



**FW de Klerk**  
FOUNDATION

## **COUNTING INSTEAD OF WEIGHING**

The FW de Klerk Foundation has noted with deep concern the majority decision of the Constitutional Review Committee yesterday to recommend to Parliament the amendment of section 25 of the Constitution.

The decision to amend the Constitution *“to make explicit that which is implicit... Expropriation of land without Compensation as a legitimate option for Land Reform”* is both substantively and procedurally wrong. It is clear that the outcome of the so-called democratic process was decided before the process began. The majority of the Committee did not take into account at all the very sensible and correct arguments of those who are opposed to expropriation without compensation (EWC), but rather followed an ideological and party-political line. The majority of the Committee has pushed the recommendation through, and in doing so has counted views rather than weighing them. This will cost the country dearly.

Secondly, it is clear that the majority of the Committee have not followed due process and have not taken all the written submissions into account. The democratic ideals of public participation appear to have counted for nothing in this process. This will leave any decisions of Parliament in this regard open to court challenges - and quite rightly so.

It is of further concern that President Ramaphosa this week held meetings with South Africa’s biggest trading partner, the EU, assuring them that South Africa is a safe partner, while the ANC’s proposed amendment to section 25 could potentially destroy the very basis of property rights.

The Foundation will follow the ensuing processes with concern and is keeping its legal options open.

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