do not want to be under any tribal authority and we may lose our land. We have registered as a

trust and we want our committee to handle all our affairs. Under the chief we do not have enough rights and the trust does not have enough power.

How do you think the Traditional Courts Bill could impact on your community?

I have heard there is a new law that will change the traditional courts, that the chiefs will have more powers and their rulings will be final. My community does not have a traditional relationship. What will become of our own customs? Those are not our chiefs but we will have to abide by their rules.

Robert Ndala – community leader, Kalkfontein Communal Trust

To view the submissions that preceded the CLRA, visit the PLAAS website: http://www.plaas.org.za/policyengagement/landrightsbill/

Traditional Courts Bill

- The Bill was published in the *Government Gazette* in March 2008 and was referred to the National House of Traditional Leaders.
- It then went before the Portfolio Committee on Justice and Constitutional Development for comment and deliberations.
- The Bill is intended to repeal the Black Administration Act and bring the functions of traditional courts in line with the Constitution.
- If enacted, it will give legal recognition to customary law in traditional justice systems, and rulings by traditional courts will carry the same weight as rulings by magistrates.

Regulating the institution of traditional leadership

Umhlaba Wethu *asked the Department of Justice and Constitutional Development for its view on the purpose and implications of the Traditional Courts Bill. Lawrence Bassett, Deputy Chief State Law Adviser, responded.*

- **Vision:** The Bill aims to regulate the role and functions of traditional leaders in the administration of justice (that is, dispute-resolution), in line with constitutional imperatives, as envisaged in the Traditional Leadership and Governance Framework Act.
- **Village courts and councilors:** Community forums will act as members of the court. These would include designated community elders. Traditional leaders as presiding officers will only play a facilitating role. The designated members of the court, who would have met to resolve disputes and pronounce judgement in accordance with the advice received, would advise them.
- **Gender concerns:** The primary legislation, which is intended to turn around the current imbalances in terms of gender and other issues as far as they relate to the institution of traditional leadership, is the Traditional Leadership and Governance Framework Act. Failure to comply with these provisions could result in proceedings being taken on review.
- **Jurisdiction:** It is not the intention of the Bill that traditional courts have jurisdiction over land rights. This would be dealt with by the CLRA. If the current wording of the Bill might lead to an interpretation that traditional courts will have jurisdiction to deal with land rights, the provision might require revisiting.
- **Consultation:** Although there was consultation on the Bill prior to its introduction into Parliament, the Portfolio Committee, during its deliberations on the Bill, indicated that mechanisms must be found through which further consultation takes place in which the views of ordinary people are ensured.

Traditional Courts Bill not progressive

The Bill has prompted public debate about its intentions and details of its provisions. Some of the shortcomings are discussed below.

Customary courts are valuable institutions. They provide millions of South Africans with access to justice they would not otherwise have. They are more accessible and affordable than existing 'formal' courts, and better reflect the values of the people who choose to use them.

However, the Traditional Courts Bill fails to recognise customary dispute resolution processes at the local levels where the system works best, and provides no role for the community councils, which

are the bedrock of the system. Instead it vests power exclusively in 'senior traditional leaders' as presiding officers. It enables a traditional court to order any person (including a person who has not appeared before it) to perform unpaid services 'for the benefit of the community'. Given claims by traditional leaders that customary law requires their 'subjects' to provide free labour 'in the fields of the realm' and many women's opposition to the practice of forced labour, this is cause for concern. The Bill also enables the court to deprive an 'accused person or defendant of any benefits that accrue in terms of customary law or custom'. Land rights are one such entitlement. Community membership is another. The Bill thus in effect enables the eviction of rural people.

The powers given to the court (in the person of the presiding officer) override historical and existing customary protections, which require that issues as serious as eviction and banishment first be debated and endorsed at various levels, including at a pitso or gathering of the whole community.

At the heart of the Bill are the contested boundaries of tribal authority, which are made the basis of the courts' jurisdiction. Tribal authorities were created by the apartheid Bantu Authorities Act of 1951, as the primary building blocks of the Bantustan system. Their imposition led to rural uprisings throughout the country. Many people were subsumed within 'tribes' that they had no connection with, and forced removals were used to separate people into ethnically separate 'homelands'. Tribal authorities now exist virtually wall-to-wall in former homeland areas and have been converted into 'traditional councils' by the 2003 Traditional Leadership and Governance Framework Act.

The Traditional Courts Bill provides traditional leaders with the unilateral power to create and enforce customary law within the bounded jurisdictional areas it confirms. Instead of focusing on what unites people, it reinforces the constructs of ethnic difference and insider-outsider status that were at the heart of the xenophobic violence that recently gripped our country.

How did it come about that such a Bill was gazetted at this point in our history? Part of the answer lies with its authorship. The memorandum that accompanies the Bill explains that it was drafted in consultation with the National House of Traditional Leaders. It also indicates that traditional leaders were the only rural constituency consulted about the Bill.

Furthermore, the current Bill does not include the requirements made by the South African Law Commission (SALC) about women's representation in the councils that hear and decide disputes. It could not, because it provides no role for councils whatsoever. The Bill also ignores the SALC recommendation that courts operating at village level should be recognised.

Most controversial for the chiefs was the SALC's recommendation that people should be allowed to 'opt out' of customary courts. They said that allowing people the choice would undermine their authority. The current bill goes further than depriving people of choice. It makes it an offence for anyone within the jurisdiction of a traditional court (even someone who is only passing through) not to appear when summoned by the presiding officer.

This undermines the consensual character of customary law and reinforces the controversial apartheid boundaries that the Bill entrenches. People currently recognise and use a range of different dispute-resolution forums in rural areas. These include village councils, development forums, clan meetings, civic and magistrate's courts. The existence of these different levels and types of dispute-resolution forums enhances accountability by enabling people to sidestep courts they consider to be illegitimate, or courts reputed to be biased.

If the primary purpose of the Bill were to support restorative justice and the development of 'living customary law', it would recognise the full range of customary courts that currently operate. There would be no need to empower traditional leaders to strip people who challenge the dubious tribal boundaries on which their authority is based of their 'customary entitlements'. This Bill is a disastrous step backwards.

Aninka Claasens, The Legal Resources Centre.

New appointments

- **Mpfariseni Mamatho** has been appointed as an intern at PLAAS and is working on a mini-thesis entitled Understanding the reasons and livelihood implications of women's increased participation in production-related activities at Tshiombo Irrigation Scheme, Limpopo Province. Contact her at the Makhado office of PLAAS, (015) 516 2418.
- **Phakamani Hadebe** has been appointed as interim chief executive officer of the Land Bank amidst investigations into irregularities at the bank. Previously he was the head of Treasury's asset and liability management division.
- **Prof Ben Cousins**, PLAAS director, was appointed to the editorial board of the Journal of Agrarian Change. Articles in this journal investigate the social relations and dynamics of production, property and power in agrarian formations. Submit articles on the following website: http://mc.manuscriptcentral.com/joac
- **Prof Saturnino M 'Jun' Borras Jr** of Saint Mary's University, Canada, is the newly appointed editor of the Journal of Peasant Studies. The journal contributes to understanding the role of peasants in political, economic and social transformation. Manuscripts can be submitted to the editor via e-mail: jps.borras@gmail.com

Commission on Gender Equality rejects Traditional Courts Bill

The Commission on Gender Equality (CGE) submission to the National Assembly stated that it 'does not support the Traditional Courts Bill in its current form' and questions whether the formation of the Traditional Courts (as prescribed in the Bill) is the only way in which (traditional justice) issues could be addressed? It highlights sections in the Bill that fail to promote gender equality, entrench vulnerabilities and overlook cultural complexities and differences. The submission raised concerns about the following:

- **Tradition:** Tradition as defined in the Bill entrenches the 'othering' of African people who choose to live by their own customs: 'No pheasant scratches for another; the one that does, does so for its own offspring.' The CGE is concerned that it may lead to the exclusion, marginalisation and 'silencing' of minority communities.
- **Courts:** 'Inkundla' in the lived experience is not a court but is considered a practice, and results of this practice may not always lead to justice. The Bill, if enacted, may enable unjust practices to continue while legitimacy is given to a justice system that undermines the customs of communites, and in which they may not have full confidence. The CGE is particularly concerned about the way in which the history of patriarchy and the entrenchment of discrimination in cultural norms and practices will affect the level of fairness with which gender-specific matters will be addressed.
- **Jurisdiction:** The CGE calls for clear identification of matters that will fall within the jurisdiction of traditional courts. It draws attention to two gender-related matters that have a direct impact on women, namely land ownership and domestic violence. Both deeply embed customary discrimination and the CGE rejects any traditional authority jurisdiction over these matters. Additionally, the CGE suggests that specific gender consideration is given in the appointment of senior traditional leaders and similarly with the appointment of presiding officers by the Minister to ensure that women are adequately represented.

Based on a summary by Advocate K Anirudhra, CGE, Western Cape, as adapted from the submission made to the National Assembly by the Chairperson of the Commission on Gender Equality, Ms N Gasa

Challenges facing Communal Property Institutions

Communal property institutions (CPIs) will draw more attention in future as both the Communal Land Rights Act and Traditional Courts Bill may directly affect these structures. CPIs hold and manage property on agreement by the members of a community, and membership, rights, benefits and obligations are set out in a constitution. For many communities, CPIs are the common value system upon which their landholding is based. Yet CPIs are facing major challenges despite the Communal Property Associations Act, which enables the DLA to address institutional failures.

In response to communities' need for support, the Association for Rural Advancement (AFRA) hosted a workshop between six CPIs that received ownership of land through the land reform programme in KwaZulu-Natal. The discussions identified three common areas of concerns:

- **Traditional authority systems:** CPIs find it difficult to manage and enforce their own decisions, and are not recognised by traditional authorities in their areas. The problem may be further exacerbated by the Traditional Courts Bill, which could further diminish the authority of CPIs.
- **Lack of post-settlement support:** CPIs find it difficult to access development services. At localmunicipal level, officials often confuse their legitimacy as land-holding structures with traditional authority structures.
- **Lack of internal co-operation:** Community members are divided between loyalty to CPIs and traditional authority structures. As a result, conflicts over land often go unresolved. Land allocations are heavily reliant on the positive recognition of chieftaincy.

Communities hope to leverage the necessary support to administer the land rights of their membership.

Nompilo Ndlovu – project officer, AFRA

Legislative and policy updates

Traditional Leadership and Governance Framework Amendment Bill. The Bill proposes regulations for kingships; makes provision for the establishment of kingship councils; regulates the election of members of local councils of traditional leaders; amends transitional provisions relating to tribal authorities and community authorities; and makes provision for remuneration of non-traditional leader members of traditional councils and kingship councils. The Portfolio Committee on Provincial and Local Government invited written submissions on the Bill and public hearings were held in July 2008. Comments are to be incorporated before it will be introduced to the National Assembly.

Land Use Management Bill. The Land Use Management Bill repeals a range of existing planning laws and ordinances, including the Development Facilitation Act. It aims to regulate spatial planning and land use management with the objective of redressing apartheid settlement patterns. Public hearings were held in July 2008 and the Portfolio Committee debated it during August 2008. The DLA is incorporating comments and expects the Bill to be passed and signed by the President by the end of September 2008.

Expropriation Bill. The Expropriation Bill, which makes provisions for the expropriation of property in the public interest (including land reform), was debated at public hearings in various provinces between May and June 2008, and in Parliament during June 2008. The Department of Public Works is considering all the submissions. While it was previously announced that the Bill would be approved by the end of this parliamentary term, Parliament is now waiting for further legal opinion on it and it will likely be rescheduled for Parliament in 2009.

The Restitution of Land Rights Act Review. Legal advisers are exploring the constitutionality of amendments proposed by the Minister of Land Affairs to the Restitution of Land Rights Act, which would limit the rights of land claimants to sell land awarded through restitution to buyers other than the state.

Prevention of Illegal Eviction from and Unlawful Occupation of Land Amendment Bill. The Bill further criminalises land invasion and sets out regulations for evictions where property has been occupied without permission. In July 2008 the Minister of Housing introduced the Bill to the Portfolio Committee on Housing, which did not approve the amendments and suggested the Department of Housing jointly redraft the Bill in consultation with DLA. Statements by officials suggest that this may open the way for the inclusion of farm dwellers under the ambit of Prevention of Illegal Eviction. Currently two laws – the Extension of Security of Tenure Act (ESTA) and Labour Tenants Act (LTA) – regulate evictions of farm dwellers and labour tenants respectively. These have been earmarked for review by DLA since 2001.

State land audit. A directive in the Restitution of Land Rights Act requires the creation of a register of public land, as well as parastatals and local authorities to publicise information on land assets and uses. By March 2008 the DLA had audited 228 000 parcels of state land, which amounted to 23 million ha. When completed, the registry will combine all state land information, including information from the cadastral and the Register of State Assets, currently being compiled by the Department of Public Works.

New publications

- *Land, Power and Custom: Controversies generated by the South African Communal Land Rights Act*, edited by Aninka Claassens and Prof Ben Cousins. The book aims to deepen understanding of the complexities of land tenure and governance problems, and explores the impact that provisions of the Communal Land Rights Act will have in rural communities. Authors include Christina Murray, Tom Bennett, HWO Okoth-Ogendo, Peter Delius, Lungisile Ntsebeza, Sizani Ngubane, Henk Smith and Rosalie Kingwill.
- *Late Mobilization: Transnational Peasant Networks and Grassroots Organizing in Brazil and South Africa*, by Brenda Baletti, Tamara M Johnson, Wendy Wolford in Journal of Agrarian Change, Vol. 8, no. 2–3. (April 2008), pp. 290–314. The article provides a comparative analysis of Brazil's Movimento Dos Trabalhadores Rurais Sem Terra (MST) and the South Africa's Landless People's Movement (LPM).
- *The Geographical Review* Vol. 98, no. 3 (July 2008), published a special issue on land reform. Articles are available at: http://www.amergeog.org/gr/current_issue.html.
- *The Rights and Wrongs of Land Restitution: 'Restoring What Was Ours'*, edited by Derick Fay and Deborah James. The book offers a critical, comparative ethnographic examination of land restitution programmes with cases from, amongst others, Mexico, Peru, Brazil, Romania and South Africa. The South African cases include Dwesa-Cwebe, District Six, Mandlazini and Makhoba.

Research updates

- **Livelihoods after Land Reform** – This three-year study involves Namibia, Zimbabwe and South Africa. It aims to identify the direct and indirect livelihood implications of redistributive land reform. PLAAS is co-ordinating the overall study, as well as undertaking the South African component in two districts within Limpopo Province. E-mail Prof Ben Cousins: bcousins@uwc.ac.za
- **Farm-based Livelihood Study** – This research project conducted by Surplus People Project (SPP) seeks to develop an understanding of livelihood strategies of communities working and living on farms within the West Coast District Municipal Area. E-mail Ricado Jacobs: ricado@spp.org.za

GENERAL NEWS

95 years on – 19 June 2008 marked the 95th anniversary of the Native Land Act of 1913. The Act entrenched territorial segregation and confined land ownership by blacks to the reserves.

The **National Agri-Consultation Summit on the Land and Agrarian Reform Programme** was held in July and August 2008. Entitled *'War on poverty – towards sustainable food security, jobs and wealth creation through agriculture'*, it considered future prospects for agriculture, and discussed policies and strategies geared towards an equitable, competitive and profitable agricultural sector. The summit recommended that a National Agricultural Sector Plan be completed by the end of August 2008. The National Department of Agriculture is drafting a summit declaration. For further information, contact Vangile Titi via e-mail: ddgssp@nda.agric.za

Legal opinion on a moratorium on farm-dweller evictions – State law advisors provided a legal opinion on the constitutionality of a moratorium on farm evictions. The opinion concluded that the '…imposition of a moratorium will be inconsistent with the Constitution.' The Alliance of Land and Agrarian Reform Movements (ALARM) is seeking alternative legal opinions. E-mail Fatima Shabodien fatima@wfp.org.za

The Right to Agrarian Reform for Food Sovereignty Campaign was initiated by small-scale farmers, landless people and farm dwellers from the Breede River, West Coast, Namaqualand, Hantam Karoo and Southern Cape to advocate for alternative models of agriculture and land reform that support food sovereignty. For more information, contact Danie Engelbrecht: 073 232 0901.

Arenas of contestation: policy processes and the Communal Land Rights Act – Elizabeth Fortin (Postdoctoral Fellow, University of Manchester) visits South Africa until November 2008 to disseminate her analyses of the politics of the policy process of the CLRA. E-mail: elizabeth.fortin@manchester.ac.uk.

Tenure security and livelihoods for farm workers and farm dwellers. Poul Wisborg (Norwegian University of Life Sciences) will work at the University of the Western Cape, from September 2008-2009. He will continue to work with PLAAS on tenure security and livelihoods for farm workers and farm dwellers under a programme coordinated by the Norwegian Centre for Human Rights. E-mail: poul.wisborg@umb.no

Events

- A National Seminar on **Tenure Security for Farm Workers and Dwellers:** Enforcing, Challenging and Defending ESTA will be held on 27-28 October in Stellenbosch, co-hosted by PLAAS and the Legal Aid Clinic at the University of Stellenbosch, with the support of the Norwegian Centre for Human Rights. Contact Tersia Warries twarries@uwc.ac.za
- The **Association of Women in Development Forum (AWID)** will hold its 11th international conference, *The Power of Movements*, from 14 to 17 November 2008 in Cape Town. Ritu Verma from PLAAS will chair the panel on 'Women's Movements and Rights to Land: Where Are We Now?' with the following panelists: Sizani Ngubane from the Rural Women's Movement, Abby Zziwa-Sebina from the Makerere Institute for Social Research, Rose Mwebaza from the Institute for Security Studies and Ruth Meinzen-Dick from Collective Action and Property Rights.
- PLAAS will be hosting the regional meeting for Africa of the International **Association for the Study of the Commons (IASC)** in Cape Town from 20 to 22 January 2009. It will include a policy forum entitled *'Scaling Up Conservation Practices for Natural Resource Commons in Africa'*. For information about this event, visit http://www.plaas.org.za/call_for_papers_policyforum2009.pdf
- PLAAS and Amandla! Publishers launched a new series of public debates. The first debate, entitled **'Hunger for land, hunger for food: Which way forward for agriculture?'** was held in Cape Town on 27 August 2008. The debate explored arguments for a better fit between agricultural policy and land reform in South Africa. Visit www.plaas.org.za for announcements of future debates in this series.

PLAAS obtained information for *Umhlaba Wethu* from a wide range of sources, including statistical information from the Department of Land Affairs (DLA) and the Commission on Restitution of Land Rights (CRLR): http://land.pwv.gov.za. Views expressed here do not necessarily reflect the views of PLAAS.

YOU CAN SEND YOUR SUGGESTIONS AND COMMENTS ON THIS PUBLICATION TO:

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