

Race relations institute research chief brands Expropriation Bill 'a fraud'

Guy Rogers

With the deadline in the Expropriation Bill evaluation process looming, the SA Institute of Race Relations has called for a last-ditch effort to oppose its passage into law.

In the first week of this month, the government extended the deadline for written submissions on the bill to February 28, and the institute said there was still time for citizens to get their comments in.

SA Institute for Race Relations policy research chief Dr Anthea Jeffrey said though the government said the Expropriation Bill would help return land to "the people", this was a fraud.

"Land and other assets expropriated for nil or inadequate compensation will, in fact, be owned or controlled by the state.

"Nor will such property be transferred into the ownership of black South Africans thereafter.

"Instead this property will be held by the state as a patronage tool and will be used by it to deepen dependency on the ruling party.

"That is the fraud at the heart of the bill."

The Expropriation Bill was drafted by the department of public works and Infrastructure and aimed at replacing the Expropriation Act of 1975, which the department considered was unconstitutional.

Speaking after it was gazetted and presented to parliament in October 2020, Deputy President David Mabuza said the bill was aimed at fixing a fundamental and historically wrong.

University of Western Cape Department of Science and Innovation/National Research Foundation chair in poverty, land and agrarian studies, Ruth Hall, said the bill was long overdue.

Hall, who is a member of the presidential advisory panel on land reform, said: "It's high time a new expropriation bill is enacted to confirm the state's land reform expropriation powers that were negotiated in the 1990s — so that we can get on with the urgent task of ensuring that the state is pushed to use these powers."

However, Jeffrey said the bill was unconstitutional be-



WORKING THE LAND: A commercial farm team operates a pineapple conveyor belt during harvest. The main pineapple production in SA is in the Eastern Cape and KwaZulu-Natal

Picture: TIMESLIVE

cause it was at odds with section 25 of the constitution — the property clause — which required an equitable balance between the nation's interest and the interests of the expropriated owner.

"Since the expropriated owner cannot be expected to shoulder a disproportionate share of the costs of meeting a broad societal need, nil compensation is intrinsically inequitable and invalid."

She said land reform since 1994 had resulted in the transfer of 10m hectares but more than 70% of previously successful farms had fallen out of production and many agri-jobs had been lost.

"To turn land reform from

failure to success we need vastly better bureaucratic efficiency, increased training and skills, and effective action against corruption and crippling rural crime."

Anyone wishing to have their say on the bill can do so before the end of February 28.

To do so, go to the portfolio committee on public works website at <https://www.parliament.gov.za/committee-notice-details/228>, complete the submission form and e-mail it to the address provided.

Alternatively people can send a "Hi" via WhatsApp to 060-550-9848 to gain access to the same link or simply e-mail the submission to expropriationbill@parliament.gov.za