



PROGRAMME

UFS

THOUGHT-LEADER
SERIES ON
LAND REFORM

12 JULY 2018

BLOEMFONTEIN CAMPUS

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UNIVERSITY OF THE
FREE STATE
UNIVERSITEIT VAN DIE
VRYSTAAT
YUNIVESITHI YA
FREISTATA



WELCOMING MESSAGE FROM PROF FRANCIS PETERSEN, UFS RECTOR AND VICE-CHANCELLOR



As a public higher-education institution in South Africa with a responsibility to contribute to public discourse, the University of the Free State (UFS) will be presenting the inaugural UFS Thought-Leader Series as part of the Vrystaat Arts Festival. This year's debates focus on land reform and various issues that will be impacted by this, such as human rights, organised agriculture, and food security. Land reform is a matter of national importance, as it touches the lives of all South Africans in one way or another. The UFS aims to present this Thought-Leader Series annually and will bring experts on various topics of national concern to the Vrystaat Arts Festival in future.

Welcome to this inaugural series of panel discussions. Thank you for being part of this important and thought-provoking discussion.

Friendly Kovsie greetings

PROF FRANCIS PETERSEN
RECTOR AND VICE-CHANCELLOR
UNIVERSITY OF THE FREE STATE

PROGRAMME

FACILITATOR OF THE SERIES: **PIETER DU TOIT** | EDITOR IN CHIEF, *HUFFINGTON POST*

09:00–09:15 Welcoming Prof Francis Petersen | Rector and Vice-Chancellor, UFS

PANEL 1

LAND REFORM AND HUMAN RIGHTS

09:15–11:15

Talking points include models of successful land reform (both locally and internationally); land reform on communal land under the control of traditional leaders; the constitution, human rights, property rights and the restitution of past wrongs; and whether or not expropriation without compensation is possible without endangering food security and economic growth.

TIME	PANELLIST	TOPIC
09:15–09:30	Prof Danie Brand Director: Free State Centre for Human Rights University of the Free State (UFS)	Human rights and the Constitution
09:30–09:45	Prof Peter Delius Professor Emeritus Department of History University of the Witwatersrand (Wits)	Land restitution
09:45–10:00	Dr Aninka Claassens Senior Researcher and R WAR Director Department of Public Law University of Cape Town (UCT)	Land reform on communal land under the control of traditional leaders and the potential impact of expropriation without compensation
10:00–10:15	Prof Maano Ramutsindela Department of Environmental Geographical Science University of Cape Town (UCT)	Land reform, the Constitution, and traditional land in the former homelands
10:15	Q&A	
11:15	Closing	

PANEL 2

LAND REFORM AND ORGANISED AGRICULTURE

12:00–14:15

Talking points include models of successful land reform (both locally and internationally) and whether or not expropriation without compensation is possible without endangering food security and economic growth.

12:00–12:15 **Welcoming** *Prof Philippe Burger | Acting Dean: Faculty of Economic and Management Sciences, UFS*

TIME	PANELLIST
12:15–12:30	Mr Motsepe Matlala President National African Farmers Union of South Africa (NAFU)
12:30–12:45	Dr Ina Gouws Senior Lecturer Department of Political Studies and Governance, UFS
12:45–13:00	Mr Pitso Sekhoto President African Farmers Association of South Africa, Free State (AFASA)
13:00–13:15	Mr Bennie van Zyl General Manager TAU
13:15–13:30	Mrs Annelize Crosby Head: Land Affairs AgriSA
13:30	Q&A
14:30	Closing

PANEL 3

LAND REFORM AND FOOD SECURITY

15:00–17:30

Talking points include models of successful land reform (both locally and internationally); the financial sector, land reform and expropriation without compensation; whether or not expropriation without compensation is possible without endangering food security and economic growth, and land reform, tenure rights and food production on traditional land.

15:00–15:15 **Welcoming** *Prof Danie Vermeulen* | *Dean: Faculty of Natural and Agricultural Sciences, UFS*

TIME	PANELLIST
15:15–15:30	Mr Wandile Sihlolo Agricultural Economist and Head of Agribusiness Research Agricultural Business Chamber (Agbiz)
15:30–15:45	Prof Johann Kirsten Director Bureau for Economic Research, Stellenbosch University
15:45–16:00	Prof Philippe Burger Acting Dean: Faculty of Economic and Management Sciences, UFS
16:00–16:15	Mr Theo Boshoff Manager: Legal Intelligence Agricultural Business Chamber (Agbiz)
16:15–16:30	Prof Lungisile Ntsebeza Holder of the AC Jordan Chair in African Studies Centre for African Studies University of Cape Town (UCT)
16:30	Q&A
17:30	Closing

SPEAKER BIOGRAPHIES

PIETER DU TOIT | Editor in Chief | *Huffington Post*



Pieter du Toit completed his school career and tertiary studies in Political Science in Stellenbosch. He is a political journalist with Media24 and has held many senior positions with several Afrikaans titles, including political correspondent and news editor at Beeld in Johannesburg. He was Netwerk24's first national news editor, and briefly worked as assistant editor for Huisgenoot. In June 2017, Pieter was appointed as editor of Huffington Post in South Africa.

Together with Adriaan Basson, he co-authored the book *Enemy of the People* on the mismanagement and corruption during the Zuma era. Since its release about 35 weeks ago, Nielsen BookScan SA sold almost 15 000 copies of this publication, which continues to sell well weekly. *Enemy of the People* was number two on the non-fiction bestseller list for five weeks, only outshined by *The President's Keepers*.

Pieter has 15 years of experience as a writer, journalist, and editor – honing his skills on all the biggest Media24 news trademarks. He performed well in different roles for various influential printed publications and digital platforms, building a solid reputation in the world of hard news media. His widely respected insight into the South African political landscape makes him a favourite guest for radio and television interviews.

PROF DANIE BRAND | Director: Free State Centre for Human Rights University of the Free State (UFS)



Prof Danie Brand is the recently appointed Director of the Free State Centre for Human Rights at the University of the Free State. He holds the degrees BLC (UP), LLB (UP), LLM (Emory), and LLD (Stellenbosch).

Prior to his appointment at the University of the Free State, he worked at the University of Pretoria, first as a researcher and project officer at the Centre for Human Rights there and later as professor in the Faculty of Law, teaching administrative law, constitutional law and land law. While there he established with colleagues the Pretoria University Law Press, serving as its editorial manager for a number of years. He was also a founding editor of the *Constitutional Court Review* and served as editor of *Southern African Public Law*. His research and writing focus on the relationship between law, poverty and justice/injustice. Prof Brand has written on this topic from the perspective of constitutional law and constitutional theory, administrative law, jurisprudence, legal pluralism, procedural law and land law. He is currently working on a book in which he analyses the links between litigation in poverty related matters, the political capacity of impoverished people and transformation.

In 2013 he became a member of the Pretoria Society of Advocates and he has since then maintained a part time public interest practice as an advocate. His practice is focussed on litigation in education, housing and land issues, and particularly security of tenure and eviction law. He served as an acting judge of the High Court in Pretoria in 2017.

PROF PETER DELIUS | Professor Emeritus | Department of History
University of the Witwatersrand (Wits)



After joining the academia in 1981, Peter Delius retired as Professor and Head of the Department of History, University of the Witwatersrand, in 2016. He completed his PhD, which laid the foundation for his earlier books, at the School of Oriental and African Studies, London University in 1986. He has previously worked as a Research Officer at the Institute of Commonwealth Studies.

His research has focused on the history of the Pedi kingdom, and his books include *The Land Belongs to Us* (1983), *A Lion Amongst the Cattle* (1997), *Mpumalanga: An Illustrated History* (with Michelle Hay, 2009), *Forgotten World: The Stone Walled Settlements of the Mpumalanga Escarpment* (with Tim Maggs and Alex Schoeman, 2014), and *Rights to Land: A Guide to Tenure Upgrading and Restitution in South Africa* (with William Beinart and Michelle Hay, 2018). This book seeks to understand the issues around land rights and distribution of land in South Africa and proposes that new policies and processes should be developed and adopted.

Prof Delius has written extensively on rural issues and migrant labour, and in recent years has been deeply involved in research on land restitution in Mpumalanga and Limpopo, including work for the Land Claims Court. He was also the first recipient of the Mpumalanga Heritage Award of Merit for his contribution towards the research, documentation, and conservation of the unique heritage and history of the region.

DR ANINKA CLAASSENS | Senior Researcher and R WAR Director
Department of Public Law | University of Cape Town (UCT)



Dr Aninka Claassens has been engaged in land issues in South Africa for 25 years and leads LRG's Rural Women's Action Research Project. Although much of Aninka's work deals with law, she is not a lawyer. She studied African languages at UCT, Sociology at Wits, and has a PhD in Development Studies from Roskilde University in Denmark.

Her career started as a trade-union organiser. During the 1980s, she worked closely with rural communities who resisted forced removals, and as a senior researcher in the Land Rights Project of the Centre for Applied Legal Studies at Wits University from 1990. During South Africa's transition, Aninka participated in working groups that developed proposals pertaining to legislation dealing with restitution and the protection of labour-tenant and farm-worker rights. She was a member of the ANC's land desk and a technical expert for the Constitutional Assembly on land rights and the property clause.

From 1997 to 1999, she was an Adviser for the Minister of Land Affairs and undertook various research projects with PLAAS at UWC from 2000 to 2003, also working on urban land issues. She worked for the Legal Resources Centre from 2003 to 2009, where she co-ordinated the rural consultation and research process with regard to a legal challenge in the Communal Land Rights Act and other cases related to customary law. In 2009, she moved to the Law, Race and Gender Unit at UCT where she founded the Rural Women's Action Research Project (RWAR).

[Source: <http://www.publiclaw.uct.ac.za/pbl/staff/aclaassens>]

PROF MAANO RAMUTSINDELA | Department of Environmental Geographical Science
University of Cape Town (UCT)



Maano Ramutsindela completed his PhD in Geography at Royal Holloway, University of London, and is currently Deputy Dean of Science at the University of Cape Town, as well as Professor in the Department of Environmental and Geographical Science.

Prof Ramutsindela is a Conon Collins alumnus, a Fellow of the Society of South African Geographers, and an elected member of the Academy of Science of South Africa. The many academic positions he held abroad, includes the Inaugural Guest Professor of African Studies (University of Geneva, 2017), Mandela Mellon Fellow of W.E.B. Du Bois Institute (Harvard University, 2011), and Distinguished Hubert H Humphrey Visiting Chair of International Studies (Macalester College, 2010). He is a recipient of the National Research Foundation Award for the Transformation of the Science Cohort (2013) and has researched and published widely on peace parks, land reform, and borders.

Prof Ramutsindela's present project (with Giorgio Miescher as the co-principal investigator) is on Space in Time: Landscape Narratives and Land Management Changes in the Lower Orange Cross-border Region. Combining expertise from various fields, they trace land use and resource management systems across the Namibia-South Africa border in the Lower Orange River. They look at the impact of global economic integration, livestock production and trade, industrial mining, commercial farming, labour reserve economies, and conservation projects on the landscape and society in the region, aiming to: (i) reassess current land management regimes; and (ii) thereby provide a base for future negotiations on sustainable and inclusive land use and land ownership.

PROF PHILIPPE BURGER | Acting Dean: Faculty of Economic and Management Sciences, UFS



Philippe Burger is Professor of Economics and acting dean of the Faculty of Economic and Management Sciences at the University of the Free State. He is a 2016/17 Fulbright Exchange Scholar at the Center for Sustainable Development at Columbia University's Earth Institute, where he wrote a book on South Africa's low growth and high unemployment problem, which is to be launched soon. From September 2012 to October 2014, Prof Burger was President of the Economic Society of South Africa, and he is also a member of the South African Statistics Council, which oversees the work of Statistics South Africa.

His publications include three books and numerous academic articles on fiscal rules and fiscal sustainability, public private partnerships, macroeconomic and economic development policy. Together with IMF (International Monetary Fund) staff, he also co-authored two IMF working papers, and in 2009 he was invited to spend a month at the IMF as a visiting scholar.

For two months during 2007, 2010, and 2012, he was seconded to the OECD (Organisation for Economic Co-operation and Development) in Paris to work on public-private partnerships and capital budgeting, while he joined an OECD mission to Indonesia in October 2011 to conduct a regulatory review of Indonesia. Prof Burger was also a member of the Panel of Experts of the South African National Treasury, in which capacity he recently co-authored a 20-year review of South African fiscal policy since 1994.

MR MOTSEPE MATLALA | President | National African Farmers Union of South Africa (NAFU)



Motsepe matriculated at Boaparankwe College in Limpopo before commencing his studies and serving his articles at the law firm Ferreira and Nortje in Witbank on recommendation of the then Law Society of Transvaal. Challenges compelled him to join the mining industry under the Gencor Group as a tea boy for the mine manager. He attended various training opportunities and was a senior training officer at Beatrix Mine (Free State) before joining the insurance industry through Southern Life, a subsidiary of Anglo American. He was trained in financial planning and related issues and promoted to production manager of a branch

before broadening his scope at the international group, Africon, with disciplines in engineering, town planning, surveying, and management training.

Among the influential roles he held, was Chairperson of AgriTV and director of the Mpumalanga Parks Board. He was the Vice-President of SACAU (Southern African Confederation of Agricultural Unions) and is currently the President of the National African Farmers Union of South Africa (NAFU SA).

Motsepe is also the Deputy Chairperson of CCARDESA (Centre for Coordination of Agricultural Research and Development in Southern Africa), a council member of NAFCOC (National African Federated Chamber of Commerce and Industry), and the Co-chair of a Portfolio Committee on Food Security. He furthermore participates in the National Economic Development and Labour Council (NEDLAC) regarding agricultural matters. The development of income generating and successful farmers in South Africa is not only a passion for Motsepe, but a lifestyle. As a farmer, he understands the challenges facing farmers every day.

DR INA GOUWS | Senior Lecturer | Department of Political Studies and Governance, UFS



Dr Ina Gouws completed a PhD in Political Science and Government at the North-West University and is currently a Senior Lecturer in Governance and Political Transformation at the University of the Free State. She also serves a term as Director of the BA Programme.

She has been an academic for 16 years, with a research focus in democratisation as well as South African politics. With a vested interest in teaching and learning practices, she has received three teaching awards between 2005 and 2015. Ina has been involved in various research projects focusing on water governance and was a contributor for the EISA election update during the 2011 local government elections.

Ina is also a political commentator on local radio and TV channels and was invited as participant to the Rapport Regstreeks and kykNET roadshow in Bloemfontein, as well as in-studio interviews on kykNET's morning show, Dagbreek. Her keen interest in the daily impact of the democratic process on society and how it influences and is influenced by the changing contemporary world, makes her an asset to any discussion in this field.

MR PITSO SEKHOTO | President | African Farmers Association of South Africa, Free State (AFASA)



Pitso Sekhoto's entrepreneurial career stretches over 35 years. He has established and run businesses in different industries such as retail and hospitality across the Free State and Gauteng. He has been operating in agriculture since 2008 – with his connection to agriculture going back to his father, who speculated in cattle while Pitso was growing up.

His position as the Deputy Chairperson of the Agricultural Sector Unity Forum (ASUF) allows him to contribute to transformation within the industry. Sekhoto is one of the most recognisable black commercial farmers in the country and participates at a high level in industry bodies such as AFASA, HORTGRO, the Deciduous Fruit Development Chamber, and Operation Pakisa – organised by the government. His experience in the industry cuts across commodities such as dairy, sheep, beef cattle, fruit, and grain.

Sekhoto's ability to move from one business to another is one of his strengths, and he excels at identifying opportunities and coordinating relevant stakeholders to put the process in motion and realise the ideal. He has developed himself as an asset by contributing to the industry as a whole, setting himself up as one of the thought leaders. This has seen him invited to participate in various industry bodies throughout his working life, as well as being featured in various media publications over the years for the work he continues to do.

MR BENNIE VAN ZYL | General Manager | TAU



Bennie van Zyl obtained a BCom (Acc) degree from the University of Pretoria in 1978. Following his studies, he farmed with cattle and game in the Thabazimbi Bushveld for the next 30 years. Currently, he is the General Manager of TAU SA (Transvaal Agricultural Union) – a position he has held since 2001.

Bennie served on various committees and councils such as the Agricultural Credit Committee, the Conservation Committee, and the School Management Body. He was Chairman of Northam BV and Thabazimbi DLU, and Commander of Northam Commando. He was also part of the first group who successfully completed the Agricultural Management Course at the University of Pretoria, funded by the AgriSETA (Sector Education and Training Authority).

During his impressive career, he gained valuable experience that helped him to contribute to various issues regarding agriculture and land ownership. He was one of the people who assisted Georgia with policy development for private ownership and the free market for quite some time after the socialist and communist period of the Soviet Union.

Bennie has been invited to address many congresses and conferences throughout the country on agricultural matters. His input and knowledge are sought-after and many articles on agricultural sustainability have been published under his name.

MRS ANNELIZE CROSBY | Head: Land Affairs | AgriSA



Annelize Crosby is a Legal and Policy adviser and currently Head: Land Centre of Excellence at AgriSA. Her long and fruitful career in law started when she enrolled for a BLC at the University of Pretoria, and continued to complete an LLB and LLM. For her master's degree, she opted to specialise in constitutional law.

After completing her articles and being admitted as an attorney, she started to lecture at the University of Pretoria for a while. However, she soon joined AgriSA (then still called the South African Agricultural Union) as legal adviser in 1995. She has been involved in the land debate for some 20 years and has represented AgriSA in many meetings, forums, and conferences where land reform has been debated. Her knowledge and skills led to many media appearances, and she also authors media articles and opinion pieces.

Annelize analyses policy and law from the perspective of the farming community and advises the members of AgriSA on possible implications, constitutionality, and makes many of the representations in Parliament and at other public forums on AgriSA's behalf. She monitors and reports on parliamentary processes as far as these impact on the farming community, and was a member of an internal technical committee that developed AgriSA's holistic framework for land reform in 2014.

PROF DANIE VERMEULEN | Dean: Faculty of Agricultural and Natural Sciences, UFS



Danie Vermeulen matriculated in the Karoo town of Carnarvon in 1975 and studied Geology at the University of Stellenbosch before working as a mining geologist. After resigning, he farmed in the North-eastern Cape and began drilling for water in the Karoo, Southern Free State, and the North-eastern Cape. His interest in drilling and mining led to honours, master's, and doctorate degrees in Geohydrology at the University of the Free State. He began lecturing in 2002 and was appointed Director of the Institute for Groundwater Studies at the University of the Free State from 2011 to 2016. Currently, he is Dean of the Faculty of Natural and

Agricultural Science.

Danie has compiled 200+ geohydrological reports and reviews, published 31 papers in peer-reviewed journals, and 12 chapters in mine-water related books, and presented 66 conference papers both locally and internationally. He specialises in mine-water related issues, especially in coal mines and related industries, and regularly presents invited talks. He has also lectured abroad, including in Sri Lanka, the USA, and the UK.

Danie is a registered Earth Scientist with the South African Council for Natural Scientific Professions, a Fellow of the Water Institute of Southern Africa, and a member of the Ground Water Division of South Africa. He is also a member of the International Association of Hydrogeologists, an executive council member of the International

Mine Water Association, and a council member of the Fossil Fuel Foundation.

MR WANDILE SIHLOLO | Agricultural Economist | Head of Agribusiness Research
Agricultural Business Chamber (Agbiz)



Wandile Sihlobo completed a BSc at the University of Fort Hare before receiving an MSc in Agricultural Economics from the University of Stellenbosch in 2016. His MScAgric was titled: An Evaluation of Competitiveness of South African Maize Exports, which found that South Africa's maize exports are competitive compared to leading global exporters. However, the production-cost analysis showed that South Africa is less competitive compared to Argentina, Brazil, the USA, and the Ukraine. He further explored market possibilities and restraints, with recommendations for developing South African maize exports.

Currently, Wandile is an agricultural economist and Head of Agribusiness research at the Agricultural Business Chamber (Agbiz) in South Africa. He is a columnist for Business Day and Farmer's Weekly magazine, and regularly publishes current industry-related information on his own website. Sihlobo has previously served as an economist at Grain South Africa (Grain SA), where he was mainly responsible for macroeconomics, grain market and international trade research. He also served as part of the secretariat of the Agri-Sector Unity Forum (ASUF) Land Reform working group. His expertise is sought-after by major local news channels and other media platforms.

PROF JOHANN KIRSTEN | Director | Bureau for Economic Research



Johann Kirsten is Professor and Director of the Bureau for Economic Research (BER) at Stellenbosch University. Before taking up this position, he was Professor in Agricultural Economics and Head of the Department of Agricultural Economics, Extension and Rural Development at the University of Pretoria – a position he held for 20 years until his resignation on 31 July 2016.

Born in Cape Town, prof Kirsten matriculated from Jan van Riebeeck High School in Cape Town in 1979, where-after he completed a BScAgric and a BScAgric (Hons) degree in Agricultural Economics at Stellenbosch University. He started his career as an agricultural economist in the Department of Agriculture in Pretoria, during which time he completed a master's degree and PhD degree in Agricultural Economics at the University of Pretoria before he joined the institution as lecturer in 1992.

From 2001 to 2011, Prof Kirsten served as a council member of the National Agricultural Marketing Council in South Africa and was appointed as Chair of the Food Price Committee by the Minister of Agriculture during 2003/4. He also served as Vice-President of the International Association of Agricultural Economists for the period 2006–2009. His main research interests are agricultural policy, land reform, and the economics of origin-based foods. In this respect, he was the mastermind behind the legislative process to get legal protection for Karoo Lamb and to establish a certification mark for this well-known iconic South African food.

MR THEO BOSHOFF | Manager: Legal Intelligence | Agricultural Business Chamber (Agbiz)



Theo Boshoff holds an LLB (cum laude) and an MPhil degree in Wildlife Management from the University of Pretoria and is currently studying towards an LLM in Constitutional Property Law at the North-West University. He is a specialist in policy advocacy for the representative body of the agribusiness sector and has primarily been involved with tracking and influencing legal and policy developments in the areas of land reform, labour, trade, agricultural, and environmental law.

Theo's experience as lobbyist includes analysing risks in new policy and draft legislation, compiling position points, liaising with industry, and obtaining mandates. He has also been involved in several in-depth negotiation processes on draft legislation at Nedlac (National Economic Development and Labour Council), including key land-reform legislation such as the Expropriation Bill, Restitution of Land Rights Amendment Bill, Extension of Security of Tenure Amendment Bill, and the Regulation of Agricultural Land Holdings Bill.

In 2016, he participated in Operation Phakisa on agriculture, rural development, and land reform where he was selected to represent and lead the land reform workstream. Currently, Theo leads three task teams within Nedlac and is a Business representative in Nedlac's Development Chamber.

Theo is presently responsible for coordinating efforts within the agribusiness sector towards proposal formulation that will accelerate land redistribution as an alternative to expropriation without compensation. He is also working closely with the industry, as well as Business Unity South Africa to formulate inputs for the Constitutional Review Committee.

PROF LUNGISILE NTSEBEZA | Holder of the AC Jordan Chair in African Studies Centre for African Studies | University of Cape Town (UCT)



Lungisile Ntsebeza is Professor of African Studies and Sociology at the University of Cape Town and holds two Research Chairs: the AC Jordan Chair in African Studies, and the National Research Foundation (NRF) Research Chair in Land Reform and Democracy in South Africa. In September 2017, the NRF conferred the 2017 Hamilton Naki Award on Ntsebeza for his world-class research despite considerable challenges. He was the inaugural President (2013–2015) of the African Studies Association of Africa (ASAA), launched in October 2013.

Prof Ntsebeza has conducted extensive published research on the land question in South Africa around themes such as land rights, traditional authorities, democratisation in the countryside, and social movements. His first book *Democracy Compromised: Chiefs and the Politics of Land in South Africa* (2005), was followed by six co-edited publications, including *The Land Question in South Africa: the Challenge of Transformation and Redistribution* with Ruth Hall (2007), *Rural Resistance in South Africa: The Mpondo Revolts after fifty years* with Thembele Kepe (2012), and *The Promise of Land: undoing a century of dispossession* with Fred Hendricks and Kirk Helliker (2013). Together with June Bam-Hutchison and Allan Zinn, he edited the third volume on the Precolonial history of Southern Africa led by Ntsebeza, titled *Whose History Counts?*

Apart from land and agrarian questions, Prof Ntsebeza's current research interests include an investigation of African Studies at the University of Cape Town and a related project on the political and intellectual history of the late Archie Mafeje.

