

139 farms targeted by ANC for expropriation without compensation

THE ANC has targeted 139 selected farms that they plan to expropriate without compensation in the coming weeks as it moves to make good on its commitment to test out section 25 of the Constitution.

The governing party emerged from a two-day lekgotla of its highest decision-making body, the national executive committee (NEC), with the resolve to make an amendment to the Constitution which will explicitly allow for the conditional expropriation of land without compensation.

City Press has learnt that the NEC has given the green light to its deployees in government, specifically the Department of Rural Development and Land Affairs, to forge ahead with the process at the Land Claims Court, in which the state will for the first time refuse to pay market value for identified land portions in various parts of the country.

“You can appreciate the jittery response and so on, the shocks at the moment, but what we are doing now is to create policy certainty. — Zizi Kodwa, ANC

The controversial land debate has also formed the backdrop to a subtle tug-of-war between two dominant lines of thought in the ANC.

Those aligned to President Cyril Ramaphosa are opposed to the strong lobby for “blanket nationalisation”, instead preferring a measured approach that sets out the necessary conditions for expropriation.

ANC NEC member and the head of presidency, Zizi Kodwa, would not divulge details of the farms, but was at pains to emphasise that the move was necessary for the long-term stability of the country.

“Both domestic and international investors must appreciate that long-term investment is tied [to] ownership of land by the majority of people. In other words, if you are talking about sustainable long-term certainty, it is tied to addressing the injustices of the past,” Kodwa said.

“You can appreciate the jittery response and so on, the shocks at the moment, but what we are doing now is to create policy certainty.

“Obviously then there may be a negative impact in terms of the markets, but over time I think the markets as well as investors will appreciate that

what we are doing is creating policy certainty and creating the conditions for future investment.”

Kodwa said that ideally the expropriation bill currently in Parliament would be approved by the end of the year, but that slow processes were creating further uncertainty.

The expropriation bill, which will in the main be authored by the Department of Public Works, will elaborate the exact wording of the amendments as it will outline the conditions under which the state can expropriate land without compensation.

On whether or not the constitutional amendment would still be necessary even if the state was successful in its constitutional test, Kodwa affirmed that it would.

“Even if the Constitutional Court rules in our favour on the amendment it will still take place because absolute clarity is important. What we don’t

want to happen is that we leave that lack of clarity to chance and then, in two or three years, we realise that we should have sought clarity. Then we must go back to a process.

“We want to satisfy ourselves [so we won’t need] to go back to this process of amending the Constitution. We want long-term certainty.”

In a separate interview with *City Press* last week, NEC member Ronald Lamola denied that the ANC was being strong-armed by an electoral threat posed by the Economic Freedom Fighters, who have championed the land issue.

Lamola reiterated that the ANC has conceded its failure to move with speed on the land question since it came into power.

He said the party was also considering a tax for vacant land owned by so-called absent landlords as a way to free up land. — *City Press*.