

International Interdisciplinary Security of Land Tenure

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South Africa's constitutional promise of dignity, equality, and access to land remains elusive for many rural communities. Despite the country's globally celebrated Bill of Rights and a Constitutional Court that has pioneered protections for informal property rights, the lived reality for millions is one of persistent tenure insecurity. This paradox—between legal triumph and social stagnation—lies at the heart of an urgent national conversation.

This themed issue stems from the first International Interdisciplinary Security of Land Tenure Conference (IISLT), held at the University of the Free State in May 2024. The IISLT Conference provided a platform for all sectors of society to focus attention on issues surrounding the security of land tenure and to ask one another, as researchers and knowledge innovators, pertinent questions such as: What has been done? What should be done? And perhaps more concerning, why is it not being done?

The IISLT Conference was launched as South Africa commemorated 30 years of democracy. It is therefore both timely and significant to discuss the importance of land tenure—its developments, progress, and milestones to date. Given our history of spatial distortions and structural inequalities rooted in apartheid, it is necessary to continue to seek solutions to address these prevailing challenges. The IISLT Conference showcased the need to move the discourse beyond siloed approaches and towards integrative solutions—to learn from other disciplines, to create and collaborate in discovering tailored solutions to the pressing issues facing African communities and the global environment today.

The modest aim of the IISLT Conference was to start a conversation among scholars from various disciplines and institutions whose research and practice are diverse yet converge on the issue of secure land tenure. Participants boldly confronted the complexity of land tenure from multiple perspectives, transcending disciplinary confines to seek practical solutions. In doing so, participants and contributors alike

recognised that land tenure is not merely a legal construct but a deeply interdisciplinary issue.

What sets this initiative apart is its refusal to treat tenure reform as a technical fix. Instead, it calls for a generational re-envisioning of property rights—ones that are economically sustainable, socially just, and resilient against the structural inequalities of the past. The emphasis on lived realities and community voices signals a shift from top-down policy to bottom-up transformation.

Property, as a means to improve the protection of basic human rights, overall socio-economic well-being, and equal access to development opportunities for impoverished rural and peri-urban communities, cannot be overemphasised. Only once the meaning and content of security of tenure are comprehensively understood—in the overlapping and interconnected spaces of human rights and lived realities—can society begin to formulate appropriate tenure protections and property rights that give expression to this constitutional objective.

The editors commend the conference’s commitment to exploring the intersectionality of property law with broader disciplines and societal issues, including environmental conservation and land use, customary law and traditional leadership, restitution and compensation, shared colonial histories and dual tenure systems, intergenerational knowledge and dialogue, the genealogy of land law in Africa, mining and economic development, as well as gender and peri-urban planning. This holistic lens is not just refreshing—it is necessary.

This themed issue contains a collection of nine articles revised and updated from papers presented at the IISLT Conference. The contributions engage deeply with the challenges that hinder the realisation of secure land tenure and offer insights into the daily implications of tenure insecurity for millions of people. We urge society to reflect critically on the meaning of secure land tenure, what it should look like in all areas of human existence, and how the law can evolve to strengthen and protect it. The challenge, therefore, is not only to define “secure tenure” across these contexts but more specifically to embed it within a framework of comprehensive human rights, development, and dignity. South Africa’s future depends on it.

The fruition of the IISLT Conference and this themed issue is a collective effort of collaborators, sponsors and champions of interdisciplinary research. We extend our gratitude to the National Research Foundation, the University of the Free State, Stellenbosch University, the National University of Lesotho, Human Rights Research Chair, the University of Ilorin, Nigeria, Imo State University, Nigeria, and the Public Affairs Research Institute, South Africa.

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