

No need to change law to address land issue

FLIP-flopping is not uncommon in politics, but the ANC has made a spectacular U-turn on land expropriation without compensation and changing of Section 25 of the Constitution.

At the dawn of democracy Tata Madiba noted that: "There is no need for the widespread concern that we have found from the farming community.

"They have nothing to fear. Restitution can be done without depriving people who already have property." In 2002, current NEC member Tito Mboweni seemed to learn from the crisis unfolding in Zimbabwe by saying "We are not Zimbabwe. We believe in property rights".

In last year's parliamentary debate on expropriation without compensation, which the ANC voted against, the party's Chief Whip in Parliament Jackson Mthembu said "Section 25 of our constitution is more of an abler for land reform than a barrier.

"We failed to take advantage of its provisions, full stop." He added: "Blaming the Constitution for the embarrassingly slow pace of land reform is both disingenuous and scapegoating."

Phumzile Justice Mnguni, the Rural Development and Land Reform Portfolio Committee chair, said that "We agree as the ANC that the land reform process is slow that is why various programmes have been initiated to address the land question.

"But we disagree with the motion tabled by Honourable (EFF MP Floyd) Shivambu. We totally reject that we amend section 25 (2) of the Constitution."

The Deputy Minister of Public Works Jeremy Cronin said in the same debate that "I agree, therefore, with former Deputy Chief Justice Dikgang Moseneke that clause 25 is



THORNY ISSUE: ANC Chief Whip Jackson Mthembu had said that "blaming the Constitution for the slow pace of land reform is disingenuous".

PICTURE: ITUMELENG ENGLISH

in fact radical in both spirit and in its letter. And I further concur with the judge that it is misguided to blame clause 25 for the weaknesses in land reform."

Further saying that "We don't need to change the Constitution, we need to implement it."

While the president runs around desperately, trying to appease some in the ANC ranks by selling the empty promise that changing the Constitution will fix land reform, he should listen to ANC leaders, past and present, that changing Section 25 is a bad idea and will fix very little.

Ken Robertson, MP

Democratic Alliance Spokesperson on Rural Development and Land Reform and Political Head of Nkomazi Constituency