

# Celebrating the coming into effect of the Constitution Webinar, 04 February 2022

AUDIO TRANSCRIPT WEBVTT

1

00:00:00.210 --> 00:00:05.520

Naz: today's event so we'll start with the singing the national anthem, thank you.

2

00:01:54.840 --> 00:01:56.280

Naz: Thank you, please be seated.

3

00:01:57.870 --> 00:02:07.110

Naz: will now call upon the Director General of the Department of Justice and personal development, advocate Dr Michelle Bernie.

4

00:02:08.370 --> 00:02:23.370

Naz: to outline to welcome everybody, as well as given opening remarks, and then it also introduced our Honorable Minister of Agriculture, land and performing rural development miss this desert, who then give us the key a trust, thank you.

5

00:02:29.610 --> 00:02:51.900

Naz: Good morning and program director, thank you, thank you very much on the out for the Department of Justice and consumer development would want to take this opportunity to welcome you to this event, the fourth of February 2022 which marks the 25th anniversary irises.

6

00:02:52.980 --> 00:03:06.990

Naz: Our Constitution our well the claim Constitution came into operation, so it is indeed a very important day is a quarter of a century, since the Constitution has been in operation.

7

00:03:08.070 --> 00:03:24.210

Naz: The that are big they have more classes in the world constitutions that have been in place for more than 200 years more than hundred years, we are, but we are on that journey as well, so this is a critical milestone in the life or for an issue.

8

00:03:25.230 --> 00:03:28.740

Naz: We thought as a department, it will be very important to take this opportunity.

9

00:03:29.970 --> 00:03:33.390

Naz: to observe is important.

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00:03:36.810 --> 00:03:55.500

Naz: In the LIFE before nation operation and we thought this and put it opportunity as well for us to organize an event of this nature and other events that will follow to spark a discussion about the nature and the character of our constitution.

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00:03:57.900 --> 00:04:02.370

Naz: department has a special name, which is justice and constitutional development.

12

00:04:03.270 --> 00:04:10.440

Naz: We always have been, mindful of the fact that deliberate, you will not call constitutional offense but constitutional development.

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00:04:11.040 --> 00:04:30.810

Naz: Because of the understanding that ours was not a constitution custom stone, but as a Constitution that has to be developed, that has to be adapted, from time to time, bearing in mind, though, that we still have to maintain the basic structure of the Constitution.

14

00:04:31.860 --> 00:04:41.940

Naz: So we want to really appreciate everyone who has come today to join us, to mark this historic event some yes, those of us who might still be around.

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00:04:42.510 --> 00:04:51.900

Naz: The Constitution, we hope, will be 50 years old, but will always remember this moment that at some points, it was 25 years old, so when we reach the golden jubilee.

16

00:04:52.620 --> 00:05:13.380

Naz: will look back and remember this occasion, so it is indeed a historical occasion I want to take this opportunity in North Pacific order to acknowledge the the guests that have joined this occasion and you will bear with us, I think the colleagues were battling to get confirmations.

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00:05:14.400 --> 00:05:27.180

Naz: Some of its our mainly depend on my knowledge of some of you, if I don't acknowledge you just take it as an ignorance on my part.

18

00:05:30.450 --> 00:05:41.040

Naz: It will not be because of anything else that some of you that are so popular that we don't go a week without seeing you either on the screens or newspaper headlines.

19

00:05:41.580 --> 00:05:52.560

Naz: That I don't need a new one, it is to give me at least to introduce you so in no particular order, we have the chairperson of the National Council of provinces.

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00:05:54.420 --> 00:05:55.110

Naz: Honorable.

21

00:05:57.600 --> 00:06:04.740

Naz: Most musonda we acknowledge and welcome you, we also have the deputy speaker.

22

00:06:06.900 --> 00:06:07.470

Naz: Honorable.

23

00:06:08.940 --> 00:06:10.740

Naz: speak of the National Assembly.

24

00:06:11.970 --> 00:06:19.740

Naz: Honorable leeches say normally I think I got your pronunciation right of your names that I Honorable.

25

00:06:21.390 --> 00:06:25.260

Naz: We also have the deputy chief judge President.

26

00:06:26.610 --> 00:06:31.590

Naz: The currently acting as a judge President of housing.

27

00:06:33.570 --> 00:06:44.190

Naz: division of the High Court, we also have the chairperson of the Independent Electoral Commission, as the Glenn machine, we welcome you say.

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00:06:45.540 --> 00:06:54.300

Naz: We have, I saw the chief medical officer as well is cms si mamabolo, we welcome you, we also have the.

29

00:06:55.680 --> 00:07:10.860

Naz: requisite representative of the UN High Commissioner for Human Rights in southern Africa welcome you my sister, we have no presence as well, His Excellency the ambassador of Kazakhstan in our presence, we welcome you.

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00:07:13.140 --> 00:07:13.740

Naz: and

31

00:07:15.600 --> 00:07:20.460

Naz: We also have online, the former justice of the Constitutional Court.

32

00:07:22.470 --> 00:07:31.200

Naz: Justice i'll be sucks we also have the chairperson of the South African human rights commission advocate banana majola.

33

00:07:32.070 --> 00:07:43.290

Naz: We, we have the national Director of Public Prosecution advocate sharmila battery will also have the acting Director of Public Prosecution for the Northwest Dr Rachel macquarie.

34

00:07:44.730 --> 00:07:55.950

Naz: We have the Executive Director of the ultimate Colorado foundation, with a mission Bolton, and also members of the portfolio committee for justice and correctional services.

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00:07:57.750 --> 00:08:06.630

Naz: other representatives of the chapter nine institutions senior managers of government said, my brother, the National Commission of correctional services in our midst.

36

00:08:07.350 --> 00:08:22.710

Naz: We welcome you and we thank you very much for joining us for this event, I also have the distinct honor, ladies and gentlemen, of introducing to you the keynote speaker for the day.

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00:08:24.420 --> 00:08:26.430

Naz: Excellent see and.

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00:08:27.960 --> 00:08:34.080

Naz: Madame Angela totally deserved who's currently the member of the Executive.

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00:08:36.540 --> 00:08:38.190

Naz: The additional executive.

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00:08:39.390 --> 00:08:43.020

Naz: and member of the six Parliament.

41

00:08:44.430 --> 00:08:51.030

Naz: Who serving in the executive as a Minister for Agriculture land reform and rural development, under the leadership of.

42

00:08:52.320 --> 00:08:53.730

Naz: Several posts.

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00:08:55.380 --> 00:08:56.490

Naz: Minister duties.

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00:08:57.570 --> 00:09:08.520

Naz: As a saved as a first woman Deputy Mayor that's from 1994 to 1999 1999 to 2004 Minister judges, I was appointed as the Minister for Agriculture and Linda face.

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00:09:09.300 --> 00:09:19.650

Naz: From 2004 to 2006 Minister did these are continued in the same portfolio as a Minister of Agriculture and land affairs, it was during this DEMO fulfills that Minister.

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00:09:22.590 --> 00:09:33.510

Naz: involving a range of stakeholders to reflect on sort of slander form in 2006 to 2008 on audible judges, was appointed as the Minister for public works.

47

00:09:34.320 --> 00:09:40.170

Naz: Minister, it is a prior becoming a Member of Parliament worked in number of organizations in various capacities.

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00:09:41.160 --> 00:09:48.660

Naz: Such as worked as a legal Secretary at my feet on bully attendance, where does a program officer at the cornea.

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00:09:49.410 --> 00:09:59.040

Naz: 1989 to 1992 she was the youth coordinator South African console of young women Christian association and from 1992 to 99 to four.

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00:09:59.520 --> 00:10:09.240

Naz: Minutes that these are served as a Secretary General of the woman's National Coalition that produce the woman's charter for effective equality and tabled in the first parliament of South Africa.

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00:10:10.050 --> 00:10:18.810

Naz: In 2005 on audible the design was named as the young global leader, but they will economic foundation and in 2011 2014.

52

00:10:19.560 --> 00:10:35.730

Naz: Minister did is I was a project consulted invest of South Africa, responsible for the establishment of the html fetcher research institute on applied social police on our abilities are served as the board member for the troublemaker foundation, as well as the language Institute.

53

00:10:45.270 --> 00:10:55.410

Naz: From 1997 to 2007 and was elected in 2012 to date on audible disease or was re elected as a Member of Parliament in the fifth element of the Republic of South Africa.

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00:10:55.980 --> 00:11:05.910

Naz: And appointed house chapters and responsible for internal arrangement in 2016 was elected as the chairperson of the Commonwealth women's parliamentarians Africa region.

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00:11:06.570 --> 00:11:12.810

Naz: In 2007 she completed a bachelor of arts honors degree from the University of South Africa unison.

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00:11:13.320 --> 00:11:26.340

Naz: And in 2015 she graduated there must thoughts in tertiary education management from the University of Melbourne in Australia let's and gentlemen, please join me in welcoming to the stage, Minister.

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00:11:39.210 --> 00:11:45.660

Naz: Thank you very much a Director General of justice and constitutional development.

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00:11:47.190 --> 00:11:50.250

Naz: To our program director who CA.

59

00:11:52.230 --> 00:11:54.720

Naz: Justice our socks are former chief.

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00:11:56.250 --> 00:11:59.040

Naz: Justice of the Constitutional Court.

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00:12:00.870 --> 00:12:02.520

Naz: ruled, he says, you know the.

62

00:12:04.260 --> 00:12:05.070

Naz: Honorable.

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00:12:06.780 --> 00:12:21.030

Naz: and be musonda and all the Members of Parliament present here, as we have had the members of the portfolio Committee who serve on the portfolio committee of justice and constraints on development, why here.

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00:12:22.620 --> 00:12:26.250

Naz: advocate bomani majola Chairperson of the Human Rights Commission.

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00:12:28.050 --> 00:12:29.820

Naz: are also want to recognize.

66

00:12:30.960 --> 00:12:55.500

Naz: The various justices that I hear who have already been cited by our program director, as well as our DG i've also noted that we have here the various representatives and heads of our institution as a country, the special investigating unit advocate motiva.

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00:12:58.530 --> 00:13:04.620

Naz: disclaimers giannini who's a ic chairperson just conducted.

68

00:13:05.640 --> 00:13:09.750

Naz: Recently, our local government elections in the CEO.

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00:13:10.980 --> 00:13:18.390

Naz: same same of a bolo i've seen also the justice is, some of whom I had to interview, when I was a member of the.

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00:13:19.560 --> 00:13:30.480

Naz: JC i've seen justice my jeep also here and then we've added justice is right here excellent to the ambassador of Kazakhstan, as well as all the other.

71

00:13:31.530 --> 00:13:45.420

Naz: Important guests, that I here with us either want to stand on the protocols that have already been established, but more importantly, it is us South Africans who are the guest of honor today.

72

00:13:46.530 --> 00:13:58.290

Naz: It is a single an honor and privilege that today and joining you and also the Africans at home and abroad to celebrate 25 years since our Constitution came into effect.

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00:13:58.920 --> 00:14:06.660

Naz: This Constitution is clearly a product of many years of struggle which came, against the backdrop of a history of appetit.

74

00:14:07.140 --> 00:14:26.160

Naz: A central features feature of which was inequality, based on race and gender we remember an honor those of Africans who had the architects of the supreme law of our land, starting from knows who were on the constitutional principles, while in exile.

75

00:14:27.630 --> 00:14:36.300

Naz: As well as those who are part of the negotiating forum of our interim Constitution, which was adopted in 1993.

76

00:14:36.780 --> 00:14:46.290

Naz: And the constituent assembly that actually said and drafted our final constitution, some of them have passed on.

77

00:14:46.770 --> 00:14:56.730

Naz: But left us a legacy that we and the next generations will forever treasure because it mark the break from our colonial an appetite past.

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00:14:57.180 --> 00:15:10.800

Naz: Interestingly, this event today takes place when the traditional services Commission is undertaking interviews of men and women who have avail themselves, so the post of Chief Justice in Ireland.

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00:15:11.460 --> 00:15:19.800

Naz: This has meant that our Minister of Justice Minister moola is unable to be with us here today due to this mammoth task of searching.

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00:15:20.130 --> 00:15:34.080

Naz: For the Chief Justice who will be the head of the judiciary and also faced with the responsibility of establishing and monitoring of norms and standards for the exercise of the judicial function of all our courts.

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00:15:34.620 --> 00:15:45.000

Naz: This very institution, the Teresa services Commission is a product of a transformative legislation anchored in the roots of our constitution.

82

00:15:45.840 --> 00:15:54.450

Naz: This very institution includes the participation of the latest later the legal professional bodies and the heads of course.

83

00:15:54.990 --> 00:16:10.140

Naz: The manner in which the process of interviews is undertaken is transparent, allowing us as citizens to get a glimpse of who is the next judicial officer and for which layer of the Court.

84

00:16:10.890 --> 00:16:21.990

Naz: We wish those and trusted with this task, the NASA through wisdom, as they make the recommendation of our Chief Justice who will be the head of the judiciary in South Africa.

85

00:16:22.320 --> 00:16:30.030

Naz: Close with the responsibility of exercises and final authority over the functioning and management of the courts in our country.

86

00:16:31.530 --> 00:16:43.260

Naz: I must say that one of the interesting part about our Constitution has been setting up the institutions that support democracy, some of whom are here today.

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00:16:43.950 --> 00:16:51.750

Naz: This has ensured that even as a citizens, we can feel protected but also.

88

00:16:52.260 --> 00:17:04.710

Naz: We appreciate that, in their exercise of responsibility, faced with new challenges, they have to look at our constitution and how it best protect its citizens.

89

00:17:05.640 --> 00:17:17.220

Naz: today's event offer us an opportunity to reflect on how this Constitution has contributed to the transformation of our country and the lives of our people.

90

00:17:18.060 --> 00:17:25.950

Naz: Our country comes from a divided past, which was reflected in racial gender and other forms of discrimination.

91

00:17:26.490 --> 00:17:39.360

Naz: Such divisions left no institution and touched its impact will require a mindset change from all of us and in all three arms of the state.

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00:17:39.750 --> 00:17:52.800

Naz: In essence, transforming our society is our collective responsibility as public representatives, the legislature judiciary, the private sector and communities.

93

00:17:53.430 --> 00:17:58.380

Naz: The preamble of our Constitution sick and I will quote in his preamble.

94

00:17:59.250 --> 00:18:08.880

Naz: to heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights close quote.

95

00:18:09.450 --> 00:18:16.560

Naz: This preamble characterizes the past that we seek to change and a society we want to build.

96

00:18:17.310 --> 00:18:30.030

Naz: In doing so, certain principle of fundamental in guiding all arms of state on how we can put the building blocks for a new society that we all yearn for.

97

00:18:30.660 --> 00:18:45.510

Naz: This society must be anchored around the values of our constitution, such as human dignity, the achievement of equality and the advancement of human rights and freedoms non racism and sexism.

98

00:18:46.260 --> 00:18:53.550

Naz: Chapter two of the Constitution is our Bill of Rights which is a cornerstone of democracy in our country.

99

00:18:54.240 --> 00:19:01.170

Naz: The Bill of Rights sets the basic in unalienable rights that each citizen must enjoy.

100

00:19:01.920 --> 00:19:16.020

Naz: It is in the Bill of Rights that certain responsibilities are given to the different arms of state on how we can go about ensuring that such rights are realized by our citizens.

101

00:19:16.590 --> 00:19:27.060

Naz: I will actually call to one of the sections in this chapter, which relates to my portfolio, so I stayed away DG on the portfolios of justice and other.

102

00:19:28.500 --> 00:19:44.670

Naz: sectors, but I thought I will relate to the portfolio in which i'm responsible for in section 25 of the Constitution, the rights to land property and other natural resources enshrined and also.

103

00:19:45.330 --> 00:19:54.150

Naz: This very section creates a framework on how as government, we can ensure the realization of such rights.

104

00:19:54.780 --> 00:20:05.850

Naz: The test of our success or failure have been reflected in, among others, the judgments of our courts way education has taken place.

105

00:20:06.360 --> 00:20:23.580

Naz: In remaining on the land, issues such as judgments have been made that are fundamental in changing our inherited statutes, the case of inheritance in a customer relenting is one such piece of legislation that has shown.

106

00:20:24.630 --> 00:20:33.240

Naz: on how the exercise of our Constitution can challenge the patriarchal tendencies in our legislations gnomes and practices.

107

00:20:34.470 --> 00:20:38.760

Naz: The recently amended upgrading of lengthen your rights a.

108

00:20:39.660 --> 00:20:57.840

Naz: which was actually successfully challenge in the Constitutional Court by one of our citizens will ensure that applications for the conversion of lens and the rights to ownership I realized in a manner consistent with the Constitution and the values it espouses.

109

00:20:58.920 --> 00:21:16.920

Naz: The amendment will make it easier for women, such as myself, who most of them come from a rural setting to have a right to be bequeath it with land and property in equal terms like the men counterparts, as we all know.

110

00:21:17.430 --> 00:21:27.690

Naz: That in our customary law, in particular as its exercise, you know traditional communities, when it comes to inheritance it's usually a male child.

111

00:21:28.680 --> 00:21:39.150

Naz: eldest if not the uncle or the brother of the husband and our relationship to land, particularly as women, has always been.

112

00:21:39.480 --> 00:21:56.820

Naz: Seen in relation to men to an extent that, even when you're a girl child born in a household it's always assumed that you will get your portion and exercise of land rights where you will be married never asked whether you want to.

113

00:21:57.390 --> 00:22:13.860

Naz: Or you willing, but this is how the frame of our societies, not only in South Africa in a number of countries has been, but what this challenge to our constitution, particularly the ultra late.

114

00:22:18.300 --> 00:22:30.420

Naz: The upgrading of land tenure at actually creating a new way of testing our constitution and how would exercise that clause of equality that is enshrined in our constitution.

115

00:22:30.690 --> 00:22:43.980

Naz: And indeed it was successfully challenged so from now on, a majority of the likes of me as women of our country can be able to exercise their right as equal citizens.

116

00:22:44.580 --> 00:22:53.040

Naz: Are progressive Constitution has ensured that the Convention of this right, that reflects the values of human dignity.

117

00:22:53.970 --> 00:23:03.450

Naz: To illustrate the progressive nature of our constitution in one of our judgments of the Code, which was delivered by justin group in 2000.

118

00:23:03.840 --> 00:23:11.220

Naz: In the famous case of government of the Republic of South Africa and others vessel scrub bomb and others.

119

00:23:11.790 --> 00:23:19.710

Naz: This case grappled with the realization of the States constitution and obligations in relation to housing.

120

00:23:20.250 --> 00:23:27.150

Naz: A constitutional issue of fundamental importance to the development of South Africa's constitutional order.

121

00:23:27.660 --> 00:23:42.270

Naz: When delivering the judgment in these important case Giorgio coupe said I Code, the issues here remainders of the intolerable conditions under which many of our people are still living close quote.

122

00:23:42.990 --> 00:23:53.910

Naz: Just just a trust is struck a coupe Farah said, I quote, it is also a reminder that, unless the plight of these communities is alleviated.

123

00:23:54.300 --> 00:24:01.860

Naz: People may be tempted to take the law into their own hands, in order to escape these conditions.

124

00:24:02.310 --> 00:24:12.750

Naz: This case brings a harsh reality that the constitution's promise of human dignity and equality for all remains for many at Eastern dream.

125

00:24:13.140 --> 00:24:20.400

Naz: People should not be empowered to intolerable living conditions to resort to land invasions self help of these.

126

00:24:20.730 --> 00:24:33.540

Naz: kind cannot be tolerated for the unavailability of land suitable for housing development is a key factor in the fight against the country's shortages close quote.

127

00:24:33.960 --> 00:24:47.520

Naz: of my interest is the equality clause in section nine of our constitution that sets a standard for the attainment of an egalitarian society by recognizing that everyone is equal before the law.

128

00:24:47.940 --> 00:24:59.670

Naz: and has the right to equal protection and benefits of the law, it is important to note that this equality includes the full and equal of all rights and freedom.

129

00:25:00.480 --> 00:25:13.890

Naz: This supreme law of the land has enabled us to remember our courts in protection of our individual basic human rights, and that of groups.

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00:25:14.550 --> 00:25:22.500

Naz: The egalitarian society which our Constitution six to create is illustrated in the case of Hoffman versus of African Airways.

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00:25:22.860 --> 00:25:36.210

Naz: This case concerns the constitutionality of South African airways practice of refusing to employ as carbon attendance people who are living with human human immunodeficiency virus HIV, as it is commonly known.

132

00:25:37.170 --> 00:25:49.800

Naz: There were two critical questions to be answered in this case, the first one being whether is such a practice inconsistent with any provisions of the Bill of Rights, and the second one.

133

00:25:50.190 --> 00:25:57.060

Naz: Was that if the answer to the first question is in the affirmative, then what should be the appropriate relief.

134

00:25:57.750 --> 00:26:08.400

Naz: Justice Sunday Lenovo delivering a unanimous unanimous decision on behalf of the Court held that the South African airways practice constituted.

135

00:26:08.910 --> 00:26:21.840

Naz: unfair discrimination and ordered that Mr Hoffman be employed as a steward for as long as his health permitted this judgment is an illustration that at the heart.

136

00:26:23.040 --> 00:26:37.200

Naz: Of the of the Prophet he vision of unfair discrimination is the recognition and our constitution that human beings, regardless of their positions in society must be accorded equal dignity.

137

00:26:38.670 --> 00:26:47.610

Naz: dignity is impaired when a person is unfairly discriminated against, and this is what our Constitution god's against.

138

00:26:48.120 --> 00:27:07.560

Naz: There are many examples that each one of our city Ada can show the norms can cite rather that shows the new norms and values that our Constitution has brought to society, such as the value of human dignity, equality and freedom.

139

00:27:08.940 --> 00:27:29.820

Naz: As we seek to change, new challenges image and demand new lenses and ways in which we must tackle and change some of this challenge has put to the test, some of the constitutional provisions and new and unchartered ways of educating on such matters image.

140

00:27:31.050 --> 00:27:46.020

Naz: If I were to take one land may also the color judgment on district six did not only unravel one of the early settled lead restriction claim, which was done in 2002.

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00:27:46.590 --> 00:27:57.960

Naz: The judgment reflects on how the adjudication of cases and our constitutions dispensers and also take into consideration the transformative elements of our constitution.

142

00:27:58.380 --> 00:28:13.320

Naz: This case had to do with the desire of the district six claimants to resolve and to bring to finality their claim to restitution which arose out of the fastest position of their homes and properties in district six.

143

00:28:13.830 --> 00:28:23.220

Naz: In his judgment justice color Pen who was also recently appointed to the hostess now Court said, I called the advent of an of constitutional democracy.

144

00:28:23.670 --> 00:28:39.780

Naz: brought with it the hope that, to the extent possible, the suffering is caused to this community would be recognized and appropriate mechanisms would be put in place to bring justice to those affected close quote.

145

00:28:40.590 --> 00:28:47.820

Naz: The other method of interest was the judgment on Labor tenants popularly known as the more elastic judgment.

146

00:28:48.090 --> 00:29:01.050

Naz: in which the Constitutional Court offend the decision of the land claims court which created the office of the special master whose role would be to supervise government in the speedy resolution of Labor tenants claim.

147

00:29:01.530 --> 00:29:08.820

Naz: The main question that the quarter to answer in this case was whether the decision of the land claims court constitutes.

148

00:29:09.420 --> 00:29:24.990

Naz: In code textbooks case of judicial overreach in his introductory parts of the judgment justice Cameron said, I called this court stress that land and dignity were fundamental to realizing other constitutional rights.

149

00:29:25.740 --> 00:29:40.380

Naz: Land reform could be I quote a catalyst for structural change in our society close quote this again is demonstrative of the progressive nature of our Constitution which we celebrate today.

150

00:29:40.950 --> 00:29:56.010

Naz: At times such judgments have cost debates in society as we grapple with understanding this very Constitution what comfort as, however, is that when interpreting the Bill of Rights, a court or a tribunal offer from.

151

00:29:56.820 --> 00:30:07.110

Naz: is required to promote the values the underlying an open and democratic society based on human dignity, equality and freedom.

152

00:30:07.650 --> 00:30:17.550

Naz: Interestingly, some of the debates in the legal profession itself has been transformative has been on an issue of transformative constitutionalism.

153

00:30:18.180 --> 00:30:29.880

Naz: For my Chief Justice Iana and just as men engage in the articles on transformative constitutionalism raises very interesting views about the role of the judiciary in transformation.

154

00:30:30.480 --> 00:30:42.810

Naz: The late just Chief Justice Iana also raises the issue of the legal culture of the past and how these if not transform can leave our transformation agenda and attended to.

155

00:30:43.560 --> 00:30:53.370

Naz: Banana, on the other hand, raises the importance of infusing the venues of our Constitution in the preparation and schooling of current in the new legal professions.

156

00:30:53.730 --> 00:31:08.580

Naz: Like all of us, we have to unlearn some of the norms and values of our colonial an apparent updated past not once or twice, but continuous as we face new challenges.

157

00:31:09.090 --> 00:31:22.860

Naz: Our Constitution creates that opportunity to enable us to grapple with the transformation of our society from the horrible past, we do not want to remember.

158

00:31:24.120 --> 00:31:28.860

Naz: But what is also important in the values of our constitution.

159

00:31:30.180 --> 00:31:31.230

Naz: is about.

160

00:31:32.370 --> 00:31:33.540

Naz: Human dignity.

161

00:31:34.830 --> 00:31:57.120

Naz: And I would actually say, one of the things if one clean our constitution, we must do as society is being able to respect our institutions, not only the institutions, such as those that meets our just justice, not only the institutions of the.

162

00:31:58.290 --> 00:32:02.460

Naz: letters that are there, oh the arms.

163

00:32:03.690 --> 00:32:16.560

Naz: An institution that support democracy, but all of our institutions, we need to make sure that we respect and protect these institutions, because they are fundamental.

164

00:32:16.920 --> 00:32:32.880

Naz: In actually ensuring the attainment of the freedoms that we fought for it is also important that, as we do so, we ensure that we retain the integrity that such institutions provide.

165

00:32:33.930 --> 00:32:39.390

Naz: So for me today is a very interesting day because seated here.

166

00:32:40.530 --> 00:32:42.540

Naz: As other Africans who must grapple.

167

00:32:43.860 --> 00:33:02.910

Naz: With what the demands of today requires us to do in transforming of our society and how we can use this instrument, which is our Constitution to be able to build this equal tyron society.

168

00:33:03.420 --> 00:33:13.410

Naz: As I close, it is important for all of us to recognize and respect the supremacy of our constitution and also acknowledge that law and conduct.

169

00:33:14.550 --> 00:33:31.620

Naz: inconsistent with it is invalid and the obligations imposed by it must be fulfilled if we all espouse the values and trying in our constitution, we would achieve what the Constitution sought to achieve, which is the protection of the vulnerable.

170

00:33:32.700 --> 00:33:43.080

Naz: And the creation of an egalitarian society, I want to wish all of you today successful deliberations, as you celebrate this important.

171

00:33:44.670 --> 00:33:59.130

Naz: supreme law of our land there was actually created by all of us in the manner in which we all participated in its formation, we may not.

172

00:34:00.480 --> 00:34:12.810

Naz: have been in the Constituent Assembly, but wherever we were we were allowed an opportunity to make an input on what this final piece of legislation would look like.

173

00:34:13.350 --> 00:34:20.970

Naz: It is therefore our collective responsibility to protect it and make sure that we popularize it because there may be.

174

00:34:21.630 --> 00:34:32.490

Naz: Others were born in 1994 or even later, who may have no clue of what you sought to achieve, and it is our responsibility to educate, but at the same time.

175

00:34:32.850 --> 00:34:46.590

Naz: To allow ourselves to be challenged by the young ones who may actually feel that the new challenges requires us to relook at this important law of our land, I think.

176

00:35:00.810 --> 00:35:02.280

Naz: Thank you, Minister.

177

00:35:03.390 --> 00:35:10.020

Naz: In line with part of the same today, it is indeed one nation and one constitution.

178

00:35:11.040 --> 00:35:22.140

Naz: will therefore a listen to recorded message by the honorable Minister of Justice and correctional services, I missed a la mala.

179

00:35:31.500 --> 00:35:41.430

Naz: I am Ronald Ramallah, the Minister of Justice and correctional services on the fourth of February this year we celebrate in the five years of the question coming into effect.

180

00:35:42.030 --> 00:35:46.950

Naz: The Constitution marked a decisive break from the colonization of a special type of market.

181

00:35:47.880 --> 00:35:56.520

Naz: The Constitution places a responsibility, and also the Africans to heal the divisions of the past and establish a society based on democratic values.

182

00:35:56.820 --> 00:36:04.140

Naz: Social justice and fundamental human rights lay the foundation for a democratic and open society in which government is based on the will of the people.

183

00:36:04.620 --> 00:36:12.750

Naz: And every citizen is the quality protected by law, improve the quality of life of all citizens and free the potential of each person.

184

00:36:13.200 --> 00:36:22.380

Naz: and build a united in a democratic, South Africa, able to take its rightful place as a sovereign state in the female of nations, our first vote.

185

00:36:23.130 --> 00:36:32.940

Naz: silt our feet as a democracy in our constitution, a feminist most of the gains made since 1994 have been because of the Constitution.

186

00:36:33.420 --> 00:36:45.480

Naz: The majority of our people enjoy access to housing, basic services and education among others were improved infrastructure, there is greater provision for social security.

187

00:36:46.050 --> 00:37:00.780

Naz: Much more needs to be done together, we need to redouble our efforts to deal with the persistent challenges that confront us, such as crime, unemployment, violence against women and children, as well as to address some of the existing inequalities in our society.

188

00:37:01.620 --> 00:37:11.190

Naz: Through the freedoms enshrined in our constitution, we have a society in which we can have open conversations about who we are and what we aspire to be.

189

00:37:11.820 --> 00:37:22.290

Naz: We must join hands as initiative and work together to improve the quality of life of all South Africans and make the vision of a constitution, a lift and it.

190

00:37:28.380 --> 00:37:31.890

Naz: Thank you hon Minister of Justice, Mr Lola.

191

00:37:33.330 --> 00:37:47.340

Naz: will now get to the second part of the program which is messages of support and will therefore kindly call upon the Chair of the National Council of provinces that they must must under.

192

00:37:51.000 --> 00:37:52.530

Naz: he's well known someone receiving.

193

00:37:57.630 --> 00:38:00.720

Naz: No, thank you very much a facilitator.

194

00:38:01.980 --> 00:38:04.560

Naz: greetings and a good morning.

195

00:38:06.510 --> 00:38:07.470

Naz: facilitator.

196

00:38:09.240 --> 00:38:13.320

Naz: Minister of Agriculture and Linda affairs and rural development.

197

00:38:15.090 --> 00:38:15.360

Naz: Is.

198

00:38:18.030 --> 00:38:22.860

Naz: The Minister of Justice and professional services Honorable Ronald.

199

00:38:24.030 --> 00:38:25.410

Naz: imola who's the.

200

00:38:27.870 --> 00:38:32.910

Naz: deputy speak of national assembly Honorable lucha such a naughty.

201

00:38:34.440 --> 00:38:39.390

Naz: Justice i'll be sucks another justice is present.

202

00:38:40.560 --> 00:38:47.970

Naz: The ic leadership Chairman machine, as well as si mamabolo.

203

00:38:48.990 --> 00:38:54.360

Naz: The chairperson of the South African human rights commission advocate born Madonna.

204

00:38:55.650 --> 00:38:56.820

Naz: or civil.

205

00:38:57.900 --> 00:39:02.130

Naz: Society organizations, present here today, this morning.

206

00:39:03.180 --> 00:39:08.430

Naz: esteem estate participants and guests, ladies and gentlemen.

207

00:39:10.650 --> 00:39:33.540

Naz: problem that facilitator, it is indeed an honor to bar for this opportunity to participate in a panel discussion on the town which will mark the 25th anniversary of the coming into into effect of the Constitution of the Republic of South Africa, the thing for this occasion.

208

00:39:35.280 --> 00:39:37.080

Naz: We, the people of South Africa.

209

00:39:38.130 --> 00:39:41.970

Naz: Recognizing the place of the Constitution and the rule of law.

210

00:39:43.080 --> 00:39:52.770

Naz: of us a glimpse into 25 years of a nation's commitment to striving for equality, justice and peace.

211

00:39:53.910 --> 00:40:02.610

Naz: The process of negotiations with preceded the 1994 elections, led to the development of this unifying document.

212

00:40:03.090 --> 00:40:15.060

Naz: which has adopted by the Constitution customers me in 1996 and came into effect on this day 25 years ago our Constitution gives effect.

213

00:40:15.570 --> 00:40:24.960

Naz: To it a democratic system of governance that is based on inherent human dignity, equality and the rule of law.

214

00:40:25.830 --> 00:40:38.700

Naz: As you all know, our nation image from a dark history dominated by colonialism racism apart date sexism and depressive Labor practices.

215

00:40:39.330 --> 00:40:51.420

Naz: Through the Constitution, we have sought to galvanize the nation to focus on creating the necessary conditions modalities are met measures, amongst others.

216

00:40:51.900 --> 00:41:05.850

Naz: To hear the divisions of the past as ministers so correctly and aptly pointed out and establish a society based on the democratic values, social justice and fundamental human rights.

217

00:41:06.390 --> 00:41:17.130

Naz: to lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by the law.

218

00:41:18.150 --> 00:41:23.880

Naz: To improve the quality of life of all citizens and free the potential of each person.

219

00:41:24.510 --> 00:41:42.750

Naz: And to build a united, democratic, South Africa, able to take its rightful place as a sovereign state in the familiar of nations, these are indeed lofty ideals for a society that head in the west of the first President of the democratic state.

220

00:41:44.190 --> 00:41:58.650

Naz: Nelson Mandela experience extraordinarily human disaster problem data, the path of the Constitution pave the way for the constitutional democracy, which culminated in the system will parliamentary as often.

221

00:41:59.340 --> 00:42:16.110

Naz: In terms of Parliament was supreme being replaced with a constitutional system that is based upon the principle of the supremacy of the Constitution, it is the Constitution that gives the people of the land, the right relax Parliament provincial.

222

00:42:18.540 --> 00:42:37.110

Naz: legislators and was been Councils every five years, this these legendary parties are vested with the power to act as the voice of the people, essentially, they are constructed empowered and positioned to fulfill their functions of lawmaking oversight and public participation.

223

00:42:38.550 --> 00:42:47.760

Naz: This is a critical instrument for financing people's power and frustrating the transformation of our society.

224

00:42:48.420 --> 00:42:57.330

Naz: They play an important role in both the pursuit and the realization of social economic outcomes in his own observation.

225

00:42:57.960 --> 00:43:08.520

Naz: During the financing of the first democratic elected parliament in 1999 for President Nelson Mandela made the point that quote.

226

00:43:09.330 --> 00:43:19.410

Naz: It is in the legislators, that the instruments have been fashioned to create a better life, for it is in the legislature's.

227

00:43:20.010 --> 00:43:35.880

Naz: That oversight of of government has been exercised it isn't the legislature has not our society in all these formations has had an opportunity to influence policy and its implementation close quote indeed.

228

00:43:36.600 --> 00:43:49.380

Naz: Since the coming into effect of the Constitution, Parliament has made great strides in laying the foundations for a democratic and open society in which government is placed on the wheel of the of the.

229

00:43:50.250 --> 00:44:01.110

Naz: program facilitator, the establishment of the National Council of provinces, then Su P, which is one of the tools of of our Parliament.

230

00:44:01.620 --> 00:44:12.870

Naz: is viewed as one of the significant innovations introduced by the Constitution, then corp which came into effect on the essence of February 1997.

231

00:44:13.440 --> 00:44:25.350

Naz: represents the interests of the provinces and also provides for the participation by local government representatives who represent the different categories of municipalities.

232

00:44:25.890 --> 00:44:33.060

Naz: In essence, the entropy is constitutionally designed to contribute to effective government.

233

00:44:33.630 --> 00:44:44.730

Naz: As we celebrate the 25 years of the coming into effect of the Constitution, it is clear that we need to look at the role of the institutions, such as en Su p.

234

00:44:45.060 --> 00:44:56.160

Naz: In contributing to the improvement of the quality of life of the citizens, in particular, we need to ask whether we have taken full advantage of the entropy.

235

00:44:56.550 --> 00:45:07.260

Naz: which threatens the different spheres of government in contributing to the creation of an accountable government that is responsible to the needs of the people.

236

00:45:07.980 --> 00:45:18.690

Naz: The Constitution provides a clear and progressive principles for the promotion of cooperative government and intergovernmental relations in South Africa.

237

00:45:19.050 --> 00:45:32.130

Naz: In order to advance this governance philosophy, so that it can benefit the citizens government niche eventual cooperation and coordinate in the fulfillment of public treaties.

238

00:45:33.150 --> 00:45:41.040

Naz: ELENA sweet as the entropy we held a training an empowerment workshop for MPs.

239

00:45:41.640 --> 00:45:48.450

Naz: Where we sought to advance the promotion of cooperative governance and intergovernmental relations.

240

00:45:48.870 --> 00:45:59.670

Naz: Where we start to understand the basic concepts of collaborative governance and intergovernmental relations for ensuring effective and efficient service delivery to communities.

241

00:46:00.450 --> 00:46:11.250

Naz: Where we saw to understand and grasp policy framework and legal to the students or your philosophy of law regarding the promotion of cooperative governance and intergovernmental relations.

242

00:46:11.610 --> 00:46:19.830

Naz: Where we sought to address the lack of trust amongst the stakeholders and mobilize resources outside government to ensure.

243

00:46:20.220 --> 00:46:33.690

Naz: Meaningful development work to integrate provincial experiences regarding cooperative governance in relations in advancing service delivery and improving the quality of life of the people.

244

00:46:34.830 --> 00:46:42.330

Naz: The participants were not government in recognizing the supremacy of the Constitution and the rule of law.

245

00:46:42.900 --> 00:46:49.200

Naz: In the past, intergovernmental relations was used to ensure that, apart, it was uniformly applied.

246

00:46:49.620 --> 00:47:06.000

Naz: Our Constitution requires us to harness the collective of efforts of the different spheres of government to improve the quality of life of the people, one of the important observations made by the participants students this session was that.

247

00:47:07.230 --> 00:47:18.240

Naz: No sphere of government can holy fade or holy and succeed alone, if what we realized aspirations contained in the Constitution.

248

00:47:18.690 --> 00:47:30.330

Naz: Those have of improving the quality of life of of all citizens and fleeing the potential of each person, we need to strengthen local government in particular.

249

00:47:31.110 --> 00:47:39.840

Naz: The sphere of government that is constitutionally tasked to provide social and economic development program facilitator.

250

00:47:40.260 --> 00:47:50.970

Naz: The Constitution is indeed a living document, as Parliament, we are committed to ensuring that the legislation in the past, is not in conflict with the Constitution.

251

00:47:51.420 --> 00:48:00.540

Naz: The judiciary has on a number of occasions assisted us to interpret the Constitution and align the legislation we pass with the Constitution.

252

00:48:00.870 --> 00:48:13.800

Naz: In other words, the judiciary has played a very significant role in reinforcing our democracy through ensuring that the Constitution reigns supreme and that the rule of law applies.

253

00:48:14.640 --> 00:48:25.560

Naz: If South Africa is to succeed, we must all act in a manner that respects and enhances the complimentary nature of the different roles of the arms of the state.

254

00:48:26.430 --> 00:48:43.170

Naz: That is Parliament there's a difference in the judiciary, we must demand that each of these arms of state contribute to the advancement of the aspirations of the people, which are contained in this Constitution, thank you very much.

255

00:48:59.820 --> 00:49:10.140

Naz: Thanks, but the messenger will then call upon the next presenter that till he says Henry the Deputy Speaker of the National Assembly welcome.

256

00:49:17.850 --> 00:49:19.560

Naz: don't be a CD so.

257

00:49:22.050 --> 00:49:24.720

Naz: Thank you very much, ladies and gentlemen.

258

00:49:28.080 --> 00:49:33.150

Naz: The President has not been here, so you can claim that this iPad is is he's.

259

00:49:35.430 --> 00:49:37.530

Naz: And I was delivering it back to see.

260

00:49:43.920 --> 00:49:45.780

Naz: What data maisano has said.

261

00:49:46.920 --> 00:50:10.260

Naz: I will complement he's my leader but he's spoke on behalf of the executive, which is him and Madam Speaker, who is in the interviews for the Chief Justice i'm here to speak on behalf of Deputies Sylvia Lucas who's also in the interviews.

262

00:50:12.120 --> 00:50:15.720

Naz: We are in the belly of the beast, so to speak.

263

00:50:16.890 --> 00:50:21.810

Naz: And so what I wish to say, firstly, is to bring greetings as he did.

264

00:50:22.980 --> 00:50:27.840

Naz: It but to speak about the reality that a part of our workplace has been been.

265

00:50:31.530 --> 00:50:32.340

Naz: And so.

266

00:50:33.690 --> 00:50:38.340

Naz: The message I bring is that that has not detailed as.

267

00:50:39.660 --> 00:50:45.180

Naz: we've just approve the program of this first quarter and it's next.

268

00:50:46.230 --> 00:50:49.410

Naz: And so the work of Parliament is fully.

269

00:50:50.670 --> 00:50:53.850

Naz: in place and evolving as reese.

270

00:50:55.140 --> 00:50:59.040

Naz: which is what the Constitution were celebrating demanded of us.

271

00:51:00.900 --> 00:51:02.730

Naz: But let me also say to you.

272

00:51:04.410 --> 00:51:24.750

Naz: Just yesterday, I was responding to a friend sending a consent at collector someone works with museums, expressing concern about what is going to be happening to the wonderful at wakes there are they in Parliament.

273

00:51:26.190 --> 00:51:33.540

Naz: In the absence of electricity molding might take place and therefore harm those wonderful.

274

00:51:34.560 --> 00:51:39.510

Naz: artworks that are there, we are a place of history.

275

00:51:40.890 --> 00:51:49.410

Naz: Both architecturally as well as the collections that overtime has been brought into that space.

276

00:51:51.090 --> 00:52:00.720

Naz: So the assessment that will match will tell us whether we have lost any and whether they have been damaged in any way it's a it's a.

277

00:52:02.490 --> 00:52:11.100

Naz: it's heading a cultural progress recognition of the value of the institutions that you see, we must respect.

278

00:52:13.530 --> 00:52:16.800

Naz: Community completed minister, it must include.

279

00:52:18.000 --> 00:52:22.020

Naz: A story that, although this is an.

280

00:52:23.400 --> 00:52:25.980

Naz: 18th century.

281

00:52:27.000 --> 00:52:33.960

Naz: Building part of it, and the other later, a but it represents what we.

282

00:52:35.010 --> 00:52:53.940

Naz: decided is the necessity for continuity and change in the content of what happens inside this old historical buildings and so coincidentally, the Commonwealth parliamentary association, we are a member of a.

283

00:52:57.510 --> 00:52:58.140

Naz: published.

284

00:52:59.190 --> 00:53:07.980

Naz: Last year a Parliament of the world of the Commonwealth and in it the head, our Parliament.

285

00:53:09.420 --> 00:53:28.260

Naz: And that section that picture of the the the Chamber in the National Assembly, as well as the gallery has prominent please, including the external parts of the ability in that publication, it was an interesting tiny.

286

00:53:30.390 --> 00:53:35.370

Naz: But now we only have it in Victoria as a memory.

287

00:53:38.760 --> 00:53:47.220

Naz: Now what I thought I should share just quickly, because this is a message in a deputy's message.

288

00:53:49.050 --> 00:53:53.130

Naz: That they're writing of the Constitution and how it was done.

289

00:53:54.360 --> 00:53:57.360

Naz: it's provision for the three arms of the state as.

290

00:53:58.500 --> 00:54:11.730

Naz: He has said that earlier, the institutions that support democracy gave birth to the Bill of Rights at its enter the six elections declared substantially free and fair.

291

00:54:15.150 --> 00:54:29.280

Naz: At a national provincial a local level SES to us the system and its design is architectural shape is in place is intact.

292

00:54:30.990 --> 00:54:31.320

and

293

00:54:32.970 --> 00:54:38.040

Naz: it's the right us we're pushing in doing it that way.

294

00:54:42.240 --> 00:54:45.180

Naz: The Constitution is true Patsy.

295

00:54:46.350 --> 00:54:51.090

Naz: it's assigned pose it hasn't come along with you to manage.

296

00:54:52.620 --> 00:54:55.890

Naz: It points the direction you must follow.

297

00:54:57.600 --> 00:54:59.880

Naz: I thought this is an important point to make.

298

00:55:01.320 --> 00:55:04.080

Naz: Because often we missed we make that mistake.

299

00:55:08.010 --> 00:55:13.890

Naz: Someone speaks about the map, not been the territory of a constitution.

300

00:55:14.940 --> 00:55:15.630

Naz: Is the man.

301

00:55:17.550 --> 00:55:25.560

Naz: it's not the TV itself that is in the hands of those who have agents.

302

00:55:27.180 --> 00:55:28.200

Naz: In the structures.

303

00:55:29.910 --> 00:55:40.590

Naz: In the variables, such as non racialism non sexism democracy and hopefully the minister and egalitarianism silent.

304

00:55:42.240 --> 00:55:47.640

Naz: That especially respect the most destitute those for whom.

305

00:55:49.980 --> 00:55:54.870

Naz: This was the motivation for the fight that of us have given their lives.

306

00:56:00.600 --> 00:56:10.950

Naz: I wanted to say, we cannot say thank you enough to the majority of South Africans who fought for this and, as I said, paid Dias price others were maimed fiscally.

307

00:56:12.000 --> 00:56:22.350

Naz: Including emotionally traumatized and we suffer the consequences of that to date, it is appropriate that we must never stop saying thank you to them.

308

00:56:22.830 --> 00:56:43.080

Naz: including citizens of other countries worldwide who contributed in a number of ways in ways which, when we do, ultimately, a follow through and get to hear about it, we will be amazed of their creativity and commitment to justice worldwide.

309

00:56:44.280 --> 00:56:46.080

Naz: To principles of solidarity.

310

00:56:47.490 --> 00:56:48.090

Naz: That the.

311

00:56:49.290 --> 00:56:51.900

Naz: Ensure that we arrived where we're at today.

312

00:56:54.900 --> 00:57:12.750

Naz: We must of course also thing we are some of them, not all of them, they are progressive governments that actively alongside their citizens contributed to the progress we made until we reach the stage where we built the reconstructed our constitution.

313

00:57:13.800 --> 00:57:26.310

Naz: The reconstruction of our country taking guidance from that is a useful to say to them, thank you, I always do that wherever I travel anywhere else in the world to say that, thank you very much.

314

00:57:31.440 --> 00:57:35.310

Naz: The Constitution to be has been amended 17 times.

315

00:57:37.470 --> 00:57:38.970

Naz: and bad.

316

00:57:40.380 --> 00:57:41.250

Naz: I suggest.

317

00:57:42.870 --> 00:57:44.070

Naz: it's not a defect.

318

00:57:53.490 --> 00:58:08.460

Naz: It confirms its intended dynamic design and construction it deals appropriately to the ever changing reality, we should must which says, it must be responsive.

319

00:58:10.650 --> 00:58:13.920

Naz: To insights that are generated by practice.

320

00:58:14.970 --> 00:58:25.200

Naz: So effort to change it require a higher threshold been changing regulations and rules and legislation.

321

00:58:27.060 --> 00:58:28.050

Naz: And that's important.

322

00:58:29.370 --> 00:58:30.600

Naz: Let me talk about.

323

00:58:32.040 --> 00:58:44.190

Naz: The last of the amendments of the Constitution, the Constitution 17th amendment act of 2012 so, is it fair that defined the role of the Chief Justice.

324

00:58:44.940 --> 00:58:54.000

Naz: As the head of the judiciary, it provided for a single High Court of South Africa, provided that the Constitutional Court is the highest court in order matters.

325

00:58:54.300 --> 00:59:05.160

Naz: federal regulator jurisdiction of the Constitutional Court and the Supreme Court of Appeal provided for the appointment of the acting deputy chief justice, so the process is underway.

326

00:59:05.580 --> 00:59:23.970

Naz: A significant they speak to this amendment of the Constitution, the response of the former Chief Justice to a legitimate critique is an indicator of what ought to be exemplary conduct by all of us, inside and outside of this date.

327

00:59:26.520 --> 00:59:32.490

Naz: As guided by the Constitution, I thought I should also as a blues.

328

00:59:35.280 --> 00:59:39.060

Naz: Perhaps suggest that a.

329

00:59:40.710 --> 00:59:42.570

Naz: Parliament in the nine.

330

00:59:45.030 --> 00:59:47.760

Naz: legislature class act.

331

00:59:49.800 --> 00:59:58.740

Naz: Together, as the legislative sector through the speakers forum initiated a self examination of close to 100 pieces of.

332

00:59:59.820 --> 01:00:09.780

Naz: Laws post a party to examine why at this laws, not having the impact they expected which the Constitution.

333

01:00:10.890 --> 01:00:22.020

Naz: had in mind, so that we must, and that a corrective actions for losing that examination by team that we commissioned to do that.

334

01:00:22.830 --> 01:00:41.430

Naz: In addition to this process, which was asked to provinces and to specific committees to do that examination will be complemented to in March, when we have a major oversight summit to learn from this reflections, as well as lessons from.

335

01:00:45.390 --> 01:00:54.150

Naz: A about a or distance from achieving what the Constitution expected us to be doing so.

336

01:00:56.130 --> 01:01:19.380

Naz: Hello there the legislative sector is absolutely committed to the values of the Constitution and aims to ensure that its implementation to those parts over which we have a responsibility to recollect, including the mud crisis we are contending with to reverse inequality joblessness.

337

01:01:20.610 --> 01:01:23.100

Naz: And pervert to fight the pandemic.

338

01:01:24.810 --> 01:01:45.030

Naz: or covert robustly and thereby save lives to end the rampant corruption in public and private affairs is agent, and so is banishing maladministration, to promote but to pee a meaningfully.

339

01:01:46.680 --> 01:01:55.860

Naz: Because, in the absence of people having a lived experiences of the promise of the Constitution, we are not doing a just.

340

01:01:57.000 --> 01:01:57.330

job.

341

01:01:58.350 --> 01:02:04.350

Naz: So, thank you very much, we share in the celebrations, but as someone said before anniversaries.

342

01:02:05.970 --> 01:02:21.090

Naz: A boot to look back, but in order to gain confidence to grow a sharp programme of action to deal with the challenges that we have confronting Let this be the people's for exercise today, thank you very much.

343

01:02:39.270 --> 01:02:42.630

Naz: Thank you, Deputy Speaker of the National Assembly.

344

01:02:43.740 --> 01:03:03.270

Naz: For your remarks will then call upon the last presenter in this section, the chairperson of the South African women rights commission advocate bongani majola this will be online over to you are what you believe what you believe.

345

01:04:00.270 --> 01:04:01.650

Adv Bongani Majola: Can you hear me now.

346

01:04:03.930 --> 01:04:07.110

Adv Bongani Majola: Okay, thank you, thank you, so I was saying.

347

01:04:08.550 --> 01:04:30.120

Adv Bongani Majola: Thank you program director for affording me the opportunity to say a few words in this very important event and and ask that you allow me to acknowledge all those that are participating this event, be they with you there online and to include.

348

01:04:31.350 --> 01:04:47.160

Adv Bongani Majola: The Honorable speak of of the National Assembly another religious minority, the mini South Africa land performing growth, development Honorable at design.

349

01:04:48.150 --> 01:05:05.640

Adv Bongani Majola: And the Minister of Justice and correctional services, who is unfortunately not also not there and the retired judge judge of the Constitutional Court justice i'll be sex.

350

01:05:06.810 --> 01:05:11.760

Adv Bongani Majola: Heads of institutions, supporting democracy, present the.

351

01:05:13.320 --> 01:05:24.240

Adv Bongani Majola: National Director of Public Prosecutions and other distinguished speakers who have been mentioned, hopefully mine will be a brief message.

352

01:05:25.230 --> 01:05:39.690

Adv Bongani Majola: Our nation commemorates the coming into force of the Constitution, our Constitution today it out like to begin by briefly defining what the Constitution is and why it is such a celebration.

353

01:05:40.650 --> 01:05:49.650

Adv Bongani Majola: For this purpose of life, to borrow from the definition used in state versus a cousin by the navy navy the High Court.

354

01:05:50.760 --> 01:05:59.820

Adv Bongani Majola: In this definition of a constitution, the nominee an icon stated as follows in a code, the constitution of a nation is not simply a statute.

355

01:06:00.300 --> 01:06:12.300

Adv Bongani Majola: Which mechanically defines the structures of government and the relations between the government and the government, it is a mirror, reflecting the national so.

356

01:06:13.050 --> 01:06:25.320

Adv Bongani Majola: The identification of the ideas and aspirations of a nation, the articulation of the values bonding its people and articulating its government encode.

357

01:06:27.720 --> 01:06:42.240

Adv Bongani Majola: A constitution articulate their aspirations of a nation and embodies is foundational values that govern how the nation pursues his goals as articulated in the in the Constitution.

358

01:06:42.810 --> 01:06:53.940

Adv Bongani Majola: The nation's history and experience have shaped its foundational values and goals constitutions in fact must address the pressing needs of citizens.

359

01:06:54.330 --> 01:07:09.150

Adv Bongani Majola: If they are to give meaningful meaning to the lives of those citizens the best guardians of the Constitution, not the courts, but that people will not respond to it if it ignores their concerns.

360

01:07:10.170 --> 01:07:25.860

Adv Bongani Majola: The uniqueness of our own constitution stems from the fact that it was drafted in a collective process where ordinary people participated in building this document our Constitution truly reflects the will of all the people.

361

01:07:27.090 --> 01:07:34.740

Adv Bongani Majola: To develop this bill of rights, we all participated in a national consultative process, it cannot.

362

01:07:35.520 --> 01:07:47.310

Adv Bongani Majola: Therefore, be said or expected that those lessons who participated in building the Constitution will not and should not be entitled to expect that our constitution.

363

01:07:48.150 --> 01:07:56.760

Adv Bongani Majola: Which is impact their creation will be used for their individual and collective benefits as a nation.

364

01:07:57.420 --> 01:08:08.940

Adv Bongani Majola: We established often the foundational values as human dignity, the attainment of equality and the advancement of human rights and freedoms non racialism.

365

01:08:09.600 --> 01:08:28.290

Adv Bongani Majola: And non sexism, the supremacy of the Constitution and the rule of law, universal suffrage, a common voters role regular elections, as well as multi party system of government to ensure accountability responsiveness and openness.

366

01:08:29.310 --> 01:08:46.920

Adv Bongani Majola: So in celebrating 25 years of having to force of opposition, we need to ask ourselves difficult questions such as what has been the lived experiences of our people, the for the founders of our Constitution realized that.

367

01:08:48.060 --> 01:09:07.290

Adv Bongani Majola: We would need to ask this question from time to time, for now, a journey of applying our constitutional values to repair the ravages that the ignoble a politics assume that the majority of this country here to enjoy Fo more than and essentially had.

368

01:09:09.720 --> 01:09:22.230

Adv Bongani Majola: to bear They therefore included provisions that established institutions supporting constitutional democracy, the so called chapter nine institutions, of which the South African human rights.

369

01:09:23.490 --> 01:09:32.790

Adv Bongani Majola: Commission is one the mandate of the Commission is to promote and protect the rights and changing the Bill of Rights in our constitution.

370

01:09:33.930 --> 01:09:43.440

Adv Bongani Majola: But it is also to monitor and assess the observance of human rights in the Republic, the Commission is also required in terms of Section one at one.

371

01:09:44.460 --> 01:09:53.910

Adv Bongani Majola: Of the Constitution to report on its activities and the performance of its functions that includes the monitoring activities.

372

01:09:54.750 --> 01:10:08.130

Adv Bongani Majola: As I mentioned earlier, the Commission and it's found in values, the Constitution is funding values were the result of a collective effort of audience social struck strata.

373

01:10:08.790 --> 01:10:21.240

Adv Bongani Majola: All of us agreed with that and supported the vision and outlined in it, however, where are we in the implementation of this vision in light of our challenges.

374

01:10:25.320 --> 01:10:33.210

Adv Bongani Majola: How can we ensure the realization of the vision for everyone in our society, and to ensure that this is accomplished.

375

01:10:34.800 --> 01:10:42.030

Adv Bongani Majola: In the view of the South African human rights commission Mike has been done to ensure the realization of the rights and the bill of rights.

376

01:10:42.600 --> 01:10:51.030

Adv Bongani Majola: By life, the civil and political rights that were denied by successive have acted governments have saved for a few been restored.

377

01:10:51.540 --> 01:11:01.020

Adv Bongani Majola: Both in terms of removing offensive about State legislation and passing legislation that accords with the spirit of human rights.

378

01:11:01.740 --> 01:11:10.350

Adv Bongani Majola: For the treatment of the members of the public appears to be in accordance with the Bill of Rights, save for a few continuing violations such as.

379

01:11:10.740 --> 01:11:21.060

Adv Bongani Majola: brutality in the hands of the police and members of the armed forces gender based violence and violence in general to mention a few.

380

01:11:21.870 --> 01:11:33.690

Adv Bongani Majola: we're also seeing that as relates to other rights, the success Sim democratic governments have made significant strides to provide people with housing.

381

01:11:34.290 --> 01:11:47.460

Adv Bongani Majola: Access to clean water and sanitation, to bring about gender equality and other lines, however, it is said that the road ahead is far greater than the road we have so far.

382

01:11:49.170 --> 01:11:58.800

Adv Bongani Majola: It would seem that at some point the forward momentum has stalled and that were no reversing rather than moving forward.

383

01:11:59.880 --> 01:12:10.980

Adv Bongani Majola: In light of the current plate that gravitas our institutions recent glee South Africa has been described as one of the most unequal countries in the world.

384

01:12:11.880 --> 01:12:22.350

Adv Bongani Majola: Obviously, when I speak of a plate, I am not referring to covet 19 but rather to corruption in South Africa corruption has become a so rampant.

385

01:12:23.010 --> 01:12:37.020

Adv Bongani Majola: That it is eroding the foundations of our society and the debilitating the ability of the state to promote and fulfill the rights in the Bill of Rights, as is required in sections of two of the Constitution.

386

01:12:37.680 --> 01:12:47.520

Adv Bongani Majola: Corruption has permeated every sector there by undermining the constitutional democracy that we aim to achieve and have fought so hard to build.

387

01:12:48.630 --> 01:12:57.930

Adv Bongani Majola: The effects of corruption, all around us on a daily basis, for example, there is a lack of access to clean water and sanitation.

388

01:12:59.880 --> 01:13:10.290

Adv Bongani Majola: Our people let basic services such as clean bathrooms and our children use pete latrines at great risk to themselves.

389

01:13:11.040 --> 01:13:27.870

Adv Bongani Majola: We, we in the Commission get increasing complaints complains of sweets running down the streets and checked and into people's homes healthcare is still in accessible for many people, especially in rural areas and farming communities.

390

01:13:29.760 --> 01:13:45.870

Adv Bongani Majola: There is an increased informal settlements, even though the right to access emergency medical services is not limited to the availability of resources, many people still have difficulty in accessing.

391

01:13:47.190 --> 01:13:56.490

Adv Bongani Majola: In glenister whether the President of the Republic of South African others are Constitutional Court stated so simply what corruption does for democracy.

392

01:13:57.150 --> 01:14:09.090

Adv Bongani Majola: And the product of once it's set in a code, they can be knocking seeing that corruption threatens to fall fail at the knees virtually everything we hold dear.

393

01:14:09.840 --> 01:14:20.400

Adv Bongani Majola: And precious in our heart one constitutional democracy it blatantly undermines the democratic ethel's the institutions of democracy.

394

01:14:20.910 --> 01:14:25.830

Adv Bongani Majola: Rule of Law and the foundational values are for NASA constitutional project.

395

01:14:26.700 --> 01:14:36.480

Adv Bongani Majola: It fuels mal administration in public province and imperatives, the capacity of the state to fulfill his obligations to respect.

396

01:14:36.900 --> 01:14:55.560

Adv Bongani Majola: Protect promote and fulfill all the rights in the Bill of Rights, so why production and organized crime flourish, sustainable development and economic growth, a standard intend the stability and security of our of our society is put at risk.

397

01:14:57.030 --> 01:15:03.270

Adv Bongani Majola: The President should be commended for taking action against corruption and doing what is necessary.

398

01:15:04.530 --> 01:15:11.820

Adv Bongani Majola: Not only to root out corruption in our society, but also to hold those involved in public funds accountable.

399

01:15:12.750 --> 01:15:28.320

Adv Bongani Majola: The establishment of a special investigation unit and resourcing eat with a competent in dedicated team, of course, long before the present government was born, it was an act of foresight.

400

01:15:29.520 --> 01:15:34.500

Adv Bongani Majola: They say you deserve to be congratulated on the very important work that they're doing.

401

01:15:35.520 --> 01:15:45.900

Adv Bongani Majola: The fight against corruption cost billions of rains no i'm not suggesting that corrupt practices should be you should go and check.

402

01:15:46.590 --> 01:15:59.790

Adv Bongani Majola: I immediately emphasizing that we have been living per place where we now have to allocate more funds to holding individuals accountable, rather than insurance that services are provided.

403

01:16:01.020 --> 01:16:02.010

Adv Bongani Majola: unavoidably.

404

01:16:03.180 --> 01:16:07.380

Adv Bongani Majola: Corruption results in a cost to human rights.

405

01:16:08.550 --> 01:16:11.340

Adv Bongani Majola: In the last two years, corporate 19 has also.

406

01:16:12.390 --> 01:16:23.490

Adv Bongani Majola: led to a massive decline in our economy, depriving the state of the necessary resources to adequately fulfill its main constitutional obligation of promoting.

407

01:16:24.450 --> 01:16:32.130

Adv Bongani Majola: Protecting and fulfilling rights in the Bill of Rights for our people, it is also resulted in the loss of lives of many.

408

01:16:32.970 --> 01:16:44.460

Adv Bongani Majola: Millions have been rendered jobless, and without adequate financial means to live their lives in dignity covered 19 has ever severely impacted human rights, you know and.

409

01:16:45.900 --> 01:16:57.510

Adv Bongani Majola: It is, however, quite encouraging to see just how resilient we are as a nation, one is grateful that the people of South Africa for their patients and.

410

01:16:58.800 --> 01:17:11.550

Adv Bongani Majola: resilience during these difficult times as a nation we enjoyed the lockdown and supported our government and the President, who did their best to guide us through those difficult times.

411

01:17:12.210 --> 01:17:24.810

Adv Bongani Majola: Lastly, i'd like to encourage South Africans to be active citizens and to aspire to play a role, a crucial role in shaping and forming the constitutional democracy in this country.

412

01:17:25.650 --> 01:17:32.490

Adv Bongani Majola: Although the Constitution places the obligation of the state to promote and fulfill the rights in the bill of rights.

413

01:17:33.900 --> 01:17:44.520

Adv Bongani Majola: If we are to have a strong democracy where rights are respected, it is important that the citizens also play a meaningful role in the protection and promotion of their own rights.

414

01:17:45.270 --> 01:17:51.510

Adv Bongani Majola: One of the ways of doing so is by exercising your right to vote, under such a name, you know the Constitution.

415

01:17:52.290 --> 01:18:00.180

Adv Bongani Majola: taking part in the elections is one of the ways citizens hold their leaders accountable and often ensuring that their voices.

416

01:18:00.660 --> 01:18:13.950

Adv Bongani Majola: Let it play a role in shaping policies that meet their needs, may therefore encourage citizens to vote, this may not seem important but it is very important.

417

01:18:14.610 --> 01:18:38.100

Adv Bongani Majola: Citizens must participate in a democratic process our civic duty go hand in hand with our civil and political rights, it is important to emphasize the importance of her presentation, there needs to be a more there needs to be more and younger leaders in political leadership.

418

01:18:39.150 --> 01:18:50.640

Adv Bongani Majola: We cannot ignore their contributions, the candidate belongs to them, because they are the leaders of tomorrow, so they should have sufficient room to shape that future.

419

01:18:51.510 --> 01:19:04.920

Adv Bongani Majola: Ultimately, I think that events like these are very important, because they remind us of who we are, while also making a stink about where we are and where we want to be.

420

01:19:06.060 --> 01:19:16.170

Adv Bongani Majola: My opinion we ought to be thinking about what kind of society to like to be part of, and what legacy, would like to leave behind.

421

01:19:17.190 --> 01:19:28.200

Adv Bongani Majola: How we will be remembered by the next generation, I want to end on a positive note, however, and emphasize that we are resilient people.

422

01:19:28.650 --> 01:19:39.060

Adv Bongani Majola: Who will overcome these challenges if we work together as a nation and therefore encourage each and every individual to be a positive force in the country.

423

01:19:39.540 --> 01:19:55.800

Adv Bongani Majola: And in the construction they're off and in building social harmony in the country, we all have a stake in a better South Africa, together, we can make a country that we want and that we are proud of it, thank you.

424

01:20:38.910 --> 01:20:42.090

Naz: celebrate his birthday so.

425

01:20:44.100 --> 01:20:55.860

Naz: We say we re you want to remind him that, hopefully, when we celebrate the 30th anniversary five years from now, he will also tell us what did he do to uphold the Constitution so happy beverages.

426

01:21:00.090 --> 01:21:04.290

Naz: So listen gentlemen, could we then thank everybody and and.

427

01:21:08.100 --> 01:21:08.400

Naz: Okay.

428

01:21:10.230 --> 01:21:20.010

Naz: Thank the honorable minister and all the other colleagues from Parliament that delay the chase the muscle in our people.

429

01:21:21.090 --> 01:21:27.870

Naz: for taking part in this event, and therefore will then allow you to leave and i'm told to be escorted by.

430

01:21:29.130 --> 01:21:32.700

Naz: This imagine something like Okay, thank you.

431

01:21:36.600 --> 01:21:47.190

Naz: Okay, and then, as the Minister leaves can I then call upon my fellow panelists to come up here to sit here and I am a cookie.

432

01:21:49.230 --> 01:21:56.280

Naz: Miss mccartan Dr macquarie data mamabolo not a politician Bolton.

433

01:21:57.480 --> 01:21:57.960

Naz: Who then.

434

01:22:02.100 --> 01:22:06.600

Naz: will give you five minutes a leg stretch and everything else.

435

01:22:07.680 --> 01:22:11.370

Naz: And I want my palate is this site in five minutes time, thank you.

436

01:30:35.010 --> 01:30:41.310

Naz: Ladies and gentlemen, can we please be seated for the next session, which is already.

437

01:30:43.080 --> 01:30:47.610

Naz: 10 minutes behind schedule, but i'm gonna be fired now okay.

438

01:31:06.450 --> 01:31:07.380

Naz: Oh okay.

439

01:31:10.470 --> 01:31:11.520

Naz: Are we on buddy.

440

01:31:13.500 --> 01:31:34.860

Naz: Okay, thank you, ladies and gentlemen, we are now getting into the part two of the program the panel discussion under the theme, we, the people of South Africa organizing the supremacy of the Constitution and the rule of law so once again i've been asked to facilitate.

441

01:31:35.970 --> 01:31:36.900

Naz: This discussion.

442

01:31:38.220 --> 01:31:43.320

Naz: Now i've been asked, also to give a short introductory remarks, which I should do so.

443

01:31:44.550 --> 01:31:47.520

Naz: I guess, in line with what has been discussed earlier on.

444

01:31:48.870 --> 01:31:58.110

Naz: condition is social contract amongst its citizens, it reflects their wishes and aspirations.

445

01:32:00.060 --> 01:32:13.200

Naz: And also, on how they will be governed by those the interest with the responsibility of managing that country, protect and advance their political, social and economic interests.

446

01:32:14.910 --> 01:32:32.490

Naz: Constitutions are the US a living document and will be amended, from time to time in order to respond more effectively to the changing needs of the citizens, we have just been told that ours is not been amended 17 times, but other countries have had more amendments, like the US, I think.

447

01:32:33.750 --> 01:32:46.170

Naz: conditions can also be thrown out of the window, if there are no longer of use to the citizens and be replaced by constitutions that will better serve citizens and better relate to their reality.

448

01:32:47.670 --> 01:33:04.590

Naz: Whilst there will always be debates and criticisms of constitutions, like we've seen recently, including ours, what will not change, however, from where I stand, are the demands of our people, as reflected in our preamble.

449

01:33:05.910 --> 01:33:15.600

Naz: As follows one they need to heal the divisions of the past, this will always be a constant need and demand and aspiration to our people.

450

01:33:16.740 --> 01:33:39.660

Naz: To is to establish a society based on democratic values, social justice and fundamental human rights, three to lay the foundations for a democratic and open society in which government is based on the will of the people for that every citizen is equally protected by law, including whistleblowers.

451

01:33:41.010 --> 01:33:54.150

Naz: Five, improve the quality of life of all citizens, including, as we had to the pool the unemployed, victims of gender based violence and so forth.

452

01:33:55.680 --> 01:34:01.350

Naz: and seeks free the potential of every person in the country.

453

01:34:02.490 --> 01:34:11.970

Naz: And number seven deal a united select united and democratic South Africa that will take its rightful place as a sovereign state.

454

01:34:12.390 --> 01:34:22.140

Naz: In the Premier League of Nations we're not living an island, we live in the global community, and we have the right to influence how the global community conducts itself.

455

01:34:23.130 --> 01:34:32.340

Naz: So did you did you the ability and survival of our constitutional democracy would ask depend on how we give the factor this demands.

456

01:34:32.880 --> 01:34:43.410

Naz: And needs and aspirations of our people, but also, more importantly, to the extent that our people also defend that cause not democracy and the rule of law.

457

01:34:44.340 --> 01:34:56.010

Naz: It is really short remarks colleagues and I can call upon our panelists to reflect on some of these issues, so the theme of today, we, the people.

458

01:34:56.730 --> 01:35:04.920

Naz: To organizing the supremacy of the Constitution and the rule of law, both our citizens as well as those we have put into government.

459

01:35:05.430 --> 01:35:21.630

Naz: So our first speaker will be none other than George i'll be sex, the former casino court judge an activist, he will unfortunately make his remarks have not more than 10 minutes online.

460

01:35:23.280 --> 01:35:27.240

Naz: josh i'll be as you see, we must call you welcome welcome welcome.

461

01:35:29.190 --> 01:35:31.050

Justice Albie Sachs: Hello welcome, thank you for having me over.

462

01:35:34.590 --> 01:35:34.980

Justice Albie Sachs: here.

463

01:35:53.040 --> 01:35:53.280

Siyanda: You can.

464

01:35:53.490 --> 01:35:55.470

Naz: Speak you can speak, you can speak.

465

01:35:57.630 --> 01:36:00.330

Justice Albie Sachs: Yes, well good morning everybody.

466

01:36:00.810 --> 01:36:11.520

Justice Albie Sachs: i'm so sorry that Minister visa has left because I want to praise for a very, very lovely excellent presentation and, in particular, she took my mind back.

467

01:36:12.600 --> 01:36:27.390

Justice Albie Sachs: To my life as a judge Napolitano Dr Eastern former drug an actual job was to the cases that you mentioned that I think are very relevant to the theme of supremacy of the Constitution and.

468

01:36:28.830 --> 01:36:30.000

Justice Albie Sachs: The first one.

469

01:36:32.280 --> 01:36:47.400

Justice Albie Sachs: That later too big impact on me was this houseman applying for a job as a steward on South African airways stove you can work on the ground, but not in the air, because you're living with HIV a beautiful judgment I call the.

470

01:36:48.330 --> 01:36:54.750

Justice Albie Sachs: Sun being horrible saying why in a new constitution democracy this.

471

01:36:55.800 --> 01:37:12.810

Justice Albie Sachs: creative approach adopted by hga was not sustainable, ignore the end why remember test the city teams, not just creative the language, but the Court was packed with people wearing T shirts and HIV positive you saw the nation there.

472

01:37:14.160 --> 01:37:35.790

Justice Albie Sachs: and deep silence when the lift and cheering began as we went through the curtains in our country, accommodation and I started to cry I cry I cry I cry, not just because of the impact of HIV on our nation that has been stating this stage.

473

01:37:37.230 --> 01:37:39.180

Justice Albie Sachs: Because I was never caught.

474

01:37:40.530 --> 01:37:48.630

Justice Albie Sachs: On to the Constitution that's the fundamental rights, about people in ways we hadn't even acknowledge that we talked to the Constitution.

475

01:37:50.700 --> 01:38:04.530

Justice Albie Sachs: The same happens again, we had the people actual campaign case later in the year and then dealing mobile he handed me his handkerchief I hope you're you're going to crack at it now Okay, this time.

476

01:38:05.940 --> 01:38:07.860

Justice Albie Sachs: And here, it was the pace of.

477

01:38:09.120 --> 01:38:15.420

Justice Albie Sachs: retrovirus antiretrovirals for people willing about this.

478

01:38:16.890 --> 01:38:28.920

Justice Albie Sachs: living with HIV recalcitrance on the part of the government to provide it people coming to court and thc people on the ground, the poorest, the most vulnerable.

479

01:38:29.850 --> 01:38:39.630

Justice Albie Sachs: living in great numbers in in deployment political conditions, but I could come to the Constitutional Court and claim the right to access to any retrovirus.

480

01:38:40.620 --> 01:38:47.460

Justice Albie Sachs: And in the baby no key points of the testicle separate the decision, the Court saying the state is our duty.

481

01:38:47.880 --> 01:39:09.690

Justice Albie Sachs: To provide health services to people in the circumstances of the matter when snow, the Court packed the people wearing T shirts black white brown young our lead woman the nation sitting waiting in silence again because the curtains appearing and I cried again.

482

01:39:11.040 --> 01:39:28.590

Justice Albie Sachs: Just a human beings We grew up in South everything we were part of many of us struggle, all of us, sports one way and other things to say, and we had a wonderful Constitution produced not technical, is not producing Lancaster House produced in Cape Town.

483

01:39:29.640 --> 01:39:42.660

Justice Albie Sachs: Or the industry people of the nation not it came to pass a constitutional law to impact on by the Constitutional Assembly we have it's wonderful equipment if you're like.

484

01:39:43.140 --> 01:39:59.220

Justice Albie Sachs: In terms of ideas and values and principles in it has to achieve justice without people the other catch up mentioned adult with patriarchy and the Constitution taking a position in relation to customary law.

485

01:40:00.750 --> 01:40:01.290

Justice Albie Sachs: that's.

486

01:40:02.880 --> 01:40:18.240

Justice Albie Sachs: required or not institutions kapow the principle of non citizen and whatever mean that he mentioned that case that important provision, the Constitution to benefit us in your own living customers know.

487

01:40:19.620 --> 01:40:30.990

Justice Albie Sachs: That was a moment I think I think I can say your need for the life of me actually in the world i'm in my changes, and I take that message from restriction.

488

01:40:33.540 --> 01:40:43.290

Justice Albie Sachs: Minister really my better is here she wants to see you and she's taken to see me my chambers and she embraces nation, yes, we.

489

01:40:43.800 --> 01:40:50.550

Justice Albie Sachs: make her a kiss on my lips, I don't have any other drug in the world has had that experience or if they have a not adding up to it.

490

01:40:50.940 --> 01:41:05.880

Justice Albie Sachs: And what was the circumstances was the certification case to see cheap being asked by country laser particular particular Minister and traditional leader pollyanna.

491

01:41:07.980 --> 01:41:15.840

Justice Albie Sachs: They were wanting to make an alteration to the text of the Constitution that had been drafted and adopted.

492

01:41:16.860 --> 01:41:23.820

Justice Albie Sachs: By the constitutional assembly and you all remember that more this month, I think, was maybe eight the great speech by.

493

01:41:24.180 --> 01:41:31.740

Justice Albie Sachs: Breaking i'm an African cheering affirmations adopted the Constitution is now referred to the Constitutional Court.

494

01:41:32.430 --> 01:41:45.570

Justice Albie Sachs: For us to certify that it complies with certain conditions agreed to get that on so those conditions were agreed to at kempton Park, but the actual draft in in terms of those conditions were standing.

495

01:41:46.920 --> 01:41:54.330

Justice Albie Sachs: At the Constitutional Assembly by people chosen by the nation, if you were the Constitution to people.

496

01:41:54.750 --> 01:42:06.150

Justice Albie Sachs: And the people that been to jail, they be picks out of being involved an island overwhelmingly people who would be part of the struggle saying never again and freedom fighters, we have the.

497

01:42:06.540 --> 01:42:14.160

Justice Albie Sachs: Possibly the most progressive Constitution we're not by accident that because that Constitution was drafted overwhelmingly.

498

01:42:14.880 --> 01:42:29.220

Justice Albie Sachs: by people who have suffered the indignity of potato chip returning to try and be tortured, be made to carry across not allowed to name this desist humiliated in every way never again, we want to society called South Africa.

499

01:42:29.880 --> 01:42:41.460

Justice Albie Sachs: And a strong women's movement saying ever the game means that matriarchy so when it came to the provisions dealing with recognition of pressure we law.

500

01:42:42.690 --> 01:42:47.010

Justice Albie Sachs: It was made clear, asked me know is internal sources other than.

501

01:42:48.630 --> 01:42:57.180

Justice Albie Sachs: equal to the recommended flow and in this common law is that now, instead of the grand international conditions for centuries already.

502

01:42:58.170 --> 01:43:11.700

Justice Albie Sachs: equal to that that subject to the Constitution quality constitution and controllers Adidas wanted to update to try the patriarchy is central.

503

01:43:12.390 --> 01:43:26.490

Justice Albie Sachs: To the very nature of customer role and your display do you just drink us from you know and really my data soon they want to know, can I help them advice them, should they come in the capacity as advocates and.

504

01:43:27.780 --> 01:43:33.000

Justice Albie Sachs: What should they come in any capacity as traditional media such a icon inside go to otter justice.

505

01:43:34.560 --> 01:43:48.870

Justice Albie Sachs: And he checked it to them and redo to speak after lunch two o'clock and not day to 15 in our day to day, not a grammy winning my day that she was not guilty or not guilty for what it happened was.

506

01:43:49.440 --> 01:43:59.070

Justice Albie Sachs: author had jokingly said why don't you come wearing the cob as traditional leaders, instead of waiting till counts advocates they rushed home.

507

01:43:59.490 --> 01:44:11.820

Justice Albie Sachs: That come back, they were like I think she looked very elegant very stylish really sophisticated in traditional outside outside outfits and they made very persuasive arguments which.

508

01:44:12.480 --> 01:44:23.820

Justice Albie Sachs: I have to say, we did not accept, ultimately, as we say it patriarchy and the processing central because for me know now under the Constitution and tested evolve.

509

01:44:24.120 --> 01:44:38.160

Justice Albie Sachs: And this is under the impact of what African women were saying and claiming they run three quality netflix millions of people, and so we rejected the time and i'd like to highlight the importance of the certification.

510

01:44:39.240 --> 01:44:49.410

Justice Albie Sachs: Because that constitutional takes had to go to the seat if you're like on the principles agreed to that bones came days we had four pictures from the.

511

01:44:50.700 --> 01:44:54.240

Justice Albie Sachs: Active other matters, the rejected the the.

512

01:44:55.980 --> 01:45:10.320

Justice Albie Sachs: Pre market foundation and times of commerce updated to the new constitution and it didn't provide for compensation, including market value which saves internationally accepted.

513

01:45:11.160 --> 01:45:30.870

Justice Albie Sachs: We said market value is not necessarily accepted international media is the Constitution lighters decided not to include multiple compensation that every right to do so, I see that if they were very strong protections have the right to property and neutral constitution and.

514

01:45:31.920 --> 01:45:39.180

Justice Albie Sachs: The right to hold and protected this property all your head in the new constitution was the right not to arbitrarily pride.

515

01:45:39.690 --> 01:45:49.830

Justice Albie Sachs: He said, there are many institutions in the world, which is the test that we had to use that time to provide for property or to be protected us and we provide support, which, through that.

516

01:45:50.520 --> 01:45:58.530

Justice Albie Sachs: We also had objections to the fact that the workers rights, then strong intention, including the rights to.

517

01:45:59.100 --> 01:46:08.100

Justice Albie Sachs: Collective bargaining, the right strength, if the workers have the right to strike, then the employer should have a right to look out for equality.

518

01:46:08.760 --> 01:46:24.570

Justice Albie Sachs: And the Constitutional Court said no, said that the early as the employers and means production is great power, the only power of use the right tools for the Labor we rejected them, but we have.

519

01:46:25.500 --> 01:46:45.330

Justice Albie Sachs: The objections one was that the be no reduction existential that section in the powers of the province and possibly to the dismay of the people who had supported who had brought the text us in this setting based or dropping when we say they have been substantial.

520

01:46:46.380 --> 01:46:56.820

Justice Albie Sachs: balancing out all the different aspects reduction and we had to send them at the back, another area interesting me to get an idea of current.

521

01:46:57.630 --> 01:47:06.420

Justice Albie Sachs: Methods was a requirement in the principles that the public protector, the auditor general have the rights imprint.

522

01:47:06.810 --> 01:47:16.830

Justice Albie Sachs: In the Constitution and it takes things back about a simple majority of the Members of Parliament and National Assembly, having the right.

523

01:47:17.250 --> 01:47:25.050

Justice Albie Sachs: To dismiss every particularly said that's not enough infringement requires more so now it's two thirds being required.

524

01:47:25.860 --> 01:47:40.140

Justice Albie Sachs: So we the code is willing to stand against the government willing to favor the government that wasn't the case, the cases what the Constitution require and, if you look to the way the Constitution was applied of.

525

01:47:41.190 --> 01:47:45.930

Justice Albie Sachs: Nelson Mandela you inaugurated, of course, we all.

526

01:47:47.640 --> 01:47:51.090

Justice Albie Sachs: say quite freely we love Nelson Mandela boy dangling.

527

01:47:52.650 --> 01:47:56.940

Justice Albie Sachs: everything he appointed acid to show gratitude six months later.

528

01:47:57.630 --> 01:48:10.170

Justice Albie Sachs: Respect down pretty important proclamation issued by Nelson Mandela quote structuring the first black with government elections at Parliament and asked him to do it same didn't have enough time and we said.

529

01:48:10.890 --> 01:48:21.450

Justice Albie Sachs: Majority condiment cannot educate these legislators flexibility, it cannot be just the president of the rights to make law patent itself must make a little.

530

01:48:22.050 --> 01:48:30.900

Justice Albie Sachs: Announcement data went on to television shortly afterwards to say i've been advised what I did was speaking current.

531

01:48:31.860 --> 01:48:43.890

Justice Albie Sachs: price is wrong and I, as President, must be the first except the Constitution as interpreted by the Constitution court to me that day that moment, is as important as a private prisons.

532

01:48:44.400 --> 01:49:01.860

Justice Albie Sachs: I can't even I what the date was when when when when we delivered judgment later on the treatment actual campaign have referred to, as we all know, isn't terrible he had had reservations about antiretrovirals but he accepted the decision.

533

01:49:03.150 --> 01:49:11.730

Justice Albie Sachs: later on in the kinds of decision present a consumer accepted our decision that shape that not only had the President failed.

534

01:49:12.210 --> 01:49:22.380

Justice Albie Sachs: In his responsibilities automatic FAB to sell accountability, how to present your accountant at the onset governments in the first decision.

535

01:49:22.740 --> 01:49:29.760

Justice Albie Sachs: i'd like to government case and in the kinds of case were given to us in South Africa, in terms of constitutional club.

536

01:49:30.390 --> 01:49:48.900

Justice Albie Sachs: By by the Constitution code and that was accepted by the patient in any meaningful, the principle of supremacy in the Constitution, and it is when asked by one for now former president who does Constitutional Court judges think they are today, I think that God.

537

01:49:50.670 --> 01:49:50.850

Justice Albie Sachs: Is.

538

01:49:52.170 --> 01:50:01.080

Justice Albie Sachs: So much more modest been the judges are appointed by the President and there's a good reason for that, because if the courts enter have.

539

01:50:01.410 --> 01:50:15.420

Justice Albie Sachs: such great powers and we took this from international experience when the executive must have some role and father met this person wrote in the appointments and the choosing of judgments, we then go into separate cost of judges living in the.

540

01:50:16.530 --> 01:50:29.970

Justice Albie Sachs: Conclusion being appointed and simply by other judges and lawyers, we want the political system to be involved to choose carefully in an open way, such as being done at the moment, so ultimately then.

541

01:50:31.170 --> 01:50:42.390

Justice Albie Sachs: The authority of the Constitutional Court and the other two straight down registration to hold the question to account doesn't come from a power that giving themselves.

542

01:50:43.290 --> 01:50:53.340

Justice Albie Sachs: It comes from the Constitution and the Constitution, not some document drafted 25 or more years ago by some lawyers and accepted by.

543

01:50:54.120 --> 01:51:05.040

Justice Albie Sachs: People the Constitution expressing the voice of the people, the voice of the people through the constitutional assembly, the people who have suffered the pain you ID.

544

01:51:05.640 --> 01:51:28.800

Justice Albie Sachs: And dreaming of change and a future society that be much more beautiful Saturday afternoon and I were laying down ground rules, the Constitution Assembly was named on ground rules certain basic themes and values, and nobody even if they've got a 99.9% maturity from the people.

545

01:51:29.850 --> 01:51:40.440

Justice Albie Sachs: Being elected now created their Parliament can deviate from those rules as basic rules agreed to in advance that was the voice of the people.

546

01:51:40.800 --> 01:51:58.110

Justice Albie Sachs: In a signature into smaller counter majority, an idea align the Constitutional Court described on the station it's it's the quarter pay the decision of those who made the Constitution, representing our nation, saying that any income of.

547

01:52:00.150 --> 01:52:11.010

Justice Albie Sachs: A majority at any particular moment cannot violate his core basic principles that we feel will constitute information so again with this.

548

01:52:12.030 --> 01:52:14.460

Justice Albie Sachs: presence make 10 patients megan.

549

01:52:15.630 --> 01:52:26.640

Justice Albie Sachs: parties may come on is making calculations might come coalition's maker, the Constitution runs forever and the Constitutional Court has the duty.

550

01:52:27.030 --> 01:52:39.570

Justice Albie Sachs: As the older traditionally to hone those values that in trained by people from the treatment from the weakest movement from the controversies were and the other armed.

551

01:52:40.200 --> 01:52:51.870

Justice Albie Sachs: groups that are fighting for freedom and liberation and from other sectors of society as well, very suddenly after two years, green to this document, called the constitution of.

552

01:52:53.910 --> 01:52:55.620

Justice Albie Sachs: veeva the Constitution.

553

01:53:03.510 --> 01:53:16.740

Naz: says Id and the importance of the rule of law and the protection of the judiciary, our next presenter will be Mr Allen mcconkey who the chief legal officer of the South African chamber of commerce and industry.

554

01:53:18.330 --> 01:53:20.340

Naz: You have the philosophy and the philosophy.

555

01:53:27.930 --> 01:53:37.380

Naz: instructed that it is better here Thank you so much greetings to all the colleagues cabinet ministers were still here, the leaders of the.

556

01:53:38.310 --> 01:53:48.030

Naz: Houses of Parliament senior government officials, the leaders of the chapter nine independent institutions distinguished guests, ladies and gentlemen.

557

01:53:48.900 --> 01:53:55.860

Naz: Good morning, and we thank you program director for the invite, I must confess, maybe because we're business.

558

01:53:56.730 --> 01:54:03.000

Naz: We received a letter from the Minister of Justice, with a somewhat different theme, even though it's interrelated.

559

01:54:03.480 --> 01:54:14.550

Naz: So the theme that was given to us as business as we, the people of South Africa, the Constitution, the fundamental component of the transformation of the South African society and.

560

01:54:15.750 --> 01:54:17.820

Naz: it's still the same it's very interrelated.

561

01:54:19.080 --> 01:54:27.930

Naz: And so thank you so much program director and greetings to everyone who is here, as one of his Alma mater kalisa.

562

01:54:28.860 --> 01:54:41.130

Naz: It is by sheer accident, not by design in John Patrick's Tony award winning play The Tea House of the August Moon the American naval officer stationed in Okinawa Japan.

563

01:54:41.670 --> 01:54:48.840

Naz: During World War Two says, in effect, we are going to establish the democrats here, even if it means killing everyone to do so.

564

01:54:50.400 --> 01:54:52.920

Naz: Julius Caesar the Roman dictator.

565

01:54:53.460 --> 01:54:58.590

Naz: was assassinated by a group of senators on the Ides of March 15 much of 44 BC.

566

01:54:59.250 --> 01:55:07.170

Naz: During a meeting with the Synod at the theater of Pompeii in Rome, the Senator steps is a 23 times they claim to be acting over the years.

567

01:55:07.650 --> 01:55:18.720

Naz: But sizzles unprecedented concentration of power, during his dictatorship was undermining the Roman Republic and presented the deed as an act of tyranny side.

568

01:55:19.470 --> 01:55:33.000

Naz: At least 60 senators were party to the conspiracy led by Marcus Brutus and Gaius Loneliness despite the death of Caesar the conspirators were able to restore the institutions of the Republic.

569

01:55:34.110 --> 01:55:43.140

Naz: The ramifications of the assassination led to the liberator civil war and ultimately to the principal period of the Roman Empire.

570

01:55:43.770 --> 01:55:51.210

Naz: The principal period was characterized by the reign of a single Emperor the very opposite outcome of what those remove Caesar.

571

01:55:51.750 --> 01:55:55.770

Naz: thought they were trying to achieve in protecting the Roman Republic.

572

01:55:56.580 --> 01:56:07.410

Naz: absent constitutional frameworks, underpinned by the values of fundamental human rights, these two examples and least untold hurdle and brutality.

573

01:56:07.920 --> 01:56:17.130

Naz: The colonial and ability dispossession and pretended to have our own sort of can history was not any different, it is precisely this hurdle of subjugation.

574

01:56:17.550 --> 01:56:23.910

Naz: That essays Constitution so to address in the transformation of our society, when Nelson Mandela spoke.

575

01:56:24.390 --> 01:56:33.390

Naz: And the adoption of the Constitution and said these words, our pledge ease never and never again, so the laws of our land around our people apart.

576

01:56:33.810 --> 01:56:40.380

Naz: or legalized that oppression and depression, together we shall watch hand in hand to a brighter future.

577

01:56:41.340 --> 01:56:50.910

Naz: When King Lear told the plan to start a man may see how this world goes within our eyes, he also told the rooster how to look within ears.

578

01:56:51.360 --> 01:57:03.510

Naz: See how justice rails upon you, and simple thief, how can I change places and handy dandy, which is the justice, which is the thief thou has seen a farmer's dog bark at a beggar.

579

01:57:04.140 --> 01:57:12.900

Naz: Changing places as be one way to see hidden things in the world, which is the general point that qinglian makes here, in addition, of course, to drawing close.

580

01:57:13.200 --> 01:57:21.360

Naz: attention in a political is a vessel statement to the remarkable fact that in the farmers dog he might be holding the great image of authority.

581

01:57:21.900 --> 01:57:32.280

Naz: In his book, the idea of justice Amartya Sen argues that the need to transcend the limitations of our position, our perspectives is important, what we see.

582

01:57:32.670 --> 01:57:41.580

Naz: is not independent of where we stand in relation to what we're trying to see, and this in turn can influence our beliefs, understanding and decisions.

583

01:57:41.970 --> 01:57:49.230

Naz: As organized business, we must admit that we have left behind in embracing the potential presented by transforming society.

584

01:57:49.740 --> 01:58:01.740

Naz: We have not leveraged the opportunities that an inclusive economy with massive and critical investments in the acquisition of relevant skills and competencies by the historically accurate majority.

585

01:58:02.250 --> 01:58:07.230

Naz: growing markets, the majority of South Africans in employment, as opposed to rely on social warfare.

586

01:58:07.860 --> 01:58:13.500

Naz: and rising incomes presents for the exponential growth and profitability of our businesses and the economy.

587

01:58:13.950 --> 01:58:24.210

Naz: business leaders should play a key role in the transformation of society, as this is no doubt enlightened self interest that contributes to us accessible South Africa.

588

01:58:24.570 --> 01:58:33.660

Naz: With the Constitution and the rule of law providing a stable political and economic environment for the continued development of South Africa and the achievement.

589

01:58:34.140 --> 01:58:40.830

Naz: Of the United Nations sustainable development goals that include as part of the 17 goals now poverty.

590

01:58:41.430 --> 01:58:52.710

Naz: Zero Hunger quality education, good health and well being, gender equality, clean water and sanitation, affordable and clean energy, this and work and economic growth.

591

01:58:53.400 --> 01:59:01.410

Naz: In Latin American dancing those of you who dance the female tense is assumed to be the picture and the male dancer is the frame.

592

01:59:01.920 --> 01:59:10.320

Naz: As they catch and release step into an away from each other, they are both conscious of this picture in frame in the dance, the Constitution is the frame.

593

01:59:10.740 --> 01:59:16.950

Naz: And the Republic is the picture we can paint any images we wanted us any pastels and colors we prefer.

594

01:59:17.310 --> 01:59:30.990

Naz: As long as we stay inside the frame, we can even add bells and whistles to the frame and explore redesigns, as we have done 17 times previously as long as it is done by we, the people.

595

01:59:31.650 --> 01:59:41.520

Naz: It is the frame that protects the Republic, including protecting the public from itself without a strong constitution and the rule of law.

596

01:59:41.850 --> 01:59:50.190

Naz: We can easily end up with what psychologists call the dark triad narcissism psychopathy and machiavelli's him.

597

01:59:50.730 --> 01:59:59.970

Naz: In his book The association of small poems Indian American writer current agent says, and I quote, nothing recovers from a bomb not our humanity.

598

02:00:00.750 --> 02:00:10.770

Naz: Not our politics and not even not faith, we must paint the picture of a stable Republic who success should not only be measured by the size of our GDP.

599

02:00:11.040 --> 02:00:17.310

Naz: or measured by how well rich people are doing, we need a republic that also plays a social justice at its core.

600

02:00:17.760 --> 02:00:30.030

Naz: it's a mistake to assume we can have a stable and sustainable political and economic environment without social justice, it is what this Constitution demands from all of us to transform and build an equitable society.

601

02:00:30.600 --> 02:00:34.980

Naz: The picture, we must paint to fit to fit the frame of the Constitution.

602

02:00:35.760 --> 02:00:46.470

Naz: Now, and explains the issue of social justice, better than the Indian scholar and economics Nobel Prize laureate Amartya Sen, who tells the story of three children and Bob and color.

603

02:00:47.310 --> 02:00:57.870

Naz: who are fighting over who should all have ownership of the flute and without disputing the claims of the other two kids argues that, unlike the other two she is in fact the only one.

604

02:00:58.410 --> 02:01:09.030

Naz: Who can play the flute and will therefore derive maximum benefit and utility from its use and ownership and is making the argument of a utilitarian economist.

605

02:01:09.660 --> 02:01:17.820

Naz: Bob, on the other hand, and without disputing the stations of the others argues that of the three of them he's extremely poor.

606

02:01:18.120 --> 02:01:24.540

Naz: and has no money to buy other toys and that he deserves to be given the flute, as this would be an equitable thing to do.

607

02:01:25.110 --> 02:01:34.590

Naz: Bob is making the argument of any Gala Terry and economist Carla, the last of the three also without contesting the legitimacy of ED and Bob slaves.

608

02:01:34.950 --> 02:01:44.130

Naz: argues that of the three of them, she in fact is the only one who made the flute it was a sweat blood and tears, and therefore.

609

02:01:44.700 --> 02:01:52.260

Naz: The flute or two rightfully belong to hair color is making the argument of a libertarian economist none of these three.

610

02:01:52.740 --> 02:02:06.000

Naz: claims are more right or wrong, the in lies the challenge of leadership in resolving complex problems by looking for social justice by not just trying to be right, but in striving for the equilibrium to do the right thing.

611

02:02:06.420 --> 02:02:16.800

Naz: This is the challenge faced by South africa's leadership cohort in both the public and the private sector, it is what the vision of this Constitution is we, the people of South Africa.

612

02:02:18.030 --> 02:02:26.610

Naz: The last 25 years have given us a solid frame of the Constitution, the next 25 years is going to be about gifts and choices.

613

02:02:27.210 --> 02:02:32.040

Naz: in how we paint the republic's picture to fit the frame of the Constitution.

614

02:02:32.760 --> 02:02:43.050

Naz: There is under symmetry in skills and knowledge and competencies between the private sector, as well as the public sector in South Africa that is weighted more in favor of the private sector.

615

02:02:43.650 --> 02:02:50.610

Naz: That decision makers in the essay economy i'm not the government that decision makers in the economy in South Africa are the bankers.

616

02:02:51.180 --> 02:02:57.210

Naz: The accountants, the actuaries the engineers, The Economist and the lawyers, they are the people who are tasked.

617

02:02:57.570 --> 02:03:04.950

Naz: With deploying capital into projects and whether they are going to make the investments or they're not actually going to make the investments and we sometimes argue.

618

02:03:05.250 --> 02:03:14.490

Naz: That we make objective decisions and yet a significant portion of those particular decisions are actually very much subjective many of these people.

619

02:03:15.300 --> 02:03:23.670

Naz: Have the gift of smart and capable brains our gifts can allow us to invent and find the most innovative solutions to make a positive contribution.

620

02:03:24.120 --> 02:03:31.350

Naz: to economic and social transformation Similarly, we should guard against temptation by some amongst us.

621

02:03:31.890 --> 02:03:42.090

Naz: To use our gifts to frustrate the process and use a present legal minds and resources to push back on transformation, the Constitution is asking.

622

02:03:42.870 --> 02:03:49.560

Naz: of us to be kind to to the to the Republic and all its inhabitants.

623

02:03:50.250 --> 02:04:01.320

Naz: or would we be kind in the last one that is only about eight non Western countries have moved the economy's from developing to developed economies, these are Japan, Taiwan South Korea old Hong Kong.

624

02:04:01.770 --> 02:04:12.870

Naz: Singapore Russia Israel in Australia, they did this by delivering on those sustainable development goals mentioned earlier, and thereby moving millions of their citizens out of poverty.

625

02:04:13.290 --> 02:04:19.890

Naz: With very strong rules of law, whether you call them a dictator or not, but they had a very strong rule of law.

626

02:04:20.460 --> 02:04:24.900

Naz: i'm going to hazard a guess that in the next three to five years when we reflect again on this Constitution.

627

02:04:25.410 --> 02:04:32.670

Naz: The narration that will be most telling will be the rest of the series of choices would have made in the era of economic and social transformation.

628

02:04:32.940 --> 02:04:49.050

Naz: That will set as a on the road to becoming a developed economy capable of solving the triple challenge of poverty, unemployment and inequality, we have a good constitution as afraid let's go build ourselves a great republic, thank you.

629

02:05:03.150 --> 02:05:12.300

Naz: Thanks cookie really people also includes business people, I sometimes when i'm when i've gone crazy tease my friends and business to say you know.

630

02:05:13.080 --> 02:05:19.770

Naz: We in the public service, who are not looters spend all our time trying to create a stable society for you guys to make money.

631

02:05:20.340 --> 02:05:33.840

Naz: it's hi tanya also join and make this country, a better place for everybody else so thanks for those words that go get our next speaker will be Dr Michelle macquarie actor Director of Public Prosecution Northwest.

632

02:05:39.750 --> 02:05:40.200

Naz: Ah.

633

02:05:41.430 --> 02:05:42.600

Naz: The program director.

634

02:05:44.070 --> 02:05:45.690

Naz: To be the only woman.

635

02:05:47.040 --> 02:05:47.580

Naz: In this.

636

02:05:48.870 --> 02:05:59.670

Naz: In this stage, may be a bit intimidating but i'm pleased when i'm looking around, I see a lot of women, and I believe they are here to cheer on me right.

637

02:06:07.290 --> 02:06:08.490

Naz: Thank you very much.

638

02:06:10.260 --> 02:06:13.530

Naz: i'm here representing the NPA.

639

02:06:14.610 --> 02:06:21.510

Naz: I must also indicate that it was not really quite clear what am I supposed to do.

640

02:06:22.590 --> 02:06:26.550

Naz: But with an invitation I said to myself.

641

02:06:29.610 --> 02:06:39.000

Naz: let's let me go and give out a message out there, from the perspective of the national prosecuting authority.

642

02:06:40.110 --> 02:06:45.240

Naz: I believe that the people of South Africa would not really be.

643

02:06:48.360 --> 02:06:53.100

Naz: really be expecting us as the national prosecuting authority.

644

02:06:58.530 --> 02:07:06.660

Naz: and come up with a wonderful theoretical paper to tell them I don't think they are interested in that.

645

02:07:07.800 --> 02:07:09.630

Naz: They want us SNP.

646

02:07:11.400 --> 02:07:15.630

Naz: To come and tell you as to how are we responding.

647

02:07:16.980 --> 02:07:18.570

Naz: When we are saying.

648

02:07:19.740 --> 02:07:21.660

Naz: We, the people of South Africa.

649

02:07:22.770 --> 02:07:27.630

Naz: We are recognizing the supremacy of the Constitution and the rule of law.

650

02:07:29.310 --> 02:07:49.860

Naz: that's when I thought, let me prepare a message to the South African people on behalf of NPA in actual fact everywhere, I go whenever you mention that you are from the NPA people start to think of their cases that are in the courts.

651

02:07:51.180 --> 02:08:04.530

Naz: Sometimes they forget i'm in the Northwest they'll be asking about a case in counting that's an indication that people in South Africa, they want to see the rule of law.

652

02:08:05.790 --> 02:08:16.590

Naz: In practice, so that's the reason why I have prepared this message for the people of South Africa as to how are we responding.

653

02:08:17.790 --> 02:08:18.990

Naz: As prosecutors.

654

02:08:20.820 --> 02:08:23.700

Naz: on behalf of the national prosecuting authority.

655

02:08:24.840 --> 02:08:27.450

Naz: I stand here to confirm our commitment.

656

02:08:28.590 --> 02:08:30.000

Naz: To the recognizing.

657

02:08:31.410 --> 02:08:35.340

Naz: The supremacy of the Constitution and the rule of law in South Africa.

658

02:08:36.630 --> 02:08:46.530

Naz: Our Constitution is celebrated across the world, not only did it build a solid foundation for the protection of human rights.

659

02:08:47.130 --> 02:09:08.400

Naz: But it also established a strong stability strong institutions for defending our democracy it's one of the main reasons why South Africa has progress as far as it has since the dawn of democracy, we need to protect and protect it at all costs.

660

02:09:09.420 --> 02:09:18.600

Naz: The national prosecuting authority is one of the powerful institution of justice, established by our progressive concentration.

661

02:09:20.040 --> 02:09:40.080

Naz: The nba was created to protect our people against crime and in justice we are the lawyers for the people and we carry this badge with pride, as you can see i'm speaking with pride that I belong to the national prosecuting authority of Africa.

662

02:09:41.910 --> 02:09:46.710

Naz: Yet we know we need to do more, we cannot lie to ourselves.

663

02:09:47.730 --> 02:09:49.950

Naz: And we need to deliver justice faster.

664

02:09:51.120 --> 02:10:12.390

Naz: The people of South Africa, deserve justice, including from corrupt criminals who have looted the discuss we know we are not meeting your expectations at this time, but we are confident that we will once again and your trust and admiration.

665

02:10:14.670 --> 02:10:21.000

Naz: The mandate of the NPA, which is the national prosecuting authority is a huge and complex one.

666

02:10:22.200 --> 02:10:33.060

Naz: The nba my surprise and prosecute those who feel entitled to encroach on the rights of others to undermine the authority of this state.

667

02:10:33.630 --> 02:10:44.730

Naz: and mobilize against our democratic institutions and criminals are becoming smarter and using more complex methods to commit the crimes.

668

02:10:45.690 --> 02:11:04.020

Naz: We need to keep pace, and that means acquiring new skills utilizing new technologies and preparing for over the horizon France criminals must know that we are one step ahead of them, not two steps behind.

669

02:11:05.070 --> 02:11:23.010

Naz: to fulfill this enormous mandate, the NPA must as an organization be committed to discharging its mandate with integrity and professionalism, the prosecutors must be driven by the need for accountability.

670

02:11:24.240 --> 02:11:39.210

Naz: Service excellence, innovation and credibility above most they must act independently and only be guided by the leadership of the NPA who must also be independent.

671

02:11:40.230 --> 02:11:54.210

Naz: These are the values by which the NPA leaves they are manifested in the NDP his vision of an independent, professional accountable and credible NPA.

672

02:11:55.260 --> 02:12:04.950

Naz: What that's what we call iPad pillars, it is expected that the observance of these values will maintain the increase.

673

02:12:05.640 --> 02:12:15.570

Naz: will maintain and increase public trust in the NPA and, as you are victims of crime that there is a voice to speak for them.

674

02:12:16.440 --> 02:12:33.360

Naz: It will also assure persons who are prosecuted that at all times, prosecutors and the mta will act with within the confines of the law, this is important because the mta is bound by the supreme constitution.

675

02:12:34.650 --> 02:12:44.820

Naz: Is prosecutors and leadership must always be guided by the Constitution which promises everyone justice above all.

676

02:12:45.600 --> 02:13:07.740

Naz: The NPA believes that, when the rule of law is transgressed there must be corrective measures to hold the perpetrators accountable, where they are prospects prospects of successful prosecution perpetrators must be charged and prosecuted, to the full extent of the law.

677

02:13:08.910 --> 02:13:26.310

Naz: This is not a vindictive exercise, it is a requirement of the law, as such, the mta does not have the discretion to prosecute offenses it has a constitutional obligation, in fact, we believe that.

678

02:13:27.900 --> 02:13:38.670

Naz: Failure to prosecute when they are prospects of successful prosecution is in itself a breach of the Constitution, it undermines the rule of law.

679

02:13:39.390 --> 02:13:58.290

Naz: And could be declared unconstitutional and invalid by the courts, why do we may not guarantee the outcome of each prostitution, we believe that South Africans will rest assured if they know that criminals will face the NPA in the courts.

680

02:13:59.490 --> 02:14:03.300

Naz: However, we do face a number of challenges.

681

02:14:04.380 --> 02:14:05.010

Naz: I must say.

682

02:14:06.180 --> 02:14:26.220

Naz: One of them relates to delivering on expectations of swift justice, especially in relation to complex corruption matters that we have justice often 10 very slowly, and not just in South Africa, some prosecutions may take yes.

683

02:14:28.170 --> 02:14:44.340

Naz: But we must also accept that, at the same the NPA must follow due process and consider all the issues we cannot just demerol accuse persons, the Constitution does not allow it, and the courts will not permitted.

684

02:14:45.390 --> 02:14:56.190

Naz: The mta continues to learn from the challenges it faces, as an institution, it also continues to draw inspiration from its successes.

685

02:14:57.090 --> 02:15:05.010

Naz: Under the leadership of the current NDP advocates formula, but boy the mta is tending a tide turning the tide.

686

02:15:05.910 --> 02:15:29.040

Naz: And we believe that the current optimism in our institution will continue to grow, while this is to be celebrated, we have to maintain fidelity to the law and resist the edge to prosecute for the sake of prosecuting if we do that we might undermine the integrity of the Constitution.

687

02:15:32.070 --> 02:15:41.790

Naz: There is a simple reason for this, a prosecution, that is informed by public sentiment will not succeed, that costs will appear.

688

02:15:42.660 --> 02:15:52.050

Naz: And we may become an institution that loses cases this might then create an impression that we are prosecuting instead of we.

689

02:15:52.650 --> 02:16:08.040

Naz: Excuse me, this might then create an impression that we are persecuting instead of prostituting, we will then face a crisis of legitimacy and the people of South Africa will not believe in us, we need the support.

690

02:16:09.570 --> 02:16:20.580

Naz: Patients and cooperation of the people of South Africa, we need South Africans to rally behind the NPA we need South Africans to support efforts.

691

02:16:33.330 --> 02:16:35.700

Naz: It promises just prosecutions.

692

02:16:40.260 --> 02:16:42.420

Naz: As I come to an end.

693

02:16:44.460 --> 02:16:46.080

Naz: I must say program director.

694

02:16:47.430 --> 02:16:57.990

Naz: I must express the NPs profile and gratitude to the executive, under the leadership of the president from a poster for supporting the NPA.

695

02:16:58.800 --> 02:17:12.390

Naz: We are confident that this support will bear fruits for South Africans and that it will strengthen our democracy by enhancing the rule of law and protecting the Constitution.

696

02:17:13.620 --> 02:17:14.700

Naz: If I may.

697

02:17:15.930 --> 02:17:17.760

Naz: add to what i've just said.

698

02:17:20.790 --> 02:17:29.940

Naz: My plea to South Africans is let's a rally behind the institutions that are there, provided by the Constitution.

699

02:17:31.500 --> 02:17:34.260

Naz: To protect our people.

700

02:17:35.520 --> 02:17:37.290

Naz: To protect our democracy.

701

02:17:38.340 --> 02:17:52.710

Naz: Yes, we can be criticized constructive criticism is welcome, but we must stand up and say it is time, if we want this country to succeed.

702

02:17:53.550 --> 02:18:00.960

Naz: If we want this country to flourish is time that each and every South African must stand up and say.

703

02:18:01.590 --> 02:18:11.850

Naz: let's protect let's rally behind this institutions, because we want our country to flourish and we want our Constitution to be protected.

704

02:18:12.360 --> 02:18:28.530

Naz: And not just sit there and just criticize, for the sake of criticizing by sourcing It reminds me when the ND NDP giving a acceptance speech when she was appointed she indicated that prosecutors and the judiciary.

705

02:18:29.550 --> 02:18:40.080

Naz: Are people who are there to protect the institution so it's a challenge i'm posing a challenge to all of us to say, are we doing enough.

706

02:18:40.620 --> 02:18:52.860

Naz: To protect this institutions so that justice should not just be done must, but must be seen to be done, we all have that duty it is might be.

707

02:18:53.700 --> 02:19:06.090

Naz: From Dennis not prosecuting authority to say there are men and women of integrity in that institution, believe it or not, whose hearts are committed.

708

02:19:06.870 --> 02:19:18.000

Naz: To work for the people of South Africa, and we are saying work with us support us and we want to take South Africa way it's supposed to be, thank you.

709

02:19:42.480 --> 02:19:43.560

Naz: dark TIM Curry.

710

02:19:45.210 --> 02:19:58.470

Naz: us alone and the rain did supported, and we shall support institutions, thank you, our next speaker will be that the assignment from the electoral commission the of the philosophy.

711

02:20:02.280 --> 02:20:02.580

Naz: Thank.

712

02:20:06.090 --> 02:20:08.430

Naz: Thank you very much and i'm going to.

713

02:20:10.140 --> 02:20:14.880

Naz: align myself with a protocol as recognized in the morning.

714

02:20:18.930 --> 02:20:22.740

Naz: There are three constitutional provisions.

715

02:20:26.370 --> 02:20:40.740

Naz: Which i'm going to predicate my remarks upon the first it's the founding provision section one D of the Constitution i'm going to read it.

716

02:20:43.560 --> 02:20:51.780

Naz: There Republic of South Africa is one suffering democratic state founded on the following fellows de.

717

02:20:53.010 --> 02:20:55.140

Naz: Universal adult suffrage.

718

02:20:57.270 --> 02:20:59.400

Naz: A national common voters role.

719

02:21:01.590 --> 02:21:02.880

Naz: Regular regulate elections.

720

02:21:04.260 --> 02:21:10.710

Naz: In a multi party system of democratic government to ensure accountability and openness.

721

02:21:13.380 --> 02:21:14.010

Naz: Now.

722

02:21:16.380 --> 02:21:22.650

Naz: The second is the second constitutional provision in section 19.

723

02:21:24.030 --> 02:21:26.250

Naz: which provides for political rights.

724

02:21:27.720 --> 02:21:29.580

Naz: And those are as follows.

725

02:21:32.550 --> 02:21:41.250

Naz: Every citizen is free to make political choices which includes the right to form a political party.

726

02:21:42.570 --> 02:21:52.110

Naz: To participate in the activities of or recruit Members for a political party and to campaign for a party or course.

727

02:21:54.630 --> 02:22:04.620

Naz: to every citizen has the rights to free regulate election for any legislative body established in terms of the Constitution.

728

02:22:05.700 --> 02:22:06.450

Naz: Sorry.

729

02:22:08.250 --> 02:22:28.320

Naz: every adult citizen has the right to vote in elections for any legislative body, and to stand for public office and if elected to hold to hold office and, lastly, the third provision which i'm going to predicate measurements on in section.

730

02:22:33.120 --> 02:22:34.260

Naz: To 36.

731

02:22:39.930 --> 02:22:43.080

Naz: And that relates to the funding of political parties.

732

02:22:44.970 --> 02:22:47.550

Naz: To enhance multiparty democracy.

733

02:22:48.630 --> 02:23:03.030

Naz: National legislation must provide for the funding of political parties participating in national and provincial legislatures on an equitable and proportionate basis.

734

02:23:06.690 --> 02:23:08.280

Naz: Now we all know.

735

02:23:09.300 --> 02:23:14.700

Naz: that the Constitution creates six institutions in Chapter nine.

736

02:23:16.440 --> 02:23:17.700

Naz: whose primary.

737

02:23:19.380 --> 02:23:26.100

Naz: Responsibility is to safeguard and promote constitutional democracy.

738

02:23:27.120 --> 02:23:31.560

Naz: The electoral commission is one such body.

739

02:23:35.040 --> 02:23:35.730

Naz: So.

740

02:23:38.070 --> 02:23:46.710

Naz: I just want to make this proposition that the elections and the act of voting, are in fact a constitutional enterprise.

741

02:23:49.560 --> 02:23:50.430

Naz: Because.

742

02:23:52.530 --> 02:23:58.110

Naz: The very act of voting, the very act of making a political choice.

743

02:23:59.220 --> 02:24:00.000

Naz: it's rooted.

744

02:24:01.140 --> 02:24:03.750

Naz: In the Bill of Rights in terms of Section 19.

745

02:24:05.880 --> 02:24:06.600

Naz: And in fact.

746

02:24:07.980 --> 02:24:13.500

Naz: To vote in regular elections is part of the foundational values.

747

02:24:14.820 --> 02:24:17.220

Naz: of our of the Constitution.

748

02:24:18.240 --> 02:24:18.840

Naz: So.

749

02:24:21.600 --> 02:24:42.990

Naz: when elections are held and we've had six national and provincial elections we've had five municipal election so when we vote, we are in fact giving expression to the Constitution, we are breathing life is the way to this provisions that have preferred.

750

02:24:46.110 --> 02:24:54.240

Naz: So elections, therefore, in that light is not just a mechanical exercise of elected representatives.

751

02:24:55.350 --> 02:25:06.420

Naz: It is in fact living the Constitution breathing life into the Constitution and giving it a practical expression.

752

02:25:12.090 --> 02:25:12.600

Naz: But.

753

02:25:17.640 --> 02:25:18.330

Naz: The.

754

02:25:19.500 --> 02:25:21.390

Naz: electoral framework.

755

02:25:22.620 --> 02:25:24.060

Naz: Which is inclusive of.

756

02:25:25.260 --> 02:25:30.390

Naz: The electoral legislation has been subject of.

757

02:25:32.850 --> 02:25:40.140

Naz: aura electrical laws have been subject of interpretation by the various.

758

02:25:41.550 --> 02:25:43.170

Naz: Codes of the Republic.

759

02:25:44.850 --> 02:25:49.380

Naz: So the codes in fulfilling their interpretation roll.

760

02:25:50.670 --> 02:25:54.150

Naz: have enriched our electoral tools.

761

02:25:58.380 --> 02:26:02.220

Naz: To refer to a please three.

762

02:26:03.720 --> 02:26:06.720

Naz: have in fact enriched through the LM.

763

02:26:10.920 --> 02:26:11.700

Naz: prudence.

764

02:26:14.160 --> 02:26:15.330

Naz: The first case.

765

02:26:16.680 --> 02:26:19.590

Naz: That, I think, has given us this wealth of.

766

02:26:22.080 --> 02:26:29.070

Naz: wealth of interpretation and richness in our electoral space is the case.

767

02:26:30.090 --> 02:26:36.630

Naz: Between the nation, now the new national party and the Republican.

768

02:26:38.790 --> 02:26:41.850

Naz: At issue, in that case was.

769

02:26:45.000 --> 02:26:56.130

Naz: The nfp claiming that the devil, the government that administration in 1999 had violated the Constitution by undermining the independence of the electoral commission.

770

02:26:57.660 --> 02:26:58.410

Naz: In that.

771

02:28:39.060 --> 02:28:40.800

Naz: Commission is answerable.

772

02:28:42.120 --> 02:28:42.900

Naz: to Parliament.

773

02:28:44.400 --> 02:28:52.830

Naz: Therefore, the Commission should have an opportunity to argue for his budget before Parliament, or its structures.

774

02:28:54.900 --> 02:28:59.430

Naz: Insofar as it relates to administrative independence just Lana said.

775

02:29:00.570 --> 02:29:11.580

Naz: It is incompetent for any of the executive to indicate how the Commission must undertake his functions and activities.

776

02:29:14.610 --> 02:29:21.000

Naz: So the Commission must be able to determine those processes of its own accord.

777

02:29:23.100 --> 02:29:35.760

Naz: and institutionally, that the Commission is not answerable for its performance to the executive rather it's answerable.

778

02:29:37.080 --> 02:29:39.120

Naz: To the National Assembly.

779

02:29:43.140 --> 02:29:50.190

Naz: that's why I never very important decision I think of the Constitutional Court in shaping.

780

02:29:51.360 --> 02:29:58.530

Naz: This constitutional enterprise this constitutional action that I to it within the electoral sphere.

781

02:30:00.240 --> 02:30:01.440

Naz: The second case.

782

02:30:04.170 --> 02:30:07.680

Naz: was also a constitutional court case in 1999.

783

02:30:10.230 --> 02:30:19.020

Naz: And that relates to the rights of prisoners to vote, it was Mr against who was in prison at the time.

784

02:30:20.340 --> 02:30:22.980

Naz: The Electoral Act has not provided.

785

02:30:24.360 --> 02:30:26.760

Naz: For a disqualification.

786

02:30:28.860 --> 02:30:30.720

Naz: For prisoners, not to vote.

787

02:30:32.610 --> 02:30:37.200

Naz: And the concord in a judgment written by Justice herbicide said.

788

02:30:42.960 --> 02:30:52.770

Naz: Given the section 19 rides that I read to you and absent, a disqualification in terms of a law of general application.

789

02:30:53.700 --> 02:31:20.880

Naz: It is unconstitutional for the electoral it's not to make provision for prisoners to vote, but even if a law of general application were to create a disqualification it still needed to meet the limitation clause in section 36 it had to meet the reasonableness and justify ability test.

790

02:31:22.050 --> 02:31:26.520

Naz: demanded in terms of Section 36 of the Constitution.

791

02:31:28.230 --> 02:31:31.770

Naz: So through that judicial intervention.

792

02:31:32.970 --> 02:31:42.330

Naz: Many South Africans who are then languishing in prisons were given the possibility to exercise their right to vote.

793

02:31:48.030 --> 02:31:48.720

Naz: The fat.

794

02:31:49.740 --> 02:31:54.360

Naz: Can case that I think is worthy of mentioned here.

795

02:31:55.680 --> 02:32:07.260

Naz: is a relatively recent is relatively recent, and that is the come case on addresses in the voters role.

796

02:32:11.880 --> 02:32:15.870

Naz: Just is much lana fit for the majority.

797

02:32:17.340 --> 02:32:26.190

Naz: said that an address on the voters role is demanded in terms of the imperative for free and fair elections.

798

02:32:27.570 --> 02:32:36.330

Naz: In other words, even if we didn't have section 16 three in the Electoral Act with says the food has Romans seven address if available and so on.

799

02:32:37.170 --> 02:32:49.740

Naz: The need for an address on the voters role is demanded in terms of the imperative for free and fair election in terms of the Constitution and he went further to say.

800

02:32:52.440 --> 02:32:59.640

Naz: An address on the voters role serves two purposes rather three purposes one.

801

02:33:02.970 --> 02:33:06.060

Naz: To assist political parties in their campaigning.

802

02:33:07.320 --> 02:33:17.340

Naz: As well as to give the possibility for parties and citizens to check the correctness of the voters role.

803

02:33:18.660 --> 02:33:19.380

Naz: Because.

804

02:33:20.670 --> 02:33:31.950

Naz: inherent in a free and fair election is the ability of citizens to check whether in fact voters have been righteous that correctly.

805

02:33:35.400 --> 02:33:36.270

Naz: Now.

806

02:33:38.610 --> 02:33:41.340

Naz: it's a judgment that has made me lose hair.

807

02:33:43.080 --> 02:33:48.000

Naz: Because it's been very difficult and an event development in the country.

808

02:33:51.180 --> 02:33:56.760

Naz: But the Court had spoken and we had to to comply.

809

02:33:57.840 --> 02:34:08.310

Naz: Just to give you an indication that when this matter was before the Constitutional Court in 2016 we had 8 million addresses on the photos role.

810

02:34:09.690 --> 02:34:10.830

Naz: Today, as we speak.

811

02:34:11.850 --> 02:34:20.070

Naz: We have 24 million addresses, which represents 95% of all persons on the photos role.

812

02:34:23.700 --> 02:34:34.380

Naz: Now there are many other cases that one could mention into just to indicate to you the interface between.

813

02:34:35.400 --> 02:34:55.470

Naz: The program of election as guided by the constitution and electron legislation, as well as the functions of codes to interpret the law and in so doing, create a jurisprudence that enriches our our electrical processes.

814

02:35:00.840 --> 02:35:01.380

Naz: Now.

815

02:35:03.270 --> 02:35:04.170

Naz: Just to.

816

02:35:06.570 --> 02:35:18.600

Naz: mention the issue of party funding, which is part of the evolution of our democratic system again my vote counts.

817

02:35:19.650 --> 02:35:21.060

Naz: challenged the.

818

02:35:22.080 --> 02:35:27.210

Naz: buyer and said to the extended by doesn't have a provision.

819

02:35:30.330 --> 02:35:32.580

Naz: Requiring parties to disclose that.

820

02:35:34.770 --> 02:35:36.570

Naz: It was unconstitutional oh.

821

02:35:38.370 --> 02:35:40.680

Naz: Okay, all right now i'll finish.

822

02:35:42.660 --> 02:35:43.140

Naz: Finish.

823

02:35:45.450 --> 02:35:47.400

Naz: It today they went to the western.

824

02:35:48.540 --> 02:36:00.780

Naz: Western Cape cod division and the the upheld and they went to India confirmatory case in the Constitutional Court, they won since then Parliament in wisdom.

825

02:36:03.390 --> 02:36:20.460

Naz: Put the political party funding act which we implemented from the first of April last year and there's been two disclosures or other two disclosure reports that we we've made public.

826

02:36:23.610 --> 02:36:28.110

Naz: Now you can debate whether that act.

827

02:36:29.280 --> 02:36:38.490

Naz: Has optimum provisions to deal with all possibilities of funding in all political parties, of course, and I would say, of course, nodes.

828

02:36:39.870 --> 02:36:40.890

Naz: it's an oval that.

829

02:36:42.480 --> 02:36:48.330

Naz: It didn't contemplate every possible scenario funding scenario.

830

02:36:49.740 --> 02:36:56.850

Naz: In the in the country, but at least it gave us a solid starting point, as a nation.

831

02:36:58.530 --> 02:37:02.520

Naz: It gave us a solid starting point upon which we can build.

832

02:37:04.500 --> 02:37:18.420

Naz: and improve so that all the loopholes that are in the eggs can be can be improved for the future, we will shortly be issuing a third quarter disclosure report to indicate to you, who funded who.

833

02:37:20.010 --> 02:37:21.750

Naz: During the during the elections.

834

02:37:23.070 --> 02:37:29.910

Naz: What the value of that is is to give more power to the voter.

835

02:37:31.200 --> 02:37:45.990

Naz: If you think about it, the input of that is to give more power to the voter, because the voter will now be voting for a particular political party from a more informed basis.

836

02:37:47.160 --> 02:38:08.730

Naz: Not just what the policy program is for the party, not what the only what the legislative program is for the party, but also about who funds that party and if the maybe ulterior motives in such in such funding, but to your hundred.

837

02:38:10.470 --> 02:38:20.790

Naz: Regulating party funding also protects insulators it way our democratic our democracy from imperial interests.

838

02:38:22.350 --> 02:38:30.540

Naz: For during imperial interests, who might want to shape the nature of our politics in a particular way.

839

02:38:34.230 --> 02:38:46.320

Naz: absent that framework, we are phenomenal that imperial interest might direct our politics in an undesirable direction.

840

02:38:48.090 --> 02:38:48.570

Naz: But.

841

02:38:51.300 --> 02:39:07.320

Naz: South Africa, and I think as Africans we have to acknowledge that if we're to protect our democracy from such for in influences, then the whiskers must carry the cost of democracy.

842

02:39:10.350 --> 02:39:14.730

Naz: Without saying how much it must be and how much it may not be and so on.

843

02:39:17.130 --> 02:39:30.690

Naz: The we've got to accept as the South African public that's the fiscal us will have to carry the cost of running democracy, including sufficient funding to political parties.

844

02:39:31.740 --> 02:39:40.500

Naz: Because if that does not happen that which we're trying to deal with by regulation is not going to materialize.

845

02:39:44.700 --> 02:39:45.900

Naz: Now, in conclusion.

846

02:39:47.820 --> 02:39:48.480

Naz: chairperson.

847

02:39:49.980 --> 02:39:52.380

Naz: I just want to give you some figures.

848

02:39:54.930 --> 02:39:57.420

Naz: Without interpreting them at length.

849

02:39:58.590 --> 02:39:59.730

Naz: So today.

850

02:40:01.500 --> 02:40:07.050

Naz: We have 508 political parties on the register of purchase.

851

02:40:10.770 --> 02:40:13.980

Naz: 508.

852

02:40:16.020 --> 02:40:19.980

Naz: Now, in the recent election 2021.

853

02:40:21.570 --> 02:40:34.200

Naz: So 123 parties took part in the elections, so there's some just under 200 who did not participate, despite them being on the register of purchase.

854

02:40:36.510 --> 02:40:40.860

Naz: And of this 323 who took part.

855

02:40:42.210 --> 02:40:45.840

Naz: Only 167 court, at least the seeds.

856

02:40:49.980 --> 02:40:50.190

Naz: You know.

857

02:40:55.380 --> 02:41:02.670

Naz: The voter turnout in less these elections, as we know, with reduced from 58% to 46%.

858

02:41:05.160 --> 02:41:05.520

Naz: So.

859

02:41:07.080 --> 02:41:13.020

Naz: There is a phenomenon that I think is at play here, where.

860

02:41:16.980 --> 02:41:22.740

Naz: More people are seeking election into elected positions.

861

02:41:25.980 --> 02:41:29.100

Naz: Which is evidenced by this figures that i've given you.

862

02:41:32.430 --> 02:41:35.070

Naz: So more people are seeking.

863

02:41:36.720 --> 02:41:41.910

Naz: Election into positions of legislative bodies let's put it that way.

864

02:41:43.530 --> 02:41:43.980

Naz: Yet.

865

02:41:46.260 --> 02:41:53.400

Naz: On the inverse side, the number of people who are participating in the electoral process is to purchasing.

866

02:41:55.080 --> 02:42:06.390

Naz: I think it's a it's a phenomenon that requires research so that it can be categorized properly and programs.

867

02:42:08.400 --> 02:42:15.090

Naz: be articulated to deal with a situation where in there's a demand for public office.

868

02:42:16.410 --> 02:42:36.270

Naz: By greater numbers of citizens, which is fine, is allowed in terms of the Constitution, but there is no corresponding increase in the number of citizens who take part in an election, I think that Meta has to be teased out by research and.

869

02:42:37.380 --> 02:42:41.340

Naz: an interview interventions made to deal with it, thank you very much.

870

02:43:02.100 --> 02:43:09.660

Naz: Even though you abused my powers but it's fine definitely elections, a very important manifestation.

871

02:43:10.470 --> 02:43:27.900

Naz: Through wish to protect democracy so must take them very seriously and also support the that my brother and his colleagues, our last speaker will be missed the poulton from the ultimate katha the Foundation, last but not least.

872

02:43:32.040 --> 02:43:33.810

Naz: Thank you, greetings to everybody.

873

02:43:35.250 --> 02:43:40.200

Naz: i'm not going to do all of the protocol, because my 10 minutes would be up by that time.

874

02:43:42.870 --> 02:43:45.960

Naz: Let me just start off with just this bit of human.

875

02:43:47.670 --> 02:43:51.030

Naz: there's a small boy who boxes bicycle nearby Parliament.

876

02:43:52.050 --> 02:43:53.460

Naz: Parliament house and walks on.

877

02:43:54.750 --> 02:44:02.190

Naz: A policeman stops him and asked him why did you pass park your bicycle year don't know.

878

02:44:03.930 --> 02:44:04.830

Naz: This road.

879

02:44:05.970 --> 02:44:07.320

Naz: Many MPs.

880

02:44:08.370 --> 02:44:21.180

Naz: Sometimes Presidents sometimes cabinet ministers and politicians pass by, and the boy replied innocently don't worry i've locked my bicycle.

881

02:44:29.820 --> 02:44:30.990

Naz: And I raised this.

882

02:44:32.250 --> 02:44:34.530

Naz: Because a lot of the deliberations here today.

883

02:44:36.180 --> 02:44:38.850

Naz: left me feeling, as if i'm in a different planet.

884

02:44:40.500 --> 02:44:41.820

Naz: And i'll talk about why.

885

02:44:43.620 --> 02:44:49.800

Naz: But we don't only celebrate the coming into effect of the Constitution 25 years ago today.

886

02:44:51.750 --> 02:44:55.560

Naz: there's a huge history that precedes that and just a snippet of it.

887

02:44:56.940 --> 02:45:01.650

Naz: This year will be the 70th anniversary of the 1952 defines campaign.

888

02:45:02.970 --> 02:45:05.190

Naz: For years after protect comes into effect.

889

02:45:07.410 --> 02:45:15.270

Naz: A huge campaign is embarked on to defy six specific laws, the group areas act.

890

02:45:16.740 --> 02:45:28.920

Naz: The separate representation of voters Act, the suppression of communism Act, the bounty authorities act, the past laws, the stock limitation and rehabilitation schemes.

891

02:45:31.740 --> 02:45:34.380

Naz: there's four years after the net comment power.

892

02:45:35.790 --> 02:45:40.110

Naz: This campaign lays the basis for the freedom charter.

893

02:45:41.820 --> 02:45:48.630

Naz: That Charter, the process of developing that Charter involves thousands of volunteers.

894

02:45:50.250 --> 02:45:54.510

Naz: Gathering all kinds of demands from people to structure this Charter.

895

02:45:56.550 --> 02:46:00.150

Naz: That chat then serves as a guiding light.

896

02:46:01.470 --> 02:46:05.910

Naz: For what the vision needs to be for a post apartheid South Africa.

897

02:46:07.560 --> 02:46:27.210

Naz: And it finds his way into the constitutional drafting processes that again 95 huge campaigns to get South Africans involved into the drafting of the Constitution finalizing in what we are now celebrating year today.

898

02:46:31.020 --> 02:46:31.800

Naz: But this year.

899

02:46:32.850 --> 02:46:33.810

Naz: also marks.

900

02:46:35.040 --> 02:46:36.780

Naz: The 40th anniversary.

901

02:46:37.980 --> 02:46:40.500

Naz: Of the killing of Neil eggert.

902

02:46:41.610 --> 02:46:42.450

Naz: And roots first.

903

02:46:43.620 --> 02:46:47.160

Naz: And it's important that we understand that history.

904

02:46:49.080 --> 02:46:51.900

Naz: But he's 30 years since the massacre boy pato.

905

02:46:53.640 --> 02:46:56.160

Naz: 10 years since the maracana massacre.

906

02:46:57.990 --> 02:46:59.940

Naz: So there's a continue to have the past.

907

02:47:01.890 --> 02:47:07.530

Naz: And a lot of the deliberations here focus only on what came before 1990 1994.

908

02:47:08.670 --> 02:47:11.760

Naz: Not one comes after when we assume power.

909

02:47:13.080 --> 02:47:14.640

Naz: And how we mess up that power.

910

02:47:16.050 --> 02:47:19.500

Naz: And how we want people to be grateful for messing up that power.

911

02:47:21.510 --> 02:47:22.050

Naz: So.

912

02:47:26.970 --> 02:47:31.290

Naz: We take it for granted, and this is where I differ would judge me sex.

913

02:47:32.700 --> 02:47:37.050

Naz: He says politicians will come and go, and this work, the Constitution will stay.

914

02:47:39.510 --> 02:47:40.290

Naz: Across the world.

915

02:47:41.940 --> 02:47:44.640

Naz: There is a trend to away from democracy.

916

02:47:45.810 --> 02:47:55.140

Naz: There is a growing acceptance that if living under authoritarian rule gives us safety and security, we can move in that direction.

917

02:47:56.580 --> 02:48:00.930

Naz: Nobody thought that trump would do what he did in America.

918

02:48:02.100 --> 02:48:12.540

Naz: Nobody thought that what is happening in India today around its traditional systems and the suppression of rights in their countries taking place on the country that was meant to be secular.

919

02:48:13.650 --> 02:48:31.290

Naz: Nobody thought that what is happening in Hungary today would actually happen, where, if you are a judge and new rule against the policies of a ruling party, you can yourself find yourself behind bars, nobody thought that the numbers of coups across Africa will increase as they are today.

920

02:48:33.210 --> 02:48:39.090

Naz: We are at as a country at a point where the crisis is deep.

921

02:48:40.680 --> 02:48:42.570

Naz: And the crisis is fundamentally deep.

922

02:48:45.630 --> 02:48:50.010

Naz: We have a 50% unemployment rate in this country.

923

02:48:52.920 --> 02:48:53.940

Naz: Now, think about that.

924

02:48:56.760 --> 02:49:06.060

Naz: We have the zonda Commission reports that have come out that has painted the worst possible picture of how political power has been abused in this country.

925

02:49:09.300 --> 02:49:18.000

Naz: And how that kind of pillaging of our resources has been allowed by the political systems, culture and leadership of this country.

926

02:49:20.610 --> 02:49:24.600

Naz: We have collapsed collapsing cities and institutions, as you sit here.

927

02:49:25.920 --> 02:49:36.300

Naz: All of you, in your homes every night, I am sure, share the anxiety of all South Africans when you hear the gunshots going out in your neighborhoods.

928

02:49:36.660 --> 02:49:53.010

Naz: When you see the street class not working, when you see things collapsing day by day, when you see a municipality that can't convene a meeting because people want to fight and throw bottles and throw chairs and what the result can take decisions on fixing up the cities that are they.

929

02:49:54.060 --> 02:49:56.460

Naz: will look on as powerless citizens.

930

02:49:58.920 --> 02:50:02.220

Naz: 16 million South Africans survive on grants.

931

02:50:05.010 --> 02:50:09.540

Naz: And we can go on, but what is the what is the political discussions of the day.

932

02:50:10.740 --> 02:50:11.850

Naz: We blame this document.

933

02:50:13.140 --> 02:50:16.620

Naz: This piece of paper is blamed for all that is wrong in the country.

934

02:50:18.060 --> 02:50:21.210

Naz: And there's an argument that we don't need a constitutional democracy.

935

02:50:22.470 --> 02:50:35.790

Naz: That we need something called parliamentary democracy, because when the people vote, those are the ones who then need to make the policies and rules, not a court that might eventually decide and that's the big debate that's happening in the country.

936

02:50:37.260 --> 02:50:41.610

Naz: Former President a sitting Minister can defy the Court can.

937

02:50:43.020 --> 02:50:50.220

Naz: defile the Court can insult the Court without consequence in this country today So what are we talking about here today.

938

02:50:51.390 --> 02:50:58.620

Naz: When when that level of power and leadership can do what they do without consequence, what are we then saying.

939

02:51:01.380 --> 02:51:01.980

Naz: So.

940

02:51:03.990 --> 02:51:07.080

Naz: This Constitution doesn't stand for elections.

941

02:51:08.100 --> 02:51:17.370

Naz: It does not appoint the President doesn't appoint cabinet doesn't appoint MPs counselors and MPs it doesn't draw budgets to allocate resources.

942

02:51:18.570 --> 02:51:23.490

Naz: It doesn't appoint people who could not do the jobs that transmit the nail and escort.

943

02:51:25.170 --> 02:51:27.180

Naz: And we sold the country to the US.

944

02:51:28.320 --> 02:51:36.450

Naz: It doesn't take it didn't take part in the debates on in candler and whether the pool was a fire pool or not, the Constitution didn't do that.

945

02:51:37.440 --> 02:51:51.540

Naz: It is not responsible for the breakdown in steps, where a minister and the Commission that can talk and deal with the crime rate of this country, this Constitution doesn't do that, but it is blamed for being too lenient on criminals.

946

02:51:54.180 --> 02:52:10.620

Naz: This Constitution is not responsible for political parties not being able to work in effective coalition's because they see each other as enemies, not as political opponents, who need to come together for a common national agenda it's not this Constitution.

947

02:52:13.110 --> 02:52:13.590

Naz: So.

948

02:52:15.390 --> 02:52:24.300

Naz: This Constitution is not responsible for the PPs candle that has happened under this current administration it's not responsible for digital vibes.

949

02:52:25.590 --> 02:52:27.810

Naz: it's not responsible for the July insurrection.

950

02:52:29.430 --> 02:52:33.030

Naz: And it's not responsible for the tax on Parliament and this Concordia.

951

02:52:34.320 --> 02:52:37.890

Naz: it's a document it's got no life beyond what we give it.

952

02:52:39.210 --> 02:52:48.090

Naz: So we don't need to change the constitution can be amended, but we shouldn't think that this Constitution cannot be dispensed with.

953

02:52:48.750 --> 02:53:03.900

Naz: By some new authoritarian impulse that will grow in this country, and it is growing, there is a conservative right wing force growing in this country across the race across the religion that will dispense with this Constitution, when it is possible.

954

02:53:07.260 --> 02:53:12.360

Naz: We need a new politics, we need a new politics, a new culture, a new system.

955

02:53:13.470 --> 02:53:18.120

Naz: Not one that gives political power, only two political parties.

956

02:53:20.280 --> 02:53:24.000

Naz: And as much as a size talking about the party for funding act.

957

02:53:25.290 --> 02:53:32.520

Naz: Political parties are fighting back, they want to evade that even limited accountability that that it begins to bring about.

958

02:53:33.210 --> 02:53:43.620

Naz: Why, because they are feeling the squeeze they fund is don't want to fund them because those funders now know that once they become public we will begin to ask in civil society, what 10 days, did you get.

959

02:53:44.820 --> 02:53:51.750

Naz: When you funded a particular party what 10 days, did you get and we've already started to see the leaks, so they don't like that.

960

02:53:54.750 --> 02:53:55.680

Naz: We need a new culture.

961

02:53:56.910 --> 02:54:00.300

Naz: That makes politicians ordinary human beings.

962

02:54:01.620 --> 02:54:07.500

Naz: We try and the Foundation, as far as possible, not to accord VIP status to anybody, at any event.

963

02:54:09.690 --> 02:54:18.690

Naz: Because we find when we invite ministers MPs or mcs, the first thing that their staff will phone is there, holding room.

964

02:54:21.510 --> 02:54:23.730

Naz: And I asked why do they need to be held.

965

02:54:26.310 --> 02:54:30.780

Naz: They want to know where is the special security where's the special parking for the blue lights.

966

02:54:32.820 --> 02:54:34.650

Naz: And we acquired them that status.

967

02:54:36.120 --> 02:54:39.990

Naz: And we elevate them beyond what they should be elevated to do.

968

02:54:41.310 --> 02:54:43.860

Naz: What the result is that they don't think they are accountable.

969

02:54:45.120 --> 02:54:49.500

Naz: accountability mechanisms for you as a boat as a voter and non existent.

970

02:54:50.700 --> 02:54:55.800

Naz: after you have voted, you can get rid of anybody that you have put into office.

971

02:54:57.210 --> 02:54:58.350

Naz: Try it with your counselor.

972

02:54:59.850 --> 02:55:07.350

Naz: I did interviews with five counselors in the Ward where our foundation is based in the run up to the election.

973

02:55:08.700 --> 02:55:09.000

Naz: and

974

02:55:10.170 --> 02:55:10.470

Naz: He.

975

02:55:13.530 --> 02:55:14.880

Naz: Publicly radio debates.

976

02:55:16.110 --> 02:55:22.380

Naz: If 50% plus one of your voters a few mind your performance, would you step down, they all happily said yes.

977

02:55:22.950 --> 02:55:39.270

Naz: I guarantee today, not one of them would do that if their vote is requested them to do it because there is no law, there is no willingness to do that, they account to the parties, and it is the parties that will determine the future is not the voters our entire political system.

978

02:55:40.380 --> 02:55:46.290

Naz: does not give power to people, so the notion of Parliament being a body of people's power is false.

979

02:55:47.610 --> 02:55:48.990

Naz: It is completely false.

980

02:55:50.400 --> 02:55:55.800

Naz: We cannot do anything about those who occupy office there are so they think.

981

02:56:00.150 --> 02:56:01.860

Naz: We need a new politics.

982

02:56:02.910 --> 02:56:11.280

Naz: about how we use public money, public services, how we select public representatives and public services, new forms of.

983

02:56:12.330 --> 02:56:21.060

Naz: Public funding, the quality of MPs, new forms of elections, so essentially two minutes.

984

02:56:23.520 --> 02:56:24.690

Naz: And I want to watch is done.

985

02:56:28.860 --> 02:56:31.740

Naz: We are witnessing the jsc yearnings today.

986

02:56:33.750 --> 02:56:35.460

Naz: It represents the best and the worst.

987

02:56:36.720 --> 02:56:46.560

Naz: The four candidates represents the best of the judiciary, and I think, have been the most wonderful rebuttal to arguments that this judiciary is tainted and incapable, and so forth.

988

02:56:47.910 --> 02:56:54.270

Naz: But it represents the worst the people asking the questions they many of them should not be in the in the first place.

989

02:56:56.130 --> 02:57:04.950

Naz: They have denigrated on the basis of sex, on the basis of rumor and I only party what chief deputy chief justice will will go through today.

990

02:57:06.450 --> 02:57:08.310

Naz: And that's the quality that we have there.

991

02:57:09.630 --> 02:57:17.850

Naz: Something is wrong in the political system structure and cultural of our politics that has to change, but it made me think wouldn't it be wonderful.

992

02:57:18.630 --> 02:57:26.940

Naz: If Presidents premieres ma is D geez CEOs have better status which goes through the same public process.

993

02:57:27.900 --> 02:57:41.070

Naz: Can you imagine how valuable that would be for us, and if it were citizens panels that were doing this kind of probing for 10 to 12 hours, many of the scum that we have today would not be occupying office.

994

02:57:44.820 --> 02:57:46.920

Naz: We live in times of uncertainty fear.

995

02:57:51.150 --> 02:58:00.120

Naz: And a and the non existence of a vision that can unite South Africans to defend and save this democracy.

996

02:58:01.950 --> 02:58:08.370

Naz: There are elements of positive work in civil society, I would argue today.

997

02:58:09.390 --> 02:58:12.690

Naz: That its religious institutions gift of the givers.

998

02:58:13.980 --> 02:58:21.030

Naz: faith communities, NGOs, civil society, organizations across the country that keep the society together.

999

02:58:22.350 --> 02:58:30.900

Naz: Those are the best defenders of this Constitution, not the political institutions that are in place today, thank you very much.

1000

02:58:39.510 --> 02:58:41.370

Naz: Thank you, Mr Bolton.

1001

02:58:42.690 --> 02:58:59.520

Naz: We have run out of time is now 1230 and we still have a few items left one of them was the Q amp a I don't think there's any questions which people want to ask in two minutes, then there'll be a symbolic signing of the preamble and then we'll give a vote of thanks.

1002

02:59:02.430 --> 02:59:11.160

Naz: To everybody else, so any burning question one two waiting 123 okay good we'll dispense I.

1003

02:59:12.630 --> 02:59:14.910

Naz: will dispense with the Q amp a.

1004

02:59:16.530 --> 02:59:22.770

Naz: But I just want to say in response to what has been said that you know it say that.

1005

02:59:23.790 --> 02:59:35.190

Naz: people deserve the democracy, they have and ultimately all public power rests in the people it's people who elect governments and these people who remove governments.

1006

02:59:35.790 --> 02:59:46.530

Naz: And I think we should not forget this, that ultimately when everything else collapses when our ministers loot when when members of parliament fight in Parliament with our monies.

1007

02:59:46.980 --> 02:59:54.810

Naz: is asked the people who elect them and we can we throw them, we do have that power, and I think one lesson over the last 25 years.

1008

02:59:55.320 --> 03:00:13.950

Naz: Is that we should not make the same mistake we've made in the last 25 years by giving powers to our government and then falling asleep and then complaining, we do have that power, and I think we need to appreciate that, in the film chat it says the people shall govern never seen it.

1009

03:00:15.750 --> 03:00:16.500

Naz: My friend they.

1010

03:00:18.060 --> 03:00:19.230

Naz: Will not will govern.

1011

03:00:23.250 --> 03:00:27.270

Naz: So remember the people shall govern.

1012

03:00:28.350 --> 03:00:29.490

Naz: One burning questions yet.

1013

03:00:42.540 --> 03:00:43.080

Naz: outside.

1014

03:00:46.530 --> 03:00:47.130

Naz: Okay.

1015

03:00:51.300 --> 03:00:54.060

Naz: Okay, and one more yes lady ma'am.

1016

03:00:59.610 --> 03:01:00.240

Naz: So that we.

1017

03:01:01.740 --> 03:01:10.890

Naz: Can just send out information via email, you can send information to colleagues from justice, the inviting or through them just send them those didn't pass them to them and then.

1018

03:01:12.180 --> 03:01:14.520

Naz: Otherwise, if things are hard you can come to Human Rights Commission.

1019

03:01:15.690 --> 03:01:22.800

Naz: And thank you very much it's louisa banned from the national school of government, and thank you to all the panel members for speaking up.

1020

03:01:23.520 --> 03:01:35.670

Naz: The big lesson for me today is one know your constitution, and we need to do more to make people aware of the work of the Constitution and as great and as wonderful, as the document is.

1021

03:01:36.180 --> 03:01:49.050

Naz: We can't fall asleep on it, we can't we can't take it for granted that everything is going our way, we must stay woke for the new millennium language, we must stay woke and we must stay active Thank you so much.

1022

03:01:49.590 --> 03:01:57.720

Naz: Thank you, I shall then call colleagues for the symbolic signing of the preamble of the Constitution, we, the people shall govern.

1023

03:02:00.630 --> 03:02:02.400

Naz: I don't know who's in charge of this destiny.

1024

03:02:05.460 --> 03:02:07.200

Naz: I resigning online.

1025

03:02:10.140 --> 03:02:11.700

Naz: or symbolically website.

1026

03:02:14.100 --> 03:02:22.740

Naz: Sorry, no, I am not one of the people that are going to be signing it was just a question it's police search have Allah Allah from empower youth.

1027

03:02:23.460 --> 03:02:31.050

Naz: And I just wanted to say thank you so much, the different panelists that were here and it as much as today is the day of celebration.

1028

03:02:31.680 --> 03:02:42.540

Naz: Of the Constitution, it is very disheartening to see that the youth is not present, or hasn't been accessed today to be part of the panel.

1029

03:02:42.990 --> 03:02:50.010

Naz: to share what it is they celebrate over the past 25 years and what they look forward to in the next 25 years.

1030

03:02:50.310 --> 03:03:00.480

Naz: Now, at empower youth we provide access to such youth in areas like your orange farm, we invite businesses to mentor to be part of panels and to give bursaries.

1031

03:03:00.750 --> 03:03:10.050

Naz: and learn as ships to the Youth in our country, who do not have access, so I would like to employ each and every one of you who are in power who are present.

1032

03:03:10.350 --> 03:03:21.000

Naz: To consider that the next time you have such celebrations panels that actually allow the user to access you and to access the public to share, about the future.

1033

03:03:22.260 --> 03:03:26.700

Naz: Thank you i'm looking for the DG oh yes Okay, you can name this men next time.

1034

03:03:27.930 --> 03:03:31.290

Naz: Yes, as Douglas anything or message has been loud and clear.

1035

03:03:32.640 --> 03:03:36.030

Naz: loud and clear Okay, but can explain you since.

1036

03:03:37.260 --> 03:03:45.930

Naz: No, I cannot count I think what we'll do then maybe before the end of March, we can go to orange farm and have a discussion with a youth.

1037

03:03:47.820 --> 03:03:54.240

Naz: So so you'll work with your colleagues, and then in here, I thought there must be at school.

1038

03:03:55.980 --> 03:04:02.370

Naz: So so where the Constitution was when it came into focus on the fourth this day, I think I was doing and again a fed year.

1039

03:04:04.800 --> 03:04:11.550

Naz: at university so so, but we will have a program as well to go to em into high schools and engage with.

1040

03:04:13.530 --> 03:04:14.250

Naz: us but.

1041

03:04:15.660 --> 03:04:27.540

Naz: Now that we can make the commitment that will go to orange farm and have a discussion, and we hope that the panel Members here as well, they will be invited to join us and have that discussion, thank you.

1042

03:04:29.430 --> 03:04:33.960

Naz: Thanks Doc and we're live 20 minutes and Mr votes in 20 minutes next time.

1043

03:04:35.250 --> 03:04:43.440

Naz: No definitely I think my sister raising a very important point, because from the stats I knew that the youth represent the biggest sector in a population.

1044

03:04:43.920 --> 03:04:59.250

Naz: And maybe we need to appreciate the listings a little bit more thanks for your courage and also for shaming my brother he on his birthday it's fine a way the symbolic a signing of the Constitution oh yeah okay Lisa take over I.

1045

03:05:01.260 --> 03:05:02.250

Naz: have not been briefed.

1046

03:05:25.980 --> 03:05:39.420

Naz: you're right the people shall govern and the women make the majority of the people, but I didn't want to put too much pressure or my pave the frontier but he's got the message well he'll make this a matter of taking as well, thank you.

1047

03:05:41.700 --> 03:05:45.510

Naz: Thank you very much program director bicycle will be saving federal parliament.

1048

03:05:47.520 --> 03:05:53.190

Naz: Okay, man is just to introduce the order in which we are going to sign this somebody.

1049

03:05:54.630 --> 03:06:01.710

Naz: preamble, you can see, we, the people we are limiting ourselves to those constitutional values.

1050

03:06:03.390 --> 03:06:12.570

Naz: The aura will be like this digi crew, please hand over your document we it will be the program participants.

1051

03:06:13.620 --> 03:06:29.400

Naz: program participants and other people, could you please esteemed guests sign as and when, after lunch, so that we during lunchtime or new go out so that we allow time so we'll start with you digi.

1052

03:06:30.090 --> 03:06:44.670

Naz: And the permanent markers when you are done, please, I hope, there'll be enough space, I can ship this thing we just you can just sign stand, so that they can be that picture that is taken.

1053

03:06:46.380 --> 03:06:49.050

Naz: To the teachers okay swizzle.

1054

03:11:34.260 --> 03:11:47.370

Naz: Can I kindly request that DJ can you be up the stage can we assemble nicely, and I think, maybe mem should be in the middle, the the roles and then you can.

1055

03:11:48.900 --> 03:11:49.110

Naz: Get.

1056

03:11:50.670 --> 03:11:54.870

Naz: his mission okay quickly.

1057

03:11:56.820 --> 03:11:57.990

Naz: Yes, you can remove.

1058

03:12:06.420 --> 03:12:17.010

Naz: photographers you must say cheese, or something I can't talk, because now they're looking at me your panelists oh OK OK, thank you very much.

1059

03:12:18.300 --> 03:12:27.510

Naz: Can everyone else take their seats will be able to do this, as we are going out for lunch for the last part session of the Program.

1060

03:12:30.870 --> 03:12:31.080

Naz: yeah.

1061

03:12:33.030 --> 03:12:38.340

Naz: Can you quickly take our seats we almost done we'll come back for signing.

1062

03:12:43.380 --> 03:12:49.020

Naz: Kenny, please take your seats, so that we can control the Program.

1063

03:12:51.870 --> 03:12:53.220

Naz: Can you take a seat.

1064

03:12:54.930 --> 03:12:56.880

Naz: Can you stop giving people Marcus.

1065

03:13:02.070 --> 03:13:04.560

Naz: Ladies and gentlemen, thank you, thank you.

1066

03:13:07.020 --> 03:13:09.210

Naz: call upon a DG.

1067

03:13:10.380 --> 03:13:13.500

Naz: To give a vote of thanks, thank you.

1068

03:13:14.610 --> 03:13:15.510

Naz: i'm done Thank you.

1069

03:13:21.150 --> 03:13:26.760

Naz: I know that i'm standing between you and lunch so i'm not going to take too long.

1070

03:13:28.170 --> 03:13:50.010

Naz: And we are aware that it's all good things come to an end in life, so it is a celebration event coming to an end, on behalf of the DOJ CD I take this opportunity to propose a vote of thanks to those who have directly and indirectly contributor to this function at the outset, I think.

1071

03:13:51.240 --> 03:13:59.880

Naz: The keynote speaker the honorable duties or the Minister of Agriculture land form and rural development we've been really enlightened with a knowledge and presence.

1072

03:14:00.570 --> 03:14:17.130

Naz: Indeed, we will continue to celebrate the supreme law of the land and will continue to enlighten our children on the importance of the supreme law our constitution as she has directed, I would like to thank our minister of Department of Justice and correction of services.

1073

03:14:18.390 --> 03:14:27.630

Naz: Honorable la mala for having taken time from your busy schedule in the JC interviews and recorded a beautiful message in honor of this event.

1074

03:14:28.170 --> 03:14:42.720

Naz: our gratitude also goes to the chairperson Reverend almost musonda for the message of support and for reminding us that the Constitution is indeed a living document and the Constitution reigns supreme and the rule of law should be respected, I would like to thank.

1075

03:14:44.010 --> 03:14:49.860

Naz: The Deputy Speaker Honorable sonali for his inspirational message of support delivered so humorously.

1076

03:14:51.060 --> 03:14:57.660

Naz: He all he's always known for his admirable sense of humor Community today the Constitution Nikki super athlete.

1077

03:14:58.800 --> 03:15:08.700

Naz: I wish to express my gratitude to the chairperson of the South African human rights commission advocate bongani majola for his message of support in words of encouragement.

1078

03:15:09.390 --> 03:15:19.590

Naz: To use this occasion to make some for us to make some of the reflections on what kind of legacy, would like to leave to our next generation.

1079

03:15:21.540 --> 03:15:26.520

Naz: A special thanks also goes to our special panelists judge rb sucks.

1080

03:15:27.540 --> 03:15:41.070

Naz: For my constitutional court judge and activists, Mr Allen mconkey the CEO of South African Chamber of Commerce and Industry, he said, the Constitution is a frame and a republic is a picture, so this picture must feel different I will never forget that.

1081

03:15:42.810 --> 03:15:43.260

Naz: We also.

1082

03:15:44.670 --> 03:15:53.700

Naz: The the acting Director of Public Prosecutions authority in another province our doctor ratio macquarie.

1083

03:15:54.750 --> 03:15:58.680

Naz: And thank you for being independent and also representing us the faults that women.

1084

03:15:59.940 --> 03:16:06.180

Naz: Mr Simon McCullough the chief financial officer of the Electoral Commission, thank you very much for making time to be on the panel.

1085

03:16:07.050 --> 03:16:18.780

Naz: Mr Ignition Bolton, the executive director of America Foundation our heartfelt gratitude goes to you as well, I would also like to call to express my gratitude to the DG.

1086

03:16:19.560 --> 03:16:26.160

Naz: Of the Department of Justice and conditional development for the warm welcome and support for the team who made this event to be successful.

1087

03:16:27.090 --> 03:16:39.720

Naz: and gratitude is also extended to the DOJ CD Expo and staff members who are here our colleagues from the NPA colleagues from the DCS led by the acting National Commission and Mr Escobar highly.

1088

03:16:40.260 --> 03:16:49.500

Naz: Our colleagues from all the chapter nine institutions who are here as well as all our esteemed guests who took time from their busy schedule to attend this event.

1089

03:16:50.040 --> 03:17:00.420

Naz: This event would not have been successful, without the organizing team who worked tirelessly throughout the nights to make this event, this grant.

1090

03:17:01.260 --> 03:17:11.610

Naz: I and, lastly, a big thank you to our program director advocated by Nanny the CEO of South African Human Rights Commission, you have steered the ship very well.

1091

03:17:12.120 --> 03:17:22.170

Naz: We thank you, Sir, and I wish you safe journey back to your destinations lunch will be served in there, my key just outside this venue.

1092

03:17:23.190 --> 03:17:38.100

Naz: And all the speakers and the panelists will again meet in the meeting room, not the holding room in the meeting room where they have with the met in the morning and gentlemen, please lead them to to the meeting room, I thank you.