

## **Debate on ensuring complete ownership to land reform beneficiaries and ownership to those living on trust land within communal areas.**

**By Willie Aucamp**

Honourable Chairperson,  
Honourable Minister,  
Honourable Members, and  
Fellow South Africans good day.

When we talk about land reform, many people mistakenly think that we are only talking about agricultural land. It is however important to note that not everyone in South Africa wants to be a farmer. Some people want to be doctors, others want to be mechanics, lawyers, teachers, etc. The one thing that all South Africans do however have in common is the ideal to own the property that they live on.

Rural Development and Land Reform is arguably one of the most sensitive topics in our country, and if it is not handled correctly it will have dire and long lasting consequences for every South African.

The Vision Statement of the ministry of Agriculture, Rural Development and Land Reform states that it wants "*Vibrant, equitable, sustainable rural communities.*"

How can this be achieved when millions of hectares of land are still owned by the state instead of it being owned by the people who live and work on the land in those areas. It is a shame that 28 years since the advent of democracy Communal land occupants still do not have ownership rights to the land that they live on. Successive ANC governments have promised to address the issue of land ownership in communal areas, but they have all failed dismally to follow through on their promises.

The problem with land reform is not the Constitution, nor is it the unwillingness of farmers to assist in making land reform a success. It is the corruption and poor governance inside the ANC that stands in the way of the successful implementation of land reform.

Honourable Chairperson, it is not only me and the DA that say this. This statement was also supported by the NDP as well as the High Level Panel under the leadership of former President Kgalema Motlhante, which stated that the Constitution was not the reason for the failure of land reform, but that the failures was due to poor implementation of policy, corruption and a lack of urgency by this government.

Due to this failure by the various ANC governments, the Democratic Alliance will shortly introduce the "Land Justice Bill". This new Private Member's Bill will be ground breaking because it will empower the estimated 16 million people living on trust and state owned land, as well as land reform beneficiaries to decide for themselves if they would want personal ownership of the land they live on.

This Bill of the Democratic Alliance will for the first time in the history of a democratic South Africa enable these 16 million people to truly get the most out of their land due to the fact that they will own the land instead of being mere occupants thereof. To give an example of the potential that can be unearthed if one owns your property we can look at most of our commercial farmers who use their properties as security to borrow money in order for them to do capital developments on their farms, as well as to obtain working capital in order to get a good harvest on the land or to increase their herd numbers and to improve the quality of their breeding animals. A lot of home owners use their homes as security for loans to make improvements to their homes.

One of the problems that all these people that live and work on communal land have is that they cannot use that land as security in order to obtain capital to improve it. These land occupants are furthermore very reluctant to do capital investments on these state owned land because very few people will do improvements and put money into something that they do not own. This Bill will enable people currently living on communal land to do improvements on their farms or homes with the knowledge that they are not improving property that does not belong to them, but that they are improving their own property, and thus increasing the value of their personal estates which they can in the future pass on to their children.

This Bill will furthermore assure that the right of individuals to own their land will not affect any cultural rights and associations that these individuals want to exercise in their communities. Land does not have to belong to a trust or to the state in order for the people who live on that land to form part of their cultural and traditional structures.

It is furthermore of utmost importance that a proper land audit be done without delay. There are no reliable figures reflecting the true state of land ownership in South Africa. Perception and emotions rather than fact drove policy formulation for far too long, and without a reliable land audit it will continue to do so.

Instead of changing our Constitution to allow for the expropriation of commercial land and other properties without compensation, it is time to turn landholders who still live on land owned by the state into proud private landowners. By stopping to treat people living on communal and state owned land as second-class citizens without the right to own the land they live on, we will improve food security, lower the unemployment rate and malnutrition figures and in the same time create a great sense of pride and humanity for these new land owners. The Private Member's Bill that the DA is proposing in this regard will therefore create a win-win solution and is the single greatest step forward for sustainable land reform in the history of democratic South Africa.

I thank you