



EFF STATEMENT ON THE CONSTITUTIONAL COURT DECISION TO DISMISS LEAVE TO APPEAL INTERDICT IN MATTER RELATING TO “INCITEMENT” OF LAND INVASIONS

Thursday, 28 September 2023

The Economic Freedom Fighters (EFF) has noted the judgement by the Constitutional Court, which has decided to dismiss the EFF’s leave to appeal of an interdict, in the matter brought by the racist right-wing group Afriforum, which seeks to deny the legitimate cry by African people for the occupation return of the land.

The matter which has been before our courts has now reached finality, with a disappointing and frankly ahistorical judgement, that criminalises a practical expression of the demands to reverse the sins of colonialism and land theft. It is our considered view, that the call for Africans to occupy land should they have the need to do so, either for residential or agricultural purposes, is part of the very identity of our nation and our history.

The Freedom Charter, a cornerstone document in South Africa’s liberation history and a foundational document to our very Constitution, States categorically that **“Restriction of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it, to banish famine and land hunger;”**. The Freedom Charter goes

further to state that, ***“All shall have the right to occupy land wherever they choose;”***.

The EFF is therefore once again being targeted by a gang of racist land thieves in the form of Afriforum, who are determined to undermine the liberation history of South Africa both in form and in content, and to achieve this nefarious mission, they have weaponised the courts against liberation.

It is an undeniable fact that land ownership in South Africa remains restricted on a racial basis, as a result of failures in land reform due to the ***willing buyer willing seller principle*** and a ruling elite that has no appetite to reverse the ownership of South Africa’s land by a white minority at the expense of the black majority.

The EFF has sought to reverse this through an amendment of Section 25 of the Constitution to allow for land expropriation without compensation. The EFF is therefore first and foremost a true custodian of this demand by the Freedom Charter, a revolutionary document that has been the anchor of the demands for an alternative society post-apartheid.

The call for those who are deprived of land to occupy a piece of land should they need to do so, is in line once again with a demand by the Freedom Charter, in that the land has never been the preserve of the individual, but an asset of all people. Since the demands of the liberation struggle of equitable distribution of land have not been achieved, this demand remains relevant and ought to remain, until a capable state is in a position to distribute land equitably.

Therefore, the interdict which has been upheld by the Constitutional Court is not a defeat for the EFF, but a criminalisation of our liberation history that all progressive forces of society ought to condemn. Racists in the form of Afriforum have succeeded in having the demands of the generation that gathered in Kliptown on the 26th of June 1955, as criminal and unlawful.

The EFF will never tire or retreat in the fight for the return of our land to the African majority, and this can be achieved through legislative, protest or any other means necessary. No one must ever feel that they are a criminal, for occupying a piece of land in the land of their birth and the land of their ancestors.

The land is everything and it must be returned to the people!

ISSUED BY THE ECONOMIC FREEDOM FIGHTERS


Sinawo Thambo (National Spokesperson) 072 629 7422


Leigh-Ann Mathys (National Spokesperson) 082 304 7572

 communications@effonline.org

 <http://www.effonline.org>

 @EFFSouthAfrica

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