



## Today is Freedom Day - 27th April

On this day we celebrate a day that marks the birth of our democracy. Freedom Day gives us the opportunity to reflect on the past struggles for equality, justice and freedom as well as the progress we have made since 1994 to meet the demands of the Freedom Charter. It is also a time to take stock of how far we have come to build a Human rights-based culture and establish what still needs to be done to ensure a united South Africa.

This year also marks the 20th anniversary since our Constitution was signed into law at Sharpeville on the 10th December 1996.

Let us remind ourselves that the Preamble to the Constitution expressly states that the Constitution was adopted so as to:

- *“Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;*
- *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 law;*
- *Improve the quality of life of all citizens and free the potential of each person. ”*

Given our history of conflict and the scars inflicted by the Apartheid past, we were always going to have to recognize the injustices of the past. In doing so, we should move forward in building a community based on democratic values such as human dignity; the achievement of equality and the advancement of human rights. We therefore have a duty to improve the quality of life of our local community and free the potential of each person to enable them to be self-sufficient in accessing justice.

### FACTS ABOUT OUR CONSTITUTION:

- Over two million people participated in the drafting of the South African Constitution.
- The Constitution is the supreme law of our country
- That is why it is essential that we all familiarise yourself with its contents.
- Over the past 20 years there have been 17 amendments to the Constitution with each amendment made with the intention to improve our justice system and create a better life for all South Africans.

Our Bill of Rights does indeed speak from the soul. It speaks from the soul of a divided nation, a nation which still today has to deal with the legacy of centuries of human rights abuses. It speaks of hope of a better future.

The Department of Justice & Constitutional Development plays an important role in this regard. Our key mandate being Constitutional Development and the promotion of Human Rights, Access to Justice for All with particular emphasis on impoverished and marginalized communities. We will continue to transform our justice system that is premised on the Values underpinning our constitution, being dignity, Equality and non-discrimination.

## RACISM: NOT IN MY NAME

Recently, we observed several incidents of racial intolerances in our country. As South Africans we owe it to ourselves to rid our communities of these injustices and make unity in diversity a reality as enshrined in the Constitution.

This month all court managers in the province signed the anti – racism pledge in support of the National Action plan (nap). We PLEDGED TO:

*Remove all prejudice from OUR heart and mind.*

*Respect the dignity of every individual regardless of race, in both word and deed.*

*Speak up in situations of prejudice, racism and exploitation of any person.....even in the work place.*

In order to deal with intolerances, our department developed a National Action Plan (NAP) on racism, racial discrimination, xenophobia and related intolerance to provide the basis for the development of a comprehensive public policy against discrimination. The plan aims to assist South Africa in fulfilling its international human rights obligations related to the elimination of racism, racial discrimination, xenophobia and related intolerance.

The overall goal of the NAP is to build a non-racial, non- sexist society based on the values of human dignity, equality and the advancement of human rights and freedom.

The overall majority of our people are not racist. The challenge, however, lies in not becoming complicit through silence.

It is extremely important for us all to read the draft NAP and to send through comments. We need practical suggestions and solutions to address these challenges.

The National Action Plan (NAP) aims to:

- Promote human dignity through the promotion and protection of human rights
- Raise awareness of anti-racism, equality and anti- discrimination issues among public official, civil society and the general public
- Ensure that the concerns of individuals and groups encountering racism, are more effectively addressed

The Minister of Justice & Correctional Service last week in his budget speech at Parliament announced that government will also soon introduce legislation into Parliament to combat hate speech.

The ultimate sacrifice by Solomon Mahlangu, Oliver Tambo, Chris Hani and others who all passed on during the month of April cannot be in vain. Let us therefor continue to serve our people-the poorest of the poor.

**Regional Head of the Western Cape Department of Justice: Adv. Hishaam Mohamed**