**[BLF’s written submission to parly on review of land clause of constitution – June 2018](https://blf.org.za/2018/09/06/blfs-written-submission-to-parly-on-review-of-land-clause-of-constitution-june-2018/)**

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The Chairpersons
Hon. LP Nzimande MP
Hon. VG Smith MP
Constitutional Review Committee

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BLF SUBMISSIONS TO THE CONSTITUTIONAL REVIEW COMMITTEE ON THE REVIEW OF SECTION 25 OF THE CONSTITUTION

INTRODUCTION

1. I am Andile Mngxitama, the President of Black First Land First (BLF), and I am duly authorised to represent BLF regarding all matters relating to the subject matter of these submissions.

2. BLF is a Black Consciousness, Pan Afrikanist movement which embraces a Sankarist leadership ethos. It was born through its revolutionary call on 13 August 2015 and was launched on 14 May 2016.  It is registered with the Independent Electoral Commission as a political party and is situated at Office 602, Renaissance Building, corner of Main and Elloff Streets, Gandhi Square, Johannesburg.

3. The strategic objective of BLF is the complete destruction of white supremacy and the installation of a system that responds to the total needs of the people. To this end BLF recognizes that the main contradiction is white supremacy which needs black solidarity for it to be destroyed.
Introduction.

4. The resolution of the land question is central to the realization of the black liberation project. These submissions intimate that the only solution is for our people to organise and take back the land by any means necessary without paying for it.

WHOSE LAND ANYWAY?

5. All of the South African land in white hands was stolen from black people. Therefore, all white people who hold land are in possession of stolen property. Justice will only prevail once the land which was stolen from the black majority is returned. However, thieves are not known to be generous people who voluntarily return stolen goods. This places the responsibility of redress and justice on the shoulders of the dispossessed. The battle for land by any means necessary is not only a battle for an important economic commodity (land amounts to more than just its economic value), it’s also about who we are and about those who perished in the many brutal colonial wars in defense of the land. Land return shall heal black people!

WHO MUST FIGHT FOR THIS LAND?

6. It is the sacred duty of all black people to fight for the return of the land. It’s the duty of parents to teach their children about land dispossession and the covenant with our heroines and heroes that we shall fight until the land is returned. It’s the duty of revolutionary teachers to spread the truth that without land we are nothing! Any people that lose their land lose their national sovereignty, their sense of being and their dignity. Right now blacks are a people without roots – landless and floating in the air. The majority of black people live in townships and as sophisticated squatters in the cities where they rent places of impermanent abode from whites who stole the land and wealth.

7. Land is pivotal for black people. The great warrior against British land theft, Prince Maqoma, expressed this truth more succinctly when he said, “(w)e are to have land again….Our land is us. We are our land. You took our land …. Without land we cannot be.” This has been the truth that the principled leaders of the African people have maintained. The land belongs to black people! It was taken illegally from us.

8. In 1955 in Kliptown, the ANC, which became the ruling party in 1994, sold the land rights of blacks to whites with the adoption of the Freedom Charter. The Freedom Charter proclaims that “South Africa belongs to all who live in it both black and white”. How could this be true? Who gave the land rights to whites? Since when did whites stop being settlers and foreigners? How can the country be equally shared amongst the oppressed and the oppressor? Where on earth has this ever been practiced? The Freedom Charter was correctly seen by Robert Sobukwe as “a colossal fraud ever perpetrated upon the oppressed, exploited and degraded people. It clearly bears the stamp of its origin. It is a product of the slave colonial mentality and colonialist orientation”.

9. Maqoma and Sobukwe’s position was endorsed by Steve Biko, who put it squarely that, “(a)bove all, we Black people should keep in mind that South Africa is our country. The arrogance that makes the whites to travel all the way from Europe to come and balkanise our country and shift us around must be destroyed … whereas whites were guests to us on arrival in this country, they have now pushed us to 13% of the land and are acting as bad hosts in the rest of the country. This must be put right”.

10. After more than 350 years of land dispossession and more than 24 years of cowardice by the ruling party, the message of land return has to be clear and uncompromising again. We want our land back simply because it’s ours! What we shall do with it is none of the business of the land thieves and their apologists. Right now only 35 000 white families, including businesses, own up to 80% of the land in SA. We note new pseudo-revolutionary movements have adopted the Freedom Charter and gone ahead and given land rights to whites so long as such land is “in use”. These agents of white supremacy have yet again surrendered the land of African people to the settlers.

11. Black First Land First calls upon the landless to take all necessary steps to reclaim their land without paying for it. The return of the land must be guided by the principle of “by any means necessary”. What must be resisted is “any means” to buy back the land. All the land must be returned without paying a cent. The organising principle of the land revolution is that land in white hands is stolen property and it should therefore be returned to black people. After all, ityala aliboli (a crime/case doesn’t rot away)! From this point of view, the foundations of the South African constitution are anti-black because it gives legitimacy to colonial land theft. The SA Constitution is a document of surrender, not liberation.

Section 25

12. The key section in the constitution that defines state policy on land is Section 25.

13. What is Section 25 of the South African Constitution? Also, what does it serve? These are crucial considerations in this context.

14. Section 25 of the constitution is in fact the clause that turns the 1994 political compromise into a constitutional imperative. It is correctly known as the property clause.

15. What were the terms of the compromise?  It was basically that in exchange for political power being handed to black people, land and the economy shall remain in the hands of the white minority settler population. Section 25 legalises land theft and legitimises colonialism. Those who negotiated this compromise at the time said that it was a “tactical” move to gain power without too much bloodshed. The logic was that after power was secured the land would be returned. This section therefore was never about redistributing land but rather about securing a political compromise. More than twenty four years into democracy, we know that the compromise has been very bad for black people. This section has rendered our people landless in their own land.

16. Section 25 in its entirety is a yoke around the necks and shackles on the feet and hands of our people. It makes us slaves in our own land.

17. The argument of how bad section 25 has been for our people is substantiated by evidence. This is the evidence in the past 24 years to show the negative impact of section 25:

a. 35 000 white families own 80% of the land. It will take us 100 years to redistribute only about 30% of the land.
b. Only about 8% of the land has been bought since 1994. We spent more than R50 billion buying stolen land!
c. Blacks own only about 3% of the Johannesburg Stock Exchange (JSE).
d. Blacks control only 5% of the Asset Management Industry.
e. Of the top 50 mining companies, only 4% is black owned.
f. Between 1994-2004 a million farm workers were already evicted from land (this trend continues).
g. Government has abandoned all targets for land redistributon (the 30% target has been abandoned). Government dumped this modest target as it was impossible to reach due primarily to the limitations of the property clause.
h. 50% of the population (black people) live under the poverty line.
i. Anti black racism is rife (colonial power relations have not changed)

18. How do we turn this situation around? There is a need to have the courage to admit the first truth: that South Africa, all of it belongs to Black people; that the land question arises out of the arrival in 1652 of the white settler colonial population, and; that all land in South Africa is stolen property.

SOUTH AFRICAN LAND POLICY PERPETUATES ILLEGALITY

19. The land reform policy of South Africa since 1994 has been the perpetuation of illegality. If you buy stolen property you are as guilty as the thief that sells you stolen goods. In other words, each time government pays white farmers for land, it is involved in a criminal activity. We demand the removal of  the whole of section 25 and replace it with something more agreeable to the needs of our people so as to address the historical injustice of land theft.

20. Section 25 of the Constitution gives with one hand and takes with the other. It says two things at the same time – it protects colonial property relations and at the same time it approves land redistribution. This section plays finder- finder with our people.

21. We have shown what the section was crafted for – political compromise!  We cannot try to make it do what it was never intended to do. The section effectively blocks land redistribution and distorts history.

NO WE WON’T PAY FOR OUR LAND!

22. The real stumbling block of land redistribution to black people in South Africa is the idea of paying for stolen property.

23. The Expropriation Bill  [2015] claims to amend section 25 of the Constitution.  The Expropriation Bill unfortunately does not address this fundamental question. In fact it perpetuates the evil idea of paying for land. But now there is an opportunity to correct this injustice.

24.The key question that renders Section 25 a clause that legitimises land theft is the provision of “just and equitable compensation”, in all instances of land expropriation. Case law shows that in each case of expropriation, market related compensation is to be paid. See the case of
Uys & another v Msiza & others (1222/2016) [2017] ZASCA 130 (29 September 2017) – the Msiza case.

25. At least four matters related to land and compensation has already been decided by the highest courts of the land and Presided over by some of the most “progressive” Judges like Moseneke and the Land Claims Court acting Judge Tembeke Ngcukaitobi.

WHAT IS JUST AND EQUITABLE COMPENSATION?

26. The whole argument on paying for stolen property turns on the phrase “just and equitable compensation”. Defenders of the status qou sell the lie that the Constitution as it stands makes land expropriation without compensation possible. There is no truth to this back hand defence of land theft. As indicated above, the full bench of the Appellate Division has now settled the matter. It overtuned the mild decision of Ngcukaitobi in the Msiza matter and in fact decided that the market value be paid to land thieves. This decision was made in September 2017, and according to information at our disposal no one is challenging it. A precedent has accordingly been set.

27. To be truthful to the demand for land expropriation without compensation, a criteria that clarifies the meaning of “just and equitable compensation” so as to ensure no exchange of monetary compensation to land thieves, is important.

28. The Committee must be aware of at least four instances where the courts have dealt with compensation to see the leanings of the Judges in interpreting “just and equitable” compensation, namely:

– Firstly,  Judge Geldenhys in the Land Claims Court tried to give interpretation to the clause “just and equitable compensation”. To this end he came to some complicated calculation that claims to take into consideration the same long list of considerations repeated in the Expropriation Bill. He however did not solve the problem. At best the Geldenhys Jugdment has left the legal system with “two states” evaluation to arrive at a fair compensation.

–  Secondly, the former Head of the Constitutional Court, Deputy Chief Justice (DCJ) Dikgang Moseneke, has decided to rely on “inflation” to calculate compensation for those who have lost property and who are beneficiaries of the restitution process. DCJ Moseneke’s determination is open to the accusation of racism because white land owners are never confronted with valuation of their property based on the Consumer Price Index (CPI). It is an established principle that property is not evaluated on the CPI. So, what then was the thinking behind this weird logic?

– Thirdly,  firm indication that the phrase “just and equitable compensation” (within the current framework) would  mean  “market value” was expressed in the Zimbabwean land expropriation matter, which was first decided by the SADC Tribunal and then ultimately decided by the South African Constitutional Court. In this case DCJ Moseneke led the bench in concluding that compensation must be paid whenever there is expropriation. This led to a judgement which effectively foreclosed the property of the Zimbabwean state so as to pay compensation to the white farmer who lost property in Zimbabwe.

– Fourthly, the Msiza matter was heard at the Land Claims Court by Acting Judge Tembeka Ngcukaitobi, who applied the two tier method elaborated by Geldenhys. Ngcukaitobi managed to take off only R300 000, form the market valuation of R3.8 million. Even this modest adjustment has been rejected by the full bench when it overturned Ngcukaitobi and instead ruled for the full market value to be paid to beneficiaries of land dispossession.

29. The Committee therefore, can not leave the landless at the mercy of the courts.

30. The CRC must locate the land question in history and in the logic of land theft so that land expropriation is undertaken within a framework that would ensure decolonization and redress.

31. It is doubful if this Constitutional Review Committee (CRC), will have the courage to confront history and redress the injustices of the past.

BLF’S ANTI RACISM BILL OF 2017 AND ITS RELEVANCE FOR LAND REFORM

32. On 31 January 2017 BLF submitted the Anti-Racism Bill of 2017 – which is its response to the “Prevention and Combating of Hate Crimes and Hate Speech Bill” published in the Government Gazette (No 40367) on 24 October 2016 (“Hate Crimes Bill”) – to the Department of Justice and Constitutional Development. It is for consideration ultimately by the National Assembly and the people of South Africa. We pointed out amongst other things that:

33. We pointed out in the BLF Anti-Racism Bill of 2017 that the guiding principles to ending racism are as follows:

“a. Land return as the pre-condition towards ending racism.

b. Blacks can’t be racist.

c. Anti-racism struggle to be led by blacks only”.

34. The first principle of “Land return as the pre-condition towards ending racism” which has already been elaborated on above, provides further that:

” … South Africa belongs to black people; that the land question arises out of the arrival in 1652 of the white settler colonial population, and; that all land in South Africa is stolen property. To this end racism arises from and is built on colonial land theft.”.

35. In terms of the second principle of “Blacks can’t be racist” the definitions of the terms blacks, racism and racist as indicated in the Anti-Racism Bill of 2017 are instructive. Also significant are the following provisions of the said Bill:

“Black people are not responsible for imposing racial prejudice and racism and to this end are not beneficiaries of racism. The struggles of blacks to reclaim stolen land, to end oppression, exploitation and systematic dehumanisation as a response to white supremacy, is not racist but on the contrary a quest to end racism.

The black struggle to obliterate white supremacy is a struggle for the truth, real justice and freedom to self-determination. Consequently, blacks can’t be racist for seeking restoration of their land and property as well as human dignity. Blacks can’t be criminalized for retaliating against the ills of white supremacy and when faced with racist oppression and deception. It is right for blacks to resist being patronized into complicity by white privilege which thrives on dispossession and exploitation – lest giving whites space to continue to prescribe to blacks how to respond to the individual or combined ills of racism that colonialist, apartheid and now neo-liberal and neo colonial regimes have legitimized. To this end; these regimes have in addition to legitimizing injustices, maintained the protection of white privilege and its ill-gotten gains. Blacks are not the architects nor are they the beneficiaries of the racism. Blacks can’t therefore be racist for standing up against racism.”

36. The third principle that the “Anti-racism struggle (is) to be led by blacks only” pointedly indicates that:

“South Africa (SA) is a white supremacist, anti black, racist, patriarchal, capitalist country. It therefore makes sense for blacks to organize themselves around their blackness – on their own terms and free of white supervision – while prohibiting the inclusion in the black struggle of the forces who continue to perpetuate black suffering. It makes no sense and is actually self-defeating for blacks who are victims of racism to put their trust in the perpetrators of racism to struggle to end racism. The presence of whites in black spaces of struggle leads to the dilution of the black liberation project as well as black silence and subsequent erasure. Steve Biko’s call to reject fragmentation of black resistance so as to maintain black solidarity is accordingly instructive”.

OTHER APPLICABLE PROVISIONS OF THE BLF ANTI RACISM BILL OF 2017

37. Chapter 3 of the BLF Anti Racism Bill deals with prohibitions regarding two categories:

– actions by public servants
– actions by private institutions

38. Without land we can’t have wealth, employment, access and ownership of the minerals below the land and everything on it.   These prohibitory actions will be canvassed below in so far as they relate the provision of land and public service regarding land.

39. The following racist or discriminatory actions by public servants, which also relates to the subject matter of these submissions (being land reform), shall be penalized:

– “[u]nequal housing provisions
– “[u]nequal services in terms of quality and frequency between townships and suburbs”
– denying of land return to blacks without compensation;
– denying adequate health care;
– denial of public service(s);
– denying adequate housing,
– denying clean running water,
– denying electricity and sanitation,
– denying adequate land, and
– denying a living wage and basic income.

40. The Bill also provides that the internal regulations of Public Agencies must serve to prohibit the above actions. Also these agencies “must accept complaints about such acts and refer those employees who are criminally culpable for prosecution”.

41. The following racist or discriminatory actions by private institutions which here too relates to the topic of the current submissions (being land reform), shall be penalized:

– denying occupational safety

– denying a living wage and basic income

– denigrating (offensive, contemptuous) actions

42. The internal regulations of private institutions must serve to prohibit the above actions.
Also these agencies “must refer those employees who are criminally culpable for prosecution.”

43. The issue of entry to establishments and other spaces serving the public is also applicable to the topic of land reform. To this end the BLF Anti Racism Bill indicates that discrimination that amounts to the denial of the right of entry of any person or entity to a space meant to serve the public is prohibited. Also this norm shall be enforced by the municipalities.

44. Other provisions of the BLF Anti Racism Bill that are also applicable to the question of land reform relates to Public Education, Anti Racism Courts, Anti Racism Barometer, and Reparations. To this end the following is important:

a. On Public Education

The said Bill provides as follows:

“Ending racism requires multiple points of engagements. In the main it is land redress that shall curb the power of white supremacy. However, there is also the urgent need to re-educate society so as to establish an anti-racist ethos and behavior”.

The Bill further provides for anti-racism education in the schools from primary to tertiary level education.

b. On Anti Racism Courts

Provision is made in the Bill for the establishment of special anti racism courts.

c. On Anti Racism Barometer

The Bill provides as follows:

“A special Annual Anti Racism Barometer, which reports acts of racism and the measures taken to address them, is provided for in the BLF Anti Racism Bill. The Barometer shall be the function of an Anti Racism Council – which is an equivalent of a Chapter 9 Institution – with the specific responsibility of intervening and monitoring acts of racism and reporting to Parliament on an annual basis”

d. On Reparations

A reparations process is provided for in the BLF Anti Racism Bill. To this end the said process shall address the historical and contemporary injustices suffered by black people. Also the process shall be led by the Anti Racism Council. The reparations process shall strive “to measure the extent of black loss as a result of colonialism focusing on land, labour and the destruction of the African way of life”. Furthermore, “the process shall seek to measure the benefits accrued to the settler population resulting from colonialism and apartheid, as expressions of historical points of the oppression of black people”.

WHAT DO WE AS BLF PROPOSE REGARDING SECTION 25 OF THE CONSTITUTION?

45. “CHAPTER 2” of the BLF Anti Racism Bill makes the following provisions relating to the amendment of the SA Constitution and the new Land Clause, so as to realize land return without compensation to the black majority:

“2. Repeal of Section 25 of the Constitution and the new land clause

2.1 Section 25 of the Constitution shall be repealed in its entirety and the following shall be used instead:

a.  All the land held by whites in South Africa is stolen property.

b.  The primary purpose of the redistribution of land to the black majority is for historical redress.

c. All black people have a right to land in South Africa without any payment.

d. The eviction of farm workers and poor people from land is illegal (in this regard there must be an end to the strange distinction between legal and illegal evictions)

e. A new department, which shall be called the Department of Land Redistribution, must be established. It’s sole mandate shall be the redistribution of land. (Right now South Africa does not have a department that solely focuses on land redistribution).

f. A process must be outlined where land ceilings shall be effected in accordance with the soil capacity of each of the regions and provinces.

h. The value of mortgage bonds must be adjusted to a value that excludes land in determining housing price because land must be offered to all for free.

i. Land occupation by the landless is lawful”.

46. A further point that should be added is:

“j. That constitutionally determined targets be set and the responsible Minister be held accountable. To this end we propose that in the next five years 80% of the total land be redistributed to black people”.

CAN THESE PROPOSALS REGARDING THE AMENDMENT TO SECTION 25 OF THE CONSTITUTION BE REALISED AND ARE THEY WITHIN THE PRISM OF THE LAW?

47. The answer in both instances is yes! Amending the Constitution is a legal exercise. All you need is a 2/3rds majority which the National Assembly already has, as per the motion that set in place this process.

48. We appeal to the CRC to be brave and to give this nation the long awaited justice. The decision is in your hands: to continue with colonialism and landlessness or to be bold and end the suffering of our people.

49. We urge the CRC to recommend that the existing Expropriation Bill be brought in line with the motion to Expropriate Land Without Compensation.

FURTHER MATTERS FOR CONSIDERATION

50. The following additional matters need consideration:

a. The CRC has to ensure the actual amendment of the Constitution before the 2019 elections.

b. What is the meaning of the reactionary discourse, namely  “[u]nused land, unproductive land; vacant land”, by the sponsors of the “Land Expropriation Without Compensation” motion?

c. The objective of “Land Expropriation Without Compensation”, is NOT to dispossess black people further such as is threatened with the Ingonyama Trust. Land in the hands of blacks must be excluded from expropriation.

d. Land belongs to the people – the state and traditional authorities are merely holding the land in trust for the people.

e. Once the draft Bill for expropriation is introduced, would it require another round of “public participation”? Clarity is needed.

WE HAVE BEEN DUPED BY THE EFF’s MOTION ON LEWC

51. It takes 410 days from the introduction to commencement of a Bill. The introduction of the bill itself is generally not in its final form. It goes through a process of “public consultation, line by line scrutiny and consideration by both the National Assembly and National Council of Provinces, resulting in amendments”. Furthermore, the time it takes to go through the required stages is dependent inter alia on “the length of the Bill, its importance, costing, complexity and how controversial it is”.

52. To this end the Protection of State Information Bill, because of its controversy resulted in Parliament taking 1344 days to pass it into law. However a bill can be fast tracked. In this context a Bill which is urgent or introduced as a result of a crisis “may be passed in a matter of days”. To this end as pointed out by the Parliamentary Monitoring Group (PMG) on its website, the “National Assembly and the NCOP amended the Sexual Offences Act in three days (in 2012) in response to a Western Cape High Court ruling which deemed some sections of the Act unconstitutional”.

53. The signing of the Bill by the President into law is not automatic. In this regard he “has the opportunity to assess the constitutionality of a bill and can refer it back to Parliament for reconsideration if he has any reservations”. Also “[w]hen exercising this right, the President seeks counsel and considers submissions and petitions made to him” and this sometimes “includes listening to concerns from beyond the country such as foreign governments and international bodies”.

54. Once a bill is signed it is triggered into force but it generally “takes some time for it to come into operation”. Moreover, “most provisions in an Act will either come into operation within a set period after assent or at a time fixed by the government” which in turn “gives the government and those stakeholders who are directly affected by the Act time to plan accordingly”. In some instances “an Act may require certain actions to be taken by the Department” prior to it being implemented. In this context, for example, “subordinate legislation (regulations, determinations, rules) may have to be prepared, approved and gazetted”.

55. Here’s an historical account of the time periods involved with some of the Bills:

Shortest time: introduction to commencement

“21 days: Special Adjustments Appropriation Bill 2007

27 days: Criminal Law (Sexual Offences and Related Matters Amendment Act Amendment Bill 2012

30 days: Regulation of Interception of Communications-Related Information Amendment Bill 2010”

Longest time: introduction and commencement

2812 days: Immigration Amendment Bill 2006

2227 days: Mineral and Petroleum Resource Development Amendment Bill 2007

2094 days: Firearms Control Amendment Bill 2006

56. The recent parliamentary motion by the EFF for Land Expropriation without Compensation (LEWC) which was passed in the National Assembly on 27 February 2018 with the majority vote of the ANC and which referred the issue for review to the Constitutional Review Committee is an event that is located at the very beginning of the above process. Hence it will take at least 410 days before the Bill is enacted for commencement. This effectively takes commencement of the Bill beyond the date of the 2019 General Elections.

57. Moreover both the ANC’s and EFF’s post parliamentary motion clarifications can be summed up in the declaration by EFF leader Julius Malema in allying white fears. To this end Malema says that all land must be expropriated by the state, no-one will own any land – everyone will be allocated land for use. Land from those who are farming and using land productively must not be taken from them. So basically all land (which is all productive land) in the hands of whites must remain in white hands. This further suggests that while ownership of all land will vest in the state, the use and enjoyment patterns will remain in favour of whites. What this effectively means is that for whites to lose ownership of land makes no difference – they will still dominate and hence have hegemony of this means of production by virtue of their use and enjoyment thereof. Ownership by the state is accordingly a fiction!

58. All this suggests that the EFF, ANC and others who adopted the LEWC motion, have no intention of fast tracking the process – including setting aside the current adopted motion on LEWC and finalising in its place the Expropriation Bill that President Zuma returned to the National Assembly in 2016 for further action. The referred Expropriation Bill can be finalised in two months as opposed to the current motion which if realized into a bill will take at least 410 days for commencement.

59. Furthermore those adopting the motion acted in bad faith knowing full well that:

– the content of the motion does not mean return all land to the black majority without compensation. It means blacks will get reject unproductive land while whites retain all the productive land; and

– the time it will take for the adopted motion to be processed into a Bill and then passed into law will take us well beyond the 2019 General Elections by which time blacks would have already been duped into voting them back into power and it will be too late to reverse their votes.

60. In all of the above circumstances it is clear that there will be no actual LEWC via the motion referred to the Constitutional Review Committee for review – note review doesn’t mean amendment.

LAND EXPROPRIATION WITHOUT COMPENSATION IS NOT HAPPENING VIA PARLIAMENT

61. BLF had warned the landless people of South Africa (SA) against the parliamentary fraud on land. The mainstream media has greatly assisted politicians to advance the lie that LEWC will be achieved any time soon. The truth as pointed out above is that the Constitution won’t be amended before the 2019 general elections. Politicians are playing political games for votes.

62. The Committee tasked with “reviewing” section 25 of the Constitution has explained its mandate. The Committee says it will call for “public participation” from May 8th, 2018 starting in the Limpopo Province. The hearings are to gauge the “necessity” and “mechanism” for LEWC. In other words, the Committee will not be putting amendments before parliament in August this year but will be submitting recommendations from the “public hearings”.

63. The landless have been lied to. The whole parliamentary motion was a stunt to garner support in the 2019 elections – it was not for land return without payment. It was an act of propaganda to deceive our people into thinking that an agreement has been reached to amend the Constitution. Now the Committee is going back to seek the opinions of the public on a matter where national consensus has long been achieved. This is a delaying tactic.

64. BLF wishes to remind the landless majority again that there has already been public hearings on land expropriation – hence a Bill to this effect is with the Public Works Portfolio Committee in parliament. To reiterate,  all that was needed was to amend that Bill so as to bring it in line with the proposed constitutional amendments and if necessary test the enhanced Bill via public hearings. This would have ensured that the Constitution is amended before the 2019 elections.

65. BLF calls on our people to make it clear to all the political parties in parliament that if no amendment of section 25 of the Constitution is realized before the 2019 elections, then they will not vote for liars. Lets stop politicians from lying and making empty promises.

66. Land expropriation without compensation NOW – is possible! BLF won’t wait for parliament and liars. We shall continue with people-driven LEWC. The land is ours!

Land or death!

Submitted 15 June 2018 by:

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*See the oral submission of BLF on this subject delivered by BLF President, Andile Mngxitama, to the Constitutional Review Committee on 05 September 2018 in Cape Town*[*here*](https://blf.org.za/2018/09/06/land-without-expropriation-fraud-blf-oral-submission-to-parly/)*.*