



COUNCIL
FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN
CONSTITUTION

MEDIA STATEMENT

9 December 2016

20th Anniversary of the SA Constitution

CASAC joins all South Africans in celebrating the twenty-year anniversary of the signing into law of the final Constitution by President Nelson Mandela on 10 December 1996 in Sharpeville.

This is an important moment, and we should pause and reflect upon it: not all Constitutions stand the test of time - often they are amended, replaced or cast aside at the whim of a political elite. In twenty-years South Africa's Constitution has been amended just eighteen times and each time the amendment has been of modest scope and has generally enjoyed cross-party support.

Sipho Pityana, Chairperson of CASAC, said:

“South Africa's Constitution is proving to be a durable as well as legitimate, social contract. South Africa should be very proud of its Constitution and its achievements. It has provided the institutional infrastructure to advance our democracy and curb the tendency towards abuse of power and corruption, while at the same time giving ordinary people rights that have changed their lives for the better and improved their quality of life in tangible ways”.

The Constitution has created an array of institutions, such as the Constitutional Court, the Office of the Public Protector, the Auditor-General and the Independent Electoral Commission, that have proved their mettle and withstood scrutiny and political pressure. They have proved fit for purpose and exercise their functions with the requisite independence. Equally importantly, the Constitution has proved to be a transformative mechanism: many weak and vulnerable groups have benefited from its protection – from ensuring preventative treatment for HIV+ mothers, to ensuring that young children and mothers get the emergency shelter they need, to preventing the unfair discrimination of women and gay people, the bill of rights has served the principles of equality, freedom and dignity that are the underlying values of the Constitution.

CASAC media statement

Lawson Naidoo, executive secretary of CASAC, commented:

“We recognise, however, that the Constitution is a site of political contestation. Sometimes it is the scapegoat for executive failings or lack of transformation in the private sector. We acknowledge that more substantive amendment to the Constitution may be necessary in due course, but we stand firmly in support of the Constitution as the bedrock of South Africa’s democracy and will continue to do all we can, working with other progressive organisations, to animate the constitution’s institutional arrangements and to defend the gains that have been made under its’ auspices since President Mandela signed the final constitution into law twenty years ago”.

Notwithstanding the gains and accomplishments made possible by the Constitution, a lot more still has to be done to address the plight of the poor, the landless and victims of unfair discrimination and blatant racism in our country. The quest for human dignity for all our people must be intensified.

On this occasion we call on all people in South Africa to re-commit to the Preamble of the Constitution:

“We, the people of South Africa, Recognise the injustices of our past; Honour those who suffered for justice and freedom in our land; Respect those who have worked to build and develop our country; and Believe that South Africa belongs to all who live in it, united in our diversity.”

Let us move forward to create the kind of society that the Constitution envisions buttressed by its noble values and principles, and the robust institutional arrangements that underpin it.

Enquiries:

Lawson Naidoo
073 158 6736