

KILL THE FARMER

A BRIEF STUDY ON THE IMPACT OF POLITICS AND HATE
SPEECH ON THE SAFETY OF SOUTH AFRICAN FARMERS



WARNING: THIS REPORT CONTAINS VULGAR
LANGUAGE AND OFFENSIVE COMMENTS

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ABBREVIATIONS

ANC	African National Congress
ANCWL	African National Congress Women's League
ANCYL	African National Congress Youth League
AWB	Afrikaner Weerstandsbeweging
BLF	Black First Land First
CPUT	Cape Peninsula University of Technology
DA	Democratic Alliance
EFF	Economic Freedom Fighters
FF+	Freedom Front Plus
FXI	Freedom of Expression Institute
IFP	Inkatha Freedom Party
MK	uMkhonto we Sizwe
MP	Member of Parliament
NOCOC	National Operational Co-Ordinating Committee
NYDA	National Youth Development Agency
SAHRC	South African Human Rights Commission
SAIRR	South African Institute for Race Relations
Sasco	South African Students Congress
TAU SA	Transvaal Agricultural Union of South Africa
TRC	Truth and Reconciliation Commission
UJ	University of Johannesburg
WFDY	World Federation of Democratic Youth

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PREFACE

This report is an edited extract from a book about farm murders, due for publication in 2017. In the light of the increasing levels of hate speech, it was decided to publish this report before the publication of the book.

It wouldn't be possible to deal with the intricacies of South African history in this report comprehensively. For this reason, this report would not deal with the South African history of land ownership and conflict between

communities. The report will stick to current developments on the issue of politics and farm attacks and will only reference certain historical events in passing.

A more comprehensive breakdown of the crisis, with reference to a variety of relevant historical events, will be dealt with in the book.

Ernst Roets
16 March 2017

INTRODUCTION

In 2001, Steve Tshwete, the former Minister of Safety and Security, ordered a committee of enquiry into farm attacks.¹ The report was published in 2003. As part of the investigation, the committee conducted interviews with investigating officers and perpetrators. The committee reached the conclusion that farm attacks are overwhelmingly cases of robbery. An evaluation of 2 631 cases in the NOCOC database of farm attacks found that in 89,3% of cases the motive was clearly robbery, while intimidation was the motive in 7,1% of the cases. It was also found that politics or racial hatred was the motive in about 2% of the cases.²

This study has been used since its publication to shrug off any concern about racial or political motives on the topic of farm murders in South Africa.

While the value of this study is not to be underestimated, many of the conclusions drawn from the finding that 89,3% of farm attacks were motivated by robbery are fallacious, misleading and serve only as a barrier in the road to addressing farm attacks.

Firstly – and perhaps least importantly – it should be noted that there are reasons to question the findings of a report that was drafted on the instruction of a government run by a party that has a vested interest in a finding that farm attacks are only motivated by robbery and not by political factors. If the report, that was drafted on the instructions of the ANC-led government, were to find that a significant amount of farm murders were in fact caused, motivated or influenced by political factors, it would imply that the ANC would have to do serious introspection on its continued scapegoating of white farmers for South Africa's problems and its continued singing of songs in which the murder of these farmers is romanticised.

Secondly, significant weight is attached to what convicted murderers say their motives were. The possibility of dishonesty about motives is summarily dismissed in

the report.³ The possibility of a political agenda that is deliberately withheld from the interviewer is not considered.

Thirdly, the possibility of multiple motives is not considered. This is a classic example of *The Fallacy of the Single Cause*,⁴ also known as "Oversimplification" or "Causal Reductionism." The finding ignores the obvious fact that a person who hates white people or who is influenced by songs such as "Kill the Boer, kill the farmer," might also murder a white person with the intention of stealing his property. In such a case, the purpose might still be said to be robbery, while a variety of other motives can lead to the eventual committing of the crime. Put differently, a person might harbour racist beliefs or political motives subconsciously. The case of Knowledge Paulus Mandlazi, which is dealt with in this report, serves as a case in point.

Fourthly, the severe levels of violence and even torture that accompanies many of these attacks are not considered in the finding regarding the motive of farm attackers. While a study about the percentage of cases in which the victims of farm attacks have been subjected to torture has not yet been undertaken, observers are virtually unanimous in their conclusion that farm attacks are severely more brutal and grotesque than most other crimes in South Africa.

In the fifth place, the drastic discrepancy between the extreme levels of violence committed during these attacks and the little value of stolen items is ignored in this finding. If a person were to torture a farmer for several hours before fleeing with his wallet, and then told the police afterwards that he went there to steal the man's property, it would be counted as a motive of robbery. It is glaringly suspicious and irresponsible to simply accept robbery as the only motive in such a case.

In the sixth place, the observation from crime scene cleaners that black farmers are not subjected to the same levels of torture as white farmers is almost never considered in discussions about farm murders.⁵

In the seventh place, the fact that in many of these attacks the items that have been stolen (especially vehicles) were simply deserted shortly after the attack, is not considered.

Lastly, if a mere motive of robbery results in levels of torture that is often executed during farm murders, the implication is that there is nothing out of the ordinary about the torture of victims during robberies in general.

The point is clear: While the findings of the report by the Committee of Inquiry into farm attacks are not to be dismissed outright, the fact that its findings on the motives of farm attacks have not been scrutinised for 14 years might have restricted the debate on farm attacks significantly.

Although the findings of the present report do not conclude that farm attacks are generally motivated by racial or political factors (there is no sufficient evidence to substantiate a claim such as this). The point will however be made clear that South Africa has been suffering from a culture of violence and not only a climate in which violence towards white people – but white farmers in particular – has been romanticised and encouraged from public platforms for several decades. To argue that all farm murders are motivated by racial or political factors would be inaccurate. It would however be equally inaccurate to suggest that the political climate that exists in South Africa today is irrelevant when it comes to the safety of South Africa's food producers.

While land reform is not the focus of this present report, it clearly constitutes an underlying theme on the issue of farm murders. It is however worth noting that the debate on land reform is inundated with false allegations and baseless accusations against white people.

Ten false allegations and baseless accusations against white people:

1. The belief that less than a mere 2% of the white population are in ownership and control of vast parts of South Africa's land⁶ and the allegation that South Africa's wealth and economic resources "still remain in the hands of those who owned them before 1994, and the land remains in their control!"⁷ Also the baseless allegation that "white settlers" occupy "more than 80% of South Africa's land!"⁸
2. The argument that white people obtained land "as a result of violent colonial conquest and dispossession of the black majority!"⁹
3. The accusation that there is widespread mistreatment of black farm workers by white farm owners.¹⁰
4. The notion that the economic policies of Zimbabwe and Venezuela should be implemented in South Africa to fast-track economic growth.¹¹
5. The allegation that black South Africans were enslaved by white South Africans.¹²
6. The allegation that white people committed genocide in South Africa.¹³
7. The allegation that white people came to South Africa with the intention to steal the dignity of black people.¹⁴
8. The notion that it is not possible for white wealth or ownership of land to exist and it can only exist as a result of theft or "white privilege!"¹⁵
9. The use of the words "restitution" and "redistribution" of land as if they mean the same thing.¹⁶
10. The argument that black people were incapable of committing inhumane acts towards other black people, until they were taught such by white colonialists who reduced their humanity.¹⁷

FROM HATING WHITES TO KILLING WHITES

In June 1985, the leadership of the ANC convened a national consultative conference in Kabwe, Zambia. The aim was to assess the gains it had achieved in its fight for liberation and to raise the struggle to new heights.¹⁸ Among others, the conference resolved for the distinction between “hard” (military) and “soft” (civilian) targets to fall away in ANC military operations. Shortly thereafter, several members of two white families were killed in a landmine attack in Messina.¹⁹ Sipiwe Nyanda, former Commander of the ANC’s military wing, MK, explained the ANC’s decision to target farmers as follows:

“We had to, to take decisions like the one we took about farmers. Technically people could say those farmers are just farmers and these farmers were defending themselves but we began to identify why we said why we should regard them as targets. Also there might be soft targets because I mean they are farmers and they have wives and children staying with them on those farms and they might be with their families when they tread on those land mines we wanted to plant on their farms but we thought since they are assisting and abetting the system and trying to help the Apartheid regime to survive that they will become legitimate targets.”²⁰

Farm murders have especially started skyrocketing since the rescinding of the legal prohibition on the ANC and other communist-aligned organisations in February 1990.²¹ Although the ANC’s policy of murdering innocent white farmers in the 1980s has never officially been rescinded, it is reasonable to believe that the decisions taken at the 1985 Kabwe conference is no longer ANC policy. There is however a disturbing silence from government leaders and particularly leaders within the ANC alliance on the issue of farm murders. There where government leaders are outspoken on the topic, their concern almost never results in any form of action.

What is equally, or perhaps even more concerning than the lack of action to address these attacks, is the continual verbal attacks that is launched towards white farmers in particular, not only by senior government leaders, but by political leaders in general.

The past few decades have been inundated with government leaders and so-called progressive activists and politicians using white people – and white farmers in particular – as political punching bags, demonising them

from public platforms, blaming them for everything that is wrong with South Africa and in some cases even openly encouraging or romanticising violence towards them. There are so many examples that it wouldn’t be possible to deal with each one. The few examples mentioned in this report should only be regarded as the tip of a much larger, disturbing iceberg.

In February 2013, for example, Lulu Xingwana, Minister for Women, Children and People with Disabilities, said during a television interview with the Australian Broadcasting Corporation that young Afrikaner men were raised to believe that they own “everything”, but particularly women and children and that they therefore believe that they can murder them when they please:

“Young Afrikaner men are brought up in the Calvinist religion believing that they own a woman, they own a child, they own everything and therefore they can take that life because they own it.”

Xingwana later apologised, but faced no consequences for her comment.²²

This even went to the State President. On 8 January 2012, during the centenary celebrations of the ANC in Bloemfontein in the Free State, Jacob Zuma burst into song. The words of the song can be translated as follows:

*We are going to shoot them with the machine gun
They are going to run x 2
Shoot the Boer
We are going to hit them
And they are going to run x 2*

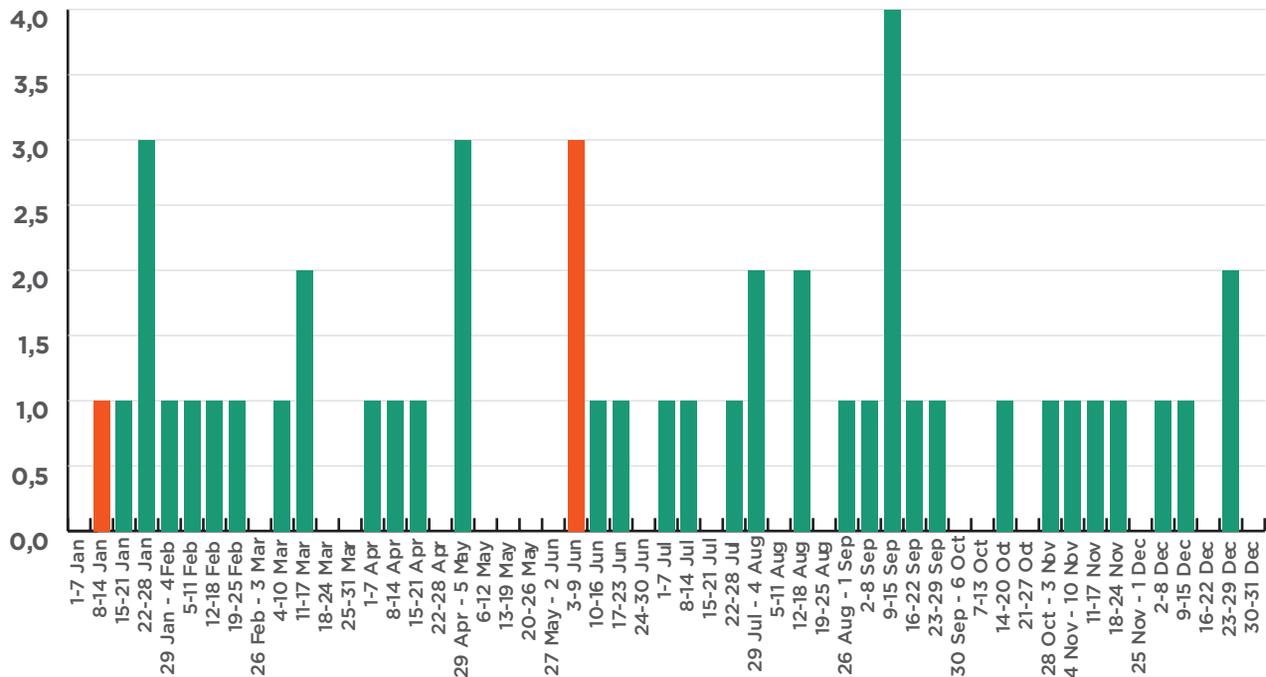
*We are going to shoot them with the machine gun
They are going to run x 2*

*Shoot the Boer
We are going to hit them
And they are going to run x 2
The Cabinet is going to shoot them with the machine gun (x 2)²³*

In the month that followed on the president singing “Shoot the Boer”, 16 farm attacks were committed, during which six people were murdered. The effect of this was that farm attacks in the month that followed on this were 11% higher and farm murders were 36% higher than the average for 2012.

	TOTAL	MONTHLY AVERAGE	MONTH AFTER HATE SPEECH	VARIANCE
Farm murders	53	4,4	6	36% increase
Farm attacks	174	14,5	16	11% increase

Table 1: Variance in farm attacks and murders after president Zuma’s singing of “Shoot the Boer” on 8 January 2012.²⁴



Graph 1: Farm murders per week during 2012. Weeks in which significant hate speech towards white farmers occurred are indicated in orange.

During the ANC's 2013 election campaign Cyril Ramaphosa, Deputy President, told people that they should vote for the ANC, otherwise "the Boers" will come back into power.²⁵

In January 2015, President Jacob Zuma said at the ANC's 103rd birthday celebrations in Cape Town that the arrival of Jan van Riebeeck in Cape Town in 1652 was the beginning of all of South Africa's problems. Van Riebeeck is of course generally seen as the founding father of white people, Afrikaners or even of Western civilization in South Africa. Zuma was seriously chastised for his remark. Dr Pieter Mulder, leader of the FF+ accused the president of resorting to "scapegoat politics" and filed a complaint of hate speech with the SAHRC against the president. "What is the understanding of ordinary ANC supporters?" asked Mulder. "They understand that if one gets rid of the white man, all problems are solved. Get rid of the cockroaches and all the problems go away." Dave Steward, executive director of the FW de Klerk Foundation and spokesperson for the former president, said that the anti-Jan van Riebeeck campaign is "yet another example of the disturbing and increasingly overt anti-white posture of the president and the ANC." The story made international headlines.²⁶

In February of the same year the president rephrased, insisting that he didn't intend that Afrikaners must leave the country, but reemphasized that "the problem began when Jan van Riebeeck came here." He then continued, saying that the black masses should be given the land.²⁷

This is the same president who said earlier that his understanding of democracy was that minority communities should have "fewer rights" than the majority:

*"Sorry, we have more rights here because we are a majority. You have fewer rights because you are a minority. Absolutely, that's how democracy works."*²⁸

In 2016, Zuma's sentiment was echoed by an ANC MP who claimed that Jan van Riebeeck came to South Africa "2 000 years ago," to "steal everything":

*"Also (be reminded) that not all who visit our country come with the right intention, as they did 2 000 years ago, by a person named Van Riebeeck ... They stole everything, even our dignity, because they took advantage of our kindness."*²⁹

In 2010, students at the CPUT started complaining about posters that were put up by members of Sasco, the ANCYL-affiliated student movement. The posters were displayed in the face of the upcoming student council election and was intended to persuade students to vote for Sasco. The poster read:

*"A vote for Sasco is a vote for ANC and
A vote for ANC is a vote for Julius
MALEMA
"One Boer one bullet"
Viva Julius Malema viva!!!*

*Students please vote for SASCO 100%
BLACKS ONLY ORGANISATION
(STRICTLY SOUTH AFRICANS)
Amandla!!*"

Mbulelo Mandlana, the then President of Sasco, denied ownership of the poster, but also refused to investigate whether it was drafted by one of its branches or members. Instead, Mandlana alleged that the poster was "produced by white racist students".³⁰

Andile Mngxitama, leader of BLF, said that farmers are being killed as a form of retribution from their "black slave" farm workers. "If you look at the gruesome manner in which farmers are attacked, it is more like a response or revenge. Even the farmers that are not involved in brutality end up becoming victims because of the culture of violence. The death of these farmers is minuscule compared to the horrors that black people face. Black people are backed into a corner ... Farm life for black people is characterised by dispossession and violence. Farms are controlled by white people and the workers are just property," Mngxitama said. "The murders of black people on farms are not counted.ⁱ Occasionally people react when white farmers are slain."³¹ Mngxitama argues that "the history that we inherited" was one of "500 years of white supremacy."³² "Until all black people are liberated from poverty, unemployment and inequality, no black people are free, with the implication that whites are to blame."³³

But driving white people into the sea would still not be enough to solve the so-called problem of white privilege, argues Gugu Mhlungu, City Press columnist.³⁴

On 27 February 2017, Esethu Hasane, Spokesperson for the Minister of Sport, (Fikile Mbalula) tweeted:

"Only Western Cape still has dry dams. Please God, we have black people there. Choose another way of punishing white people."

AfriForum requested Hasane's dismissal, but received no response from Mbalula.³⁵

In 2016, AfriForum opened a complaints channel through which members of the public can report cases of hate speech or incitement to violence on social media. Since then, AfriForum has received several hundreds of complaints in which genocide of white people, the slaughter of white farmers and other atrocious acts – such as the raping of farmer's wives and children – are encouraged.

One such case is that of Lindsay Maasdorp, a leader in the BLF movement. Maasdorp repeatedly called on the attacking and murder of white people, but white farmers in particular, on social media. Several examples are listed:

On 29 February 2016, he tweeted:

"We must turn our anger toward the enemy. A few of us will have to act and turn majority to see @Mngxitama #BLF #africansspeak"

On 7 March 2016, he tweeted:

"Let's not be lazy with #FeesMustFall #endoutsourcing, decolonisation is no process! Its a violent revolution, a taking back of the land!"

On 23 February 2016, he tweeted:

"FUCK WHITE PEOPLE!"

On 11 February 2016, he tweeted:

"Let's unite principled black forces of occupied Azania. We must remove the non-whites, go on and destroy white-power. #ShutDownSONA"

On 23 March 2016, he posted a link to a News24 article titled 'Resign, for the kids Johann Rupert urges Zuma', on his Facebook profile, accompanied by the following comment:

"We need to do it for our children. No flight, and no ship; 3ft under, a shallow grave! This arrogant white fool has reaped from the blood and sweat of black lives, we must deal with him decisively."

On 3 January 2017, when the Cape Town area was scorched by veldfires, he posted on his Facebook page:

"black god needs servants in CT: wind + matches + white owned farms" [sic]

We have also seen many cases where white farmers in particular have been murdered, where the attackers openly acknowledged that they committed murder because that was their intention. Other than that, many cases of farm attacks during which the attackers chanted political slogans or made racist or political statements towards their victims have also been reported.

In April 2010, Leon Koekemoer was attacked on his farm near Cullinan in Gauteng. The attackers screamed the words: "Die, white man! Viva Malema!" as they were attacking Koekemoer.

In June 2014 Knowledge Paulus Mandlazi (26) admitted to the murdering of five white farmers in three months between March and June 2012. "My hate for white people made me do it," he said. He described his conduct as merely "going to work" and boasted in the courtroom about the fact that he now had six murders under his belt. "They also had money, which he wanted," the judge said,³⁷ once again proving that a murderer can have a racist motive, as well as a simultaneous motive to commit robbery.

i. Actually, the murders of black people on farms are also counted and form part of the statistics on farm attacks.

FIGHTING IMPERIALISM

On Saturday, 1 December 2010, Attie Potgieter (40), Wilna (36) and their little girl Willemien (2) were attacked on their farm near Lindley in the Free State. Attie was stabbed 151 times with a knife, a garden fork and a panga and was left for dead with the garden fork pierced through his neck. This happened in full view of his wife and daughter. Willemien ran to her father. Her feet were covered in his blood and her bloody footprints were found on the pavement around his body. The attackers then picked Willemien up and carried her to a little storage room across from Attie's body. She was shot in the head and thrown in a box, which was later found about half full of her blood. After having witnessed the murders of her husband and daughter, Wilna was hurried into the house where she was told to open the safe for the attackers, which she did. After taking R3 300, the attackers instructed Wilna to kneel and then shot her in the head, executioner style. Willemien's little body was then collected from the box and thrown on top of her mother. After all of this happened, the attackers took a piece of cardboard and wrote the words "We have killed them. We are coming back;" in Sotho, which they placed on the farm's entrance gate.³⁸

In Randburg, roughly 230 km from the where the Potgieters were murdered, during the hours in which these horrific events occurred, several youth movements were preparing for a televised debate about imperialism. The panel members were myself (I was the National Chairperson of AfriForum Youth at the time); Makashule Gana, who had just been elected Leader of the DA Youth; Magdalene Moonsamy, Spokesperson for the ANCYLⁱⁱ and Tiago Vieira, President of the WFDY and also friend and so-called comrade to Malema. Vieira and his movement had been in the country to host the 17th World Festival of Youth and Students. The movement was essentially about promoting socialism and fighting imperialism.

During the debate, Vieira and Moonsamy took a hard line against imperialism in other African countries. I responded, saying that we can indeed engage in discussion about imperialism in Africa, but that there are many atrocities committed in South Africa – farm murders in particular – that

deserve our more immediate attention. I also expressed my concern that these murders sometimes occur under the banner of "anti-imperialism": Moonsamy, visibly angry, lashed back: "Why are we talking about the killing of white farmers?" she wanted to know. "What are they doing on those farms in the first place?" she said, suggesting that white farmers who are killed actually deserve what is coming to them simply because of them being on the land. This was of course to the great amusement of the audience. Vieira went even further, arguing (in the name of anti-imperialism) that black South Africans have a right to make statements such as "kill the whites", while white South Africans do not have the same so-called right.³⁹

This debate was recorded as the bodies of Attie, Wilna and Willemien lay dead on their farm, before anyone – other than the attackers – had known about their murders.

During the court proceedings, the ANCWL, however, came out strongly in support of the victims, protesting for harsh punishment of the six accused. While welcoming the ANCWL's condemnation of the killings, AfriForum's view was that the ANC should accept responsibility for what happened, as the ANC was at that time involved in a court battle with AfriForum, arguing that black people and/or the ANC has a right to sing songs such as *Dubula iBhunu* (translated to "Shoot the Boer"). According to Kallie Kriel, CEO of AfriForum, the murder of the Potgieters make people all the more bitter because it took place in the same week that the ANC had been trying to convince the court that the "shoot the Boer" slogan in ANC songs is not meant literally. "People are literally being killed on farms and efforts by the ANC to justify 'shoot the Boer' is absurd," Kriel added.⁴⁰

Meanwhile, the singer Steve Hofmeyr almost sparked a racial storm in his reaction to the killing of the Potgieter family. "Most black people I know are not violent, but they slurp up the propaganda of entitlement, which gives young killers what they need to justify their brutality," he wrote on Facebook. Hofmeyr was severely criticised for his remarks, most of all by members of the media.⁴¹

ii. Moonsamy would later break away from the ANC together with Julius Malema, the President of the youth league, to form the EFF, of which she would become an MP. Moonsamy has been described by Malema as part of the "cream" of the EFF (Shivambu F (2014) *The Coming Revolution* 262).

MESSRS VAN TONDER AND VAN DER MERWE

On 5 June 2012, two attackers approached a smallholding in Mnandi, just outside Centurion in Gauteng. Just as Arina Muller (29) came home from the gym that evening, they presumably slipped into the property as entered the property. As she exited her vehicle, she saw the two men and immediately screamed. She was then shot through the chest and left to die in her mother’s arms while the attackers fled the scene. Nothing was stolen.⁴²

Earlier that day and just a few kilometres from the smallholding where Arina Muller was murdered, the ANCYL was hosting a conference on the issue of land reform. Ronald Lamola, president of the ANCYL at the time, addressed the media with the following words:

“I am just giving a warning to white South Africans: They must voluntarily bring back the land, and voluntarily bring back the mineral resources ... there will be a moment when these service delivery protestors will invade the land of Mr. van Tonder and Mr. van der Merwe and we can no longer be able to guarantee the continued safety of Mr. van der Merwe...”

These words were uttered in the presence of a large variety of media and broadcasters and consequentially it was also replayed on TV networks throughout the day. From what has been said, it is clear that Lamola was calling for white people to voluntarily surrender their alleged wealth and interests in land and mineral resources. The reference to two prominent Afrikaner surnames, namely Van Tonder and Van der Merwe, created a reasonable impression that Afrikaners or Afrikaans-speaking white South Africans were particularly threatened by his statement. Afrikaners are purported to be the legitimate targets for the anger and aggression of protestors. It was also made clear that, should Afrikaners fail or be unwilling to surrender their wealth, service delivery protests would progress toward land invasions, that violence towards Afrikaners who own land is implied and that the ANCYL claims not to be able to guarantee their safety.⁴³

This is of course a vile threat.

After it became known that AfriForum and TAU SA announced their intentions to take legal action against Lamola the ANCYL lashed back, stating that they stand behind their president. The ANCYL went even further:

“Such a precautionary note raising the hopeless plight of our people, blacks in general and Africans in particular, can only be construed as an incitement to violence ... by those hell-bent to protect white minority privilege at the expense of the black majority.”

The only way to achieve economic freedom, the league said, was through “urgent, unapologetic and radical land redistribution.”⁴⁴ Once again violence was implied, since the mere owning of land by white people was said to be interpreted by black people (presumably only black people who supported the ANCYL) as an incitement for them to inflict violence upon white land owners.

Shortly before this, Lamola said in Durban that “(w)e need an act as forceful as a war to bring it (the land) back to the Africans,”⁴⁵ and shortly thereafter Magdalene Moonsamy warned the country to prepare for the “fight of their lives.”⁴⁶

In referencing the murder of Muller a few hours after and a few kilometres away from where Lamola uttered these words, it is not to say that Lamola’s threat was a sine qua non to the murder of Muller, as there is no evidence of this. The point however, which will be illustrated clearly in this report, is that a culture of violence and a political climate in which violence towards white people – Afrikaners or white farmers in particular – is romanticised and in many cases even actively encouraged up to the highest levels of the ruling ANC, the South African Government and certain opposition parties. Although a direct link between Lamola’s hate speech and the murder of Muller on a smallholding could not be proven, there are similar cases where such a link has indeed been proven...

Lamola’s statement is also indicated on graph 1 under chapter 2.

	TOTAL	MONTHLY AVERAGE	MONTH AFTER HATE SPEECH	VARIANCE
Farm murders	53	4,4	7	60% increase
Farm attacks	174	14,5	13	10% decrease

Table 2: Variance in farm attacks and murders after Ronald Lamola’s warning to “Messrs van Tonder and van der Merwe” on 5 June 2012. ⁴⁷

KILL THE BOER, KILL THE FARMER

From the ANC's legal entrance into politics in 1990 until the inauguration of Nelson Mandela as President of South Africa, its youth wing (the ANCYL) was led by a militant man named Peter Mokaba. Mokaba was then sworn in as a Deputy Minister in Mandela's cabinet. Although described as "a man of considerable intelligence, charisma and courage,"⁴⁸ Mokaba was always a deeply controversial figure.

Mokaba was particularly known for popularising the songⁱⁱⁱ "Kill the Boer, kill the farmer."⁴⁹

On 17 April 1993, Mokaba addressed a mass rally in Khayelitsha, just outside Cape Town in the Western Cape, where he led the crowd into chanting: "Kill the Boer, kill the farmer!"⁵⁰ The slogan, *Bulula Amabhunu* was used – a term which referred not simply to white farmers, but also to Afrikaners.⁵¹ The song had been a popular song of the ANC and its military wing, MK, in its armed struggle against the white minority government. Despite severe criticism, Mokaba persisted, going even further at a rally at Soshanguve Technikon near Pretoria, Gauteng on 21 April of that same year:

"Let me make it clear. What I said was, 'Kill the farmer, kill the Boer. Shoot to kill.' This is our culture; this is our tradition. Those who disagree can go to hell."

Mokaba then urged the students to "prepare for war."⁵² He later rephrased, saying that he didn't mean for these comments to be taken literally,⁵³ but it was too late...

On 22 August 1992, Godfrey Frederick Lanz Heuer was murdered in front of his wife Amy on their farm near Vryheid in KwaZulu-Natal. The killer was a 28 year old man named Ntuthuko Chuene. A Rossi Special firearm, ammunition and a suitcase containing about R1 000 in cash, a pocket calculator and books were also stolen from the scene. Chuene was convicted of murder and sentenced to life imprisonment. He would later testify to the TRC that the only reason why he had committed that murder, was because he had been influenced by the ANC's chanting of "Kill the Boer, kill the farmer". He continued:

"I could have killed any other white man I came across at that time. My frustrations were directed to white men because they had what we did not have."⁵⁴

The song was sung at various public gatherings, including a public gathering of the ANCYL in Kimberley in the Northern Cape in June 2002, at the funeral of Chris Hani⁵⁵ and eventually also the funeral of Peter Mokaba.⁵⁶ In 2011, during the Shoot the Boer case, which will be dealt with later in this report, Julius Malema testified that he had sung the song

with Mokaba when he was younger and that he had no problem with it.⁵⁷

The FF+ had filed a complaint with the SAHRC, requesting that the song in question be declared hate speech. The SAHRC found that they couldn't find any reason to categorise the song under section 16(2) of the South African Constitution and consequentially, that it wasn't hate speech. In other words, what the Commission found was that the chanting of the words "Kill the Boer, kill the farmer" combined with angry protestors imitating the sound of a machine gun, within the context of farm murders and Mokaba's statement that he actually meant "shoot to kill" did not amount to any of the following (as per Section 16(2) of the Constitution):

- Propaganda for war;
- Incitement to imminent violence; or
- Advocacy of hatred based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.^{iv}

The finding was of course ridiculous. The result thereof was a severe breach of minority communities' faith in the objectivity of the SAHRC. The matter was taken on appeal and heard by a different panel.

On appeal, the SAHRC found that calling for the killing of people because they belong to a particular community or race must amount to the advocacy of hatred, unless the context clearly indicates otherwise.⁵⁸ With reference to the words "incitement to cause harm" in Section 16(2) of the Constitution, the Commission found that "harm" must be defined broadly to include psychological, emotional and other harm, but the mentioned subsection then contains its potentially adverse impact by limiting its application to four categories, namely race, ethnicity, gender and religion.⁵⁹ An important finding in this matter, which was also hotly debated in the Shoot the Boer case that followed, was the test as to whether expression amounts to hate speech for purpose of Section 16(2) of the Constitution. The FXI had argued in this matter that the subjective intent of the inciter (e.g. Mokaba) must be shown to have influenced the incitee (e.g. an ANC supporter) to commit an offence. The Commission found that:

"It is the advocacy of hatred that must constitute the incitement to cause harm. The focus must be on whether the expression itself causes or is likely to cause harm and not on the subjective intention of the person articulating it."⁶⁰

The argument of FXI was thus rejected. In other words, in

iii. The word "song" is used here, although this particular "song" is actually a chant, as opposed to the song *Dubula iBhunu* (Shoot the Boer).

iv. Section 16(2) of the Constitution of South Africa; *Freedom Front v South African Human Rights Commission and Another* 2003 (11) BCLR 1283 (SAHRC)

determining whether a particular statement amounts to hate speech, the question lies not in what caused the statement or what the intention of the person making the statement was. What is more important, is the consequence of the statement. In looking at the consequence, it is not necessary to prove that the statement led to actual physical harm, such as that any person was attacked. The “harm” that is required as a consequence of hate speech in terms of the Constitution includes emotional or psychological harm.

The SAHRC found that:

“The slogan, under consideration in this appeal, was chanted at high profile functions organised by the African National Congress, the ruling party in this country. These events and the chanting of the slogans were widely publicised. There can be no doubt that the slogan, given its content, its history and the context in which it was chanted, would harm the sense of well-being, contribute directly to

a feeling of marginalisation, and adversely affect the dignity of Afrikaners.”⁶¹

The Commission continued:

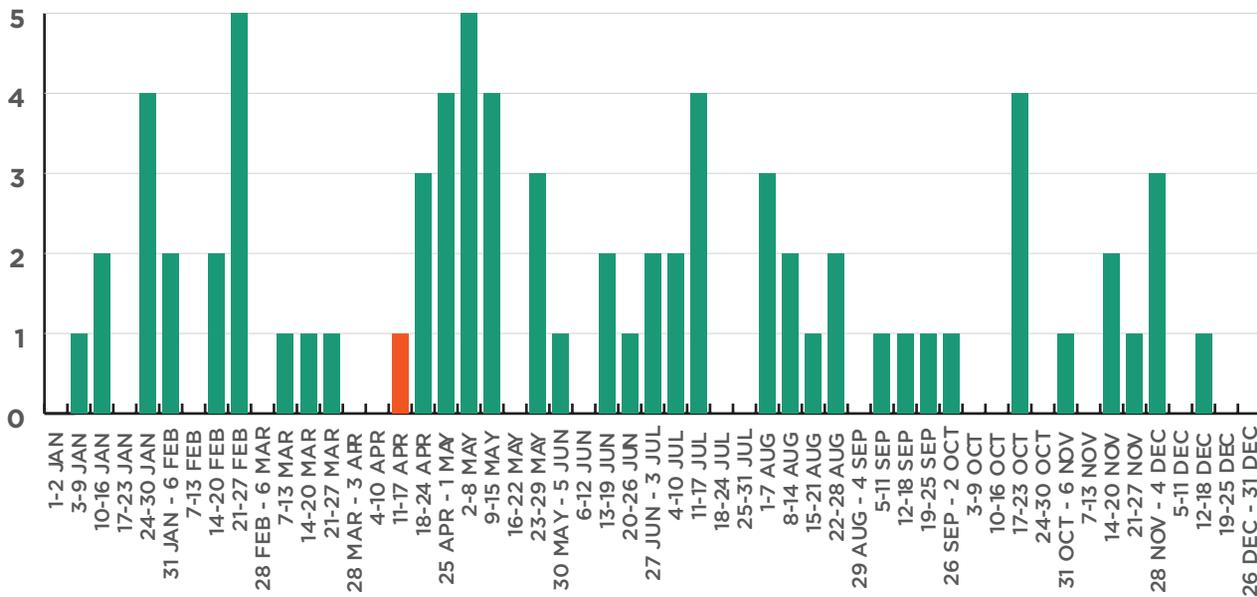
“The slogan says to them that they are still the enemy of the majority of the people of this country. It contributes to the alienation of the target community and conveys a particularly divisive message to the majority community that the target community is less deserving of respect and dignity.”⁶²

On that day, “Kill the Boer, kill the farmer” was found to be hate speech.^v

Since then, the ANC leadership has largely refrained from singing the song at public gatherings, although the song was and still is sung by ANC supporters on various occasions, even as recently as 2016.⁶³

	TOTAL	MONTHLY AVERAGE	MONTH AFTER HATE SPEECH	VARIANCE
Farm murders	77	6,4	15	135% increase
Farm attacks	161	13,5	19	42% increase

Table 3: Variance in farm attacks and murders after Peter Mokaba’s chanting of “Kill the Boer, kill the farmer” on 17 April 1993. ⁶⁴



Graph 2: Farm murders per week during 1993. The week in which Peter Mokaba publicly started chanting “Kill the Boer, kill the Farmer” is indicated in orange.

v. Freedom Front v South African Human Rights Commission and Another 2003 (11) BCLR 1283 (SAHRC), 1300 at para A.

THE RISE OF THE MALEMAPHILES

One young member of the ANCYL, who was particularly inspired by the words and actions of Peter Mokaba, was an unknown fellow named Julius Sello Malema. In 2008, several years after Mokaba's death, Malema was also elected president of the ANCYL. Malema describes himself as a product of Winnie Madikizela-Mandela and Peter Mokaba,⁶⁵ both figures known for their radical views and deeds. Madikizela-Mandela claims to have groomed Malema from before he became president of the ANCYL and refers to him as her "product."⁶⁶ Other than facing corruption charges, Madikizela-Mandela is also known for her involvement with the murder of the 14-year-old Stompie Seipei⁶⁷ and her public encouragement of the use of the "necklace"^{vi} as a method of murder.⁶⁸

Malema's self-ascribed role model in life is however Peter Mokaba.⁶⁹ Malema once described how he went to Mokaba's grave to ask for his blessings before the conference where he (Malema) was elected president of the ANCYL and how he went back to his grave after the conference to "report back" on his election as such.⁷⁰

Malema took over from Fikile Mbalula, under whose leadership the ANCYL had become known for being "thuggish."⁷¹ The ANCYL had always been controversial and more aggressive than its paterfamilias, but it was clearly reaching new levels of extremity. It was a time when Jacob Zuma, aspiring to become president of South Africa, was facing prosecution for several hundred charges of corruption. From the very start of his term as ANCYL president, Malema took the "thuggishness" to new heights when he said that he (Malema) and the ANCYL were prepared not only to die for Zuma as his predecessor had said – but even to "take up arms and kill for Zuma."⁷² Kgalema Motlanthe, the Deputy President of the ANC, responded angrily: "We have had so much killing and violence and for someone at this point to talk about killing! It is one thing if you are prepared to die and lay your life down, but to kill? What do you mean?" He continued: "They started by throwing water bottles and next time it will be hand grenades. That is how it starts." Motlanthe's criticism was almost the opposite to that of Zuma, who simply said that Malema has explained what he meant. Malema simply said that he would never apologise for what he said.⁷³

Leadership in the ANC, but particularly the ANCYL, has reached the point where those who are not radical are sidelined completely. This militancy is directed against "white monopoly capital" and in favour of aggressive redistribution of land, particularly agricultural land.

Malema had started making name for himself within the ANC structures back in 2003 when Madikizela-Mandela was found guilty on 68 charges of corruption, fraud and theft.

Malema responded that he would paralyse the country if she went to jail. "The prosecutor is white, the magistrate is also white and the court buildings also represent the 'Boer' regime, however the accused is a black woman from a township called Soweto and it does not come as a surprise she was found guilty," he said.⁷⁴

In 2009, he called Helen Zille, Leader of the opposition party, a "racist little girl" who "must remember that Zuma is her boss."⁷⁵ A few months later, he called her a cockroach.⁷⁶ The cockroach comment was particularly striking as it was the same word that was used by the Hutus of Rwanda to dehumanise the Tutsi minority as they were preparing for genocide.⁷⁷

Motlanthe distanced himself from Malema's statement again, repudiating the cockroach statement and stating that it was "bad manners,"⁷⁸ but the ANC refrained from taking disciplinary action.

On 8 May 2011, Malema and Zuma were addressing an election rally of about 3 000 supporters at Kimberley in the Northern Cape. With Zuma sitting on the stage behind Malema, he uttered the words:

*"Once we agree they (white people) stole our land, we can agree that they are criminals and must be treated as such."*⁷⁹

Despite broad condemnation by minority communities, the president never repudiated or even attempted to contextualise what Malema said that day.

Malema was later expelled from the ANC, not for his attacks on white people, but for his misconduct towards the leadership of the party.⁸⁰ He went on to establish the "radical, leftist, anti-capitalist and anti-imperialist movement," the EFF in July 2013.⁸¹ The first of its "cardinal pillars" declare that South Africa's land must be expropriated without compensation.⁸² At the launch, branded banners were displayed with the words:

"A revolutionary must become a cold killing machine motivated by pure hate."

Another banner read:

"Honeymoon is over for white people in South Africa."

The EFF responded to criticism, saying that the banners were not official.⁸³

Criminal charges were filed against Malema after he encouraged black people to illegally invade the land of white farmers. Appearing before the Magistrate in Newcastle on

vi. The "necklace" was a method often used by members of the ANC during the 1980s to execute members of black rival organisations or people who have been accused of being spies for the government. Typically, the victim's hands would be tied behind his back, often with wire, after which a rubber tyre, filled with petrol, would be pulled over the victim's head, around the victim's body. A match would then be struck to set the petrol-filled tyre on fire. The victims were then usually kicked and stoned by a cheering mob, while burning to death.

7 November 2016, Malema defended his position:

*"We are not calling for the slaughter of white people, at least for now ... The rightful owners of the land are black people. No white person is a rightful owner of the land here in SA and the whole of the African continent."*⁸⁴

Responding to criticism about his speech, Malema elaborated after appearing in court in Bloemfontein. Several extracts are published here:

"My wish is to see (The last white president of South Africa, FW) De Klerk suffering, for a very long time, for the crimes they committed against black people! They were never punished for that!"

"When we leave here, you see any beautiful piece of land, you will like it, occupy it! It belongs to you! It is your land! It is the land of your forefathers. It was the land that was taken from us by white people, by force, through genocide! They killed our people!"

"We are not talking violence, we are not promoting violence, but I cannot guarantee the future. I am not a prophet. I am talking now. We are not carrying any weapons. I will never kill white people. Why should I kill them? I will never revenge for what they did. I am asking politely for the land to be returned. And IF THEY DON'T RETURN IT, I cannot guarantee what will happen."

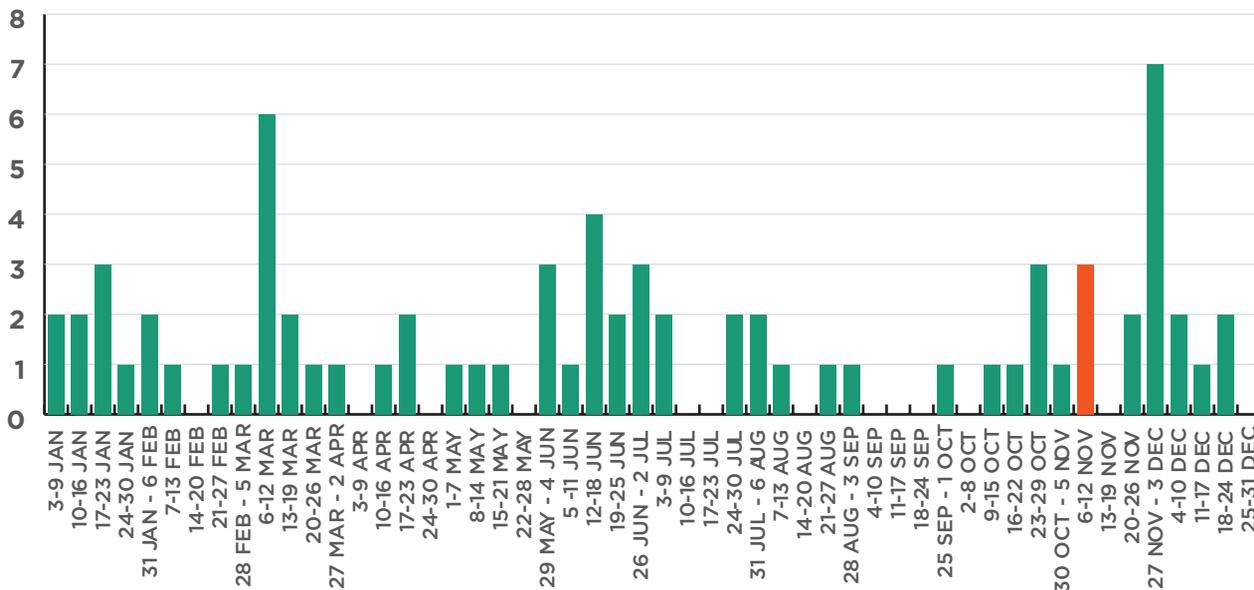
"Afrikaner boys, the poppe sal dans! The EFF is coming for you, boy! Afrikaner boys."

"Just pray, pray to your ancestors, pray to Malan, pray to Verwoerd, pray and ask them for EFF not to come into power. Because we come into power Afrikaner male this side! This is where you belong."

*"We are not scared of Afrikaners! This is not your land! You must know your place, you are visitors here. And the long stay of visitors depends on their conduct. If you continue to misbehave, feeding our people to lions, putting our people who are still alive in the coffins, then you are applying for something else."*⁸⁵

	TOTAL	MONTHLY AVERAGE	MONTH AFTER HATE SPEECH	VARIANCE
Farm murders	75	6,25	12	92% increase
Farm attacks	363	30,25	30	1% decrease

Table 4: Variance in farm attacks and murders after Malema's speech about white people in Newcastle on 7 November 2016. ⁸⁶



Graph 3: Farm murders per week during 2016. The week in which Malema's Newcastle speech about white people was delivered is indicated in orange. The second speech, indicated above, was delivered during the week of 13–19 November.

SHOOT THE BOER

Since the finding by the SAHRC that “Kill the Boer, kill the farmer” was hate speech, the ANC leadership resorted to the singing of other, similar songs that simply had different words.

On 9 March 2010, Malema was addressing a crowd of about 250 people at UJ, when he suddenly burst into song. The song was *Dubula iBhunu* (also referred to as *Ayasaba Amagwala*).⁸⁷

In fact, Malema also sang the song at his birthday party a week before this event in Polokwane, in the Limpopo Province – a province in which six farmers were murdered in that month alone.⁸⁸ The words of the song have been translated by a professional language practitioner at UJ as follows:

Ayasaba amagwala
‘Hulle is bang, die lafaards’ / ‘They are scared, the cowards’

Awudubule (i)bhunu
‘Skiet jy tog die/n Boer’ / ‘Shoot the/a Boer’

Ziyarobha le zintsha
‘Hulle (be)roof, hierdie honde’ / ‘they rob, these dogs’⁸⁹

“Boer” is an Afrikaans word that can have different meanings. “Boer” (with a capital ‘B’) refers to the Afrikaner people, while “boer” (with a lowercase ‘b’) is the Afrikaans word for farmer.⁹⁰

The Boers were particularly known for their association with farming.⁹¹

The SAHRC had received ten complaints of hate speech within one day after Malema’s singing of the song on 9 March.⁹² AfriForum had also announced that it would take up Malema’s conduct in the Equality Court.⁹³ Two days after Malema’s singing of *Dubula iBhunu*, when Jackson Mthembu, ANC spokesperson, was arrested for drunk driving, he sang *Dubula iBhunu* while being held in a prison cell. Mthembu continued:

*“This song was sung for many years even before Malema was born... Julius doesn’t even know who’s the writer of the song. He got it from us (the ANC). You must blame the ANC, don’t blame Julius. But when you blame the ANC, then contextualise it.”*⁹⁴

Moeletsi Mbeki, Political Commentator and brother of former President Thabo Mbeki, responded, saying that what Malema was doing was nothing else than a call for the slaughter of Afrikaners.⁹⁵ Gwede Mantashe, Secretary

General of the ANC, attacked critics of the song, saying that the song would not be erased from the ANC’s history because of people who were sensitive.⁹⁶

In the meantime, farm attacks were increasing. Within days after Malema’s singing of the song at UJ, at least two farmers were murdered. An unknown number of attackers fired multiple shotgun blasts through the bedroom window of a Potchefstroom farm at around midnight, fatally wounding a sleeping 46-year-old farmer in his back, reported *The Citizen*. The attackers did not attempt to break into the farmhouse or steal anything. This attack came one day after five men overwhelmed 65-year-old Ian Wheeler in his bedroom, stabbing him repeatedly before shooting him multiple times. This was the 36th violent farm attack in Limpopo in four and a half months.⁹⁷

Meanwhile, a Malema supporter started publishing updates about farm attacks on Malema’s Facebook page every few hours. The page had about 12 000 followers at the time. One of the posts said:

“3 000 farmerz dead since ‘94... we lost more people than that... we r far from being even... So kill da boer, kill da farmer.” [sic]

In another post, the same Malema supporter wrote that eight farmers had been murdered on farms in Limpopo since the beginning of February. When asked about his intentions behind the post, he responded that he has never killed anyone, but that he doesn’t have any sympathy for farmers who are murdered. “(S)ue me for not shedding a tear.”⁹⁸

Another Malema supporter posted on his public page:

“You fucking white pigs. Malema is our leader. He will kill zuma within 6 weeks, look ahead my fellow black people. We will then take our land, and every trespasser, namely white whores, we will rape them and rape them until the last breath is out. White kids will be burned, specially those in pretoria and Vrystaat. Men will be tortured while I take a video clip and spread it on You tube.

Collen, we shall stand together and rape those fuckers. Its true what Malema said, silently we shall kill them... Police will stand together... OUR leader will lead us to take our land over. Mandela will smile again..

White naaiers^{vii}, we are coming for you!!!!!! Households will be broken into and families will be slaughtered.” [sic]⁹⁹

A few days later, the Chairperson of Sasco, the student wing

vii. “Naaier” is the Afrikaans word for “fucker”.

of the ANCYL, shouted *Dubula iBhunu* during a political debate on the Potchefstroom campus of the North West University.¹⁰⁰

The ANC came out in support of Malema, threatening to take legal action against those who campaign for Malema to stop singing *Dubula iBhunu* on the basis that these campaigns were putting his life at risk. "As the ANC, we draw the conclusion that it (the campaign) is meant to incite, instigate and mobilise some people to harm and even lead to the execution of the ANCYL president," said Ishmael Mnisi, ANC Spokesperson.¹⁰¹ "Whoever has a problem with that song, has a problem with the struggle," added Mthembu.¹⁰²

By 20 March 2010, the SAHRC confirmed that it had received 109 complaints about Malema's singing of *Dubula iBhunu*. The Commission said however that it was not prepared to investigate the matter, given the fact that a complaint has been lodged against Malema at the Equality Court. The Commission was severely criticised for this.¹⁰³

On 14 March that same year, I participated in a live televised debate on the matter with Floyd Shivambu, the ANCYL's spokesperson. Shivambu argued that it wasn't possible to accuse a black person of racism, since it wasn't possible for a black person to be racist:

*"Black people can be despondent and obviously be developing attitude on whatever white people do, but they can never be racist."*¹⁰⁴

After the debate, Shivambu said to me that he would like to see "white people" marching to the ANC's Headquarters to express their disapproval about the situation. In his view, it would demonstrate that the tables had turned in South Africa and that blacks were now truly in power. I responded that we have already decided to protest on the matter and that he would be receiving correspondence from me shortly.

We gave notice to the Johannesburg Metro Police that we intended to organise a public gathering on 19 March 2010. The plan was to gather at Mary Fitzgerald Square in Johannesburg, from where we were to march to Luthuli House, where the offices of the ANCYL were also based, to deliver a memorandum of grievance to Malema. Our argument was that farm murders were a real phenomenon and that the singing of a song about killing white farmers at a political gathering was conducive to a climate in which violence towards farmers is condoned or romanticised.

On 17 March (two days before the intended protest gathering) Shivambu requested the leadership of AfriForum Youth to meet with them on the following day. During the meeting, Malema insisted that we withdraw the hate

speech charges that was by that time already filed at the Equality Court. I responded that we would do so if Malema undertook to apologise for singing the song and to refrain from singing it in future. "I would never do that!" he responded angrily. Malema then explained his singing of the song as follows: He had been singing the song since he was nine years old. It was intended to incite and encourage members of MK to take up arms against the white minority government. He had sung it as a small boy while carrying equipment and weapons in furtherance of the struggle. There were also many other songs in which violence towards the so-called ama'bhulu (Boers) was encouraged. Malema, Shivambu and Stephen Ngubeni then burst into song, singing different songs. Not being fluent in Zulu, I couldn't follow the lyrics, other than to recognise variations of the word "i'Bhulu". Shivambu then explained to me that the word in question didn't particularly refer to farmers, but to Afrikaners in general and that the word (which refers to Afrikaners or Boers) is also used to symbolise the evil of white oppression and the exploitation of black people in South Africa.

Not all whites are oppressors, Malema explained, referring to the communist leader, Jeremy Cronin, as an exception. Institutional apartheid may be dead, said Malema, but apartheid was still a reality and therefore, he would continue to sing the song. "We have defeated (institutional) apartheid and we will defeat you!" he then said, leaning forward, pointing at me with his finger.

He then accused AfriForum of being an organisation of "white monopoly capital" (which he had frequently stated as the enemy that had to be defeated) and white people of having too much wealth. White people still owned the banks, farms and expensive cars, he said. I pointed out that a wealthy black elite was emerging in South Africa, to which he challenged me to name one rich black man. "Well, you," I said, pointing to the three of them (Ngubeni was the CEO of the NYDA at the time, for which he earned a salary of more than R2 million per year)¹⁰⁵ They burst out laughing simultaneously, as if they had anticipated that I would refer to their wealth and planned their response beforehand. The insinuation is false and I (Ernst) was a victim of the media and it's lies, said Malema. "If that is so, what about Tokyo Sexwale and Cyril Ramaphosa?" Malema responded, saying that these men were very poor. "They owe the bank money and white people own the bank," said Malema. If the court ordered him to stop singing the song, he would encourage his supporters to continue singing it, so that he could dance to the rhythm of the song, he said. He would then, in addition, sing other songs in which violence towards the Boers are encouraged.

I responded that we are now wasting each other's time and that we would see them the following day when we deliver

our memorandum. Malema's anger visibly flared up, with him swinging his finger in our faces again. "If you come to Luthuli House tomorrow, what happened to the IFP when they came to Shell House (as Luthuli House was formerly known), is going to happen to you!" I asked him to clarify what he meant, to which he responded: "Come and see." He was of course referring to the Shell House Massacre of 28 March 1994, in which 19 members of the IFP were shot dead by members of the ANC when they protested in front of the ANC Headquarters. This was a chilling and horrible threat.

The threat worked to an extent. We discussed the matter and decided to go ahead with the gathering in Mary Fitzgerald Square, but not to continue with the march to Luthuli House, because we didn't want to test Malema's integrity at the risk of the people who came to the gathering that day to express their concerns.

Instead, we gathered at Mary Fitzgerald Square as planned and continued with the proceedings there. Then a small contingency drove to Luthuli House, armed with a memorandum and a list containing the names of about 1 600 farmers who have been murdered in recent years. Upon our arrival, we found a barricade of armed police officers, joined by a senior official of Luthuli House, who declined to give us his name. We informed them that we were there legally as we have complied with all the legal prerequisites to be there and requested to present our memorandum and the list to the leadership of the ANCYL. They refused to call them, as we expected. We then requested to deliver the documents at reception, but we were refused to do so as well. When it became clear that they were given instructions to make sure that the memorandum was not presented to anyone, Kallie Kriel took the documents and attempted to walk past the police officers into the building. He was immediately pushed out. Visibly angry, Kriel said: "You tell Julius we'll see him in court. What is in here, he's going to get in court, because you didn't want to take the documents." Kriel then dropped the documents over the police officers' heads, only to find that the documents were thrown out again. The list containing the names of murdered farmers wasn't bound, but kept in a folder. As a result, when it was thrown out, all the pages containing the names of the murdered farmers blew into the air, with the pages landing on the sidewalk and in the street. The ANC members who were present then stomped on the names, kicked it around in the street, crumpled it and tore it to pieces. Through the scramble, I explained to them that they were literally stepping on the names of murdered farmers, to no avail. Pictures of the torn and crumpled pieces of paper were on the front pages of newspapers the following day and a video of the events was published on YouTube.

Shortly thereafter, AfriForum obtained an interim interdict prohibiting Malema from his continued singing of the song until the matter was to be heard in the Equality Court. Malema then went to Zimbabwe to "cement ties" with President Robert Mugabe and sang the song there. He told reporters that the order was granted by an untransformed judiciary system, which is the same one that was operating during the apartheid system and that the judiciary was defeated by the struggle. He added that he was prepared to go to jail for singing the song.¹¹⁰ "This is war," Malema said:

*"Arm yourself now, like you did in the past giving us AK-47s to go and fight the regime. But today the struggle is different. You are arming us to prepare ourselves for another confrontation. Because the struggle today is a struggle for economic emancipation. And we shall overcome."*¹¹¹

Malema praised Mugabe and the Zimbabwean government for its role in expropriating land from white land owners.

*"In South Africa, we are just starting... Here in Zimbabwe you are already very far. The land question has been addressed. We are very happy that today you can account for more than 300 000 new farmers, against the 4 000 who used to dominate agriculture. We hear you are now going straight to the mines. That's what we are going to be doing in South Africa."*¹¹²

The case was heard in April 2011. The ANC had sent their big leaguers to attend the proceedings, including Madikizela-Mandela and Gwede Mantashe.

The ANC had jumped in to join Malema as the second respondent in the matter, arguing that they do have a right to sing about how white people are racist dogs that had to be shot. Of course, the argument wasn't that they actually wanted to embark on some kind of white genocide, but rather that the song had been sung during the 1980s in defiance against apartheid and that, if the song is sung in the 21st century, it is sung simply to commemorate the struggle against apartheid. Malema however diverted from this argument, stating that apartheid and the struggle wasn't over and that he was singing the song to entice ANC members to continue with the struggle.

In cross-examination, Malema was asked why he was convinced that it was inappropriate to sing "Kill the Boer, kill the farmer," but acceptable to sing "Dubula iBhunu." His response was:

"When we were discouraged to sing 'kill the Boer, kill the farmer', the explanation was that 'the farmer' is directed at a particular group of people. And what is worse is that farmers are not only

whites. You are going to even kill people who are part of your struggle if you want to kill farmers, so you are actually pushing away the potential supporters of your struggle when you say 'kill the farmer!'"

"Is that seriously your answer?" Martin Brassey (SC), Advocate for AfriForum, asked Malema. "Yes, that is my answer!" he said angrily. Brassey then concluded that Malema believed that killing his own supporters are not as bad as killing white people.¹¹³

In his judgment, Judge Colin Lamont found that minority groups are particularly vulnerable. It is precisely the individuals who are members of such minorities who are vulnerable to discriminatory treatment and who in a very special sense must look to the Bill of Rights for protection.¹¹⁴ The song was found to constitute hate speech.¹¹⁵

On the same afternoon that Malema was singing *Dubula iBhunu* in Zimbabwe, an event took place in South Africa that shocked the entire country: Eugene Terre'Blanche (69), leader of the right-wing AWB, was beaten to death with pipes and pangas on his farm.¹¹⁶ Malema responded: "We are unshaken. Nobody, including the right-wingers, can intimidate us in that country. We have more important issues to concentrate on than killing an individual ... I'm not going to be scared of boers – I've fought them many times before. If they want to fight me, they are welcome."¹¹⁷ Helen Zille, DA leader at the time, called on political leaders to reject hate speech such as songs that include the lyrics "kill the Boer." "The singing of songs such as 'kill the boer' creates a climate in which violence is seen as an appropriate response to problems, whether personal or collective," she said.¹¹⁸

Two people were arrested soon thereafter; one 29 years old, the other 15. The murderers were hailed as heroes by the local community for their roles in the killing of Terre'Blanche. Racial friction reached an all-time high during the trial of the suspects.¹¹⁹ Placards outside the court included statements such as "Rest in Hell." This particular protestor also waved a white baby doll with a sign around it saying "Sorry Martie" (Terre'Blanche's widow).¹²⁰ Many feared that the killing might

trigger political violence, dividing the country along racial lines.¹²¹

Some began to fear that a process of ethnic cleansing or genocide of Afrikaners were on the way and Malema was described as "an accessory to the wiping out of farmers in South Africa." The SAIRR stated that Malema and the ANC were reinforcing the perception that commercial farmers were under siege.¹²²

At the court proceedings, hundreds of people gathered in support of those on trial for Terre'Blanche's murder. Terre'Blanche supporters waved the old South African flag, carried posters with slogans such as "Die Boere is hier om te bly" (the Boers are here to stay)¹²³ and called on Malema to refrain from singing liberation songs believed to encourage farm murders.¹²⁴ The crowd in support of the killers, on the other hand, was whistling and ululating in support of the murder of Terre'Blanche.¹²⁵ "We are celebrating the death of a man who has abused us so much," shouted one woman.¹²⁶ When one of the attackers walked out of the court, the crowd started chanting "viva!"¹²⁷ As the police drove off with the attackers, the crowd started chanting "Hero! Hero!"¹²⁸

Similar protests occurred when the killers were sentenced.¹²⁹

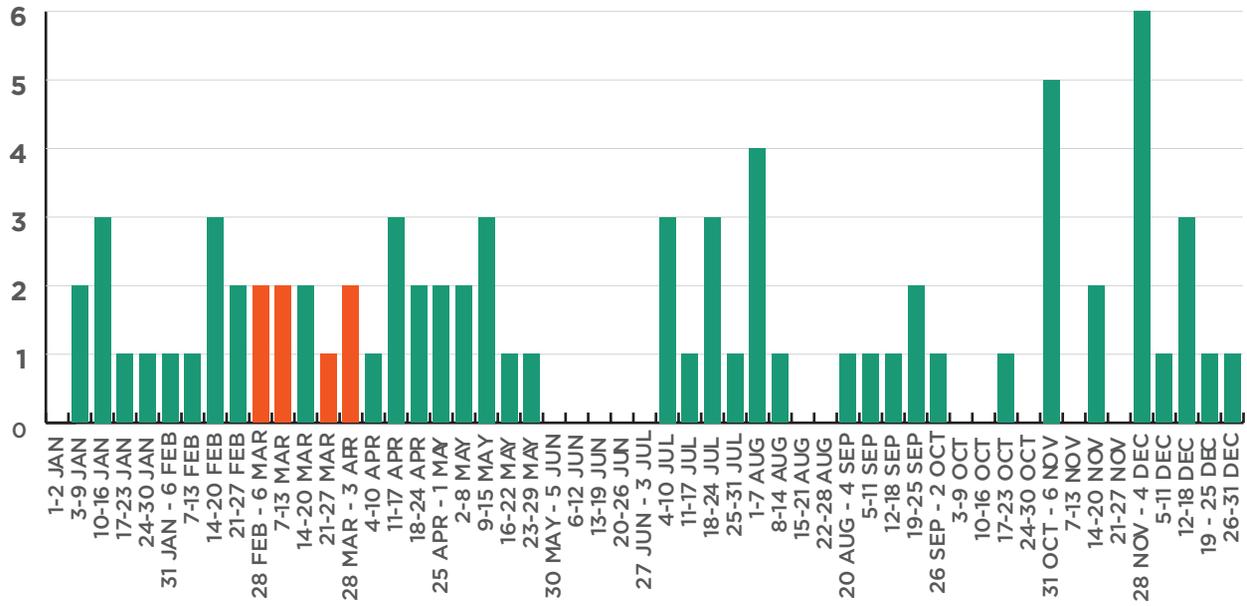
Malema came out in strong support of the protestors who supported the accused murderers of Terre'Blanche:

"Those people who went to Ventersdorp, they must be saluted. Those are real defenders of the revolution ... They must be saluted for standing up for their own country, for who they are at a time when all of us were scared to provide leadership. Our masses rose to the occasion and said: 'this is our land!'"

Malema added that he does not condone murder, but that the killing of Terre'Blanche should teach white people a lesson about what will happen to them if they were to oppress black people.¹³⁰

	TOTAL	MONTHLY AVERAGE	MONTH AFTER HATE SPEECH	VARIANCE
Farm murders	64	5,3	8	51% increase
Farm attacks	115	9,6	18	88% increase

Table 5: Variance in farm attacks and murders after Malema's singing of "Shoot the Boer" in March 2010.¹³¹



Graph 4: Farm murders per week during 2010. The weeks in which Malema sang “Shoot the Boer” are all indicated in orange.

CONCLUSION

While there are many white South Africans who are concerned about the possibility of a “white genocide,” this notion is frequently ridiculed by members of the media. The definition of genocide requires proof of an intent to destroy, in whole or in part, a national, ethnical, racial or religious group.¹³² Farmers are not a national, ethnical, racial or religious group, but rather an occupational group. White farmers are a racial or ethnical segment of an occupational group and not a racial or ethnical group in itself. Consequentially, a discussion of farm murders and genocide is misdirected.

The fact that farm murders do not comply with the legal definition of genocide in no way renders the crisis that white farmers in particular face in South Africa as less imminent. It is important to note that not all who are murdered on farms are white people. On the other hand, it is equally important to note that black farmers are not subjected to the same levels of torture as their white counterparts.

In an article about the comparisons between hate speech in Nazi Germany and in South Africa, James Myburgh quotes Fritzsche, who said that “crime does not begin when you murder people. Crime begins with propaganda ... The moment propaganda turns against another nation or against any human being, evil starts.” Myburgh continues:

“As concerning, in a way, is the failure of much of the local and international media and civil society to seriously report on or push back against even the most extreme and apocalyptic expressions of black chauvinism. When such reporting is unavoidable – as was the case with Malema’s slaughter remarks – a sly editorial is often inserted into what is ostensibly a straight news report to the effect that this simply reflects righteous frustration or indignation on the part of the black majority.

By contrast, every physical or verbal assault, or insult or act of racial impertinence, directed by

a white person against black people, receives huge coverage and sets off wave after wave of condemnation. Demands are then made for the severest of punishments, no matter how disproportionate to the actual offence, and for ever more stringent measures to stamp out the scourge of (anti-black) “racism” once and for all.

When media loses its sense of balance and proportion in this way – and becomes fixated on the wrongdoing of individuals from a particular minority – it has turned away from journalism towards racial propaganda. This can create huge perceptual distortions among viewers and readers. The claim is quite often made on social media, and not in bad faith, that all or almost all racial discrimination and inter-racial violence in South Africa is white-on-black.”¹³³

This report only mentions some of the most important events on the topic of hate speech towards white farmers and should be regarded as an introduction to a topic that deserves much more attention. It provides evidence that some farm murders have been committed as a result of political factors. Farm murders are however a complicated topic with a wide variety of criteria that can play a role. This report also indicates that all of the most prominent cases of hate speech towards white farmers in recent years resulted in an increase in farm murders.

The extent to which farm murders are the result of political factors can never be determined in full. However, the point is that politics, hate speech and racial factors do play a role. To deny this would be irresponsible and might even contribute to the continuation of the crisis.

Political leaders need to be held accountable for their actions. And if South Africa’s justice system proves incapable of doing this, the matter would have to be escalated to the international community.

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