

International Interdisciplinary Security of Land Tenure Conference 6-8 May 2024



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



FINAL PROGRAMME

MONDAY, 6 MAY

VENUE: SENATE HALL, EQUITAS BUILDING

8:00 – 9:15

Registration & Breakfast

Plenary session

9:15 – 10:15

Welcome: Prof Serges Kamga, Dean University of the Free State, Law Faculty

Opening: Prof Vasu Reddy, Deputy Vice-Chancellor: Research and Internationalisation, University of the Free State

Keynote address: Prof Wahab Egbewole, SAN Vice-Chancellor, University of Ilorin, Nigeria "Judex: The beacon of hope in Africa's land tenure insecurity crisis?"

Chair: Dr Anthea-lee September-Van Huffel

10:15-10:45

Tea & Coffee break

10:45-12:35

Session 1: Secure land tenure – Land reform and regulation of land rights

Paper 1: Fordam George Wara, University of the Free State, South Africa "Nothing about us without us: Securing land tenure rights in South Africa and Canada."

Paper 2: Shane Phiri, University of the Western Cape, South Africa "Negotiating tenure security on state-owned farms in South Africa."

Paper 3: Kenny Kikelomo, Kehinde Osasona, Khadijat Amolegbe, Oluwaseun Ojogiwa, Oluwabukunmi Akinrinade, University of Ilorin, Nigeria, "Land rights and rural farming household security status: evidence from kwara state, Nigeria." [Online]

Paper 4: Xavia Poswa, North-West University, South Africa, “The role and duty of traditional leaders to strengthen the land rights of rural communities.”

Paper 5: Cletus S Suhfree, University of South Africa, South Africa, “Examining challenges and opportunities in implementing secure land rights for transforming the rural land economy: The case of the Democratic Republic of Congo (DRC) since 2000.”

Chair: Mr Khanya Motshabi

12:35-14:00

Lunch

14:00-15:50

Session 2: Secure land tenure – community engagement and public participation

Paper 1: Lasiele A Yahaya & Michael Ajokpaniovo, University of Ilorin, Nigeria, “Empowering women through counselling: Promoting gender equality in land rights and rural development.” [Online]

Paper 2: Foluke N Bolu-Steve & Shuaib A Muhammed, University of Ilorin, Nigeria, “Addressing the psychosocial toll of land tenure insecurity: A counselling perspective.” [Online]

Paper 3: Mulikat LA Mustapha & Falilat A Okesina, University of Ilorin, Nigeria “Counselling as a catalyst for intergenerational knowledge transmission in land stewardship.” [Online]

Paper 4: Jerit Dube, University of the Free State, South Africa, “Transforming the rural land economy and enhancing the livelihoods of female entrepreneurs in the Afromontane region: Exploring solutions to complex challenges surrounding tribunal land tenure system in QwaQwa”.

Paper 5: Raji, Barakat Adebisi University of Ilorin, Nigeria “Navigating land disputes: The role of mediation in resolving conflicts and promoting sustainable solutions in Nigeria.”[Online]

Chair: Dr Charles Chavunduka

15:50-16:20

Tea & Coffee break

16:20-17:10

Session 3: Secure land tenure - Sustainability and natural resources

Paper 1: Tina Gama-Kotzé, Boston City Campus, South Africa “Flipping the switch to a green economy: Securing community-private partnerships in the renewable energy sector.”

Paper 2: Gaynor Paradza, Public Affairs Research Institute, South Africa, “The conditions under which indigenous land rights can be secured in the context of increasing pressure from energy transition related investments in South Africa.”

Chair: Dr Carol Ngang

18:00

GALA DINNER: VENUE CENTENARY HALL

TUESDAY, 7 MAY

VENUE: EQUITAS AUDITORIUM

8:00-9:00

Breakfast

Plenary session

9:00 – 9:30

Keynote address: Emeritus Prof Robert Home, Anglia Ruskin University, England, “Legal histories of land tenure in Africa: Comparing approaches to land reform.”

Chair: Prof Mbongiseni Buthelezi

9:30-10:40

Session 4: Secure land tenure – Constitutional property law and customary law

Paper 1: Juanita Pienaar, Stellenbosch University, South Africa, “Security of tenure in South Africa: Back to basics”.

Paper 2: Habeeb A Salihu & Tomisin A Akangbe, University of Ilorin, Nigeria “Unformalized tenure arrangement and ethnic resentment: Implications for the crisis between Fulani herders and natives of Omi-gbangba community, Nigeria.” [Online]

Paper 3: Oni Simeon Olaosebikan, Lead City University, Nigeria, “Nigerian customary land tenure system vis-à-vis the Land Use Act, 1978: a discussion.” [Online]

Chair: Dr Gerard Kamga

10:40-11:10

Tea & Coffee break

11:10 – 12:40

Session 5: Secure land tenure – Constitutional property law and customary law

Paper 1: Marda Horn & James Faber, University of the Free State, South Africa, “*Spangenberg and*

Others v Engelbrecht NO and Another (Case no 717/21) [2023] ZASCA 100 (14 June 2023): Finding a balance between potentially stretching a limited real right to its limits and the court making a will on behalf of the testator.”

Paper 2: Nokwanda Sihlali & Thandolwethu Nkopane & Katlego Ramantsima, University of Cape Town, South Africa “The complexity of South Africa’s dual tenure system: A legacy unresolved?”.

Paper 3: Lerato Ngwenyama, University of the Free State, South Africa “An eviction but different considerations may apply in future cases? A critical comment on *Pieterse v Drumearn (Pty) Ltd* [2023] ZALCC 13 (19 April 2023)”.

Paper 4: Johan Esbach, University of the Free State, South Africa “Rural land: A case of human dignity”.

Chair: Prof Zsa-Zsa Boggenpoel

12:40-13:40

Lunch

13:40-14:50

Session 6: Secure land tenure – Socio-economics and historical development

Paper 1: Tania Notarius & Tshokolo Makuoane, University of the Free State, South Africa “Exploring land tenure systems: A comparative study of ancient near eastern rural communities and contemporary South Africa.”

Paper 2: Lochner Marais, University of the Free State, South Africa “Botshabelo: understanding home in a rural and urban periphery.”

Paper 3: Carol Chi Ngang, National University of Lesotho, Lesotho “Who owns the land? A right to development enquiry on security of land tenure in Africa.”

Chair: Prof Juanita Pienaar

14:50 -16:00

Session 7: Secure land tenure – Political and active citizenry

Paper 1: Naledzani Mukwevho, Department of Justice & Constitutional Development, South Africa “The role of an active citizenry in the advancement of land tenure security and sustainable development: Advocating for meaningful public participation in development projects.”

Paper 2: Muhinat B Bello, University of Ilorin, Nigeria “Integrating Land Use Act contents into teacher education programme to promote peaceful coexistence in Nigeria.”[Online]

Paper 3: Radimakatso Kananelo, University of the Free State, South Africa “Political risk assessment concerning Land Reform: A case study of South Africa.”

Chair: Ms Bella Phore

16:00-16:30

Tea & Coffee break

16:30-17:40

Session 8: Secure land tenure – communal land rights protections and benefits

Paper 1: Charles Chavunduka, University of Zimbabwe, Zimbabwe “The legacy of colonial land law and implications for compensation in communal land areas of Zimbabwe.”

Paper 2: Siviwe Shwababa, Department of Agriculture, Land Reform and Rural Development, South Africa “Biodiversity Stewardship, exploring opportunities and threats in Communal Property Associations (CPAs) located in protected areas.”

Paper 3: Justice Khoza, North-West University, South Africa “Security of land tenure rights and communal centralisation: A legal perspective.”

Chair: Prof Gerrit Pienaar

WEDNESDAY, 8 MAY

VENUE: SENATE HALL, EQUITAS BUILDING

8:00-9:00

Breakfast

9:00 – 10:30

Session 9: Secure land tenure – Land use, access, and conservation

Paper 1: Anthea-lee September-Van Huffel, Dimitri Veldkornet, Tlou Raphela University of the Free State, South Africa “Unravelling the nexus: Exploring the legal ramifications of conservation practices on local community access to natural aquatic resources in South Africa.”

Paper 2: Wasiu M Raheem & Akeem B Ola, University of Ilorin, Nigeria “Comparative analysis of land tenure system and implications for rural

development across Oke-Ogun towns of Oyo State, Nigeria.”

Paper 3: Precious Sihlangu, University of Limpopo, South Africa “Critical legal analysis of land reform policies: prospects, success and pitfalls; a lesson for future policymakers.”

Paper 4: Kehinde Babalola, Cape Peninsula University of Technology, South Africa “Legal Pluralism and Land Administration: Insights from Courts of Law in Nigeria.”

Chair: Dr Tina Gama-Kotze

10:30-11:00

Tea & Coffee break

11:00-12:30

Session 10: Secure land tenure – Agrarian livelihoods and mining resources

Paper 1: John A Ogedengbe, University of Ilorin, Nigeria “The nexus between land tenure, food security, and agricultural advancement in rural settings: A comparative analysis of Nigeria and South Africa.” [Online]

Paper 2: Lindani Mhlanga, University of the Free State, South Africa “All for one, one for all: The interdependency of secure rural land tenure and South Africa’s mining economy.”

Paper 3: O.B Igbayiloye & A C Onuora-Oguno, University of Ilorin, Nigeria “Changing the trajectory over disputes on land rights between local communities and mining communities through reconstructive justice in Africa.” [Online]

Paper 4: Elmien Du Plessis, University of Pretoria, South Africa “Cattle grazing and the right to tenure in South Africa.”

Chair: Prof Abraham Matamanda

12:30-13:30

Lunch

13:30-15:00

Session 11: Secure land tenure – Agrarian livelihoods and mining resources

Paper 1: Oludairo O Oyedepi, University of Ilorin, Nigeria “Occurrence of Salmonella spp. in locally fermented milk of cattle in Ilorin, Nigeria and the changing livestock production land tenure regime?”. [Online]

Paper 2: Siphephelo Siyabonga Mdluli & Phindile Shangase, University of the Free State, South Africa “Women’s participation in strategic agricultural

partnerships: Towards secure land tenure and healthy livelihoods in KwaZulu-Natal, South Africa.”

Paper 3: Neo Mathinya & AC Franke, University of the Free State, South Africa “Land tenure is subordinate to labour and sound management of common property resources for enhancing agrarian livelihoods in South African communal areas.”

Paper 4: Verna Nel, University of the Free State, South Africa “Fixing the South African Spatial Governance System.”

Chair: Prof Elmien Du Plessis

15:00-15:40

Facilitated discussion: Prof Danie Brand, Prof Elmien Du Plessis, Dr Anthea-lee September-Van Huffel. Group reflections on the status of secure land tenure in Africa.

Facilitator: Prof Mbongiseni Buthelezi

15:40-16:00

Faculty Book Launch Series: Protean Scholar

16:00-16:10

Thanks & Closing – Dr Brand Claassen, Head of the UFS, Private law department

16:10-18:00

Farewell Cocktail

