



EFF STATEMENT ON THE CONSTITUTIONAL COURT'S JUDGMENT TO DECLARE THE RIOTIOUS ASSEMBLIES ACT UNCONSTITUTIONAL.

Friday, 27 November 2020

The Economic Freedom Fighters welcomes the Constitutional Court judgment, which effectively declared that the Riotous Assemblies Act 17 of 1956 is constitutionally invalid. The judgement comes as a result of the EFF approaching the Constitutional Court to illustrate that this racist and despotic law is unconstitutional, after it was used by the National Director of Public Prosecutions to politically prosecute EFF President and Commander in Chief Julius Malema. From 2015, the ANC Government has been relying on this unconstitutional and undemocratic legislation to prosecute EFF President for correctly saying that our people must occupy the land whenever they need it. The Constitutional Court's decision to declare this archaic and unconstitutional racist piece of legislation invalid, entails that the charges brought against our President can no longer stand.

Our President is freed from the undemocratic usage of apartheid legislation by the ANC to persecute him for articulating EFF political and policy positions.

The Riotous Assemblies Act was a key part of the apartheid architecture. It was used to prosecute opponents of the apartheid regime, including Nelson Mandela and Robert Sobukwe. It is a shame that it has taken the EFF to bring a case about the constitutionality of this abhorrent law, despite the ANC being in power for over 25 years. The judgment by the Constitutional Court is historic. It affirms the rule of law, the dignity for all, and the rights of all South Africans.

While we respect the right of the NPA to prosecute without fear or favour, we remind all South Africans that it was his predecessor's abuse of power, Adv Shaun Abrahams who instituted these malicious charges against the EFF Commander in Chief, Julius Malema.

The Riotous Assemblies Act was passed by the apartheid government in 1956 as part of the despotic methods to suppress the Freedom Charter.

The Act's stated objectives include its intention to "consolidate the laws relating to riotous assemblies and the prohibition of the engendering of feelings of hostility between the European and non-European inhabitants of the Union of South Africa". The ANC Government knowingly used this legislation to persecute the EFF President Julius Malema.

We remind all South Africans that the ANC government did not only prefer the charges, but opposed the EFF Parliamentary motion to repeal apartheid laws. The erstwhile Minister of Justice Michael Masutha led the unthinking ANC Public Representatives in the National Assembly to defend not only this racist Act, but many other legislations enacted under the racist and nonsensical apartheid regime.

What the Constitutional Court reveals is the reality that the ANC Government which is led by apartheid collaborators, still relies on apartheid legislation to pursue political prosecutions. It is now evident that South Africa's democracy and the rule of law are not safe under this government, which despite logical illustrations, went until the Constitutional Court to defend a racist and undemocratic piece of apartheid legislation.

Like we did in the 5th Parliament, we will once again introduce a Parliamentary motion on the first half of 2021 to commence a process that should repeal all apartheid laws. Amidst these, the people of South Africa should bear witness to the fact that the ruling party is not willing to erode and erase the legislative foundation of the nonsensical apartheid system. The people of South Africa should know that the so-called liberation movement is nothing but an empty shell willing to use the instruments of the oppressor to fight political battles.

ISSUED BY THE ECONOMIC FREEDOM FIGHTERS

Vuyani Pambo (National Spokesperson): 066 082 0889

Delisile Ngwenya (National Spokesperson): 066 388 8779

Sixolise Gcilishe (National Communications Manager): 071 142 1663

✉ communications@effonline.org

🌐 <http://www.effonline.org>

🐦 @EFFSouthAfrica

📷 @EFFSouthAfrica

📘 Economic Freedom Fighters