

# Twenty-Five Battalion, The Economic Freedom Fighters (EFF) Changing the Decorum in the South African Parliament, 2014 to 2018

Mohau Soldaat <sup>1</sup> 

<sup>1</sup> Department of Social Science Education and Economic Management Education, University of Limpopo, Polokwane, South Africa.



## ABSTRACT

Since the twilight of apartheid, the African National Congress (ANC) has dominated the politics of South Africa. Post-1994, the first democratic parliament adopted the British style of engagements, wherein people would always obey and follow the rules of the law without critiquing the law. In some instances, the law will be used to protect those who were at fault, be it corruption or misdemeanour. In the general elections of 2014, the Economic Freedom Fighters (EFF) which was formed in 2013 got 25 seats in the National Assembly. The arrival of the EFF in the National Assembly is aimed at challenging the decorum of the parliamentary proceedings. The aim of this study was therefore to locate the EFF in South African politics. The study used desktop document analysis, which allowed the author to use various sources, viz. newspaper clippings, articles, books and interviews from various media houses. The study concluded that the EFF, in its first five years in the National Assembly, played a crucial role in challenging the decorum, wherein, identity could not mean the British style, but rather what they (EFF) represented. Broadly, the study contributes to the growing contemporary history scholarship, with special reference to the EFF. Thus, political formations post-1994 should be studied for what they are, not what researchers would wish for them to be.

### Correspondence

Mohau Soldaat

Email:

[mohau.soldaat@ul.ac.za](mailto:mohau.soldaat@ul.ac.za)

### Publication History

Received:

23<sup>rd</sup> October, 2024

Accepted:

10<sup>th</sup> December, 2024

Published online:

22<sup>nd</sup> January, 2025

*Keywords: Decorum, Parliament, Land Expropriation Without Compensation, National Assembly*

## INTRODUCTION<sup>1</sup>

South Africa, post-1994, inherited the Westminster form of parliament, which was used under apartheid and before, which gave precedence to how the National Assembly was run. Former colonies in Africa, after gaining independence, found it difficult to totally overhaul the systems of colonisers; rather, they continued with them. For instance, Botswana, a former colony of Britain, like South Africa, subscribes to the Westminster system of the parliament. In the words of Franz Fanon,<sup>2</sup> the nationalist bourgeoisie did not intend to break the bondages created and left by the colonisers after independence. Instead, they strive to uphold what was left by the colonisers without creating new development. Nationalist bourgeoisie refers to those in political power who do not intend to change the socio-economic life of the

<sup>1</sup> The concept loosely means that the EFF got 25 seats in parliament, and the battalion would mean that their approach was different to the normal politics. It also, carries the meaning of militarism, which the party has always explained described itself as a military organisation.

<sup>2</sup> Fanon, was a Martinican intellectual, who lived in France but went and lived in Algeria for his entire life. Fanon dedicated his life in engaging racism, his approach was psychological rather than physical. Frantz Fanon, "Black Skin, White Masks," in *Social Theory Re-Wired* (Routledge, 2023), 355–61.

former oppressed. They seek to liberate the oppressed but continue with the former regimes' tendencies.<sup>3</sup> South Africa was no exception post-1994 when it gained independence, as inequality plummeted after 1994. It proceeded to utilise the same system as that of the white minority rule.

On the 21<sup>st</sup> of May 2014, EFF members were sworn into the National Assembly. They arrived at the occasion with men wearing overalls and gumboots, symbolising mine workers. Women Members of Parliament (MPs) were wearing pinafores, representing domestic workers. These MPs were trying to communicate that they represented the working class. With this, the EFF intended to challenge the decorum of the parliament. Based on this background, this article discusses the approach and implications of the EFF's conduct in parliament, and assess the impact of its decision to foreground land redistribution without compensation. The arrival of the EFF brought back the land question on the table, which was seldom discussed in South African politics. Hence several processes were started to try and resolve this issue constitutionally without impacting food security and economic stability. Examining these issues is essential because they were policies of the ANC; however, the ANC took the compensation route, meaning willing buyer, willing seller policy on the land. The dominance of the ANC and its partisan politics outplayed itself in parliamentary proceedings, which made it difficult for minority parties to challenge their decisions.

With the above layout, this study looks at some parliamentary proceedings from 2014 to 2018. This study is interlocked threefold: (i) ways in which the EFF challenged the decorum and intended to change it, (ii), the use of public discourses and using them in the National Assembly to challenge and expose partisanship of the presiding officers, and (iii) the land issue and its implications.

### **The Grundnorm of the Westminster in South African Parliament**

With the end of the apartheid system in 1994, the Government of National Unity inherited the system of apartheid without an overhaul of parliamentary proceedings systems. South African parliament is deeply embedded in the British philosophy because the country was a colony of Britain, and even when it became a Union in 1910, they still paid homage to the British Queen.<sup>4</sup> In 1931, South Africa got out of British dominion but continued with the British system of parliament. Later, in 1961, when the country became a Republic, it did not dissolve the British system; rather, it continued to pay homage to the Queen.

Furthermore, after the general elections of 1994, South Africa got her 'independence' from the apartheid regime but continued with the system of Westminster. This is exemplified by visits of all democratically elected presidents, meaning Nelson Mandela (1994-1999), Thabo Mbeki (1999-2007), Jacob Zuma (2009-2017), and Cyril Ramaphosa (2017 to date), who have all paid homage to the Queen of Britain. EFF, upon its arrival in the National Assembly, wanted to challenge some of these norms, among others, including raising controversial issues, seeking to wear different clothing than the "formal" that is approved, and creating national discourses. This article asserts that the parliamentary proceedings in South Africa need to be Africanised. By Africanising means, parliamentary systems need to have the African posture of Kings/Queen/Chiefs. Currently, the article argues that democracy in South Africa is just artificial rather than systematic, wherein the systems of the oppressor are not overhauled but intensified by the so called democracies processes..

### **Changing the Decorum of the National Assembly**

Female members of the EFF wore red domestic workers' clothing or pinafores, while male members wore red working overalls, gumboots and *makarapa* (helmets), which were symbolic of mine workers. This has never happened in the South African National Assembly during apartheid and after 1994 until the EFF got into parliament. The Secretary of the National Assembly, Masibulele Xaso, suggested that parliamentarians wear and look presentable at all times; the attires of EFF MPS were deemed to be 'no presentable', which is the Westminster approach. In response, the spokesperson of the EFF, Mbuyiseni Ndlozi, said, "Parliament is a representation of the people; we want the people to look at parliament and recognise themselves."<sup>5</sup> By 'the people', Ndlozi meant the poor working class of South Africa. The EFF

<sup>3</sup> Frantz Fanon, "The Wretched of The, *Earth*" (New York: Grover, 2004) 62 (1963).

<sup>4</sup> J. Khan, "Parliament at Hangover of Our Colonial Past," June 5, 2019, <https://www.sowetanlive.co.za/opinion/columnists/2019-07-05-parliament-a-hangover-of-our-colonial-past/%3E>.

<sup>5</sup> V. Carla, "EFF MP-In-Waiting Has a Radical Agenda," *The Citizen*, May 19, 2014.8.

suggested they wanted to change the face of parliament as they represented the poor.<sup>6</sup> In addition to Ndlozi's words, Julius Malema, the leader of the party henceforth, Commander in Chief (CiC), said that "people in parliament were hiding their stupidity behind ties and that with the EFF's presence in parliament, sleeping during parliamentary sessions would be a thing of the past."<sup>7</sup> Malema was determined that they were to continue wearing their overalls and pinafores to show a representation of the poor and the working class.

Despite EFF's unwavering stance on their dress code, their parliamentary dress code was met with fierce attack and scrutiny, with the ANC's Secretary General, Gwede Mantashe, joining the fray to fight against the EFF's behaviour and regalia. Mantashe suggested that parliament should be protected and hooliganism should not be allowed in the assembly. He added that the behaviour of the EFF should not be allowed in the assembly.<sup>8</sup> Their organisational regalia appeared as a trend to challenge the decorum in parliament. The apparel of the EFF was a form of representation of the poor, proletariat, and women of domestic workers.

Besides debates around their attire, Malema promised they would be robust in parliament and would not allow any bill to pass without discussions.<sup>9</sup> The EFF demonstrated their robustness with the Nkandla Saga on 15 August 2014. The EFF's MPs requested that Jacob Zuma pay back the money for his Nkandla homestead, on which state resources were used to upgrade the house. They demanded that Zuma should state the date on which he would pay back the money as was recommended by the then public protector, Advocate Thuli Madonsela.<sup>10</sup> This resulted in Baleka Mbete, the Speaker of Parliament, asking the EFF to leave the house.<sup>11</sup> The decorum in parliament took a different direction, where walking out during parliamentary proceedings became a common tactic by the EFF. Walking out during parliamentary sessions was not fashionable before the arrival of the EFF in parliament. Still, the Democratic Alliance (DA), on several occasions, would walk out of the National Assembly, joining the EFF or on their own. When parliament was opening on 12 February 2015, the DA walked out. When the speaker, Baleka Mbete, ordered the sergeant at arms to remove EFF MPs, they were reinforced by unidentified personnel, which the DA and the EFF asserted were police. Mmusi Maimane, leader of the DA, said, "The constitution has been violated [...] the speaker cannot escalate the situation by sending in the police. This parliament is a free space; it cannot be the executive that decides on what to be discussed."<sup>12</sup> Thus, the National Assembly was taking a different direction, proceedings were no longer "normal", as deploying security forces began to be a norm in almost every National Assembly session.

According to Rachel Johnson, between 1994 and 2009, only 20 members were ordered to leave the National Assembly chambers.<sup>13</sup> This shows how the ANC used its majority rule to suppress the minorities. In 2015, when EFF attended its first national assembly proceedings, all its 25 members were kicked out.<sup>14</sup> The number of EFF members who were kicked out of the National Assembly in the first year of the 5<sup>th</sup> democratic parliament surpassed the two decades record. For example, during the State of the Nation Address (SONA) of 2015, 25 members of the EFF were suspended from the parliamentary proceedings of that day. This came as a reality when the EFF members asked President Zuma about the money that he had to repay to the state because he unduly benefitted whilst the security was upgraded.<sup>15</sup> For every SONA from 2015-2018, EFF members were kicked out of the National Assembly chambers,

<sup>6</sup> S. Mkhwanazi, "Parliament Rules on Party Regalia," *The New Age*, May 20, 2021.

<sup>7</sup> B. Ndenze, "Neither Ties nor Suites for Team EFF," *Star*, May 12, 2014, 4; SABC News, "EFF's Final Tshela Thupa Rally," 2016, <https://www.youtube.com/watch?v=jxO0bf7fsBM>.

<sup>8</sup> L. Seale, "Rein in Hooligans, Mantashe Tell Parly," 2014, <https://www.iol.co.za/news/politics/rein-in-hooligans-mantashe-tells-parly-1754945>.

<sup>9</sup> Ndenze, "Neither Ties nor Suites for Team EFF"; SABC News, "EFF's Final Tshela Thupa Rally."

<sup>10</sup> S. Velaphi, "ANC Ready to Defend Its Mps after EFF Scuffle," *The New Age*, August 26, 2014.24.

<sup>11</sup> B. Matshaba, "Nothing as Entertaining as Parliament TV," 2018, <https://www.news24.com/drum/celebs/nothingas-entertaining-as-parliament-tv-20180423>.

<sup>12</sup> Sapa, "DA Walks out of Sona," 2015, <https://www.iol.co.za/news/politics/da-walks-out-of-sona-1817348>.

<sup>13</sup> Rachel E Johnson, "Disrupting the South African Parliament: Performing Opposition 1994–2010," *Democratization* 20, no. 3 (2013): 478–500.

<sup>14</sup> Johnson, "Disrupting the South African Parliament: Performing Opposition 1994–2010."494.

<sup>15</sup> Abraham G van der Vyver, "A South African Case Study in Social Activism:# Pay Back The Money," *International Journal of Computing* 6, no. 5 (2017): 145–54.

which, from 1994 to 2009, was not normal.<sup>16</sup> The act has always been chaotic, the speaker resorted to using the security forces to ensure that these members left the house. The South African parliamentary proceedings changed and began to gain traction in the media and social networks, wherein people were always keen to watch the next proceedings.

Richard Calland and Shameela Seedat have purported that people who removed members of the EFF in parliament were not security forces but members of the South African Police Service (SAPS) masquerading as parliamentary security.<sup>17</sup> In addition, the DA was not surprised by the speaker's decision, citing that she had brought the police to the National Assembly chambers and her allegiance to protecting Zuma. Thus, in solidarity with the EFF, the DA decided to also walk out of parliament chanting, "pay back the money."<sup>18</sup> The mood in parliament changed, and opposition parties became fierce; the EFF planted a seed of fearlessness and a radical approach in the National Assembly.

Maimane continued to argue that the reactionary words of the ANC MPs should not be allowed in the National Assembly. The problem of the degenerating National Assembly emanates from party allegiance by the former speaker of the National Assembly, Mbete. Maimane believed that Mbete was not objective; she protected President Zuma instead of allowing him to talk and respond to questions in the house.<sup>19</sup> Some debates degenerated into chaos and led to misbehaviour by opposition members. Floyd Shivambu, the Deputy President of the EFF, for instance, showed the Deputy President of the country, Cyril Ramaphosa, the middle finger in parliament. The incident occurred when the National Assembly deliberated on the killings of Marikana mine workers. These deliberations included the fact that EFF accused Ramaphosa of killing the people at Marikana.<sup>20</sup> The EFF, in some instances, confuses robustness with disrespect, especially in the incident of Shivambu to Ramaphosa. However, the matter was referred to Parliament's Powers and Privileges Committees headed by Leamia Mashile, wherein an apology from Shivambu was accepted.

In their quest to change the decorum of parliament, the EFF introduced a new approach to parliamentary debates. The case of the upgrades to the presidential residence at Nkandla can serve as an illustration of this matter. The Kwa-Zulu Natal village of Nkandla is the homestead of Zuma. At first, Zuma argued that a family bond paid for the upgrades to his Nkandla home. However, according to the Public Protector's, Thuli Madonsela, state capture report, non-security features were included in the upgrades at Nkandla, and the state paid for them. The report recommended that the president should pay for non-security features. The EFF entered the fray when it got to parliament; they envisioned holding the executive accountable; the EFF broke the question of when the president was paying back the money, a slogan which went viral on Twitter as the hashtag 'Pay Back The Money'.<sup>21</sup> In his response to the first EFF's State of the Nation Address (SONA) in parliament in 2014, Malema assured the ANC caucus that "business as usual has come to an end" and asserted that they were sent to parliament to hold the executive accountable.<sup>22</sup>

Generally, parliamentary debates are seen as a democratic way of holding the executive accountable, which is the work of the National Assembly. According to Lone Sorensen, "disruptions, controversies, and even violence are testing democracy and disintegrating in real-time before the eyes of the nation".<sup>23</sup> In the same vein, Calland and Seedat argued that the South African parliament was essentially one-party. The ANC and leaders of the National Assembly were partisan to the ANC, which did not hold its executive accountable or provide parliamentary oversight.<sup>24</sup> Therefore the EFF aimed at

<sup>16</sup> It was only in 1998 when the National Party member Manie Schoeman went for (Physical fight) the ANC member Johnnie, R. Davis, "Deja-Hallabaloo: Another EFFing Walkout as Parliament's Mr Rich Gets Grilled," accessed June 15, 2023, <https://www.ru.ac.za/perspective/2014archive/deja-hallabalooanothereffingwalkoutasparliamentsmrrichgetsgilled.html>.

<sup>17</sup> R Calland and S Seedat, "Institutional Renaissance or Populist Fandango? The Impact of the Economic Freedom Fighters on South Africa's Parliament. VRÜ 48: 304-328," 2015.

<sup>18</sup> Sapa, "DA Walks out of Sona."

<sup>19</sup> Sapa, "DA Walks out of Sona."

<sup>20</sup> M. Maimane, "Is Baleka Mbete the Right Person to Lead SA in Parliament," *City Press*, September 14, 2019; Seale, "Rein in Hooligans, Mantashe Tell Parly." [news/politics/rein-in-hooligans-mantashe-tells-parly-1754945](https://www.news/politics/rein-in-hooligans-mantashe-tells-parly-1754945), 2014.

<sup>21</sup> van der Vyver, "A South African Case Study in Social Activism: # Pay Back The Money."

<sup>22</sup> SABC News, "Julius Malema Reacts to SONA 2014 in Parliament," 2014, <https://www.youtube.com/watch?v=C60hNSZ-F0U%3E>.

<sup>23</sup> Lone Sorensen, "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective," *Palgrave Communications* 4, no. 1 (2018).

<sup>24</sup> Calland and Seedat, "Institutional Renaissance or Populist Fandango? The Impact of the Economic Freedom Fighters on South

breaking that tradition, the culture of partisan party politics. In the spirit of changing and holding the executive accountable, the EFF raised numerous points of orders to try and pass or contest particular motions. They would do so in terms of Rule 14 C of Parliamentary Rules, which highlighted the point of privilege, allowing a parliament member to stand up and raise an issue emanating from the privilege they enjoy as parliamentarians.<sup>25</sup> This privilege was used to raise corruption allegations against the Nkandla saga of the sitting president. Consequently, the speaker of the National Assembly would request parliamentary security to help remove members of the EFF from the chambers. Such removals would often end up being physical altercations between members of the EFF and the parliamentary security.<sup>26</sup> This became a norm post the arrival of the EFF in parliament; parliamentary decorum fell into chaos that sought to hold the executive accountable.

Lone Sorensen saw the reluctance of the EFF to cooperate with the National Assembly speaker as an act of populism which flourishes through four forms: mediation, visibility, authenticity and efficacy. Populism of mediation thus means that populists appeal for media sympathy to show how those in power misuse it. The EFF utilised social media to appeal for public sympathy; they would occasionally update the public on parliamentary proceedings through the use of Twitter.<sup>27</sup> Sorensen explained visibility as a tool utilised by politicians to show general public representation.<sup>28</sup> The EFF inevitably portrayed itself as the only organisation representing the poor, the working class and the oppressed. This became visible through their organisation's signature in public and the National Assembly. One ironic aspect is that Malema wore flashy clothing outside the parliament, which Gayton Mckenzie, leader of the Patriotic Alliance (PA), in his open letter directed at Malema, and accused him of camouflaging to be helping the poor, whereas he lives a flashy lifestyle. Mckenzie continued to argue that Malema's words and actions contradict each other. He portrays himself as a revolutionary but lives a life of the bourgeoisie.<sup>29</sup> The critical question can be: Does the EFF leadership really mean what they portray?

Furthermore, the view of authenticity and efficacy carry the same weight; Sorensen articulated that for the populists, authenticity means staying true to oneself and efficacy, that one is just a servant of the people, and whatever they do, they are doing it for the benefit of the people.<sup>30</sup> Through the apparel worn in the assembly, they authenticate the representation of the poor, domestic workers, miners and miners. These two populist methods locate the posture of the EFF within the ranks of populism and those who claim to be the agents of change for the poor. Sorensen further argued that populists undermine the elite and managers by intentionally breaking the laws and constructing their own, a practice that the EFF normalised in the National Assembly.<sup>31</sup> The EFF made it a norm to challenge how the proceedings have been in the National Assembly, as the ANC caucus has been using the law to avoid accountability.

The EFF would raise countless points of order and refuse to listen when provided responses. During one of the debates in the National Assembly, the then deputy speaker, Lechesa Tsenoli, had to furiously stop Ndlozi from talking by saying, "*Dula fatshe wena*" (Hey you, sit down!).<sup>32</sup> The implication was the breaking of protocol, which sought to undermine the rules in the National Assembly. When raising issues, the EFF often focused on matters of national interest. This included the proposal to debate the Rhodes Must Fall and Fees Must Fall social movements.<sup>33</sup> On 21 October 2015, when Finance

---

Africa's Parliament. VRÜ 48: 304-328."

<sup>25</sup>Sorensen, "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective,"2.

<sup>26</sup>Sorensen, "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective,"2.

<sup>27</sup>Sorensen, "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective,"3.

<sup>28</sup>Sorensen, "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective,"3.

<sup>29</sup> Drum Digital, "Letter to Julius Malema by Gayton Mckenzie," 2015, <https://www.news24.com/drum/News/letter-to-julius-malema-by-gayton-mckenzie-20170728%3E>.

<sup>30</sup>Sorensen, "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective,"4.

<sup>31</sup>Sorensen, "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective," 2.

<sup>32</sup> EFF Ndlozi, "The Minister Sleeping on Job," 2016, <https://www.youtube.com/watch?v=ALrdmkg9RMo>.

<sup>33</sup> The student protest that took place in 2015/2016, where students from all South African Universities went to the streets to protest against the university fees hike proposed by the then Minister Dr Bongikosi Nzimande. The protest were student led without any political affiliations. Student felt the plight on embarking on the protest by themselves without any interference or hijack of any political organisation. However they EFF associated itself with the dejected masses of the students.

Minister, Nhlanhla Nene, was going to present the mid-term budget speech, EFF members rose to the point of addressing Deputy Speaker, Thoko Didiza. They were not given a chance to speak. Instead, the Deputy Speaker encouraged the Minister to continue with his speech; at that moment, members of the EFF took out placards written: "Fees Must Fall". They began chanting, "Fees Must Fall," until the presiding officer ordered the parliamentary protection unit to remove EFF members from the National Assembly.<sup>34</sup> As Sorensen alluded, such behaviour is often associated with the high nature of populism and grandstanding, which sought to dominate the politics of the EFF.

The Fallist campaigns were inspired by the act of Chumani Maxwele, a University of Cape Town (UCT) student, who defaced the statue of Cecil John Rhodes.<sup>35</sup> The disfiguring of the Rhodes statue resembled an act against oppression in South Africa.<sup>36</sup> Social media played a massive role during the student protests, as Maxwele's act was followed by #RhodeMustFall and #FeesMustFall on Twitter.<sup>37</sup> University students dominated these campaigns. The institutions of higher learning where such student protests took place included the urban and rural institutions such as the University of KwaZulu-Natal (UKZN), the University of Pretoria (UP), Cape Peninsula University of Technology (CPUT), Tshwane University of Technology (TUT), Durban University of Technology (DUT) and the University of the Free State (UFS).<sup>38</sup> The Fees Must Fall Campaign became popular after the fee increment of 10.5 per cent was announced by the Minister of Higher Education, Blade Nzimande, for the year 2016. Due to this pronouncement by the Minister, protests broke out at South African universities. The fallist movement sprouted a number of issues among others including the insourcing of underpaid university workers.<sup>39</sup> In other institutions, protesters raised an issue of transformation in the institution, particularly the language policy and institutional symbolism. They proposed that English should be the only medium of instruction. The University of Pretoria (UP) and Stellenbosch University (SU) followed suit in terms of language policy and transformation.<sup>40</sup>

The politics of EFF's radical approach did not only end in parliament, but they cut across the other institutions like Universities. With the pronouncement of Minister Nzimande, the Economic Freedom Fighters Student Command (EFFSC) vowed to close all institutions of higher learning and colleges, beginning with Tshwane and escalating to the rest of the province. The student command threatened to close University of South Africa (UNISA) campuses because the university abounded their agreement in November to insource workers. The UNISA main campus in Pretoria was closed due to security threats by a member of the EFFSC.<sup>41</sup> The EFF joined the strikes through its student body, the EFFSC, which later became popular in most campuses of South Africa. The EFFSC was established on 15 June 2015, given powers by section 17 of the EFF's constitution. The EFFSC is guided by its own seven Cardinal Pillars, drawing from the mother body.<sup>42</sup> This shows the growing visibility of the organisation within the structures of the society.

<sup>34</sup> EFF Removed from Parliament Again, <<https://www.youtube.com/watch?v=53iKRKjym5A>>, 2015.

<sup>35</sup> Rhodes was one of the wealthiest men in South Africa during the nineteenth century. He was a Prime Minister of Cape Colony and played a central role in establishing mining industry. His achievements became possible through the use of terror and cruelty. See J Grobler, "State Formation and Strife, 1850-1900," *A History of South Africa. Pretoria: Protea Book House*, 2014.

<sup>36</sup> N. G. Wessels, "#FeesMustFall: Discourse Hidden in Plain Sight" (Tilburg University, Brainport, 2017).

<sup>37</sup> Wessels, "#FeesMustFall: Discourse Hidden in Plain Sight," 7.

<sup>38</sup> Jonathan D. Jansen, *As by Fire: The End of the South African University* (Cape Town: NB Publishers Limited, 2017).

<sup>39</sup> Jansen, *As by Fire: The End of the South African University*.

<sup>40</sup> Jansen, *As by Fire: The End of the South African University*. ix.

<sup>41</sup> S. Lowman, "Leopold Scholtz on #Feesmustfall- Quality Disappears in the Face of Ideology," *BizNews*, October 10, 2016; Dispatchlive, "EFF Student Body Threaten to Shutdown of All Unisa Campuses," 2016, <https://www.dispatchlive.co.za/news/2016-01-13-eff-student-body-threatens-to-force-shutdown-of-all-unisacampuses/%3E>.

<sup>42</sup> The Cardinal Pillar of the student command are: 1. Mobilizing students behind the struggle for economic freedom, embodied in the EFF Founding Manifesto. 2. Pursuit of radical higher education transformation with the aim towards free, quality and well-resourced education. 3. Championing the interests of students and all workers in institutions of higher learning. 4. Building a dynamic relationship between students and community struggles and campaigns. 5. Participating in progressive international campaigns and programmes. 6. Promoting academic and research excellence and progress. 7. Contributing to intellectual and ideological discourse in a manner that seeks to promote the struggle for economic freedom. See the "Economic Freedom Fighters Student Command Constitution: Free Quality Education and Well-Resourced Education for All" accessible at < YouTube, "Julius Malema asks for advice from Thabo Mbeki about Zuma", <<https://www.youtube.com/watch?v=INDXixxKPbI>>, 2017.

## The EFF and the Land

The EFF's land policy can be connected to its leadership's time in the ANCYL. The idea of land occupation and expropriation without compensation became popular after the 2009 conference of the ANCYL and the ANC's 53<sup>rd</sup> National General Council (NGC) in Durban. Even though the ANCYL under Malema knew that socialism was not the policy of the ANC, at the 2009 ANCYL policy conference, the congress suggested that the government should nationalise mines and land. According to the ANCYL, land expropriation without compensation was the only measure to address the land-ownership monopoly by whites in South Africa.<sup>43</sup> Regarding mines, the ANCYL conference resolved that the state must own and manage the extraction, production and trade of petroleum and mineral resources, metals, iron ore, steel and coal.<sup>44</sup> The ANC did not commit to the conference resolutions; hence, people like Malema and Shivambu were suspended from the organisation when they raised them in the ANC.

After the formation of the EFF and its members sworn in parliament, they raised a motion on the issue of land expropriation without compensation and the amendment of Section 25 of the constitution. According to the EFF, they proposed that the state should own the land and lease it out to those who want to utilise it for 25 years.<sup>45</sup> Shivambu asserted that whites occupy 80% of South Africa's land, which they did not bring along to South Africa from Europe or buy from anyone.<sup>46</sup> Ideologically, the EFF asserts itself as a socialist movement that rallied for inclusivity in South Africa, particularly regarding the economy.<sup>47</sup> In 2015, the EFF intensified its programme for land by encouraging its members to grab vacant land, especially in townships, for settlement. On the other hand, Malema said in January 2009, "We agree with on land redistribution, but we think it should not be done at the expense of the suffering people."<sup>48</sup> Thus this tells that the land issues have always centred the politics of Malema. This call was an effort to use the poor people to advance the land policy of the EFF. The EFF members grabbed fallow land in ward 13 at Seshego Polokwane, Malema's hometown.<sup>49</sup> The EFF members did this after Malema called for people to take unused land. The Ekurhuleni Municipality took Malema to the North Gauteng court, demanding that a court order be issued to stop Malema from making these utterances.<sup>50</sup>

Also, in Durban, EFF members occupied land near the highway (N2). According to the provincial member of the EFF, it was the provincial policy that people should occupy vacant land.<sup>51</sup> Peter Groenewald, a member of Freedom Front Plus (FF Plus), argued that these land grabs were to instigate violence in the country and promote racism against white farmers.<sup>52</sup> The DA leader Maimane was also unhappy with the proposal of the EFF that they were inciting violence in the country, and the ANCYL said that Malema belonged to jail for his reckless utterances.<sup>53</sup> Both FF Plus and DA were worried about their constituencies, as Groenewald asserts that the act of the EFF could incite violence between white farmers and land grabbers. However, the EFF was more willing to change the political dynamics of South Africa, where most Black people do not have residential land. The use of national discourses to politically

<sup>43</sup> W. Franz, "Move to Nationalisation Must Go On, Urges Malema," *Sunday Independent*, February 12, 2012. 1.

<sup>44</sup> Theo Neethling, "The Coming Revolution: Julius Malema and the Fight for Economic Freedom, Floyd Shivambu (Ed.): Book Review," *Journal for Contemporary History* 40, no. 1 (2015): 208–11.

<sup>45</sup> Sapa, "The Hot-Button of Land Reform," *City Press*, April 20, 2014.4.

<sup>46</sup> The policy allowed those who had the land, particularly the white minority, to sell the land to those who were willing to buy. The seller was able to determine the property prices even if the price was not based on market price. The policy was adopted in 1997 in order to complement the macro-economy strategy of the ANC. Most people rejected this approach during a Land Summit that was held in July 2005 with the exception of a predominately white farmer's movement known as AgriSA. AgriSA saw the willing buyer willing seller policy as a fair deal to land redistribution in South Africa And the ANC presumably. For further reading see M. Aliber, "Unravelling the Willing Buyer, Willing Seller Question" in B. Cousins and C. Walker (eds.), *Land Divided Land Restored: Land Reform in South Africa for the 21<sup>st</sup> Century*, p. 145. See also E. Lahiff, "Willing Buyer, Willing Seller: South Africa's Failed Experiment in Market-led Agrarian Reform, *Third World Quarterly*, 28 (8), 2007, p. 1579. See also, Neethling, "The Coming Revolution: Julius Malema and the Fight for Economic Freedom, Floyd Shivambu (Ed.): Book Review." 10.

<sup>47</sup> SAPA, "The Hot-Button of Land Reform", 4.

<sup>48</sup> Max Du Preez, *The World According to Julius Malema* (Kwela, 2012).119

<sup>49</sup> P. Tau, "Malema's Neighbours Occupy Land," *City Press*, December 4, 2016. 5.

<sup>50</sup> I. de Lange, "Court Blocks EFF Land Grabs in Ekurhuleni," *The Citizen*, September 22, 2015. 4.

<sup>51</sup> Sapa, "EFF Stages Land Grabs in Ballito," 2015, <https://www.news24.com/News24/EFF-stages-land-grab-in-Ballito20150412>.

<sup>52</sup> Sapa, "EFF Bid to Have Law Declared Unconstitutional," *Daily News*, November 8, 2016. 2.

<sup>53</sup> Sapa, "EFF Bid to Have Law Declared Unconstitutional," 2.

place the EFF within the political prominence of South Africa was critical, as from time to time, the party aces the art of identifying the cries of the people and rhetorically running with them.

It was on 27 February 2018 when the EFF brought the motion of land expropriation without compensation in parliament through its caucus leader Malema. In his motion, Malema said that the constitution should be amended to allow South African people to have access to land, with the state being the custodian of the land. The organisation even offered the ANC six per cent of its votes, which would give the ANC a two-thirds majority to amend the constitution.<sup>54</sup> On 03 November 2017, Given Mokhari, a television anchor, hosted a live talk show on PowerTalk, with Former President Thabo Mbeki. Julius Malema was among the audience, who asked Former President Thabo Mbeki about the unresolved issue of land redistribution. In his words, Malema said, “The willing buyer willing seller policy, which was adopted under your leadership Mr. President, has failed to resolve the land issue.”<sup>55</sup> He further added that “even if there was a willing buyer, our people could not buy because they do not have the buying power.”<sup>56</sup> Mbeki said that the land issue is complex, and though Malema is sloganeering and looking for votes, he does not have to. Mbeki said that numerous issues pertaining to land need to be resolved. He clarifies that vast tracts of land lie fallow in the Eastern Cape Province, but people need tractors and fenced land, among other things.<sup>57</sup> The EFF enacted debates on the land issue, which they realised is beyond sloganeering for elections but a complex issue that requires due processes to be followed. However, with the warning of Mbeki, the discussions should not just be about populism but also related to in-depth debates to resolve the land issue. Populism will not assist, but rather, it will dent the democratic gains of the country.

Following the adoption, the Constitutional Review Committee was tasked in February 2018 to conduct public and oral submissions from an ordinary member of society and had to report back to parliament by August 2018.<sup>58</sup> The motion of land expropriation without compensation is part of the EFF’s seven Cardinal Pillar, which states that the land should be in the hands of the states. The aforesaid matter was then agreed to, and the governing party established a committee that would host public meetings to hear all South Africans’ views regarding the amendment.<sup>59</sup> The policy shifts in the ANC show the impact of the EFF in the politics of South Africa and the pressure they have put on the ANC. Nevertheless, during the consultation process of the ad hoc committee, many people did not welcome the amendment of the constitution. The primary concern around the issue of land was centred on food security and property rights. When the committee visited the township of Botshabelo, located 60 kilometres east of Bloemfontein, people raised concerns regarding food security, their houses and land during the consultative sessions.<sup>60</sup>

The representative of the Barolong Bo-Seleka Traditional Council in Thaba-Nchu said that the council has been consistent in their submission relating to the land question in South Africa. The representative argued that the land issue should be addressed by including people in the decision-making process instead of treating them as passive participants. Another speaker from Mangaung, Kabelo Moreeng, stated that the Free State government had previously introduced several projects that failed to transform society. For instance, Moreeng mentions that the Teacher College, Nursing College, shopping complex, and Naledi Sun Casino in Thaba Nchu have all collapsed under the government’s watch. Moreeng argued that adopting the land expropriation bill would result in disaster. Therefore, he opposed the land reform.<sup>61</sup> These were perspectives given by members of the public regarding the proposed issue of land EFF.

<sup>54</sup> G. Whittles, “EFF Knows What It Wants on Land,” *Mail and Guardian*, March 2, 2018. 2.

<sup>55</sup> Lesiba Kekana, “Julius Malema Asks for Advice from Thabo Mbeki about Zuma,” November 3, 2017, <https://www.youtube.com/watch?v=INDXixxKPbI>.

<sup>56</sup> Kekana, “Julius Malema Asks for Advice from Thabo Mbeki about Zuma,”

<sup>57</sup> Kekana, “Julius Malema Asks for Advice from Thabo Mbeki about Zuma,”

<sup>58</sup> A. Jeffery, “Empowering the State: Impoverishing the People,” *South African Institute of Race Relations*, 2018. 7.

<sup>59</sup> The Committee was co-chaired by Vincent Smith and Lewis Nimadi, with additional members including Manhole Motshega and Francois Beukman all from the ANC, Floyd Shivambu of the EFF, James Selfe and Glynnis Breytenbach both from the DA. See, Sithandiwe Yeni, “Land Is More than Farming: Former Labour Tenants’ Views on Land Expropriation without Compensation,” *Focus 1* (2018): 23.

<sup>60</sup> Yeni, “Land Is More than Farming: Former Labour Tenants.”

<sup>61</sup> Yeni, “Land Is More than Farming: Former Labour Tenants.”



King Goodwill Zwelithini of the Zulu people pronounced that the land under the Ingonyama Trust would not be expropriated. He stated he was ready to unleash his subjects in fighting against land expropriation.<sup>62</sup> Malema alluded that they were happy with the King's reaction, and it should not be treated as special, as it contributes profoundly to the emotive discussion of land expropriation. Malema added that people who are worried about South Africa going the Zimbabwean route of land redistribution should be at ease, as the South African process is unique and shows that democracy is at the centre of this debate. He asserted that there were no public hearings in Zimbabwe where everybody was consulted for land restitution to take place.<sup>63</sup>

In 2018, the ANC government decided to halt the public hearings and set up the Ad Hoc Committee to deal with the constitutional amendment for land expropriation without compensation.<sup>64</sup> The Ad Hoc Committee intended to try and understand if Section 25 of the Constitution, which deals with the property clause, can be amended. The critical issue around the clause was to ensure that land could be expropriated without any form of compensation, especially if it was to be used for the public interest. According to the ANC, neglected buildings in the central business district and land lying fallow, among others, will be expropriated without any form of compensation".<sup>65</sup> The process of consultations was to enable the government to amend the constitution, particularly Section 25, which will allow the government to expropriate land without compensation. The EFF brought this issue to the table for discussion, and they have ceded to the bureaucratic processes instead of doing it chaotically; in parliament, the issue of land was treated saliently, and the EFF argued that the process should be broadened up by including the general public.

It was because of the popularisation of the land issue by the EFF that the ANC in 2017 at Nasrec adopted land expropriation without compensation and free higher education amidst the student protests in 2017, a couple of days before the ANC leadership conference.<sup>66</sup> According to the ANC, land expropriation without compensation would assist in speeding up the process of land redistribution in South Africa.<sup>67</sup> The ANC argued that land expropriation without compensation aimed to adopt this mechanism as long as it did not harm the country's economy, food security was maintained, and agricultural production was safe. Land expropriation without compensation can be adopted. In February 2018, 241 parliamentarians voted for the land expropriation motion without compensation against 83 votes.<sup>68</sup> The ANC succumbed to pressure from the EFF to adopt the land expropriation, and the outgoing president Jacob Zuma announced the decision. However though to date the land issue is not resolved or implemented.

## CONCLUSION

The existence of the EFF in parliament and South African politics has played a critical role in pushing the land issue in South Africa. The South African parliament became a battle of ideas and was no longer dominated by one political organisation (the ANC); it changed the decorum. Even the liberal DA has changed its approach in the National Assembly, and they can easily leave the debates when they feel to be unfairly treated. The EFF appeared with its mining and domestic work regalia, which did not resemble the usual way of dressing in parliament. It was ultimately accepted, and to date, they still wear their worker regalia when they go to parliament. Parliamentary debates changed from modest to robust and radical engagements. The EFF raised the Nkandla issue when it was unpopular in parliament, and it was through the use of parliamentary rules that their persistence in engaging this issue continued. Though they were manhandled or evicted in parliament, whenever they came back, and President Zuma was in parliament, they would always ask, "When are you paying back the money". The party raised a motion on land expropriation without compensation, and the ANC government established a committee that

<sup>62</sup> B. Mbanjwa, "Never, Not When Am Still Alive," *The Star*, July 5, 2019.

<sup>63</sup> Malema on Land Expropriation, <<https://www.youtube.com/watch?v=9uZ8Q4Zxvqk&t=446s>>, 2018.

<sup>64</sup> R. Mahlaka, "Why Land Bill Was Withdrawn", *The Citizen*, 30 August 2018, p. 22.

<sup>65</sup> Sapa, "Afriforum Publishes Soon to be Expropriated Farms", *The Citizen*, 13 August 2018, p. 8.

<sup>66</sup> Innocent Batsani-Ncube, "Governing from the Opposition?": Tracing the Impact of EFF's 'Niche Populist Politics' on ANC Policy Shifts," *Africa Review* 13, no. 2 (2021): 199–216.

<sup>67</sup> Jeffery, "Empowering the State: Impoverishing...", p. 6.

<sup>68</sup> M. Zulu, "Homes Will Not Be Expropriated-EFF," *The Citizen*, May 5, 2018. 8.

visited various communities to gauge their views about amending the constitution. The committee was the first of its kind to be adopted in South Africa since 1994. The party has positioned itself well in South African political scenery and has played a critical role in ensuring its presence is felt in parliament. Thus, this article concludes that political formations post-1994 should be studied for what they are, not what researchers would wish for them to be.

## BIBLIOGRAPHY

- Batsani-Ncube, Innocent. "Governing from the Opposition?": Tracing the Impact of EFF's 'Niche Populist Politics' on ANC Policy Shifts." *Africa Review* 13, no. 2 (2021): 199–216.
- Calland, R, and S Seedat. "Institutional Renaissance or Populist Fandango? The Impact of the Economic Freedom Fighters on South Africa's Parliament. VRÜ 48: 304-328," 2015.
- Carla, V. "EFF MP-In-Waiting Has a Radical Agenda." *The Citizen*, May 19, 2014.
- Davis, R. "Deja-Hallaballoo: Another EFFing Walkout as Parliament's Mr Rich Gets Grilled." Accessed June 15, 2023. <https://www.ru.ac.za/perspective/2014archive/deja-hullaballoonothereffingwalkoutasparliamentsmrrichgetsgrilled.html>.
- Dispatchlive. "EFF Student Body Threaten to Shutdown of All Unisa Campuses," 2016. <https://www.dispatchlive.co.za/news/2016-01-13-eff-student-body-threatens-to-force-shutdown-of-all-unisa-campuses/%3E>.
- Drum Digital. "Letter to Julius Malema by Gayton Mckenzie," 2015. <https://www.news24.com/drum/News/letter-to-julius-malema-by-gayton-mckenzie-20170728%3E>.
- Fanon, Frantz. "Black Skin, White Masks." In *Social Theory Re-Wired*, 355–61. Routledge, 2023.
- . "The Wretched of The." *Earth (New York: Grover, 2004)* 62 (1963).
- Franz, W. "Move to Nationalisation Must Go On, Urges Malema." *Sunday Independent*, February 12, 2012.
- Grobler, J. "State Formation and Strife, 1850-1900." *A History of South Africa. Pretoria: Protea Book House*, 2014.
- Jansen, Jonathan D. *As by Fire: The End of the South African University*. Cape Town: NB Publishers Limited, 2017.
- Jeffery, A. "Empowering the State: Impoverishing the People." *South African Institute of Race Relations*, 2018.
- Johnson, Rachel E. "Disrupting the South African Parliament: Performing Opposition 1994–2010." *Democratization* 20, no. 3 (2013): 478–500.
- Kekana, Lesiba. "Julius Malema Asks for Advice from Thabo Mbeki about Zuma," November 3, 2017. <https://www.youtube.com/watch?v=INDXixxKPbI>.
- Khan, J. "Parliament at Hangover of Our Colonial Past," June 5, 2019. <https://www.sowetanlive.co.za/opinion/columnists/2019-07-05-parliament-a-hangover-of-our-colonial-past/%3E>.
- Lange, I. de. "Court Blocks EFF Land Grabs in Ekurhuleni." *The Citizen*, September 22, 2015.
- Lowman, S. "Leopold Scholtz on #Feesmustfall- Quality Disappears in the Face of Ideology." *BizNews*, October 10, 2016.
- Maimane, M. "Is Baleka Mbete the Right Person to Lead SA in Parliament." *City Press*, September 14, 2019.
- Matshaba, B. "Nothing as Entertaining as Parliament TV," 2018. <https://www.news24.com/drum/celebs/nothing-as-entertaining-as-parliament-tv-20180423>.
- Mbanjwa, B. "Never, Not When Am Still Alive." *The Star*, July 5, 2019.
- Mkhwanazi, S. "Parliament Rules on Party Regalia." *The New Age*, May 20, 2021.
- Ndenze, B. "Neither Ties nor Suites for Team EFF." *Star*, May 12, 2014.
- Ndlozi, EFF. "The Minister Sleeping on Job," 2016. <https://www.youtube.com/watch?v=ALrdmkg9RMo>.
- Neethling, Theo. "The Coming Revolution: Julius Malema and the Fight for Economic Freedom, Floyd Shivambu (Ed.): Book Review." *Journal for Contemporary History* 40, no. 1 (2015): 208–11.
- Preez, Max Du. *The World According to Julius Malema*. Kwela, 2012.

- SABC News. "EFF's Final Tshela Thupa Rally," 2016.  
<https://www.youtube.com/watch?v=jxO0bf7fsBM>.
- . "Julius Malema Reacts to SONA 2014 in Parliament," 2014.  
<https://www.youtube.com/watch?v=C60hNSZ-F0U%3E>.
- Sapa. "DA Walks out of Sona," 2015. <https://www.iol.co.za/news/politics/da-walks-out-of-sona-1817348>.
- . "EFF Stages Land Grabs in Ballito," 2015. <https://www.news24.com/News24/EFF-stages-land-grab-in-Ballito-20150412>.
- . "EFF Bid to Have Law Declared Unconstitutional." *Daily News*, November 8, 2016.
- . "The Hot-Button of Land Reform." *City Press*, April 20, 2014.
- Seale, L. "Rein in Hooligans, Mantashe Tell Parly," 2014. <https://www.iol.co.za/news/politics/rein-in-hooligans-mantashe-tells-parly-1754945>.
- Sorensen, Lone. "Populist Communication in the New Media Environment: A Cross-Regional Comparative Perspective." *Palgrave Communications* 4, no. 1 (2018).
- Tau, P. "Malema's Neighbours Occupy Land." *City Press*, December 4, 2016.
- Velaphi, S. "ANC Ready to Defend Its Mps after EFF Scuffle." *The New Age*, August 26, 2014.
- Vyver, Abraham G van der. "A South African Case Study in Social Activism: #Pay Back The Money." *International Journal of Computing* 6, no. 5 (2017): 145–54.
- Wessels, N. G. "#FeesMustFall: Discourse Hidden in Plain Sight." Tilburg University, Brainport, 2017.
- Whittles, G. "EFF Knows What It Wants on Land." *Mail and Guardian*, March 2, 2018.
- Yeni, Sithandiwe. "Land Is More than Farming: Former Labour Tenants' Views on Land Expropriation without Compensation." *Focus* 1 (2018): 23.
- Zulu, M. "Homes Will Not Be Expropriated-EFF." *The Citizen*, May 5, 2018.

## ABOUT AUTHOR

Mohau Soldaat is a lecturer for History Education at University of Limpopo. His research is more into contemporary history, children in the struggle against apartheid (in South African case) or colonial wars. Soldaat has attended regional, and national conference and presented various papers. His recent publication includes; Julius Malema from Masupatsela to the Formation of the Economic Freedom Fighters EFF Historical Narrative, 2024, by African Historical Review. In 2023, he co-authored a Book Chapter with Professor Chitja Twala, titled, Lesotho migrant workers in the Orange Free State farms, from the late 19th century to the 1940s. In book: The Road to Democracy in South Africa, Volume 8, Part 2 (pp.201-224).