PUBLIC HEARINGS BEGIN ON LAND EXPROPRIATION CONSTITUTIONAL AMENDMENT

The Ad Hoc Committee to Initiate and Introduce Legislation Amending Section 25 of the Constitution yesterday began virtual public hearings regarding the amendments to the Constitution that would see the expropriation of land without compensation.

As the hearing began, Committee Chairperson Dr Mathole Motshekga said the committee will hear oral presentations only from those individuals and organisations who had previously requested an opportunity to do so in their written submissions. “We will not reopen the process, thereby allowing other stakeholders to make oral presentations, if they had not made use of the opportunities during the public participation when it was allowed to do so.”

Yesterday, the committee heard from, among others, Sakeliga, the Congress of South African Trade Unions (Cosatu), the South African Property Owners Association, the Helen Suzman Foundation (HSF), AgriSA and the Black Management Forum (BMF). Mr Piet le Roux from Sakeliga told the committee that the expropriation of land without compensation amounts to “confiscation”, which is at odds with constitutionalism. Sakeliga and its members can never accept the recommendation of the expropriation of land without compensation. He advised the committee to rather report to Parliament that it could not find suitable wording for such an amendment. “If, however, this was allowed to continue, we would be obligated to set in motion a campaign to restore constitutionality,” he warned.

Mr Matthew Parks made it clear that Cosatu is in favour of the 18th Constitution Amendment Bill in its current format. He stated that South Africa has thus far failed to address land reform. “This will compel the state to advance land reform and accelerate it. It will also address the legacies of the past and colonialism whilst at the same time protecting the rights of workers.”

The South African Property Owners Association, the HSF and AfgriSA all made presentations against such an amendment. However, BMF was strongly in favour of it and urged that it be done expeditiously. At the same time, due regard should be given to protecting the economy and food security.

Dr Motshekga said all inputs would assist the committee during its deliberations on the Bill. “It was therefore important to the committee not to be doing work behind the backs of our people and rather have a public participation process. We believe strongly a peaceful resolution is better than armed conflict.”

The hearings continue today.

**Rajaa Azzakani
24 March 2021**