

**Address by the Deputy Minister of Justice and Constitutional Development,
the Hon JH Jeffery, MP
at a Constitutional Learner Programme held at Wittebome High School,
Wynberg, 18 March 2021**

Programme Director,
The Principal, Mr Trew, and the educators of the school,
Representatives from government departments,
And most importantly, the learners,

Good afternoon and thanks for inviting me to your school. I feel a particular affinity for your school, as a former colleague and Member of Parliament who passed away last year, Hishaam Mohamed, also went to Wittebome.

I'm sure that you are all very happy that we have a long weekend coming up, but who of you know what special day we are celebrating on Sunday?

We are celebrating Human Rights Day. It is the day when we commemorate the 21st of March 1960 when more than 69 people died and 180 were wounded when police opened fire on a peaceful crowd in Sharpeville who were protesting against pass laws. Similar protests also took place not too far from here, in Langa.

So why is the day so important? On this day we honour those who fought for us to be free today and to remind us of our commitment to human rights and the Constitution.

Since we are here in Wynberg, let me see how many of you know the following names: Igshaan Amlay, Venetia de Klerk, Dee Dicks, Shoukie Enous, Wayne Jordaan, Naasir Masoet and Julian Stubbs.

They are known as the Wynberg 7 and a part of their story involves Wittebome school. The TRC records tell the story of Dee Dicks. I want to read you an extract:

"I am one of the Wynberg Seven. My name is Dee Dicks and on the 15th of October 1985 is when my story begins.

Prior to that day, like the school, all schools were involved in boycotts so going to school was attending rallies at various schools in the peninsula. So I was 17 years old at the time and I was in matric at South Peninsula High School and the day started with Julian and I, with some other pupils from our school going to a rally at Grassy Park High and after that rally we went to another rally at Wittebome High in Wynberg.

When that rally ended it was decided that we would go to Imakilata¹ High School which is also in Wynberg, because they were continuing with normal classes. So when we arrived at Imakilata some of the people within the group were shouting obscene things towards the nuns and so on and Julian and I decided to leave.

On our way back, it was in Bats Road, they were erecting barricades and someone who attends our school stays in Bats Road by the name of Pandy, by the surname Pandy. So we decided to go and stand on the Pandy's stoep and watch the proceedings.

So at the end of the Pandy's road at the Luxurama Theatre there is a parking lot right next to the Pandy's house and that is on the corner of Park and Bats Road and we were standing on the stoep and what happened was there was a barricade erected at the end of the parking area and at the end of Bats Road.

What happened then was that a police van rode down Park Road and some stones were thrown at them and then afterwards the police came back with reinforcements. So they started shooting teargas and that and everybody who was in that vicinity ran into the Pandy's house. So there was more than 40 people in the house and what happened then was that I was in a bedroom and there was about 20-odd other pupils with me in

¹ Immaculata High School, Wynberg

the bedroom and we closed the door and then the police came and they knocked down the front door and the back door and they came in.

They knocked down the bedroom door and then they started hitting like, a policeman started hitting like with a quirk, like at randomly. So my first intention was to get out of the room and as I got out of the room a policeman grabbed me by the scruff of my neck and on his other hand he had Amlay, Igshaan Amlay, in his other hand and he marched us straight to a police van and he closed the door and they were bringing pupils constantly like into the vans and putting them in the vans. It was ten of us at the time and we were taken to Wynberg Police Station.

Then our case started, our trial started and from October 1985 right through to the 19th of May 1986 that was the day that we were sentenced. My sentence was three years, two of which were suspended and one year imprisonment.

What happened then my parents and everybody else within the group got involved with the organisation called the Wynberg Classes Committee and they started fighting for us for the appeal and they also had a petition to help us not go to prison.

The petitions failed us and so we had to go into prison. We made the conscious decision to go to prison, the seven of us and our parents took us in on that day, on the eighth of June, it was a Monday and we went to prison for one year and we were released 19 days short of that year which was the 19th of May 1988. We went in on the eighth of June 1987 and we came out in '88."

And, says Dee Dicks, the events of that day have affected her life well into adulthood. She says -

"I am anxious as I am sitting here, because it is very difficult for me to speak about it now. It is very difficult for me and sometimes I am still directionless and unfocused which is always like, you know, the

experience that I lived through in the 80's is like forever in my mind and it has become quite difficult for me to cope..."

Our Constitution has changed our country. Today, we have human rights for all – fundamental rights like the right to equality, the right to associate with whom we want, the right to life and importantly, if one looks at the story of Dee, the right to a fair trial and to legal representation. We can choose where we want to live, who we want to marry and where we want to work – this was not the case for learners like Dee.

All persons under the age of 18 also have very specific and guaranteed children's rights. The Constitution gives us those rights.

On the 4th of December 1996, the Constitutional Court approved the Constitution of the Republic of South Africa. Six days later (on 10 December 1996) it was signed into law by the first democratically elected president, Nelson Mandela in Sharpeville.

The signing of the Constitution in Sharpeville was a commemorative gesture in remembrance of the people who died there in 1960. As President Mandela described it, the signing of the Constitution in Sharpeville marked the closure of a chapter of exclusion and a reaffirmation of our determination to build a society of which all of us can be proud.

The signed Constitution came into operation on 4 February 1997 and has since then drastically transformed the legal, political, social and economic landscape of the country.

Our Constitution is one of the most internationally acclaimed constitutions in the world. The Bill of Rights, which is in Chapter 2 of the Constitution, is the cornerstone of South Africa's democracy. It enshrines the rights of all people in South Africa and affirms the democratic values of human dignity, equality and freedom.

This year marks the 25th anniversary of the Constitution and gives us an opportunity to heighten awareness of the rights enshrined in the Constitution.

Our Department is running this year-long programme, called the Constitutional Learner Programme, to educate learners about the strides and contributions made by our freedom fighters and struggle icons to realize the freedom and democracy our country is currently enjoying.

Today we will be reading the Preamble. The Preamble is the important opening words of the Constitution which captures the commitment of a nation to a set of principles.

The Preamble serves to introduce the text containing the substantive provisions of the Constitution. It contains language which inspires us and sets the tone for the remainder of the text. In this way, the Preamble establishes the core values that guide the spirit of the rest of the Constitution.

Our Preamble announces to the nation and the world that this document is no ordinary piece of legislation. It both reflects on the injustices of the past and sets the norms and values for the future. It identifies human rights, equality and freedom as founding democratic values of South African society. These values are reaffirmed in the founding provisions in Chapter One and the Bill of Rights in Chapter Two.

As we celebrate Human Rights Day on Sunday, let us never forget those who walked these very streets and fought for the freedom and democracy that we all enjoy today.

Let us remember that human rights also bring with them responsibilities. And let us continue to work towards building a society based on democratic values, social justice and fundamental human rights.

I thank you.