

ANC Holds Land Summit To Bridge Internal Divide Over Expropriation

The party's senior members are divided over whether section 25 of the Constitution should be amended, and whether all land should be nationalised.

- Mahlatse MahlaseNews24
ROGAN WARD / REUTERS

Cyril Ramaphosa makes the closing address at the 54th national conference of the ANC in Johannesburg. December 21, 2017.

The ANC is holding a land summit this weekend in an attempt to forge a united view on how to implement its controversial resolution to expropriate land without compensation.

The party's senior members are divided over whether section 25 of the Constitution should be amended, and whether all land should be nationalised.

Members battled it out over land policy at the party's December congress, at which the ANC eventually adopted the resolution to expropriate land without compensation. The battle pitted supporters of President Cyril Ramaphosa against Nkosazana Dlamini-Zuma's backers, who fought hard for the resolution to be adopted.

Parliament's constitutional review committee is currently receiving public comments after an EFF motion, passed after being watered down with an ANC amendment, to review the property clause.

In March, deputy public works minister Jeremy Cronin told News24 that Ramaphosa had established a task team that included academics to "clear existing confusion" on the party's intentions on land reform — which suggested it shared the same stance as the EFF, while trying to please investors.

The EFF wants land to fall under the state

"In some utopia that might be a desirable direction to travel, but we are dealing with a hugely complex situation and also with a state that lacks a lot of institutional capacity," Cronin said.

He said his department, which is struggling with tracing all property under its authority, was an example of the state's incapacity.

Other members of Ramaphosa's task team include national working committee member Ronald Lamola and advocate Tembeka Ngcukaitobi.

Cronin said the party was exploring using the expropriation bill to allow for expropriation of land in specific instances, including when land is standing fallow, where labour tenants are farming productively, or owners are using it for speculative purposes.

Lamola said land expropriation without compensation should be extended to include public interest that would cover land restitution.

He pointed out that the 2008 Expropriation Bill, which would have established expropriation boards, was scrapped after contestation. The matter was referred back to the courts.

"The expropriation boards would have advised on the just amount for expropriation and the state would expropriate based on their advice," he said in one of his speeches to ANC members.

Cronin said there was an emerging view in the party that the Constitution must not be amended.

"While the ANC has not consolidated its position in this respect, the emerging view within is that the Constitution does not require an amendment," said Cronin.

Use it or lose it

Others, however — including national executive committee member David Masondo — are expected to push hard for the ANC to adopt a policy nationalising land.

"All land except residential land should be publicly owned and the state should serve as a custodian. In other words, we should abolish private ownership of land and replace it with public ownership," Masondo told News24.

Masondo argues that state ownership of land allows for people to have democratic control and influence over land use allocation.

The idea that public ownership will deter investment in South Africa was not necessarily true, he claimed.

He said China had used land ownership as leverage to attract investment, which had significantly grown and developed the country.

Masondo said the state should apply a use-it-or-lose-it policy.

"This will abolish and end a situation where people don't utilise land or underutilise land, yet people are hungry; people are unemployed. So through the public ownership of land, the state can apply the principle of 'use it or lose it'.

"If you don't use the land, you lose it and it gets allocated to people who are interested in using the land for the development of our country," he said.

The ANC is on its third land-policy change in a desperate effort to fast-track land redistribution and restitution. It has faced criticism for its slow pace of

land redistribution, with opposition parties, especially the EFF, piling on the pressure.

It first adopted the "willing buyer, willing seller" policy. However, it is estimated that less than 10 percent of land was transferred to black owners.

At its 2012 elective conference, the party called for a valuer-general to evaluate the price of land in an attempt to counter the high prices farm owners were demanding, slowing down restitution of land.

Ngcukaitobi, former president Kgalema Motlanthe and Ramaphosa are expected to address the summit, to be streamed live on News24.

Motlanthe led an independent high-level panel that recommended that the Ingonyama Trust, headed by Zulu King Goodwill Zwelithini, should be dissolved. The trust administers land traditionally owned by the Zulu people.

Suggest a correction

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