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The Approved Land Expropriation Bill: Addressing Socio-economic Justice or Political Rhetoric?

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Abstract

On the 24th of January 2025, the South African president (Cyril Ramaphosa) approved into law the land expropriation bill, which allows expropriation of land without compensation. For the past years, various political parties have been advocating for land expropriation without compensation (LEWC) as a means to redress historical land dispossession, particularly for Black people. However, the motives behind this advocacy remain contested, raising concerns about whether LEWC is genuinely aimed at addressing land inequality or whether it is being used as a political tool for mobilising electoral support. This study explores the agenda behind the push for LEWC, questioning whether it seeks to address socioeconomic justice or merely serves as political rhetoric. The research adopted a qualitative approach by analysing existing secondary data, seeking to determine if the push for land expropriation is a substantive effort toward socio-economic redress or a strategic deployment of political rhetoric. The methodology involved a thorough textual analysis of available scholarly works and reports, focusing on the nuances of South African land reform to support the study's findings. Using social identity theory as an analytical framework, this paper examines how political parties may be leveraging land reform to strengthen in-group identities while exacerbating out-group tensions. The theory posits that social categorisation, identification, and comparison shape group behaviour and intergroup dynamics.

In the context of LEWC, political parties may be using the issue of land to consolidate group solidarity among disadvantaged communities, while simultaneously framing opposing parties or groups as adversaries, thus deepening political polarisation. By interrogating the social and political motivations behind LEWC, this study aims to unpack the intersection of land reform, identity politics, and electoral strategy.

Keywords: *Land reform, Land-expropriation-without-compensation, South Africa*

Introduction

The land question in South Africa remains one of the most contentious issues in the country's post-apartheid era. From 1994, different policies have been employed to solve the historical injustices of land ownership, such as the "Willing Buyer, Willing Seller" policy (Mubecua & Mlambo, 2021). Except for the effort of the post-1994 government, the land redistribution process has been too slow, perpetuating socio-economic challenges such as poverty, unemployment, and inequality. In response, the Land Expropriation Without Compensation approach was proposed as a relevant government strategy to address the land question.

As a result, the land expropriation bill was approved on the 24th of January 2025; the bill is considered crucial for achieving socio-economic justice and fulfilling the transformative promises of the democratic government. Besides this, there is an ongoing debate of whether LEWC is really intending to address the socio-economic problems faced by South Africans or whether it is just a tool for political rhetoric established to gain more votes. This uncertainty raises critical questions about the main intention of the LEWC, its effectiveness, and implications.

Except for the introduction of the study, this work comprises five main themes; firstly, it is the research methodology of the study. Secondly, it's the history of land expropriation without compensation. Thirdly, is it an aspect that deals with addressing socioeconomic justice or political rhetoric? The study goes on to deal with the theoretical framework of the study (Social Identity Theory). Lastly, the study provides conclusions and recommendations.

Methodology

The concept of land expropriation is new in South Africa; it is a new and buzzing concept that has been widely discussed and debated in society,

more especially concerning addressing the land question. Therefore, the study relied on available secondary data to understand whether land expropriation aims to address the country's socio-economic challenges or functions as political rhetoric. Focusing on the secondary data was helpful in looking at the concept from a land policy point of view and in its holistic perspective to deeply understand this new concept in a South African context. As revealed by the study, which relied extensively on secondary sources as a means of collecting relevant and required data, it also employed strict textual analysis of the relevant available literature about South African land reform. The purpose of this approach was to put into context the understanding of the underlying concept of land expropriation in South Africa and whether this approach is economically viable and, more importantly, will it be sustainable should it be implemented, and also to thoroughly engage existing literature to understand and dissect the socio-economic impact of land expropriation in South Africa. While relevantly new, various scholars have tried to understand the concept of land expropriation; therefore, there are rich sources of information. Though some of these sources may not comprehensively speak directly to the provision of free higher education in South Africa, they nonetheless offer views on the subject matter which will be utilised to further enrich the study.

Land History in South Africa

In this section, the paper focuses on the history of land ownership in South Africa, starting from land dispossession to the recent approved bill (land expropriation without compensation). In definition, the concept of land dispossession can be explained as an act of acquiring other people's land in a legal or non-legal manner. The history of land dispossession shows that, in Africa and Latin America, the land dispossession process took longer than in other places (Van-Staden, 2024). For example, Klein & Luna (2023) argue that the movement of Portuguese in Portugal to Brazil started from the 1700s until the middle of the 20th century. This happened after the Portuguese discovered gold. The European settlers, by 1831, had already colonised and had gained control over the country's resources and dominated their political economic position in all the Brazilian societies (Marcus, 2024; de Barros Viana Hissa, Lima & de Barros Viana Hissa, 2023). In South Africa, land dispossession dates back to the arrival of white settlers at the Cape in 1652 and continued for centuries (Ham, 2024). In the year 1658, Jan van Riebeeck established a first act which forced the Khoi people to relocate from the west of the Salt and Liesbeek rivers. Despite

the presence of legislation, the original local people were pushed out through military forces.

According to Burnard & Delahaye (2024), the White settlers started to establish a number of farms during the colonial period, especially in the 17th century. Furthermore, Wilhelm (2024) states that the settlers started to cultivate crops and raise livestock by utilising the fertile land to establish and improve their agricultural activities. Most farms started in the Cape Colony and later extended to the whole regions. The White settler depended on the indigenous labour and the local resources, which led to the relocation of the local communities. Consequently, agriculture became the primary livelihood strategy for the settlers and played a pivotal role in the development of the South African economy. The expansion of the agricultural sectors in the mid-1800s led to the increasing demand for African labour.

The 1884 Native Location Act in the Cape Colony and the 1887 Squatter Laws in the Transvaal were created to tax independent African tenants (Mubecua & Mbatha, 2021). Furthermore, Paxson (2024) argues that White settlers in the Free State prohibited Indians from ownership and the occupation of land. Except that Indians were not allowed to cross the provincial boundaries, Gandhi and a group of 2700 members marched from Natal (currently known as KwaZulu-Natal) to Transvaal, opposing the prohibition of Indians.

From 1948 to 1994, the apartheid government supported racial segregation through laws like the Group Areas Act (1950). This law forced racial discrimination and further perpetuated dispossession of land from the Black societies. Rogerson & Rogerson (2024) state that the Group Areas Act proposed the idea that those who are not White in South Africa should live alone, not mixed with White people; they should live in the areas established for their racial groups.

South Africans were forced to buy properties from the people of the same race (Uwizeyimana, 2024). Another act that was institutionalised was the Bantu Authorities Act (1951), which pushed Black South Africans to the underdeveloped regions (Zindi, 2024; Gump, 2025). Therefore, these policies resulted in economic inequality, where White people owned commercial farms or urban industries, while the Black majority were employed as cheap labour on those farms (Mkansi, Mugurusi & Akenroye, 2024; Flachs, 2024). On the basis of these studies, it shows that the two systems (colonialism and apartheid) granted White people power to rule and control land. According to Bilmes & Brooks (2024), the White minority expropriated a huge amount of land from Black people; however, after the end of apartheid, it was difficult for the democratic government to address

the land questions. In the year 1994, when the ANC took over, 87 per cent of the land was owned by White people (Atuahene, 201: 121).

The democratic government established the Land Restitution Act of 1994, which aimed to return land that was taken by force (Ndhlovu, 2024; Jimenez-Ayora, Mitra, Tong & Ulubaşoğlu, 2024). However, the process of returning the land was slow due to bureaucratic delays. In 1997, the White Paper on Land Policy was introduced, outlining South Africa's land reform framework, including land restitution, land redistribution, and tenure reform (Walker, 2005; Khanyile, 2024). The land redistribution policy was formulated with the goal of transferring 30% of white-owned farmland to the original owners (Black majority) by 2014 (Mubecua & Mlambo, 2021). However, this target was not achieved. Tenure reform sought to establish robust legal protections for land occupants in rural and communal settings, aiming to provide stability and ownership security to residents and farm labourers alike. Yet, land rights security remains a challenge (Mani, Osborne, & Cleaver, 2021).

To enhance redistribution efforts, the Land Redistribution for Agricultural Development (LRAD) programme was introduced. However, LRAD was criticised for favoring influential elites in rural areas rather than addressing the needs of the broader Black communities (Zantsi & Nengovhela, 2024). In response to ongoing challenges, the Proactive Land Acquisition Strategy (PLAS) was introduced, allowing the government to directly purchase land for redistribution (Tembe & Mubecua, 2024). However, PLAS, like previous land policies, faced issues such as lack of funding and corruption. Due to the failure to effectively resolve the land issue, **the government introduced** land expropriation without compensation (LEWC). **The** Land Expropriation Bill has now been approved as law, allowing land to be expropriated without compensation (Davis, 2025).

Scholars such as Mbatha & Mubecua (2023) note that land expropriation is viewed as controversial, particularly regarding property rights and economic stability. Beyond legal and economic debates, the motives behind LEWC remain contested, raising concerns about whether it genuinely addresses land inequality or serves as a political tool for mobilising electoral support. This study explores the drivers of the LEWC agenda to determine if the policy aims for meaningful socioeconomic transformation or if it is better characterised as a political tool designed for public appeal. The next section will analyse whether land expropriation effectively addresses socio-economic justice or is primarily a political strategy.

Addressing Socioeconomic Justice or Political Rhetoric?

Before engaging much on whether the land expropriation without compensation intends to address the socio-economic challenge or it is just political rhetoric, it is fundamental to understand and appreciate the role played by politicians in fighting for freedom in South Africa. South African politicians played an important role in fighting against the apartheid regime through leading movements and mobilising citizens to fight for freedom (Cohen & Cobbett, 2024). Furthermore, Cull (2021) notes that the pressure that the apartheid government received from these politicians led to democracy. After the end of apartheid, the new government (led by the African National Congress) faced a new challenge of building a new peaceful democratic nation (Silander, 2024). The first Black president (Nelson Mandela) set a tone of reconciliation in South Africa with the intention of creating peace among different races in South Africa (Chaka & Adanlawo, 2023). From this period until this far, political leaders have focused on social development and economic transformation to solve the legacies of apartheid (Vivek, 2024).

However, after being in power for many years, the ANC has been unsuccessful in dealing with the land question; as a result, the promise of returning 30% of the land by 2014 was not attained, as revealed before. Addressing the land question was top on the agenda; as a result, pre-1994, the land question has been the campaigning tool for the majority of the Black political parties, like the ANC, EFF and, recently, the MKP. For that reason, this paper intends to question if the land expropriation without compensation really intends to address socioeconomic justice or is just political rhetoric; this is inspired by false promises during political campaigns which result in public frustration (Mayekiso, 2023). South African politicians (mostly all the parties) always capitalise on the critical issues faced by the poor, like unemployment, lack of houses, education and corruption, to obtain more votes during the election campaigns. The pressing issues are used as a focal point so that they may sound appealing to the voters, showing the politicians as empathetic and solution-driven. In most cases these promises are not fulfilled as promised.

For an example, in 2004, the ANC made a slogan which says, "A people's contract to create work and fight poverty." However, after winning the elections, this promise was not achieved; the country continued to experience the growing unemployment rate, which was 4.1m during that period. On the other hand, many South Africans were still living below the poverty line (Olonisakin, Adedeji & Idemudia, 2024). The promises of building more houses to take away squatter camps and informal settlements

in the township were also not attained. Except the ANC promised to solve crime by recruiting more police officers to ensure safety in South African streets. “But instead of employing more police officers to protect our citizens, it employed more people to sit in offices” (Zille, 2009). The intended goals for public health service delivery have not been met, leaving public hospital facilities overwhelmed and resulting in the continued presence of long queues for those seeking medical attention. Moreover, “it sees the state as an employment bureau for party loyalists, families and friends and a means of dispensing patronage through tenders and contracts. That inevitably results in the "shell state" or "vampire state" where leaders hide behind populist rhetoric to advance their own interests and those of their closed circle of cronies” (Zille, 2009).

Table No: 1 Murder of women and children in South Africa

	Women			Children		
	Number of murders	Population	Murder rate (per 100 000)	Number of murders	Population	Murder rate (per 100 000)
2019/20	2,695	20,106,275	13.40	943	20,075,000	4.70
2020/21	2,655	20,234,475	13.12	882	20,496,000	4.30
2021/22	3,198	20,373,931	15.70	1,082	20,749,000	5.21
2022/23	3,422	20,567,110	16.64	1,056	20,867,000	5.06

Source: Africa Check (2024)

For the past years, South Africa has experienced the increasing killing of women and children. Consequently, a following the COVID-19 crisis, the South African President, Cyril Ramaphosa, declared gender-based violence to be a second pandemic (Africa Check, 2024). In 2019, the rate of murder of women was estimated to be 13.4 per 100, 000. In the year 2022, the rate of murder of women increased to 16.64 (see table 1 above). On the other hand, children’s rate went up from 4.7 per 100,000 to 5.06 in the year 2022 (Africa Check, 2024). On the basis of this, it shows that despite the ruling party (ANC) promising to solve the murder of women and children, this has not yet been achieved. In the next elections, this will continue to be used to campaign for more results.

South Africa Unemployment Rate

Year	Unemployment Rate (%)	Annual Change
2023	27.99%	-0.85%
2022	28.84%	0.07%
2021	28.77%	4.43%
2020	24.34%	-1.20%
2019	25.54%	1.32%
2018	24.22%	0.23%
2017	23.99%	-0.03%
2016	24.02%	1.15%
2015	22.87%	0.26%

Source: Macrotrends (2024).

South Africa's unemployment crisis persists despite extensive policy interventions; the various approaches intended to stimulate job creation have, to date, fallen short of achieving their targets (Azunna & Botes, 2024). In the year 2019, the unemployment rate was 25.54%, in the year 2020, the rate went up to 24.34% (Macrotrends, 2024). The following year (2021) the unemployment increased to 28.77%, while in the year 2022 it increased to 28.84%. Lastly, the Macrotrends (2024) revealed that the annual change of unemployment rate decreased 0.85%. Similarly, the work of Francis & Webster (2019) shows that the unemployment rate in South Africa continues to increase.

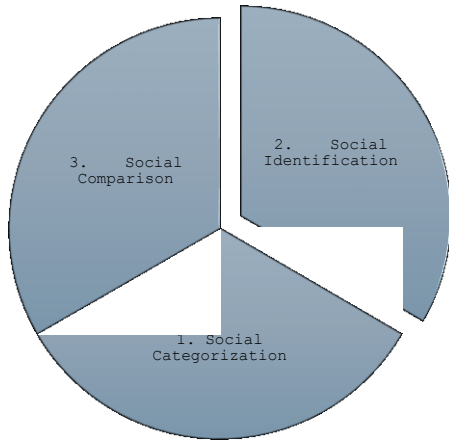
Analytical Framework: Social Identity Theory and Political Party Strategies on Land Reform in South Africa

Historically, Social Identity Theory can be traced in the work of Henri Tajfel, who was a Jewish survivor of the World War II. Henri Tajfel was motivated by his life experience of discrimination and intergroup fighting. In his work, he was inspired to understand how neighbours, colleagues and friends can live together and later consider themselves as a dangerous enemy even though there is no reason. Ellemers & Haslam (2012:381) states that “the main aim of SIT is to understand and explain how people can come to adopt and behave in terms of such social (rather than personal) identities”.

The South African land reform is considered to be a polarising political agenda. Politicians mostly use polarisation to mobilise support, reinforce group loyalties, and shape national debate. The Social Identity Theory offers an authoritative analytical lens to study how South African political parties may influence the discussion about land reform to strengthen in-group identities while intensifying out-group tensions. The Social Identity Theory comprises three aspects, which are social categorisation, social identification, and social comparison. These components play an important role in reinforcing the public opinion and strengthening intergroup conflict about land reform.

Components of Social Identity Theory

Figure 1: Components of Social Identity Theory



Source: Author’s own compilation

Social Categorisation: Framing the Land Reform Debate

The formulation of South African political parties like the ANC is categorised by the intention of addressing the past injustices of land reform and returning the land to its rightful owners, while recruiting South African citizens who subscribe to the principles of land redistribution.

Creation of Distinct Categories

South African political parties categorised the society based on those who were historically benefited from land policies ("out-groups") as well as

those who were systematically oppressed by the apartheid regime ("in-groups") (Kucera, 2022). In the South African context, this refers to the racialised categories, where the majority of Black South Africans, as the historically dispossessed, are considered the rightful claimants to land. Parties like the ANC, EFF and MKP capitalise on this narrative, as a result advocating for an expropriation of land without compensation as an approach to address the past in land reform justices. Through reinforcing these categories, political parties unit based on this category and recruit more people to support their ideology (Seutloali, 2024).

Defining "Us" Versus "Them"

Social category in land reform can also be explained through the "us" and "them" narrative (Mubecua, Mashau & Nojiyeza, 2025). In land expropriation without compensation, political parties frame the narrative ("us" and "them") around moral entitlement versus unwarranted privilege. In most cases political parties like the EFF use the "us" link or associate the party with the poor; this is done with the aim of trying to be relevant to the poor people. Despite that, the majority of the EFF leaders are rich and own land and resources, but the narrative in South Africa is that when you are Black you're poor and when you are White you are rich. On the other hand, the work "them" is used to refer to those who own the means of production, and the majority of them are White.

Legitimising the "In-Group"

In most cases, the social categorisation prioritises the "in-group" because they are considered to be most deserving to have certain rights. In land expropriation without compensation, priority is seen to those who were previously dispossessed of their land through the 1913 Native Land Act, who are majority Blacks. The "in-group" is considered an approach to permit political parties to strengthen the in-group loyalty by putting the land reform on their agenda as a problem. It creates a moral high ground for the in-group, establishing unity among its members and certifying their grievances.

Social Identification: Strengthening Group Identity through Land Reform

After the establishment of social categories, the political parties influence individual members to adopt and coopt the features associated with their

in-group, thereby strengthening identification with that group. Political parties that advocate for land expropriation without compensation, like the ANC, EFF, and MKP, become united through their values and norms. Similarly, Mbatha & Mubecua (2023) note that the norms and values for each individual member of these political parties view the South African land reform as both a personal and collective objective. This identification process solidifies a sense of belonging and loyalty among party members and supporters. The political leaders in their campaigning speeches focus on demonstrating the need to implement the land expropriation without compensation to achieve economic freedom. For instance, the EFF beret demonstrates unity and connections with those who live below the poverty line. The history of land in South Africa has shaped and reinforced the identification within the in-group. Through the memory of what happened during apartheid, the different political parties in South Africa share emotional bonds with the in-group and validate their claim (Mubecua & Nojiyeza, 2025).

Social Comparison: Amplifying Intergroup Tensions through Competition and Conflict

The last component of SIT is social comparison. This elucidates how South African political parties utilise land expropriation without compensation to intensify the insights of competition and enmity between groups, making the problem a zero-sum game that pits in-groups against out-groups. Moreover, South African political parties' emphasis the economic and social disparities by framing land expropriation as a direct comparison between the landholding group and the dispossessed group, the former of which is predominantly White. The divide between those with financial means and those without serves as a primary lens for comparison, as wealth remains a decisive factor in determining one's level of access to critical infrastructure and support. For example, the majority of those who owns the land in South Africa are Whites (who own more than 70 per cent of the arable land). Additionally, politicians even mobilise voters, especially those who feel being left behind in participating in economic activities of the country to support their political parties. The in-group creates an impression that the out-group is the threat in the future of the country. The domination of the out-group in the economy of the country justifies their battles. On the other hand, the out-group may feel that the expropriation of land only targets the White farmers.

Moreover, the land reform debate also gives rise to competitive victimhood, where each group feels it has suffered more injustice than the

other. For instance, White landowners may feel that land expropriation unfairly targets their property rights, while the dispossessed groups view this land as rightfully theirs due to historical injustices. Political parties may exploit these sentiments, heightening competition and alienation between groups and deepening societal divisions.

Conclusion and Recommendations

Following the passing of the land expropriation act, the paper focused on the contested motives behind the advocacy for land expropriation; it shows the disconnect between political rhetoric and the realities of solving the socio-economic injustices. While the LEWC is presented as a strategy for redressing historical land disparities, the author contends that political figures frequently deploy such promises as electoral tools rather than committing to the implementation of substantive reform. Therefore, this raises doubts about the authenticity of LEWC as a tool for equitable land redistribution and socio-economic justice. It is for that reason that the paper recommends, the development of clear, actionable policies on land expropriation, ensuring accountability mechanisms to track implementation and prevent misuse for political gain. Moreover, the paper recommends involving communities and different in decision-making processes to ensure land reform initiatives address genuine socio-economic needs.

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