

JOINT STATEMENT BY TAC AND SECTION27 ON THE DEATH OF KADER ASMAL

By *moderator*

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SECTION27 and TAC mourn the death on 22 June 2011 of lawyer, human rights activist and ANC leader Kader Asmal. Our condolences go out to his family, friends and close comrades. In a time when our country faces a growing decline of leaders with integrity, courage and bravery, Asmal stood out as a fearless fighter for justice.

Asmal once stated that the decisive moment in his political growth was when he watched footage of Nazi concentration camp victims. This was the motivating factor for his decision to become a lawyer. It was this form of social consciousness that shaped his future as a lawyer, activist, politician and humanitarian. He spent the rest of his life using the law to fight for justice and freedom. In this regard he stands alongside other giants like Bram Fischer, Nelson Mandela, Oliver Tambo, Cissy Gool, Victoria and Griffiths Mxenge, Felicia Kentridge, Phyllis Naidoo and George Bizos who have used the law as a weapon in the fight for justice and equality.

For decades Asmal was a vocal and determined opponent of apartheid. A great freedom fighter. But after 1994 he carried his principles with him into his position as a leader of a new government. Fortunately, even once in government he was not afraid to speak up for truth and rights even when it meant going against his own government and party.

- In 2007, while still serving as the Minister of Education, he openly criticised Robert Mugabe for blatant human rights abuses in Zimbabwe. This was virtually an unprecedented move for any ANC minister at the time. Even today it is rare for a government official to speak out against human rights abuses in Zimbabwe.
- In 2008 he showed his steadfast stance against injustice when he resigned from parliament in protest against the disbanding of the Scorpions anti-crime unit. Such a dedication against corruption is an example of his devotion to the struggle for social justice and an open and transparent society. Even after he resigned from parliament, Asmal continued to speak out openly against all things he considered wrong.

One of our most endearing memories of Asmal was when he wrote a letter to the AIDS denialist and charlatan Matthias Rath and told him to "Voertsek!" At the time Rath had the support of then Health Minister Manto Tshabalala-Msimang, and had written a letter to all MPs attacking TAC. Asmal came to TAC's aid by responding to Rath and defending our good faith in the fight against HIV/AIDS. He wrote that Rath's "kind of quackery deserves the old Afrikaans response: voertsek." As a result Rath launched legal proceedings against him ? although these were later dropped.

Of course, Asmal also made mistakes. He was part of the Mbeki Cabinet all of whose members remained largely silent in the face of the former-president's AIDS denialism. He was also Minister of Education during the period of Outcomes Based Education which has now been abandoned. Nevertheless, he did ultimately speak out forcefully on AIDS, as the above story shows, and he later acknowledged the crisis of the education system. People, like Asmal, who dedicate their life to struggle and public service will make mistakes that justifiably come under close scrutiny. But his good work and personal integrity far outweighed his shortcomings.

The great thing about Professor Asmal was that he did not just speak out against injustice, he raised his voice

loudly so that everyone could hear. He was truly an example of a morally uncompromising leader who will be sorely missed. We call on the next generation of lawyers and social justice activists to look to his example for inspiration and guidance.

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