

Teaching and learning the complexities of landownership in South Africa: student voices

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Abstract

Educators of Town Planning first year students face the task of exposing students to a wide field of knowledge and practices needed in their chosen profession. One of the challenges is teaching the complex topic of landownership in South Africa in an effective way while bearing in mind the broader aim of education to gain academic knowledge while also facilitating change of attitude and actions during personal and professional growth.

This paper discusses the teaching and learning practices at the Durban University of Technology in KwaZulu-Natal, South Africa. Landownership systems and the land reform process in South Africa are complex topics for first-year Town Planning students to grapple with. This paper explains the teaching approach used to enable students to delve into the detail of the theory while investigating a case study of a land claim to discover the practical implications of the policies currently in place in a new democratic dispensation. The focus is on the students' experiences to ascertain the effectiveness of teaching and learning of knowledge and skills measured against the theoretical approach to teaching and learning.

The Durban University of Technology is the result of a merger of the ML Sultan Technikon and the Natal Technikon in 2002 to become the Durban Institute of Technology, which, in line with the national rationalization of higher education in the new South Africa, became the Durban University of Technology in 2006. The original institutions were intended for the Indian and White population groups respectively, and the two campuses are adjacent to each other.

The Durban University of Technology currently enrolls about 24 000 students in four faculties, and the Town and Regional Planning Department is situated in the Faculty of Engineering and the Built Environment. The department offers a three-year National Diploma in Town and Regional Planning, followed by a fourth year for a B. Tech degree in Town and Regional Planning. The number of students in the first-year class has ranged between 65 and 80 students in the past 25 years. In the new non-racial dispensation the class consists mainly of Black and Indian students from KwaZulu-Natal while cultural diversity is broadened by students from other provinces.

First-year students register for nine subjects: Planning 1, Drawing 1, Planning Design 11, Communication, Computer Skills, Survey and Analysis, Civil Engineering, Geography, and Surveying. The author has taught and integrated the first three subjects since 1996, with Communication and Computer Skills also being added to the mix as the land-claim process used as a case study progressed.

1 Methodology

The methodology followed was to analyse the development of assignment briefs over a number of years. In addition, the students' comments in their assignments were analysed for emerging themes and evaluated in terms of relevant education theory to determine the effectiveness of the teaching methods used.

1.1 Education theory

The approach taken to teaching and learning rests on three educational principles. Firstly, education for a profession entails learning not only the facts and skills involved in that profession, but also academic and personal development. Facilitators of higher education courses have the task of supporting students to develop a community of effective learners who are preparing for their chosen profession while also facilitating academic and personal development. Landis and Steyn (2006, p. iv) maintain that the process of teaching and learning is enhanced where life skills and self awareness are integrated with subject activities early on in students' professional studies. A little time spent with students on how to be effective in learning new knowledge, attitudes and behaviours could have an enormous effect throughout their university experience and their careers.

Secondly, rote learning of theory is easily forgotten but researching the real thing and solving authentic, actual problems are remembered well. This requires material and tasks that are as close as possible to real life situations. Figure 1 shows the relationship between how much we remember and learn in relation to our level of involvement (Dale 1969, p. 13), indicating that there are many ways and levels of learning, and that active learning should be encouraged.

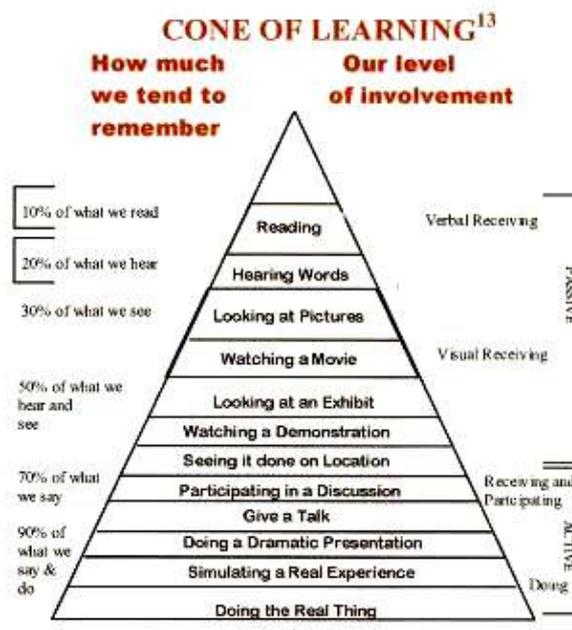


Figure 1: Cone of learning according to Dale (1969, p. 13)

Thirdly, the integration of the contents of subjects, assignments and assessments creates cohesion. Assessment is central to the teaching and learning process. Students will spend time on what they think will be assessed and assessment can be strategically used to guide students' learning (Gibbs, 1999, p. 42). The material, tasks and how they are assessed should be designed to convey the importance of the content and allow students to express what they have learned from the experience. In a course such as Town Planning, which interacts with

many professions and therefore has diverse subjects, it is necessary to co-ordinate assignments, tests and assessment carefully or run the risk of fragmenting the learners' focus, causing them to lose the connections between the parts.

1.2 Teaching practices

A case typically evolves over time (Flyvbjerg, 2005, p. 301) and this section will describe the various phases of development of material and assignments regarding landownership as they were refined concurrently with the development of the Zanzibari land-claim case.

The development of the landownership assignment occurred in three distinct phases: during Phase 1, from 1998 to 2002, the focus was on the influence of culture on landownership; Phase 2 (2003 to 2008) focused on title deeds and conditions of title, and during Phase 3, from 2009 to 2013, title deeds were dealt with in a class exercise while the assignment focused on the influence of landownership types on lifestyle.

The briefs set for assignments in various subjects focused on 6.6 ha of vacant, gently sloping land, with good views of Durban Bay. This land is still vacant in spite of a land claim that was proclaimed valid in 1992. The land claim was made by an African community originally from Zanzibar on the East Coast of Africa, and students were required to consider the economic, political and social reasons for the delay in developing the land.

During the entire period under discussion, 1998 to 2013, first-year students were taught the physical aspects of analysis before planning proposals can be made. In Drawing 1 they drew base maps of the legally demarcated properties to learn presentation skills following town planning and surveying conventions. They visited the Zanzibari site to ascertain the surrounding developments and the context of the land, and built a model to demonstrate understanding of the contour and slope analysis maps learned in Civil Engineering.

In addition to these physical aspects, the social aspects were discussed in terms of the influence of the Muslim culture of the Zanzibaris on the design of housing and religious buildings. Economic factors were also discussed, such as the fact that the money paid out for the portions of the land that had been developed by the Apartheid government for a school, municipal flats and retirement centre, was not, according to custom, invested to earn interest and has lost value over the years. Investigative report-writing about the case was assessed in the subject Communication 1.

In Planning 1, historic legal development of ownership types (first under Dutch rule from 1652 to 1806 and then British rule from 1806) and current landownership legislation were studied. The South African development of towns and the competition for the resources of land, grazing and other economic opportunities, were studied in class.

During Phase 1 an assignment on landownership was given a personal focus by requiring students to investigate their family history of landownership. This assignment had to be completed during the mid-year holiday to allow students who lived far away from the university to visit their families. The aim was for students to discover the origin, relevance, importance and potential conflicts of landownership types in South Africa.

The beginning of Phase 2 was marked by the merging of Natal Technikon with ML Sultan Technikon at the end of 2002 to form the Durban Institute of Technology. The Department of Town and Regional Planning had to physically relocate to another campus and staff changes

in the Communication Department interrupted the integrated assessment approach implemented in the previous phase.

The landownership section of Planning 1 changed, with information being added to the theory section, while the assignment focus changed to title deeds and conditions contained in them, rather than the history and culture of the students' families, students were now required to find title deeds for individual and communally owned land.

By the end of Phase 2 in 2008 it was apparent that the students' learning experience was jeopardized by their problems with finding title deeds. But on the positive side, the lecturer was able to add copies of a wide range of title deeds to the resources, which proved very useful in the next phase.

In Phase 3 the classwork theory, notes and exercises were increased, while the assignment was divided into two parts: engagement with title deeds in class and an assignment on the influences of landownership types on their families' lifestyle. During this period the Zanzibari community land claim was progressing, and the students' interaction with the details of this process had a positive influence on the integration of subject content in the assignment.

2 Findings: student voices

The best landownership assignments of each year were selected and the students' concluding remarks analysed. For the purpose of this paper, students' comments during the second and third phases focusing on landownership types and the influence on life style will be given. Three themes were identified: legal aspects (evictions, land claims and security of tenure), family relationships and personal growth, and comparison of lifestyles.

2.1 Legal aspects: evictions, land claims and security of tenure

While finding examples of ownership some students interviewed attorneys. One such student commented:

I realized what a protracted and costly process it was to have a property transferred onto one's name. Furthermore, acquiring a mortgage bond to purchase a property and having the bond registered was also time-consuming and costly.

A common misconception about landownership was addressed by this student:

Ownership is normally taken for granted in that it is a common misconception that once you own a dwelling or residential unit you can do with it as you wish. As a result of this investigation it can be seen that rules, regulations and restrictive conditions take precedent over your right of tenure. However these have not been imposed to have a negative effect but rather to promote a harmonious residential area which is pleasing to the eye.

Concerning the social status and economic value of land and resulting difference in level of services another student noted:

The imbalances we find in the social standing of people living on communal sites to those on individual sites where local municipal services were on a par with many first-world countries. Somehow I believe the situation we are currently in is still reminiscent of the Apartheid era.

Another concluded:

Although this legislation has now been done away with, the 'Apartheid town' in terms of residential areas will take some time to disappear.

According to another student:

While I was collecting information from my father and grandfather ... I realized that they were evicted from their home without a reason and lost all they had due to Apartheid.

However, not all Africans were dispossessed as this student explains:

I was caught off guard by the shock of finding out from my mother that the Africa Farm was granted to my great grandfather after he had fought in the Second World War in Germany. After he got back from there, they were given land as a means of compensation from the government of that time. This was one of the many discoveries in my family's history that I just cannot forget. My great grandfather owned such a huge farm. Upon his death, he transferred the farm to my grandfather (Mkhulu) who was the first son of many children...

Landownership has also had a negative impact on the lifestyle of my family. The ownership of the Africa Farm has brought about a lot of controversy. My grandmother chose not to go into much detail about it. My mother enlightened me that there has been much feud in the family regarding the ownership of the farm after Mkhulu's death. Apparently his first son was supposed to take ownership of the farm after his death. He could not do so due to the fact that he was mentally disturbed. His second son now became the owner of the land. Shortly after declaring his ownership, he was kidnapped and brutally murdered. It is suspected that the ownership of this land was the cause of his death.

Issues of ownership of the Africa Farm have caused excruciating tension among family members who wanted ownership of the land. No one in the family really knows where the title deed currently is or who the owner of the land in the family currently is.

In her oral presentation she followed up on this narrative and told the class that the title deeds were found due to her enquiries and that her grandmother is the legal owner, and she concludes:

Landownership has influenced the lifestyle of my family because it has allowed us as a family to acknowledge the fact that we have a place to go to which we call home.

A family in Tsolo in the Eastern Cape also escaped removals:

My grandfather also told me that he was always grateful that Apartheid never directly influenced where his family stayed because today we have the same piece that our forefathers owned and it's the one thing that we as the Tabata family absolutely own.

This student's report includes a certificate for permission to occupy a portion of missionary owned land, and she reflects:

The experience of researching about land showed me that there are many variables to consider within landownership but according to the family they have security of tenure.

However, another student suggests that even living on tribal land is not necessarily secure:

The idea is that there is enough land for everyone to live on and that way no one would be homeless but my grandparents had to move because there was conflict especially amongst women of the land.

The importance of town planners having knowledge of traditional customs is emphasised:

An understanding of the country's customary law system of land tenure is also essential. It is also important to see how customary rights have been modified by registration of title and by the introduction of various programmes in reform designed to promote national economic development.

2.2 Family relationships and personal growth

Many students expressed appreciation of the opportunity to explore their roots, for example:

Gathering information for this report was a memorable experience as I had the chance to visit my grandparents.

And

I became closely connected with distant family members and have grown to understand my background at a deeper level.

It enabled me to learn more about the history of my family, the culture and traditional ceremonies. I got to learn more about landownership ... and the information that I have acquired... will be very useful to me and the people around me. It was truly an eye-opening experience...

I was given a very special lesson on the history of my family ... as my father gave me a detailed description of his way of life. The difficulty experienced by him in comparison to me brought a lump to my throat. I really began to appreciate my small bounties.

A sense of identity and belonging was linked to landownership:

The environment in which we live shapes our lives and my grandpa testifies to this by highlighting the influence on his development of ethical character. Ownership of land gives many of us an identity and a sense of belonging ... the joys of discovering where I come from fills my heart with warmth.

This assignment has answered the questions that I have been asked ... if I'm a Zulu or Xhosa because my surname does not sound like its Zulu. I can finally say with no doubt that I am 100% Zulu.

And:

Landownership in the past was just as important and vital to man as it is today if not more ... I now myself understand the importance of landownership to my ancestors and to myself. I hope I will own my very own piece of land in the new South Africa.

A student who made the journey to family in a rural area, compares life in the rural area with that in the city, and in the process comes to appreciate the importance of one's heritage:

Some members of our family have been forced by circumstances to relocate to urban areas in order to get proper jobs and make sure that we as children get the best possible education. So owning land in the rural area has made life difficult in terms of not having services readily available and consequently obtaining these much needed services has been costly. The land has brought something that is invaluable for our family which is heritage and it has kept us together and also kept our roots firmly intact in the ground.

This report was like a dawn of a new era for me. It has made my cultural perspective clearer. Talking to wise elderly people can be such a heart-warming experience as they share decades of wisdom with you. This report made me connect with my family at a much deeper level. My heart was blossoming with cultural pride, since I had a sense of belonging and my identity was brought to light. Seeing pictures of many old family members showed me the importance of history and heritage. This report has made me learn more about my culture and has given me spiritual rejuvenation. Most importantly it has given me something tangible to take forward in life which is my identity.

2.3 Comparison of lifestyles

Comparisons were drawn between rural and urban living:

Through doing this assignment, I was able to see that the vicinity at which the land is situated often depicted the kind of lifestyle one had. An example of this is ... the people of Bulwer used only oral tradition as a form of landownership ... their lifestyle was easier to maintain being that there were not many regulations in terms of the way in which they could use land ... On the other hand landownership in the urban areas has been far more complicated and the existence of racial issues ... must have made it hard to obtain land.

The situation in the townships is compared with life in the suburbs:

People who own land in townships are not economically stable and that results in the lifestyle being poor ... while it's the other way with the people who own land in suburbs.

In contrast, a student who had documents of the land claim in Cato Manor where her grandmother and others were removed from, states:

Our family is very close together due to the past laws and only a few members live outside KwaMashu. I grew up knowing about the struggle for example I still remember when Chris Hani was killed and how the whole township mourned and how that whole week candles were lit in the street. I don't ever see myself living in the suburbs like my friends, as they don't know their neighbours and there is no togetherness.

3 Discussion

Successful facilitation of learning in the three phases of development of the theory and assignment can be evaluated against the three educational principles: the level of academic and personal development, researching authentic problems, and the level of integration of assessment of different subjects.

3.1 Academic and personal development

An increased level of personal development and self-awareness was evident in the number of students that were able to report on their family history and landownership in the first phase. It is not possible to define a typical student, as each individual is unique. Uniqueness results from a combination of psychological and physical development, as well as socio-economic and environmental circumstances. A healthy balance of these four aspects will increase the chances of success in higher education.

From the Phase 1 written and oral presentations about the influence of culture on landownership, it was apparent to the author that students came from a wide variety of cultures and situations. Figure 2 illustrates the range of factors that contribute to students' academic success: in the top two quadrants the aspect that is conducive to success is placed closer to the centre, while in the bottom two, success is achieved where the levels of the aspect are positive and therefore enhance learning.

The assignment in Phase 2 focused on the legal aspects and the variety of ownership types and conditions, rather than personal, cultural aspects and family relationships. Many students found it difficult to complete the assignment as they had to find examples themselves. However, those who mentioned their problems and how they overcame them appear to have appreciated the experience, increased their knowledge and been exposed to aspects that town planners have to deal with. However, some students were unfortunately not able to complete the assignment.

In Phase 3 the students were required to research landownership types and their influence on their family's lifestyle. Presenting their personal history in an academic report about landownership engaged the students emotionally, which for most was a positive experience. In their concluding remarks about the process of collecting the information several students mentioned that they had to make opportunities to speak to their elders and often learned information they never knew about their family. For some it meant a strengthening of their identity and sense of belonging which increased their determination to succeed in life, especially if they found out that their grandparents had experienced hardships.

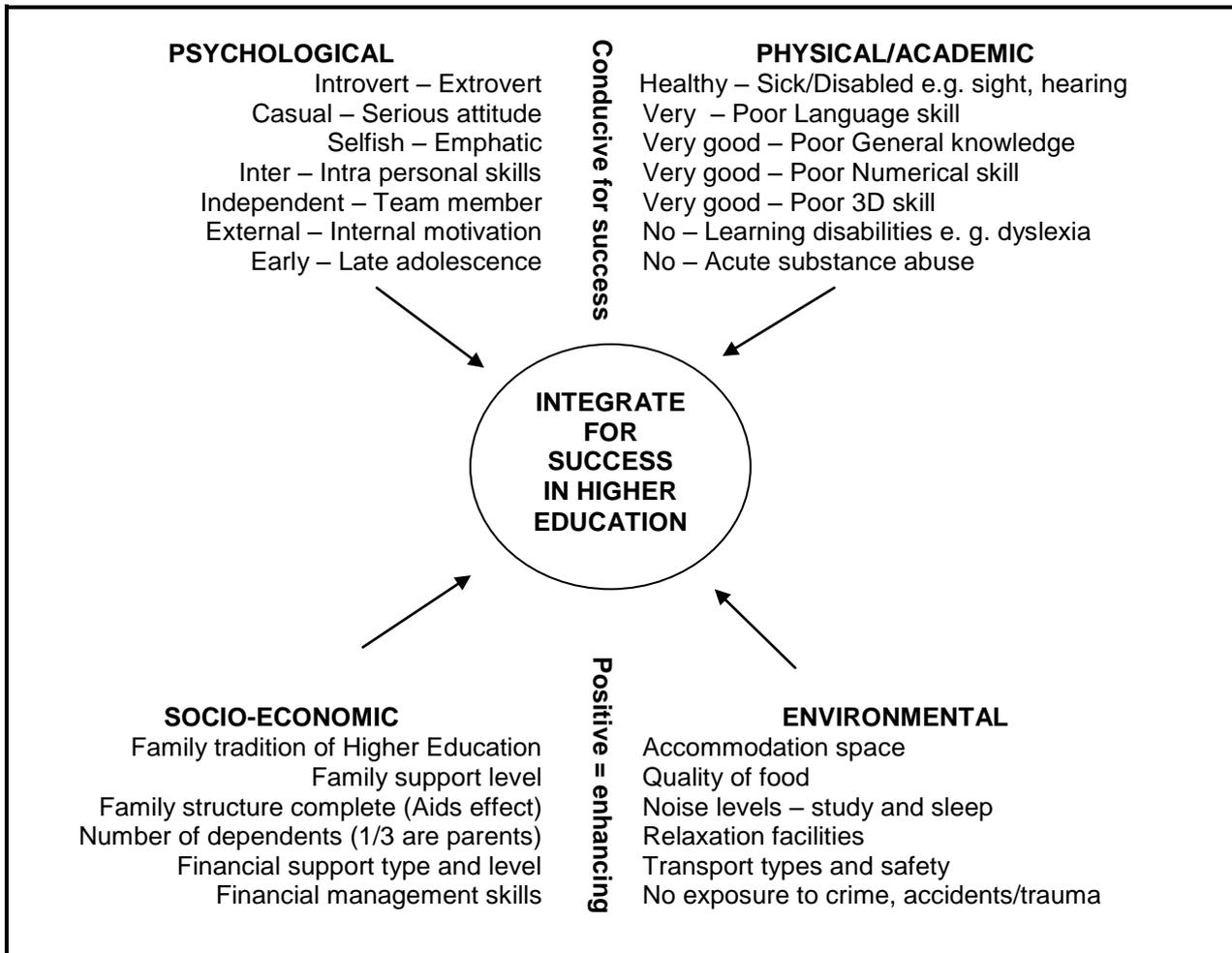


Figure 2: Factors for academic success (Pitout, 2009)

3.2 Researching authentic problems

The second educational principle, learning by doing the real thing, was partially achieved in the early phases. In Phase 1, those students who commented on the influence of culture on landownership demonstrated an increased understanding of the complexities of landownership. Those who managed to find title deeds were exposed to the legal documents although very few referred to the documents in their reports; their presentations focused mainly on culture, while issues of ownership, conditions of title and rights to land were not well developed. Students were thus not sufficiently exposed to the variety of landownership types in the assignments. It was also clear from their examination answers that the connection between different cultural backgrounds and communal and individual ownership types was not evident to the students.

During the title deed search assignment in Phase 2, students discovered a wide range of landownership issues, thus exposing them to the complexity of the South African socio-political context. In addition, the focus on conditions of title was beneficial for students' professional development as they could discern the economic and social implications in practice.

In Phase 3, the study of their family history and lifestyle relating to the landownership type supported the study of the Zanzibari land-claim case. Visiting the site, preparing their own base plan, site model, sub-divisional proposal and report on a real life project, made the

exercises interesting for both lecturers and students. In 2010 the students' understanding was further enhanced by a lecture from the consultant working with the Zanzibari community, who explained the history, land claim and development process, as well as the specific ownership and development options being considered by the Zanzibari Development Trust.

3.3 Integration of subject assessment

The third principle, integration of assessment, progressed from 1998 to 2002, and the improved briefs helped students to reflect more meaningfully on their experiences. The oral presentations were interesting and most students enjoyed the groupwork associated with the presentations. There was however no time to follow up on report-writing skills and improve on their first attempts.

Although they found the Zanzibari land claim case interesting, students were not required to and therefore did not make the link between the landownership assignment, their presentations, and the design of the subdivisions for the vacant land of the land claim case. The Muslim culture of courtyard housing was not reflected in their layout design.

During Phase 2 there were opportunities to develop exercises in the supporting subjects such as Communications 1, where a land claim scenario integrated the Zanzibari case into the course. This only happened once though and was not repeated because the lecturer left. The use of the Zanzibari site and the material to draw a base plan was sustainable and practical although the actual landownership issues were not relevant in Drawing 1. During this phase the site was used once in Planning Design 11 where the students dealt with the physical aspects only. The integration of assessment across subjects is dependent on good communication and planning between lecturers, which was not the case in this phase.

During Phase 3, in 2009 and 2010, the component on land reform and landownership types was assessed in four subjects. In Drawing 1 the base plan and site model of the Zanzibari site was assessed. In Planning Design 11 a slope analysis, land use concept and land sub-division plan with report were produced, while the history and concepts of land reform legislation and implementation were examined in Planning 1. As the Writing Centre lecturer was also teaching Communication 1, oral and written presentation skills were integrated and assessed by adapting the report brief of 2009 to suit the criteria of Communication 1 in 2010. From 2010 the development of the Zanzibari land-claim process dovetailed with the development of the material used in the classroom to teach the importance of landownership types and development options. Thus, the integration of assessment reached its highest level in Phase 3.

4 Conclusion

This paper explained the development of material to teach the complexities of land administration in South Africa. The teaching strategies were aimed at helping first-year students to adjust to tertiary education and grow academically and personally by investigating landownership types and a land-claim case study. Finding authentic examples of title deeds encouraged active learning and the assignment demanded academic writing skills, while assessment was integrated across subjects in a variety of ways.

The development of the teaching material and the assignment occurred in three phases. In the first phase the theory was based on principles of land rights and a framework of the historic events and legislation. The assignment focused on the influence of culture on different forms of landownership. As the students focused more on their culture than the landownership

aspect, the brief for the report was changed to require the student to find one individual and one communal ownership type.

The second phase resulted in a collection of title deeds of all the ownership types and time periods. In their reflections on the experience of collecting the information the students experienced difficulties in obtaining the information, so the assignment was changed in 2009.

The third phase required the students to investigate how landownership had influenced their family's lifestyle. This assignment had the effect that students articulated the value of finding their sense of belonging and clarifying their identity and sense of purpose. The exercises based on the readings and examples of title deeds expanded their knowledge of ownership types and conditions. This knowledge supported understanding of the development choices that the Zanzibari community have for the land that they have been granted in their land-claim process.

Integrating the assessment of a variety of products in four subjects was successful to varying degrees depending on the lecturers involved. The Zanzibari case-study site provided excellent opportunities for setting technical skills exercises in design and incorporating relevant planning principles, such as densification of urban areas.

In Phase 3 the students benefitted from integrating the case study with their personal circumstances as they were emotionally engaged, and their time was leveraged because the tasks in various subjects were focused on one topic, with assessment counting for several subjects. The assessment process was fair and thorough due to more than one person being involved in the marking. For the facilitators the benefit was that marking the assignments remained interesting throughout due to the richness and diversity of the material presented.

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