

## Land Reforms in South Africa since 1994 : A Social Policy

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*Land is the most important resource for not only South African government but also for its citizens since the country is predominantly agricultural. It is universal fact that the rich people try to acquire the most of land and the poor people always suffer. The article will stress on the intervention of government for this universal problem. The present research paper aims to produce the wider impacts of land reforms on the mass in South Africa. It is interesting to note the uniqueness of land reforms of South Africa since it aimed to develop a sustainable society. The country wanted to give access to land to the majority of poor citizens for improvement in their standard of life. We can note significant growth on this line by the government of South Africa after 1994 through providing access to land, electricity, water and sanitation to a significant number of citizens.*

[**Keywords** : Tenure reform, Land redistribution, Land restitution, Apartheid, Land administration]

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## 1. Introduction

The land is an important and sensitive issue to all South Africans. In 1913, The Native Land Act was passed and limited the area of land for lawful African occupation. 'The Land Acts of 1936' and the 'Group Areas Act of 1950' racially regions segregated concerning residence and business and controlled interracial property actions. The Bantu Authorities Act of 1951 allowed the government to establish resettlement camps for the surplus of people being evicted from white farms. The first relocation camp attempted to remove and contain displaced labor tenants, unwanted farm workers, and unemployed urban people in the early 1960s. The apartheid government strengthened the power of traditional chiefs beyond what they had historically enjoyed, thereby giving them a vested interest in the continuance of separate development. The National Department of Agriculture (NDA) inherited ways of thinking, institutional structure, and links to white agriculture from the apartheid past (Lipton, 1996 : 99).

## 2. Tenure Reform

South African tenure reform has two diverse purposes. *First*, the tenancy reform focused on land administration in the common areas of the former homelands and colored reserves. *Second*, the occupancy reforms provided more security to farm dwellers and also protected their tenure. Most of these farm dwellers owned only residential land. Few farm labors were permitted to use some portion of land for grazing and cultivation purposes in exchange of their unpaid labor to the landlord (Fraser, 2000 : 18).

## 3. Land Redistribution

The objective of the land distribution in South Africa was to the distribution of 87% land which was occupied by the whites. In February 1994, the National Land Committee (NLC) convened a Community Land Conference (CLC), which brought together more than 700 representatives of 357 Blocks Rural Communities. The CLC adopted a land charter, which demanded that the state confiscate land and deliver it to dispossessed communities. It called for women to have equal rights in land with men in Cape, Mpumalanga and Free State and had completed several non-pilot projects.

#### 4. Land Restitution

The restitution provides the effect through the constitutional provisions the households to be represented in equal manner in community decision making bodies (National Land Committee, 1994). The DLA called a National Conference on Land Policy in 1995 as reflected in the DLA's Draft Land Policy Principles. 'The Restitution Land Rights Act 22 of 1994 established a commission on the Restitution of Land Rights Act (RLRA) solicited and investigated claims for land compensation and prepared them for settlement, and a land claims court adjudicated allegations and make orders on the form of restitution or redress provided to claimants' (Department of Land Affairs, 1995).

**Table-1 : Highlights on the National Statistics Claims Settled  
Till 31<sup>st</sup> of March 2002**

Settled Restitution	No. of Claims Settled
Number of Claims	29,877
Household involved	62,245
Beneficiaries	332,243
Land restored [hectares]	427,337

Source : DLA, 2002.

**Table-2 : Indicates the Financial Resources Diverted by the  
Government in Restituting the Land**

Land Compensation	R951,442,392.16
Financial compensation	R119,919,000.00
Restitution discretionary grant	R39,709,482.01
Settlement and planning grant	R6, 155, 000.00
Solatum	R1,494,342976.35

Source : DLA Sources, Pretoria, 2002.

**Table-3 : Highlights on the Provincial Statistics Claims Settled  
on 31<sup>st</sup> March 2002**

Provinces	No. of Claims Settled
Eastern Cape	9222
Free State	1147
Gauteng	5497

KwaZulu Natal	7233
Mpumalanga	254
Northern Cape	410
North West	1050
Limpopo	508
Western Cape	4556

**Source :** DLA, 2002, South Africa.

Although a large number of claims have been settled in such a short duration, the government still has to divert a significant amount of resources and time in restitution programme. Since 33,578 cases always remained with the restitution department as 63,455 claims have been made until 31 March 2002.

## **5. Commitment to Sustainable Land Reform**

The LRAD policy of 2002 focuses on redistribution of lands but limits development in several ways. The policy aims to limit the access and utilization of land resources to a small number of black businessmen. These businessmen often do not contribute their surplus profit in the development of rural economy. In this case, the poor majority will be dependent on ongoing agricultural labor and patriarchal society. In this way, the social impacts of land reform become limited with a small number of beneficiaries. Economically, the poor becomes poorer since they are not in a position to take economic risks due to the lack of assets (DLA, 2002).

South African government adopted market-based approach for the land redistribution and became dependent on the factors of market and willing buyers-sellers. The land reform programme proceeded rapidly and succeeded having some challenges and constraints have to be confronted and overcome. The primary problem is that of entrenched vested interests, in both commercial and communal land spaces and the fundamental limitation is the reduced capacity of organs of state to deliver on mandates. Undoing the social and cultural effects of centuries of discrimination and exclusion, by race, will take time (DLA, 2002).

The ANC-led government focused on social issues that were neglected during apartheid eras such as unemployment, housing shortage, and crime. Calculating the achievements of ANC since 1994, it is observed that :

“Over two and a half million houses have been built for the poor giving shelter to over ten million people. In 1994 only 62% of a household had access to clean water, today 93% do. Supply of potable water to nearby every people of South Africa is a significant contribution to poverty relief. In 1994 only 50% of households had access to decent sanitation, today 77% do. In 1994, only 36% of South African had access to electricity, but today 84% do. Today the majority of South Africans are provided free essential services in water and electricity” (Fraser, 2002 : 87).

## 6. Impact on Households and Economic Growth

Due to HIV/AIDS the economic growth rate is reducing by 0.3-0.4% p.a. which minimizes the progress in economic development mainly through the decline of life expectancy (BER, 2000 : 14). In South African life expectancy has been the decline from 68.2 in 2003 to 48 years in 2010. The economic indicators of 2012 show the reality of the South African financial development :

**Table-4 : Economic Indicators**

GNI per capita 2015, US\$	6050
GNI per capita 2015, PPP US\$	12389.96
GDP per capita average annual growth rate (%), 1993-2015	2.97
GDP per capita average annual growth rate (%), 1990-2012	1.4
Average annual rate of inflation (%) 1990-2012	8.1
Population below international poverty line of US\$1.25 per day (%) 2007-2011*	13.8
Public spending as a % of GDP (2007-2011*) allocated to health	4.1
Federal spending as a % of GDP (2008-2010*) allocated to education	6
Public spending as a % of GDP (2008-2010*) allocated to military	1.3
ODA inflow in millions US\$ 2010	1397.5
ODA inflow as a % of recipient GNI 2010	0.4
Debt service as a % of exports of goods and services 2010	4.8

Share of household income (% , 2007-2011*), most deprived 40%	8
Percentage of household income (% , 2007-2011*), most productive 20%	68

**Source :** [http://www.unicef.org/infobycountry/southafrica\\_statistics.html](http://www.unicef.org/infobycountry/southafrica_statistics.html)

The micro-economic impact in the context of HIV/AIDS depends on the capacity to replace the lost human resources, the response by management and the effectiveness of government interventions. Employees are not regular, so additional costs to the company. There was sudden increase in absenteeism from work due to care giving needs in the family or funeral attendances, loss of labor and productivity due to associated illness, emotional and job stress, the lower morale of infected and affected workers. The economy burdened with increased costs of medical schemes of workers and pension benefits. The increased loss of skilled human resources led to disruption in production, lower company performance, increased earnings of inadequate skilled men, and increased cost of training and recruitment (Fraser, 2002 : 88). However, it should be noted by Small and Medium-sized Enterprises (SMEs) sector that 'SMEs have not adequately shown a better understanding of businesses role and accountability to prevent HIV/AIDS and to alleviate the impact of the disease. Due to lack of leadership and funds corresponds to a lack of action. Surveys have indicated that SMEs are not ready to contribute limited time for HIV alleviation activities unless they start to see real effects of the epidemic on their business. Most mitigation activities tend to be one of informal attempts at education or awareness training (Fraser, 2002: 89). However, "considering the difficulties to reach out to and to change the mindset of SME entrepreneurs the condition becomes even more challenging when one looks at the familiar sector which according to 2001 estimates might at present employ 3.2 to 3.7 people" (Altmann, 2003 : 15). The previous government of South Africa claimed that programme regarding HIV/AIDS had been started since 1982, but due to awareness and campaign, the profit of the policies could not reach to the victims.

## **7. Conclusion**

After examining carefully, the different social programmes carried out by the post-apartheid South African government to

enhance the living conditions of the masses. Prior to 1994, the role of the South African government was limited to resolve the issue concerned to the households and government policy, if any, was inadequate. Since 1994, the states have achieved a lot within a short duration and have been able to redistribute land, generate employment, provide basic needs (Bread, shelter, and clothes) and essential amenities to its people such as electricity, telephone, potable water, etc. But it is too early to assess the actual success of these programmes since a large chunk of the population in South Africa is still grappling with appalling poverty and lack of employment opportunities. Thus the government should implement its social policies more efficiently so that employment and essential amenities are provided to everyone in South Africa diversifies their livelihood sources.

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