



Communication and Marketing Department
Isebe loThungelwano neNtengiso
Kommunikasie en Bemakingsdepartement

Private Bag X3, Rondebosch 7701, South Africa
La Grotto House, Glendarrach Rd, Rondebosch, Cape Town
Tel: +27 (0) 21 650-3733/2, Fax: +27 (0) 21 650-5682
Internet: www.uct.ac.za

13 December 2011

Law reform needed to aid conservation and land reform, according to new UCT research

An array of broad legislative reforms can bridge the divide between South Africa's conservation and land reform imperatives, by improving the use of communally conserved areas and the management of the country's dwindling natural commons. This is according to Alexander Paterson, a PhD graduand in Public Law at the University of Cape Town.

Paterson's thesis is titled: *Bridging the gap between conservation and land reform: Communally-conserved areas as a tool for managing South Africa's natural commons*. The thesis considers whether the concept of communally conserved areas can be useful for bridging the current apparent impasse between South Africa's conservation and land reform agendas. It begins with a critical theoretical reflection on the natural commons, protected areas and the role of the latter in conserving the former. It introduces the concept of communally conserved areas – protected areas in which common pool resources are conserved through communal property regimes. It then considers the ideological shifts that have led to their rise in prominence.

Having distilled a set of elements that theoretically underpin successful communally-conserved areas, the thesis critically considers South Africa's current legal framework governing conservation and land reform, and the extent to which it reflects those elements. The assessment is partly undertaken through the consideration of four case studies: Richtersveld National Park; Pafuri Region of the Kruger National Park; Dwesa-Cwebe Nature Reserve; and the Eastern Shores Region of the Isimangaliso Wetland Park.

The thesis concludes by proposing an array of broad legislative reforms apparently necessary for improved utilisation of South Africa's communally-conserved areas as a tool for effectively managing the country's dwindling natural commons and bridging the divide between its conservation and land reform imperatives.

Paterson has a BSocSc LLB LLM from UCT and is an Attorney of the High Court of South Africa. He joined UCT's Institute of Marine and Environmental Law in 2004 and is currently an associate professor, lecturing in environmental law at undergraduate and postgraduate levels. Before joining UCT, he practised as an attorney for several years. His supervisor is Professor Hanri Mostert in the Department of Public Law at UCT.

ENDS

Please note: Information in this release is based on the supervisor's citation for the PhD thesis. UCT advises journalists to obtain a copy of the thesis and/or interview the PhD graduate to verify and expand on this information.

Issued by: UCT Communication and Marketing Department

Patricia Lucas

Tel: (021) 650 5428 Fax (021) 650 5628

Cell: **076 292 8047**

E-mail: pat.lucas@uct.ac.za

University of Cape Town

Rondebosch

Website: www.uct.ac.za