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***The School of Public Management & Planning
Stellenbosch University***

And

Sustainability Institute

PROGRAMME IN SUSTAINABLE DEVELOPMENT

***BPhil / MPhil in Sustainable Development Planning and
Management***

***Module: Policy and Legal Framework for
Rural Development in the Agricultural Sector***

5 day + 1 day group presentations

Venue: Sustainability Institute, Lynedoch Road, Stellenbosch

17 - 22 May 2010



Introduction

Accreditation

This module forms part of the BPhil/MPhil programme in Sustainable Development Planning and Management (SAQA Level Eight). As such, it is formally approved and quality controlled as required by the South African Qualification Authority (SAQA) and the Higher-Education Qualification Committee (HEQC).

Background

The policy reforms that have shaped the rural landscapes in South Africa in the past 15 years have to be understood in the context of the broader political economy linked to rural and agrarian reform. The dualism so often referred to in South African agriculture is the result of a legacy of systematic policy incentives designed to benefit white commercial farmers. The incentives range from marketing support in the form of marketing control boards, research and extension services tailored for white commercial agriculture, financial services and an education system limiting access to black students. Although there are a number of policy interventions to address these challenges, one of the drivers at this time is the Agriculture Broad Based Black Economic Empowerment Charter (AgriBBBEE Charter) which is currently being aligned to national statutes. Institutions that currently provide support services in agriculture face the significant challenge of transformation to deliver to this “dualist” sector.

Access to and the value of land is not only an input into agricultural production but at the heart of South African culture and heritage. The sustainability of agriculture in South Africa and its impacts on rural development can be realised through achieving food security and to provide equal access to the natural resource base. Sustainable Agriculture is agriculture that gives recognition to a cultural heritage that does not infringe on rights of access and availability for future generations.

One of the key instruments in achieving transformation of the sector and shifting the sector to a sustainability oriented paradigm is the policy and legal framework within which the agricultural sector operates.

This arena is becoming increasingly contested as debates in respect of access, rights, traditional roles and authorities, empowerment, transformation and “agricultural justice” develop and impact on both policy and developmental thinking.

The various perspectives in terms of the divergent policy perspectives, both local and international, present significant challenges and opportunities in terms of the sustainability of agriculture and development as a whole.

Target Participants

Leaders and practitioners in the public, private and NGO sectors who would like to prepare themselves for the challenge of sustainability in a fast changing world. In particular, those who want to integrate the economic, social and ecological dimensions of the development process within the African context.

Course objectives, topics and outcomes

Objectives

Course participants will be introduced to the policy and legislative frameworks that pertain to the implementation of rural development which govern the structures, economies and operational dynamics of the agricultural sector in South Africa in particular. Particular attention will be paid to cross cutting issues such as food security, land reform, BBBEE, access to support services, financial incentives and subsidies, and sustainability practices. Focus will also be given to rural planning challenges and the implication of this for longer term sustainability and agricultural prosperity.

Course participants will be required to fully understand the practical implications of these policy and legal frameworks for individual farming enterprises in the commercial agriculture sector and for rural development projects within a subsistence or small-scale farming context.

Particular attention will be paid to crosscutting issues such as food security, land reform; access to support services, financial incentives and subsidies, and sustainability practices.

Topics

The four main themes are:

- Land Reform in the context of Agrarian Reform
- Rural livelihood linkages to agriculture in Rural Development
- Policies and Legal Frameworks for the Commercial and Small-Scale Agricultural Sector
- The Challenges of Agrarian Reform

Outcomes

The following outcomes are to be achieved by the module:

- Ability to locate the context of the current land reform programme in the history of South Africa;
- Understanding of the history and context of policy reforms in South African agriculture;
- Ability to recognise the dualism in South African agriculture;
- Understanding of the impacts of market liberalisation on agriculture;
- Ability to determine challenges for sustainable agriculture;
- Ability to identify policies that work for sustainable agriculture and the regeneration of rural economies; and
- Understanding of the impact of institutional change on the provision of support services to the agriculture sector in credit provision, research and extension.

Assessment and credits

After attending this course, participants should be able to fulfil the following assessment criteria through the indicated methods of assessment:

Assessment criteria

Each participant must, through the assessments, provide proof that he / she has acquired a satisfactory level of knowledge.

The following criteria will be used to assess each assignment:

- Has a significant body of literature been read and understood?
- Is there a coherent and logical argument?
- Is there an introduction and conclusion that introduces at the start and ties up at the end what the essay is all about?
- Has the writer brought herself/himself into the story?
- Is the mode of expression acceptable, with special reference to grammar, spelling and syntax?

Assessment methods

Participants will be individually assessed by means of the following methods:

1. **Journal:** this should be submitted with the Assignment and must contain any personal reflections on your learning experiences that you would like to write about, in particular experiences in Practical Work and Community Work situations. (15%)
2. **Literature Review:** this should be submitted with the Assignment and must contain a review of at least 8 of the prescribed readings, either within the course pack or on the CD provided. The review should suitably illustrate the core message and salient points contained within the readings. (25%)
3. **Assignment:** this should not be less than 5000 words and not more than 8000. The purpose of the assignment is for the participant to synthesize in a written form new knowledge and experience derived from reading, classroom work, community work, and the group project. It is essential that the assignment is more than just the summary of the readings. The assignment must demonstrate that you have something specific to say, and that you have said it clearly and logically. (25%)

The assignment topic will be given during the course. (You may choose your level of analysis, or spatial reference point, i.e. global, regional, national, local, or mixture of some or all of these.)

The Due Date for the assignment is specified in the list of Due Dates for the year handed out at the start of the course. The Due Date is final and no extensions will be provided

4. **Group Project:** although clear guidance will be given at the start of the module on how this will be organised, suffice it to say here that this will involve working in pre-assigned groups on a presentation to the wider group that will take place on Saturday morning. This kind of

group work normally involves group discussions, task assignment to members of the group via group discussion, compilation of an integrated presentation based on the work done by each member, and then the presentation by one or more members of the group (quite often using PowerPoint or the overhead projector or posters or a combination of different kinds of media). (25%)

5. **Class Test and Class Participation:** A mark will be allocated for the results of a class test based on the readings that will be done prior to the week and submitted on the second day, as well as overall participation (including punctuality and participation in class discussions) will also be taken into account. (10%)

Before arriving for the Policy & Legal Framework for Rural Development in the Agricultural Sector Module please read the following reading which will form the basis for the class test:

Bernstein, H. (2005). Rural Land and Land Conflicts in Sub-Saharan Africa, in: Moyo, S. & Yeros, P. eds (2005). **Reclaiming the Land: The Resurgence of Rural Movements in Africa, Asia and Latin America**. Cape Town: New Africa Press. Chapter 2 pp 67 - 101

NOTE: The combined mark for the Individual Assignment (Parts A and B) must be greater than 50%, i.e. the overall mark for the module will be a fail no matter how high the other marks are. This is in addition to getting an average of at least 50% for all the 5 evaluation opportunities together.

Daily Programme of Activities

Times	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6
07.00 to 08.00	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast
07.30 to 08.00	Optional Meditation	Optional Meditation	Optional Meditation	Optional Meditation	Optional Meditation	Optional Meditation
08:00 to 09.00	Introductions	Community Work	Community Work	Community Work	Community Work	Group Presentations
09.00 to 10.00	Land, Development - Constitution and Rights	Land, Development - Constitution and Rights	Land Reform: Perspectives and Debates	Perspectives - Land Reform & Rural Development	Agrarian Reform Perspectives	Group Presentations
	Break	Break	Break	Break	Break	
10.30 to 12.00	Land, Development - Constitution and Rights	Land, Development - Constitution and Rights	Land Reform: Perspectives and Debates	Land Reform & Rural Development	Agrarian Reform Perspectives	Group Presentations
11.30 to 13.00	Land, Development - Constitution and Rights	Land, Development - Constitution and Rights	Land Reform: Perspectives and Debates	Land Reform & Rural Development	Agrarian Reform Perspectives	Group Presentations
13.00 to 14.00	Lunch	Lunch	Lunch	Lunch	Lunch	Lunch and Farewells
14.00 to 16.00	Group Project	Group Project	Group Project	Group Project	Group Project	
16:00 to 17.30	Case Studies and Practice	Case Studies and Practice	Case Studies and Practice	Case Studies and Practice	Case Studies and Practice	
Evenin gs						

Community Work

Course participants will work in small groups for one hour in some or all of the following:

- Organic farm
- School
- Gardens
- Clearing of alien trees from the indigenous bush
- House cleaning
- Meal preparation

This practical community work is regarded as a central part of the learning experience because it connects intellectual learning to community building and an experience of the natural environment.

Course leader

Gareth Haysom

Course facilitators

Gareth Haysom

Research Fellow, Sustainable Agriculture Programme, Sustainability Institute

Thematic Presenters

Kobus Pienaar

Legal Resource Centre

Siviwe Mdoda

The Community Outreach Organisation

Pierre Roux

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Internal Moderator:

Prof Mark Swilling, School of Public Management and Planning, University of Stellenbosch

External Moderator:

Dr Scott Drimie

International Food Policy Research Institute

References

The required reading for this module will be provided in the Core Reader Course Pack (printed copy) and additional background readings will be provided on a CD.

All teaching is conducted on the assumption that the required readings have been read. The time table will provide a list of primary and secondary readings for each day – please read this carefully and adhere to this guideline. This will be forwarded to registered students prior to the module.

You will be provided with two sets of readings. The first set of readings is on a CD and the second set will be a printed course pack.

In general, we provide far more readings than you can possibly be expected to read. The reason for this is that most students are not full-time and therefore do not have a chance to use the library. The readings we provide include compulsory readings which will be identified, plus a range of additional readings that you will find useful for your assignment, or for assignments for other modules, and most importantly of all for your integrated research work that you will do after completing the modules.

Reading That Forms the Basis of the Class Test

Bernstein, H. (2005). Rural Land and Land Conflicts in Sub-Saharan Africa, in: Moyo, S. & Yeros, P. eds (2005). **Reclaiming the Land: The Resurgence of Rural Movements in Africa, Asia and Latin America**. Cape Town: New Africa Press. Chapter 2 pp 67 - 101

Background Readings

Cousins, B. (2007) Agrarian Reform and the two economies: transforming South Africa's countryside. Chapter in: **The Land Question in South Africa: The challenge of Transformation and Redistributions**, by Hall, R. & Ntebeza, L. (eds.), Human Sciences Research Council, HSCR Press

Lahiff, E. (2008). **Land Reform in South Africa: A Status Report 2008**. Research Report 38. Programme for Land and Agrarian Studies. University of the Western Cape. PLAAS.

Information Readings

Hall, R. & Ntebeza, L. (eds.), (2007). *The Land Question in South Africa: The challenge of Transformation and Redistributions*, by Human Sciences Research Council, HSCR Press

The International Bank for Reconstruction and Development / The World Bank, *Agriculture for Development - World Development Report 2008*. The World Bank (2007) Washington DC.

Course Readings

Hardin, G. (1968). The Tragedy of the Commons; *Science*: 162 (1968): pp 1243 – 1248.

Bernstein, H. (2005). Rural Land and Land Conflicts in Sub-Saharan Africa, in: Moyo, S. & Yeros, P. (2005). *Reclaiming the Land: The Resurgence of Rural Movements in Africa, Asia and Latin America*. Cape Town: New Africa Press. Chapter 2 pp 67 - 101

Terreblanche, S. (2005). *A History of Inequality in South Africa, 1652-2002*. Scottsville: University of Natal Press. pp 256-263

The African National Congress (2007). Extract: Rural Development, Land Reform and Agrarian Change. ANC 52nd National Conference. Research Online at: <http://www.anc.org.za/ancdocs/history/conf/conference52/index.html> [accessed: 17 October 2008]

Vink, N. (2004). *South African Agriculture: 10 years after Democracy*. Extract of speech Delivered at AFMA's 57th annual General Meeting: Friday, 10 September 2004, Cape Town.

Van den Brink, R. Thomas, G.S. & Binswanger, H. (2007). Agricultural Land redistribution in South Africa: towards accelerated implementation, in: *The Land Question in South Africa: The challenge of Transformation and Redistributions*, by Hall, R. & Ntebeza, L. (eds.), Human Sciences Research Council, HSCR Press

- Van den Brink, R. (2002). Land Policy and Land Reform in Sub Saharan Africa: Consensus, Confusion and Controversy. Presentation to the Symposium Land Redistribution in Southern Africa. Pretoria, South Africa. November 6-7, 2002
- Walker, C. (2008). *Landmarked: Land Claims and Land Restitution in South Africa*. Johannesburg, Jakana Media. Chapter 2 pp34-69
- Cousins, B. (2007) Agrarian Reform and the two economies: transforming South Africa's countryside. Chapter in: *The Land Question in South Africa: The challenge of Transformation and Redistributions*, by Hall, R. & Ntebeza, L. (eds.), Human Sciences Research Council, HSCR Press
- Hall, R. (2007). The Impact of Land Restitution and Land Reform on Livelihoods. Research Report 32. Programme for Land and Agrarian Studies. University of the Western Cape. PLAAS
- Lahiff, E. (2008). *Land Reform in South Africa: A Status Report 2008*. Research Report 38. Programme for Land and Agrarian Studies. University of the Western Cape. PLAAS.
- Denison, J., Field, L., Wotshela, L., Von Averbek, W. Mutamba, M., Masika, P. & Mayson, D. (2008). *A Review of experiences of establishing emerging farmers in South Africa*. Executive Summary. FAO.
- Nicol, A. & Mtisi, S. (2003). *The Politics of Water: A Southern African Example. Sustainable Livelihoods in Southern Africa Research Paper 20*, Institute of Development Studies, Brighton.
- South African Human Rights Commission. (2008). *Continuity and Change: Follow Up Inquiry into the progress of farming communities since 2003*. Report. South African Human Rights Commission.
- Crane, W. (2006). *Biodiversity conservation and land rights in South Africa: Whither the farm dwellers?* *Geoforum*, Vol. 37(6), 1035-1045.
- Child, B. (2004). Parks in transition: Biodiversity, Development and the Bottom Line, in Child, B. ed (2004). *Parks in Transition*. IUCN. London: Earthscan.

General

The following general comments may be relevant:

- The weather in May in the Cape varies between autumn and winter – cold and rainy spells but with some warmer periods at times.
- The dress style at the Institute is strictly informal at all times, and no formal dress will be required for any functions, meals or outings. Please note that the Community Work sessions each morning will result in getting your hands dirty and doing physical work. Comfortable clothes and shoes and a hat are advisable. In winter, a light showerproof jacket is advisable.
- All teaching and discussion will be conducted in English. During Community Work there will be interactions with people who speak the local languages of Afrikaans or Xhosa. Most people, however, get by with some form of basic English and there are always translators around.
- Course participants will be expected to pay for extra entertainment and transportation requirements that are over and above what is planned for in the programme.
- A meditation room is available for general use at all times. It is appropriate for people from all faiths. Formal meditation sessions are conducted on a daily basis at agreed times for those who are interested. This purely voluntary activity does not form part of the formal curriculum.
- There is a small library at the Institute that contains a limited collection of books for overnight use. However, all students have access to all the libraries at the University of Stellenbosch. There will be a daily shuttle to Stellenbosch in the afternoons for those who would like to work in the library.
- Everyone is encouraged to bring computers with them if they have them. Telephone access will be available at the Institute, and fast and efficient online access to the web will be available at the University campus and at the Institute.