

# Statement in support of the Constitutional Court

By *moderator*

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## WE SUPPORT THE CONSTITUTIONAL COURT

Our Constitution is the product of a great struggle for democracy and equality, in which many gave up their lives so that present and future generations of South Africans may have a better life.

In its foundation, the Constitution provided the alternative to civil war. It stands today as a vital guarantor of our individual rights and freedoms against abuses of power.

In its recognition of certain basic socio-economic rights, it provides legal means to support social and political activism, requiring government, now and in future, to proceed progressively to realise the demands of the people for decent health care, education, housing, safety and security, dignity and freedom from poverty. It provides vital means to address the legacy of racial and class-based discrimination and oppression.

With this Constitution, South Africa has been able to hold its head up proudly throughout the world.

Since its establishment, the Constitution ? and with it, South Africa? has been well served by the Judges of the Constitutional Court. While opinions have differed on the interpretation of laws and the merits of cases, integrity has been the hallmark of the work of the Court.

The authority of the Court among the people, its integrity, impartiality and independence from political pressures and executive power, have enabled it during the first 15 years of our democracy to hand down decisions of the utmost importance for vulnerable, poor and marginalised people.

The Court has defended the rights of newborn babies, pregnant women, people without houses, communities without land, pensioners without social grants, women suffering gender-based violence, lesbian and gay people, workers and victims of discrimination in employment and citizenship status.

In the years ahead ? and all the more so in harsh economic conditions ?impartial and fearless work by the Courts will be crucial in ensuring that the government can and will promote the social justice obligations imposed on it by the Constitution.

No action or judgment of a Court is above scrutiny and principled criticism. Judges who breach the ethics of their office or abuse their judicial powers must be brought to account, however high or low they may be. The object of the JSC complaints process must be to ensure the integrity and independence of the judiciary, so that its necessary authority in the discharge of its public duties can be maintained.

Manipulations and sharp tactics aimed at weakening the Judges in order to advance personal and political ambitions ought to be condemned by the entire people of South Africa. By threatening the independence of the judiciary, those methods threaten us all.

Vusi Nhlapo

Nonkosi Khumalo

Vuyiseka Dubula  
Mark Heywood  
Teboho Klaas  
Noxolo Lobi  
Athule Tyelentombi  
Atomboxolo Silimeni  
Atomboxolo Malengeni  
Nombini Zamani  
Refuwe Louis  
Yoliswa Dwane  
Pathixolo Tiko  
Zukiswa Vuka  
Pierre De Vos  
Ann Burroughs  
Johann Potgieter  
Ahmien Van Der Walt  
Pat Craig  
Xico Meirelles  
Grant Gunston  
Kananelo Sexwale  
Jennie Poggrund  
Wendy Landau  
Zani Mazauley  
Phumi Mtetwa  
Sieraaj Ahmed  
Peter Walsh  
Thabo Stewart  
Sidney Lockett  
Bruce Laing  
Alive Mpazi  
Bave Mpazi  
Phatiswa Foloti  
Thuliswa Milo  
Karen Lotter  
Theresa Raizenberg  
Lene Øverland  
Roberto Millan  
Steve Letsike  
Moses Masitha  
Thoriso M-Afrika  
Zelri van der Schyff  
Delme Cupido  
Deena Bosch  
Gugu Dlamini  
Emma Peta Holtmann  
Stevie Godson  
Sandlakazi Mpazi  
Nonkosithandile Monakali  
Zizipho Nodongwe  
Noxolo Labi

Nomvulo Gamedala  
Rosemary Lombard  
Melanie Motto-Ros  
Lubabalo Popo  
Warren Tiervlei  
Ryan Ross Jales  
Nick Groll  
Gavin Silber  
Louis Fourie  
Lukhanyo Mangona  
Anjuli Leila Maistry  
David Watson  
Gabi Richards  
Tracy Bailey  
Mariette Olwagen  
Michael Mbikiwa  
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Anso Thom  
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Siyabulela Kenny Mama  
Akhona Siximba  
Nolufefe Salman  
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Ugreson Maistry  
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Nozizwe Madlala-Routledge  
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Akhona Bridget Cira  
Anco Henning  
Nolufefe Salman  
Nosandise Chomo  
Nosifungo Xabanisa  
Nathan Geffen  
Doron Isaacs  
Fundiswa Nkohliso  
Nozuko Mdzelu  
Asiphe Mpazi

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