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Reviewing equitable justice and the land question in South Africa from a reformation perspective

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This article reviews equitable justice and the land question in South Africa from a reformation perspective. Land as the source of individual and corporate group identity and livelihood is one of the most sensitive, contentious and controversial of all debatable issues in South Africa. As such, the question is: what counts as the criteria for an amicable and lasting solution for the land question? What type of justice helpful in correcting the past injustice? An underlying precept is on restoring the broken relationship between the victims and offenders using equitable Justice, as we live together in a diverse context in South Africa. This article is designed to examine three aspects related to fair justice from the perspective of reformation: firstly, the basic conception of equitable justice; secondly, the critical application of the types of justice in handling land questions in South Africa; and thirdly, the ultimate reception of the equitable justice that the victims and offenders could acknowledge and appreciate about the land question based on the 1996 South African Constitution.

Contribution: This article is meant to add value not only to how justice was and is conceived (perceived) but what is critical is the application of the types of justice as far as land in South Africa is concerned and the underlying misconceptions that go with it. Above all, the ultimate reception of the United Nations Declaration of Human Rights and the South African Constitution as an incentive to address land questions in the South African context.

Keywords: natural law; human right; equitable justice; land reform; Missio Dei; reformation perspective.

Introduction

The property clause of section 25 of the 1996 Constitution of the Republic of South Africa uncovers the dichotomy contestation between the private and public property (land) rights. On the one hand, sections 25 (4a), (5) and (8) of the 1996 Constitution of the Republic of South Africa provide the possibility of expropriation without or with relative compensation and hence the state is expected to take reasonable legislative steps, within its available resources to promote equitable access to expropriate land for public sake and land reform and restoration (Chaskalson 1995:224; De Villiers 2003:56; Ntsebeza 2007:112). On the other hand, sections 25 (1), (2) and (3) of the 1996 Constitution of the Republic of South Africa protects the private property rights of minority and corporations and hence advocates for payment for land expropriation and redistribution, through a 'willing-seller, willing-buyer' principle, which hinders, if not limits, land reform and redistribution towards the previously disadvantaged South Africans who do not have capital to buy back their land (Binswanger & Deininger 1996:139ff; Van der Walt 1997:18ff, 143ff; Cousins 2000:2; Yanou 2009:34ff; Lahiff 2001:5; 2007:1577ff; Hall 2004b:654; Weideman 2004:223). It is also an unreasonable expectation for the small farmers to afford to buy it (De Soto 2001).

This article reviews the relevance of the equitable justice as far as the land restitution (returning and restoration to the rightful owners), redistribution (through land acquisition grant) and tenure (transfer of land rights and ownership). The underlying precept is about restoring the broken relationship between the victims (who are historically dispossessed or the disadvantaged of land since 19 June 1913 because of racially discriminatory laws) and the offenders (who are the advantaged individuals and cooperates who own and use their private property). The United Nations Declaration of Human Rights and the South African Constitution are the incentives to address land questions in the South African context. Given the option of examining the type of justice from the four kinds of justice, namely the retributive, procedural, distributive and restorative justice, this article is designed to discuss three aspects regarding an underlying type of justice that is equitable, relevant and applicable in addressing the land restitution (returning and

restoration to the rightful owners), redistribution (through land acquisition grant) and tenure (transfer of land rights and ownership) from the perspective of reformation, namely, firstly, the basic conception of equitable justice; secondly, the critical application of the types of justice in handling land question in South Africa; and thirdly, the ultimate reception of the equitable justice that the victims and offenders could acknowledge and appreciate about the land question based on the 1996 Constitution of the Republic of South Africa.

Basic conception of equitable justice

Towards understanding the basic concept of equity

The root meaning of equity (Latin root, aequus) is balance or equilibrium, and its legal or ethical meaning is right or straight and its opposite is immoral, unethical, imbalanced and/or impartial behaviour (Beever 2004:33ff; White 2004:103ff). The concepts of *equity* and *equality* share the same Latin *root* word *aequus*, which means 'same', 'even', 'plain' and/or 'just' (Merriam-Webster 2024). Its prefix denotes the value, degree, quantity, rank or ability and its suffix '-ity' denotes a state or a condition. As an example, when the Court of Law is sharing the six pieces of land with three people agree: what *equality* means is: each of them will have an exact equal number (quantity), namely two (pieces) each. But to share equitably, the judge is to consider other criteria (standards) and/or factors (and/or context). The question is: which or whose or what criteria and/or factors is a point of contention that this article is focusing on so that we have an equitable share, which is fair, just and/or right? In this regard, Aristotle among others discussed the two types of legal justice, namely distributive (or public or communal) justice and corrective (or private or individual) justice, which are basic, helpful and applicable criteria in seeking stability, equality and/or a right, just, good and fair balanced proportion of an unequal society (Pritchard 1998:13; Kolm 2002; Beever 2004; Anghel 2017:369–373). In the context of land restitution and reparation, the count of law uses distributive (public or communal) justice and corrective (private or individual) justice as criteria for an amicable and lasting solution to the land question.

Understanding equity based on Deuteronomy, the Magna Carta and human rights

The three documents, namely Deuteronomy (around 622 BC), the 1215 Great Charter (Latin, Magna Carta) and the 1948 Human Rights have a long history of relationship discussed by diverse articles including Emerson & Hardwicke (2021), Fernández-Villaverde (2016), Hazeltine (1917), Tate (2024). In this article, these three documents are not only the hermeneutic framework to understand the God-granted and guaranteed human rights and fraternal privileges but also the basis of and for injustice, inequalities and poverty eradication (Huber 1979:202). For instance, Deuteronomy is polemic in nature as they address the origin (source) of human rights and dignity, answering the diverse religious worldview and philosophical traditions of Ancient Near East (ANE), which includes the Sumerian, Babylonian, Assyrian etc., who generally believed that there are some inherent (divine and natural) qualities, beings or deities that exist in and operate in the universe, independent of God and hence orders the socio-economic and political structure and life (Grudem 1994:356). The Greco-Romans worldview continues from the ANE worldview with claims that these inherent divine and natural qualities, beings or deities are foreign to God's revelation of Himself in the Bible, as the true, ever-present Triune God who cares for His creation, both human and nature (Gn 1:1; Jn 1:3; Ps 24:1; 104:5; Calvin 1989 Inst I.5,6; I.16.2).

The concept of equity and the universal declaration of human rights

> And what other nation is so great as to have such righteous decrees and laws as this body of laws I am setting before you today? (Dt 4:8)

It is important to understand the concept of equity not only within the framework of the three documents, namely Deuteronomy, the Magna Carta and Human Rights but also to discuss its relationship with the Universal Declaration of Human Rights (UDHR); many scholars wrote about it, including, Lauren (ed. 2011). Many scholars dealt with Human Rights controversies (Foucault 1984a; 1984b; Ishay 1995, 1997:303ff), which include the *tension* between the *(neo)-liberal* and *communist approach* with regard to the human rights, whereby it was not only the *Cold War (political) tension between the two nuclear-armed superpowers* (United States and the former Soviet Union) but also between a global market economy with its universal conceptual and philosophical ideology and the local (and nationalist) economy with its practical *socioeconomic concerns regarding the widening gap between the rich and the poor both global and locally* in the age of the information and technology. These human rights controversies are manifested in the application of the human rights between the disadvantaged and the advantaged people in their individual and corporate capacity. In the South African situation, the triple challenge of poverty, unemployment and inequality has been getting worse ever since 1994 to this day, despite the diverse attempts that are continued to be made. This article is appealing to the role of equitable justice, which is still relevant in the South African context where it is apparent that there is a dominant 'winner-takes-all' global economic theory of the neoliberalism-led capitalist on the right (Fukuyama 1989:3, 8). A winner-takes-all market refers to people, products or services, whereby the top players capture a disproportionately large share of the rewards, while the rest of the performers are left with extremely little. In a winner-takes-all market, individuals are paid not according to their absolute performance, but rather according to their performance relative to their competitors (Market Business News 2023). Such an approach, if it is left unchecked, will continue not only in dominating the socialist leftist ideologies as an outdated and irrelevant ideology (Klein 2007:183f) but also in being one of the root causes of the socioeconomic injustice, inequality, unemployment and poverty, which was worsening ever since 1994.

Equitable justice and the restitution and reparation of the land in South Africa

The land question has private and public effects on people's lives. In that regard, the land restitution and the reparation are established in South Africa. Although they are complex, if not a complicated litigation praxis in terms of policies, processes and procedures, they are distinguishable concepts with two sides of the same coin. This assession begs for clarity. After reading and reflecting on diverse scholarly work, including Zedner (1994:228–250), this article ends up with this distinction: *restitution justice is a retroactive, corrective, punitive, or retributive kind of justice* on behalf of the authority (state) the Court judge who focuses on righting the wrong of private (individual) cases of the victim and offender, issue a sentence, not only to punish the convicted offender as a way of exposing and expressing the seriousness of the committed crime but also to amend the wrong (the damage or loss) by compensating or paying back the victim with an aim restoring the previously agreed contract (status quo). Secondly, *reparation justice is a forward-looking distributive* or *restorative kind of justice* focusing on reconciling the convicted offender and the wronged society and her expectations. The judge focuses on restoring (strengthening) equity or balancing an equilibrium of a broken relationship or inequality gap between the disadvantaged and the advantaged. The judge *determines a 'fair share'* of the available economic resources to distribute to the disadvantaged (poor) while equipping the advantaged (rich) with the God-given sociocultural mandate for the common good, well-being, rights, interests or utility (Zedner 1994:228ff). This theoretical framework is helpful before discussing the land issues in South Africa, particularly the White Paper for Land Rights and Land Reform and redistribution. Although a brief discussion, it is important to have it as it gives the historical background of the land issues and the need for a review of an equitable justice on the land issue.

Equitable justice and section 25 of the Constitution of the Republic of South Africa 1996:

> The fundamental basis of all wealth and power is the ownership and acquisition of freehold title to land. (Xuma 1941:2)

These are the words of Alfred Xuma, in his presidential address at the African National Congress (ANC) conference of 1941. It is now more than 83 years, i.e from 1941 to 2024 of continued scholarly and political debate on whether the United Nations Declaration of Human Rights and the South African Constitution is optimal, or should they be amended to address the triple challenge of poverty, unemployment and inequality? Should the substantive transformation or the revolutionary approach to justice be applied?

The role of the South African Constitutional Courts is to seek an equitable solution to address an inevitable and ever-increasing gap between disadvantaged and the historically dispossessed individuals or groups seeking restitution and/or reparation, and the advantaged individuals or groups who are fighting for their private property rights as individuals or groups (Yanou 2009:38ff; Binswanger & Deininger 1996:139; Claassens 1993:424; Lahiff 2001:5; 2007:1577ff; Weideman 2004:223). The State is to establish a conducive environment for the neoliberal free market system and channel more money to priority projects that stimulate the economic growth and lesser money towards the programmes that stimulate redistribution (The White Paper on Reconstruction and Development Sections 1.2.7, 3.2.4, 3.3.1, 3.4.5, 4.1.2, 4.1.5 and 4.2.5). Redistribution of 30% of land was either altered or postponed from original 1999 deadline to 2014 and now to 2025. Since 1994, the national budget, which was earmarked for purchasing land for redistribution, was reduced on White Paper in 1991 and 1996 (Bond 2000:132f; Cousins 2012:2; 1996 *Land Reform and Labour Tenants Act*. Section 2 (2) and 3 (1), 7(2), 16(1); the Settlement and Land Acquisition Grant, Section 26(1); Van Der Walt 1997:152; Yanou 2009:49).

Critical misconception of justice and the limits of human rights

Human rights and their limitation

> The light in man's conscience is imperfect and is unable to read these laws correctly and hence need special revelation. (Dabney 1985:353)

This quote by Dabney (1985:353) cautions the South Africans – individuals and corporate groups – about our imperfect conscience, which is unable to read these laws or constitution correctly and hence need special revelation. The United Nations Declaration of Human Rights and the South African Constitution is seen as optimal today. Since 1991, the National Party (NP) introduced the White Paper, which includes section 2(11) on discriminatory land laws, which is meant to abolish the land laws based on racial discrimination. It implied that the productive land is and should be 'feasible' to be returned for the land reform and redistribution, on condition that it is placed in the free market and should be based on the willing-seller, willing-buyer principle (Yanou 2009:77). The owners of the land are also free or have a right to either sell or retain their land (Weideman 2004:222). If the State needs to acquire it, the State may buy, fund or subsidise for the eligible buyer of that land (Weideman 2004:221ff). The priority was given or placed on privatisation, protection of the property or land rights and the owners' individual interests in selling the land at the (global) market value (Hall 2004:654; Van Der Walt 1993:302; 1997:153; Yanou 2009:34ff). The Thatcherism, Washington, Anglo-American and the neoliberal capitalism have their own influence on the making and the development of the South African constitution, whereby the ANC submitted to its influence. Clearly, the NP's formulated White Paper on Land Reform of 1991 favoured the privatisation and acquisition of land for the personal use than for the communal upliftment.

Human rights are not and cannot be absolute

Human rights are not and cannot be absolute, and hence there are limitation clauses including the general limitation clause in section 36 (2) of the 1996 South African Constitution and the internal limitation clauses, both of which need

justifiable reasons (equitable or just measure and condition, for the expropriation of the land without compensation when it is used for the public interest and for the land reform to redress injustices brought about by colonialism and apartheid (Sec. 25 (4a) (5) and (8); Sachs 1990:7; Yanou 2009:47). However, such limitation clauses are overshadowed by the wrongly absolutised clauses, including the following: firstly, section 28 (3) of the Interim *Constitution of Republic of South Africa Act 200 of 1993* (Chaskalson 1994). The State prevented the equitable sharing of the wealth to address poverty and inequality (Chaskalson 1993:389; Yanou 2009:117). The State needs capital to buy back the land to share with the poor. The State has no control over the Reserve Bank/inherited debts from the apartheid regime. Secondly, sections 25 (1), (2) and (3) of the Constitution of the Republic of South Africa is used not only to protect private property, privileges and the rights (which includes investments, market value and productive land) but also to hinder land reform and redistribution, and whenever there is appropriation of land, it should be compensated at the market price and on the basis of the willing-buyer and willing-seller principle (Hall 2004:654; Van Der Walt 1997:19, 146). The State may buy, fund and/or subsidise the properties including the land for the public's sake including the land reform and redistribution (Chaskalson 1995:224; Ntsebeza 2007:112; Van Der Walt 1997:18, 143ff).

The land reform and the common reasonable sense

Common sense (2024) is 'the basic level of practical knowledge and judgement that we all need to help us live in a reasonable and safe way', or 'the ability to use good judgement in making decisions and to live in a reasonable and safe way'.

This article appeals to common sense using Calvin's view (Calvin 2006) on equitable justice to contribute to the debate about. the continued worsening position and condition of socioeconomic injustice, poverty alleviation, inequality and unemployment since 1994 to this day. It is becoming clear that the underlying ideological clashes, policy conflicts and strategic struggles, which are manifesting themselves behind the well-intended international and national programmes (Klein 2007:215), need to be addressed from an equitable justice perspective if not from a common sense perspective. The limitation clause of section 36 has a forerunner, namely section 28 (1–3) of the Interim Constitution of the Republic of South Africa 200 of 1993, which states that:

> Every person shall have the right to acquire and hold rights in property and, to the extent that the nature of the rights permits, to dispose of such rights. No deprivation of any rights in property shall be permitted otherwise than in accordance with a law. Where any rights in considering pursuant to a law referred to in subsection (2) of section 25 of the Constitution of the Republic of SA, such expropriation shall be permissible for public purposes only and shall be subject to the payment of agreed compensation or, failing agreement, to the payment of such compensation and within such period as may be determined by a court of law as just and equitable, taking into account all relevant factors, including, in the case of the determination of compensation, the use to which the property is being put, the history of its acquisition, its market value, the value of the investments in it by those affected and the interests of those affected.

Human rights and their limitation

The virtue of equity (fairness) and of conscience (common sense)

Calvin appeals to the virtue of equity (fairness) and of conscience (common sense), which are engraved within each human being and are naturally and universally accessible to all human beings (Calvin 1583; Calvin, Institutes, IV.20.16). From the God-engraved inner virtue of equity and conscience comes an urge (appeal) to love my neighbour and love myself. To practice equitable justice is basically doing three things: firstly, loving your neighbour; secondly, loving yourself; and thirdly, doing to your neighbour what you would have them to do unto you, which is to fulfill and satisfy the Golden Rule (Calvin 1948; Grabill 2006:89). It means that the all-people groups are unfamiliar with the natural law, because such a law is not only an implanted or engraved seeds of the political order, consciences nature, righteousness rule and virtue of equity in the hearts and minds of all human being which serve as an inner witness and monitor. This law renders all people no right to make excuses before God. According to Calvin this law is ontologically and supernaturally grounded as God's special revelation and epistemologically and morality commanded to do right actions (Helm 2004:347f; Verhey 1975:86).

The human rights without the heart and well-intended solutions for socioeconomic injustices

Among other international stakeholders, the United Nations Development Programme (UNDP 2003; 2005; 2022) work with countries such as South Africa to implement the policies, ministries, strategies and budgets to reach the Millennium Development Goals (MDGs) of reducing poverty, hunger, disease, illiteracy, child and maternal mortality, environmental degradation and discrimination against women, etc.[1] In such a context, the two international financial institutions found in Bretton Woods, New Hampshire, in 1944, namely, the International Monetary Fund (IMF) and the World Bank (WB), could no longer ignore the indebtedness of many Third World countries that in 1996, they had to re-examine and re-evaluate the Structural Adjustment Programme (SAP) with its lending conditions and prescriptions in the 1970s through to the 1990s. The process resulted in the Highly Indebted Poor Countries (HIPC) initiative and Poverty Reduction Strategy Papers (PRSP), which laid down strict economic conditions and criteria to be followed to qualify for partial debt 'forgiveness'. The Third World debt grew from $9 billion in 1955 to $572 billion in 1980 and $217 billion in 1996 and was over $300 billion in 2004 and the figures kept on increasing.

1.https://paris21.org/sites/default/files/MDG_strategy_handbook.pdf.

There is a common human need for *Equitable Justice*, and to get a *fair, just and right action*, (*share and/or treatment*) and hence what counts as a criterion for a *fair, just and right action*, (*share and/or treatment*) is important to balance or stabilise an unequal society so that the common good (and peace) of the society is reached. The challenge, which is faced by this article, is to attempt to argue or advocate for the ultimate common good or peace that this Equitable Justice seeks to achieve, which is in turn a criterion to use to balance or stabilise an unequal society. This common good and/or peace can be in the form of a basic or common (written) contract, agreement and/or constitution, which serves as a framework to be used to view and treat people as members of society in the local, national and international level so that the victims (disadvantaged) and the offender (advantaged) receive fair, just and/or right treatment or share to balance or stabilise an unequal society (Muswubi 2023:2ff; 2024:4ff).

The human rights without the heart towards God's natural law and socioeconomic injustices

This article is appealing to the readers of the human rights regarding its origin, which can be traced to diverse philosophical and religious traditions among others, which ignored, if not reject the living God in their views and practice of human rights. The NP élites (economic oligarchs) with the neoliberal capitalism or Thatcherism and Reagan ideology approached the negotiation about the land reform and Reserve Bank with either/or approach and expected outcome, namely either to win or 'no deal' kind of approach and outcome (Ilbury & Sunter 2001:69, 116). The 'willing-seller, willing-buyer' formula (principle) places power in corporations and landowners' hands that state no longer had a role to play in redistributing wealth based on ideological grounds (Klein 2007:200ff). The NP economic élites won the negotiation, and, in that way, they protected and retained their economic interests, control and ownership of the productive land in hand over the political interests, control and ownership to the ANC élites (economic oligarchs) (Ilbury & Sunter 2001:12ff, 69ff). The condition for winning the negotiations was more of the profit orientation (for the few) than the people orientation (the mass of the poor people), namely, (1) protection of privatisation of property rights clause, (2) to attract investors through free trade, (3) to create economic growth and jobs and (4) the willing-buyer, willing-seller formula (Ilbury & Sunter 2001:21–22, 65–66, 93–95,126; Klein 2007:200ff, 209; Mbeki 2005:9). According to Klein (2007:203f), the socioeconomic injustice and equality persist because ANC élites have political freedom, power and control, but not the economic freedom, power and control, which ensure that the environment for business prospers and continues to be attractive for the investment. According to Klein (2007:204), it is like 'given the key to the house, but not the combination to the safe'.

Ultimate point: Transformation (redirection and restoration) of equitable justice

The land reform and redistribution need our revisit of the equitable justice globally and nationally

The Geneva-based independent treaty body of 53 member states of the United Nations monitors the UDHR adopted by the General Assembly on the 10th of December 1948 and ensures that the member states enforced that the 30 articles of human rights are respected, protected and fulfilled for the benefit of individuals and/or groups under them. Yet the human rights controversies are often overlooked, understudied and/or misunderstood. In these critical times of confusion, complications and contestation, regarding not only the land reform in South Africa but also regarding the criteria for a fair share and/or treatment as far as land in South Africa is concerned, this article is, therefore, aimed at drawing our attention to the concept of equity from the reformation perspective: firstly, the basic conception given by the United Nations human rights; secondly, the critical misconception regarding the types of justice to be used in determining the criterion for a fair share and/or treatment as far as land in South Africa is concerned; and thirdly, the ultimate reception that both the victims and offenders should acknowledge and appreciate regarding the land reform in the 1996 Constitution of South Africa.

The land reform and redistribution need our revisit of the equitable justice nationally and locally

> The light in man's conscience is imperfect and unable to read this law correctly and hence need special revelation. (Dabney 1985:353; Calvin 1863)
>
> The aim of the broad law is to render human inexcusable and to prove them guilty by their own testimony on issue of injustice. (Inst.2.2.22; 4.20.15f)

This article addresses the socioeconomic injustice, inequality and unemployment worsening since 1994 to this day, despite the diverse attempts that are continued to be made, including through the Poverty and Inequality Report (PIR), the Reconstruction and Development Programme (RDP), the Growth, Employment and Redistribution Strategy (GEAR), the Basic Income Grant (BIG), the Expanded Public Works Programme (EPWP) on education, health, social security, welfare housing, sports and recreation (cultural) programmes together with the Sector Education and Training Authorities (SETAs), and other programmes that were initiated and developed in South Africa and other ones that are in the process (Bond 2000:62; Klein 2007:215). This article is appealing to the role of equitable justice, which is still relevant in the South African context where it is apparent that there is a dominant 'winner-takes-all' global economic theory of the neoliberalism-led capitalist on the right (Fukuyama 1992:3, 8). When it is left unchecked,

it continues not only in dominating the socialist leftist ideologies as an outdated and irrelevant ideology (Klein 2007:183f) but also in being one of the root causes of the land reform controversy in South Africa, which is not helping the current situation of the socioeconomic injustice, inequality and unemployment that has worsened ever since 1994. In addressing it, this article revisited John Calvin who argued that the source of knowledge of the morally right or wrong is found in special revelation and general revelation, whereby an action is morally good or bad solely in virtue of God's command (Helm 2004:354). To him, the gospel (teaching) is the vivid portrait or reality or substance of the natural law its shadow or rough sketch (Calvin, Institutes, II.9.4). The special revelation supplements (not supplant), clarifies, enlarges natural law, knowledge, and capacity to realise, apprehend and/or distinguish between just and unjust (Calvin, Institutes, II.2. 22). The first use of the natural law is that it renders all people inexcusable (John Calvin, Institutes, II.2.22). The church should analyse the basic nature of the laissez-faire free market system, especially the 'freedom to follow human desires' (Collins English Dictionary 2012). The Church should look critically at the tendency of the rich-oriented economic systems, namely grabbing, and accumulating wealth on the expenses of the vulnerable (the poor) (Preston 1979:91–95; Ver Eecke 1996:7–11; Muswubi 2023:2ff; 2024:4ff).

Conclusion

This article reviews equitable justice and the land question in South Africa from a reformation perspective. The property clause of the section 25 of the 1996 Constitution of the Republic of South Africa uncovers the dichotomy contestation between the private and public property (land) rights. What counts as a criterion for *a fair, just and/or right action (share and/or treatment)* is the basic or common needs of the people for common good or peace, which is a framework to be used not only to interpret the United Nations Declaration of Human Rights and the South African Constitution as incentives in handling the triple challenge of poverty, unemployment and inequality, including the land question in South African context to balance or stabilise an unequal society. The underlying precept is about mending or restoring (healing) the broken relationship between the victims who are the disadvantaged or the historically dispossessed individuals or groups seeking restitution and/or reparation and the offenders who are the advantaged individuals or groups who are fighting for their private property rights. To determine the 'fair treatment', this article examined three aspects from the perspective of reformation, namely the basic conception of equitable justice, the critical application of the types of justice in handling land question in South Africa and the ultimate reception of the equitable justice that the victims and offenders could acknowledge and appreciate about the land question based on the 1996 Constitution of the Republic of South Africa.

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T.A.M. is the sole author of this research article.

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