

What People Want

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SUMMARY

The Government of South Africa recognises 12 monarchs and 774 other Traditional Leaders (Department of Provincial and Local Government, 2002, p. 39). There is an estimated 15 million people, who live on 15.5 million hectares of communal land under these Traditional Authorities, who do not have property rights documented in a public registry (Department of Land Affairs July 2004, p. 12). Seldom is this land occupation recorded in any form of land right, even outside the formal land administration system. Substantial research supports a link between private sector property rights and economic growth and therefore, the lack of legal recognition of ownership of the land that some communities have occupied for generations may have resulted in unwillingness of people to invest time, effort or capital into the land they call their own. It certainly is not viewed as a capital asset. Yet, well-defined boundaries of fences or hedges, which surround many homesteads in these communal areas, indicate a recognised exclusivity and right of use. The purpose of the study was, therefore, to determine what people want. Do community members recognise their land occupation within the Traditional Community Areas as de facto land rights? Is there a pervasive desire to see individual land rights formalised. It further attempted to ascertain the extent to which the hedges and fences that surround many homesteads in communal areas identify a form of land rights recognised and desired by Community Authorities and members. Lastly it investigated why Community Authorities and members would want to convert their de facto land occupation into de jure land tenure, i.e., what the perceived advantages are. The representative sample of community members provided a broad indication of the current state of land rights in communal areas across South Africa. The results were twofold: firstly, members of traditional communities were seldom interested in land as a marketable commodity. Community members perceive themselves as custodians of land belonging to their ancestors, the living and the members of the community still to be born. Secondly, members of a traditional community primarily want identity. They want to be identified with the land they occupy. Each one wants documented evidence that links him or her to the land that they were born to share. Each person wants proof that indicates: “this is my land, our land; I belong, we belong!”