

Press Release

For immediate release

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South African Institute of Race Relations
The power of ideas

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60 000 South Africans to be represented at the IRR's oral submission against EWC

The Institute of Race Relations (IRR) will today make its oral submission to the Parliamentary committee investigating the possibility of amending the Constitution to allow for the expropriation of land without compensation.

The IRR and the 60 000 South Africans who endorsed its written submission will be represented by senior advocate, Mr Martin Brassey. He will contend that circumstances render the proposed constitutional amendment premature. For this reason, no competent amendment can be possible.

The judiciary has not been tested on the matter of just compensation amounting to no compensation in any case. The legislature has not been tested in its capacity to pass laws that make explicit the conditions in which property may be expropriated, where just compensation might equal no compensation. The executive has also failed to implement its own policies.

Corruption in land reform has been rife and the Parliamentary High-Level Panel, chaired by former President Kgalema Motlanthe, found "elite capture" to be a key stumbling block. Until such obstacles are removed no view can be taken on the Constitution's role as anything but a motivator for fair and justly implemented land reform, as well as protection from arbitrary power abuse, a corner stone of any democracy. Adv. Brassey looks forward to answering questions in the National Assembly, and spreading more light than heat.

Ends.