

ESTATE JANUARI GROOTBOOM: Land Claim

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ADDRESS TO PARLIAMENTARY PORTFOLIO COMMITTEE LAND AFFAIRS

- When new laws are established, it seeks to address problem situations in order to achieve whatever its creators had in mind as a desired outcome. The Restitution of Land Rights Act 22 of 1994 is therefore no different from any other piece of legislation in its pursuit of justice. In essence the Act has to:
- **REDRESS, RESTORE and RESTITUTE** a right in land lost through racially discriminatory policies and practices. It should also set out to enable those, so brutalized by past economic injustice, on a clear path of assisted recovery for as long as it takes to become commercial farmers.

The Restitution of Land Rights Act 22 of 1994 as amended

General functions of Commission

- The Restitution of Land Rights Act 22 of 1994 as amended states in Chapter II subsection 6 (b) that: The Commission should "take reasonable steps to ensure that claimants are **assisted in the preparation and submission of claims.**"
- **This mandate could not be fulfilled without a period of comprehensive research conducted by both parties prior to the completion of such claim forms.** If the Commission accepted claims merely on the basis of it being valid and verifiable, it runs the risk of viewing and assuming such information as historically correct and just.

The Restitution of Land Rights Act 22 of 1994 as amended

Lodgement of claims and representation of community

- The claim form is totally inadequate in its objective to assist claimants in describing the nature of the right lost in land

The Restitution of Land Rights Act 22 of 1994 as amended

- The Act fails historically disadvantaged citizens in FOUR broad categories :
- **In its exclusion of FIRST NATION (indigenous) people as the legitimate owners of our motherland prior to 1652 and**
- **By disallowing relevant information of claimants prior to 20 June 1913**

The Restitution of Land Rights Act 22 of 1994 as amended

- **By disregarding the covert consequences of other relevant laws since 1913:**
 - A) Irrigation and Conservation of Water Act No 8 of 1912 amended in 1916, 1917 etc**
 - B) The Natives' Land Act 27 of 1913- Various interpretations**
 - C) The Deeds Registry Act 13 of 1918, implemented on 01/01/1919**
 - D) In its perception as condoning expropriation done in terms of various Acts prior and during the Apartheid era as just**

CONCLUSION

It is of paramount importance that we are reminded of the fact that certain procedural prohibitions debarred the illiterate from engaging knowledgeably and acting prudently when registration of land was engaged upon. Thoroughly conducted research would shed light on numerous atrocious deeds that were “committed by unscrupulous misfits of society” who cheated many out of land” and some were bothered so much by their conscience in later years that they refused to sign their wills. Others sold their land and conveyed edited versions to future owners about their involvement in grand scale collusion to defraud.

This land cost us blood, sweat and tears. REMEMBER THAT. Perhaps this Act was rushed through Parliament without having considered the broader perspective of our collective suffering. Perhaps you were also inexperienced and eager to set the record strait as was expressed by the late Adelaide Tambo in a recently broadcast documentary.

My family and I now anxiously wait the administration of real economic redress in the delivery of justice. Like so many others we were robbed of a life of self-sufficient abundance and condemned to generational poverty.

Farm Photos :water usage

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