



# ANC PARLIAMENTARY Caucus

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Newsletter.

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**THE  
SOUL OF  
A NATION**

**30**



**YEARS OF  
THE SOUTH  
AFRICAN  
CONSTITUTION**





# 30 YEARS OF CONSTITUTIONAL DEMOCRACY

**E**xactly three decades the founding document of our country adopted by the elected representatives of the people of South Africa. That occasion marked a new era in the evolution of our country and its people. As a nation we made our first step towards a creation of a united, non-racial, non-sexist and democratic society.

Thirty years after the adoption of South Africa's Constitution, the document remains one of the most ambitious legal frameworks for social transformation in modern history. Borne out of the negotiated settlement that ended apartheid, the Constitution was never intended to be a mere legal document. Rather, as Oliver Tambo envisioned, it was to serve as a bridge between a divided past and a just democratic future.

Tambo consistently emphasized that political liberation had to be accompanied by social and economic justice, an ideal that would later find expression in the Constitution's transformative ethos and value system.



**CDE M NTULI**

**CHIEF WHIP OF THE ANC  
PARLIAMENTARY CAUCUS**

Speaking during the adoption of the Constitution the then Deputy President Thabo Mbeki made the following comments, “the constitution whose adoption we celebrate constitutes an unequivocal statement that we refused to accept that our Africanness shall be defined by race, colour, gender and historical origins. It is a firm assertion by us that South Africa belongs to all who live in it, black and white. It gives a concrete expression to the sentiment we share as Africans, and will defend to the death, that the people shall govern”.



Its adoption marked a significant and irreversible moment in our people's march towards a non-racial, non-sexist, prosperous and democratic South Africa. Our constitution did not only legislate the norms and procedures of our democracy, but it also gave an expression to the aspirations of the majority of South Africans thus becoming an integral part of who we are as South Africans. It is directly relevant to the historic challenge of all revolutionaries to fight for the revolutionary transformation of society to create a social order which would benefit the ordinary masses.

Former President Nelson Mandela described the Constitution as a "firm foundation for the protection of human rights and a framework for building a society based on democratic values, social justice and fundamental human rights." Mandela's vision was both moral and practical: the Constitution would not only restrain state power but actively guide the state in redressing the injustices of the past and dismantle the legacy of colonialism and apartheid.

The democratic project must be understood within the broader context of the National Democratic Revolution (NDR), emphasizing the need to fundamentally transform the economy and social relations to reflect the aspirations of the majority and the entrenchment of a national democratic society focused on ensuring a permanence of the genuinely democratic, non-racial, non-sexist and proposers society



visualized in our constitution, as a truly egalitarian society.

Over the past three decades, South Africa has made notable progress under this framework. The Constitution has enabled our courts to develop a robust body of jurisprudence advancing socio-economic rights. Consequently, many people have found a place in the formal economy since 1994 and more people entered the workforce. Total employment increased from 11.5 million in 1994, to 16,7 million to date. The South African economy is almost twice as large as it was three decades ago and we are on average, better off monetarily, when we measure by the human development index, which adds health and education status.

The number of people who have decent housing was 65.1% in 1996. This has increased to 88.5%. The proportion of households using electricity as the main source of energy for lighting increased significantly from 58,1% in 1996 to 94,7% in 2022; over four-fifths which is 82,4% of households in the country, have access to piped water either inside their dwelling or inside their yard. Over 4.7 million free houses have been built, benefiting more than 17 million people; beneficiaries of disability grants have increased

from 804 249 in 1997 to 1035 437 in 2023. The number of special schools and intake of learners with disabilities almost doubled between 2002 and 2022.

Approximately 9 million learners in 20,000 schools receive daily meals. More than 1,6 million students have benefited from the National Student Financial Aid Scheme, which had the effect of breaking intergenerational poverty and as a consequence, the middle class has grown from 13,8 million people in 2001 to 23,5 million.

The number of women purchasing homes in their own right is also increasing faster than men. In 2019 for instance, 27% of homeowners were single women, compared to 26% of single men. In 2020, 30 percent of mortgages were approved for historically disadvantaged women.

Notwithstanding these monumental achievements many South Africans do not experience the real benefits of our Constitution, crime and corruption continue to erode the value system that the Constitution seeks to achieve. We need to renew our efforts and determination towards the revolutionary transformation of society by using the Constitution as a tool to create a national democratic society. This includes an objective understanding of our actual reality that there are some in our country at work to defeat our constitutional values and the National Democratic Revolution •



# TAKING PARLIAMENT TO THE PEOPLE: BRIDGING THE GAP BETWEEN OUR PARLIAMENT AND THE MASSES OF OUR PEOPLE



**I**n his address to the Second Adoption of the New Constitution of the Republic of South Africa in 1998, former President Thabo Mbeki envisaged the National Council of Provinces (NCOP) as a House of our democratic Parliament that "... continue to be informed by the perspectives which guided us as we drafted the Constitution... It must, therefore, succeed not because it exists as an institution, but because of its vision, which is fundamental to the success of the democracy that we sought.



**CDE MK MMOIEMANG**

**CHIEF WHIP OF THE  
NATIONAL COUNCIL OF  
PROVINCES**

Former President Mbeki's views were informed by a clarion call that was made by President Mandela in 1995 when he urged the leadership of Parliament to devise more ways to ensure that "the people as a whole are better informed of what we are doing and are given ever improved capacity to intervene in our proceedings".

It was these perspectives that laid the conceptual foundation for the Programme of Parliament to the People 2002, a flagship public participation programme to bridge the gap between our



Parliament and the masses of our people, particularly those in remote rural areas who lack the resources to visit the seat of Parliament in Cape Town.

The Programme of Taking Parliament to the People is also part of our Parliament’s long-established objective, centred on our historical call for a people’s parliament for people’s power and on ensuring that the democratic Parliament “represents and acts as the voice of the people in fulfilling its constitutional functions of passing laws and overseeing executive action”.

Firstly, it meets Parliament’s duty to make participation accessible, especially for the most marginalised. Secondly, by bringing together public representatives from the national, provincial and local levels, it encourages co-operation between the different spheres of government, where a lack of coordination is often a cause of service failures. Lastly, MPs and MPLs gain direct experience of the challenges faced by people

across various communities. This can strengthen the important relationship between public representatives and citizens, as well as the quality of the policies and decisions that are taken.

The Programme of Taking Parliament to the People recognises that Parliament was never meant to be a distant building of polished floors and closed doors, separate from our people. It was meant to be their living voice, grounded in a simple yet powerful truth: democracy must live where the people live.

The concept draws its strength and currency from the historic struggles of ordinary men and women, young and old, rural and urban, who refused to be governed without their voice. It echoes the spirit of the people who gathered in Kliptown in 1955 at the Congress of the People to adopt the Freedom Charter, when the masses declared: “The People Shall Govern.”

It is also rooted in the Constitution’s participatory principles, which

require that governance be open, accountable, and responsive to the will of the people.

Taking Parliament to the People is intended to break the walls between power and the public. It means that the legislative arm of our government does not simply legislate the people but legislate with the people and ensure that the lived realities of our people inform the laws that we make.

The Taking Parliament to the People Programme provides a critical platform for face-to-face engagement between the public and representatives from all three spheres of government (national, provincial, and local). It ensures that the public is heard and that parliament reasserts its democratic duty to be the guardian of citizens by fostering dialogue with the public. It is a profound acknowledgement by our Parliament that the ‘architects’ of South Africa’s transition envisioned its democracy as not only representative but also participatory.



As Parliament, we view the interface between the elected representatives of our people and the people themselves as critical to ensuring that our Parliament remains firmly committed to being an activist Parliament, deeply rooted in the fundamental principle of citizen involvement. It is the restoration of the historical resolve to restore people’s power and people’s dignity.

During the Programme of Taking Parliament to the People, delegations of the NCOP, Members of Provincial Legislatures, councillors, and representatives from local government undertake visits to selected service delivery sites or projects to assess the state of service delivery. The NCOP also convenes public hearings on various issues affecting the people, where members of the public are given a platform to raise challenges they face about service delivery.

Members of the Executive from national and provincial governments are then given a platform to respond to the issues communities raise, outline programmes to address the challenges they face, and strengthen service delivery.

The 7th Parliament will continue the Programme of Taking Parliament to the People by visiting the North -West province, specifically the Matlosana Local Municipality and the Dr Kenneth Kaunda District, from 11 to 15 May 2026, under the theme: Ensuring A People–Centred Local Government: Towards Building Better Communities.



We have chosen this theme because we believe that local government is the “coalface” of service delivery and must always be anchored in a people-centred approach that prioritises, maintains, and delivers essential services such as water, electricity, and waste ethically, reducing wasteful expenditure.

Most critically, by enabling community voices to directly influence decisions, it reduces the need for violent service delivery protests and promotes collaborative, peaceful, and locally relevant solutions.

The last day of the Programme will be addressed by President Ramaphosa, who will not only outline the government’s interventions to strengthen service delivery in the Dr Kenneth Kaunda District but also set out a broad agenda to address the region’s declining mining sector, high unemployment, and severe infrastructure service delivery backlogs•



# COMBATTING CORRUPTION

## HOW THE CONSTITUTION PROVIDES TOOLS TO FIGHT STATE CAPTURE AND PROTECT WHISTLEBLOWERS

**T**he Constitution of the Republic of South Africa, 1996, as adopted on 08 May 1996 and amended on 11 October 1996 by the Constitutional Assembly, affirms this Constitution as the Supreme Law of the Republic. Any law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled.

The cornerstone of democracy in South Africa is the Bill of Rights, as stated in Chapter 2. The Bill of Rights applies to all law, and binds the legislature, the executive, the judiciary and all organs of state.

Corruption is often described as a cancer that undermines the integrity of institutions, stifles economic growth, and erodes public trust in government. In the fight against corruption, the Constitution which is the Supreme Law of the Republic of South Africa, must play a critical role by providing the legal framework necessary to combat these challenges. The Constitution also offers mechanisms for accountability, transparency, and the protection of whistleblowers who expose corrupt practices.



**CDE SP BOSHELLO**

**The Role of the Constitution in Combatting Corruption**  
Constitutions are the bedrock

of democratic governance, establishing the rule of law and delineating the powers and responsibilities of government institutions. A well-crafted constitution includes provisions that explicitly address corruption and mechanisms designed to uphold integrity within public service. The constitution states that corruption is a violation of human rights and undermines the democratic values of dignity, equality, and freedom.

1. Separation of Powers: A fundamental principle embedded in many constitutions is the separation of powers among the executive, legislative, and judicial branches of



government. This framework is essential for preventing the concentration of power, which is a hallmark of corruption and state capture. By ensuring that no single entity can dominate the political landscape, the constitution promotes accountability and transparency.

2. **Checks and Balances:** Closely associated with the separation of powers is the system of checks and balances. Each branch of government has the authority to oversee and limit the powers of the others. For instance, the legislature may hold hearings to investigate executive actions, and the judiciary can review the constitutionality of laws. This interdependence helps to curb the potential for corruption by enabling oversight and accountability.
3. **Anti-Corruption Institutions:** Many constitutions provide for the establishment of independent anti-corruption institutions, such as ombudsmen or anti-corruption commissions. These bodies are tasked with investigating corruption allegations, enforcing anti-corruption laws, and providing recommendations for improving governance. Their independence is crucial to their effectiveness, as it shields them from political interference. Chapter Nine institutions play a pivotal role in the governance and stability of South Africa's democratic framework these institutions are designed to strengthen democracy and promote accountability, transparency, and human rights as well as fostering public trust and enhancing the rule of law.
4. **Transparency and Access to**

**Information:** Constitutional provisions that guarantee the right to information are vital in combatting corruption. By ensuring that citizens have access to government records and processes, these provisions empower the public to scrutinize government actions and hold officials accountable. Transparency is a powerful deterrent against corrupt practices, as it increases the likelihood of detection and punishment.

5. **Public Participation:** Many modern constitutions recognize the importance of public participation in governance. By encouraging citizen engagement in decision-making processes, these provisions foster an environment of accountability. When citizens are actively involved in governance, they are more likely to recognize and report corrupt practices.

### **The Protection of Whistleblowers**

One of the most effective strategies in the fight against corruption is the protection of whistleblowers—individuals who expose wrongdoing within organizations. Whistleblowers often face significant risks, including retaliation, harassment, and unemployment. To encourage the reporting of corruption, constitutions and subsequent legislation must include robust protections for these courageous individuals, through the relevant law enforcement agencies, the protection of whistleblowers is legislated as the Protected Disclosures Act 26 of 2000.

Whistleblowers play a crucial role in maintaining transparency and accountability within organizations, whether public or private, whistleblowers act as catalysts

for positive change. Supporting and protecting whistleblowers is crucial for fostering an environment where ethical conduct is valued and wrongdoing is addressed effectively. However, the act of whistleblowing often comes with significant personal and professional risks, making it imperative to establish robust protections for those who dare to speak out.

The African National Congress (ANC) continues to stand firm in supporting the protection of whistleblowers, viewing them as crucial allies in the ongoing struggle against corruption and as protectors of the public interest. This commitment reflects the party's broader vision of a transparent, accountable, and just society, where the voices of those who dare to speak out are not only heard but also valued and safeguarded.

Based on the 2024 ANC Elections Manifesto and subsequent governmental actions, the ANC has committed to strengthening the protection of whistleblowers through legislative reforms and stricter enforcement measures.

Key aspects of the ANC's position on the protection of whistleblowers include:

**Strengthening Legislation:** The ANC-led government is reviewing the Protected Disclosures Act and Witness Protection Act to provide better protection for whistleblowers, including extending witness protection to them from the point of disclosure, not just during formal proceedings.

**Addressing State Capture Recommendations:** The party has committed to implementing recommendations from the Zondo



and other anti-corruption bodies. Establishment of the Investigating Directorate as a permanent entity within the NPA with investigating powers. Ensuring greater accountability and prevent corruption through rigorous lifestyle audits and improved vetting procedures, real-time audits of critical projects, using artificial intelligence to improve accountability and transparency and strengthen discipline management. Building a social compact against corruption with law enforcement and citizens, launch public awareness campaigns to educate and encourage reporting, and support community involvement and whistle blower protection.

Combatting corruption and state capture requires a multi-faceted approach that leverages the tools provided by the constitution. By establishing frameworks for accountability, promoting transparency, and protecting whistleblowers, constitutions can serve as powerful instruments in the fight against corruption. However, the effectiveness of these constitutional provisions ultimately depends on the commitment of citizens, civil society, and government institutions to uphold the rule of law and promote a culture of integrity. As we navigate the complexities of governance in the modern world, it is imperative to remain vigilant in efforts to combat corruption and safeguard the principles enshrined in our constitutions•

Commission to prevent whistleblower intimidation, financial hardship, and violence, which were highlighted as significant failures in the past.

**Legal Protections and Incentives:** Proposals include placing a legal burden on employers to prove they did not retaliate against a whistleblower, introducing potential financial incentives for whistleblowers whose disclosures lead to the recovery of stolen funds, and enforcing strict timelines for handling disclosures.

**Accountability and Institutional Integrity:** The manifesto emphasizes combating corruption by protecting those who expose it, strengthening anti-corruption units, and ensuring that public

resources are used for the benefit of all citizens.

**Support Mechanisms:** The government is considering providing financial support and expanding the definition of witnesses to include whistleblowers in the Witness Protection Act.

**Conclusion**

To fight corruption over the past years, the ANC has taken key measures to strengthen the state’s capability to prevent and fight corruption. As recommended by the State Capture Commission, we are putting in place laws, institutions and practices that reduce the potential for corruption of any sort and on any scale.

Over the next five years, the ANC has committed to the strengthening of law enforcement agencies



# 30 YEARS OF THE CONSTITUTION: DEEPENING DEMOCRACY, ADVANCING THE STRUGGLE

**T**his year marks 30 years since the adoption of the Constitution of the Republic of South Africa, a historic achievement of the liberation struggle led by the African National Congress and its allies. Our Constitution is not merely a legal framework; it is a revolutionary instrument born of the sacrifices of our people, forged in the trenches of struggle, and anchored in the vision of a united, non-racial, non-sexist, democratic and prosperous South Africa. As President Nelson Mandela reminded us at the adoption of the Constitution in Parliament on the 8th of May 1996, “This is our national soul, our compact with one another as citizens, underpinned by our highest aspirations and our deepest apprehensions.”

The democratic Constitution represents one of the most significant victories of the National Democratic Revolution (NDR). It codified the fundamental principles of human dignity, equality, and freedom, while



**CDE C FROLICK**

decisively dismantling the legal architecture of colonialism and apartheid. It is, therefore, both a shield to protect the rights of our people and a spear to advance transformation.

For three decades, the Constitution has guided the work of a democratic state led by the ANC in pursuit of social justice and fundamental change. It has enabled the extension of basic services, the expansion of social protection, and the progressive realisation of socio-economic rights for millions who were deliberately excluded under apartheid. Access to housing, education, healthcare,

water, and electricity has been dramatically expanded. These are concrete gains that reflect the transformative character of our constitutional order.

Yet, as the ANC has consistently acknowledged, political freedom without economic freedom remains incomplete. The structural inequalities inherited from apartheid continue to manifest in high levels of poverty, unemployment, and inequality. These are not failures of the Constitution itself, but rather a reflection of the enduring legacy of colonial dispossession and the global economic constraints within which our democracy has had to operate.

The Constitution must therefore be understood as a living document, one that empowers the democratic state to intervene decisively in the economy to redress historical injustices. The ANC has, over time, led important constitutional and legislative processes to deepen transformation, including land reform and efforts to ensure



equitable access to resources. In this regard, the ongoing discourse on land expropriation without compensation is a clear expression of our commitment to accelerate economic justice within the constitutional framework.

At the same time, we must remain vigilant against the misuse and selective interpretation of the Constitution to entrench privilege and resist change. There are instances where transformation has been slowed by narrow, legalistic readings that undermine the broader objectives of social justice. The Constitution was never intended to preserve the status quo; it was designed to transform it.

As we commemorate this milestone, the ANC reaffirms its historic responsibility as the leader of society to defend, advance, and, where necessary, boldly utilise the Constitution in the interests of the people. Parliament, as a central pillar of our democracy, must continue to exercise robust oversight and ensure that the state machinery is aligned with the transformative vision of our constitutional order.

The Constitutional Review Committee, a joint Committee of the National Assembly and National Council of Provinces, remains an important mechanism through which the public can raise concerns and proposals relating to constitutional matters. However, it is underutilised, and greater public awareness and participation are needed to ensure that it fully serves its intended democratic purpose.



The next phase of our democratic journey requires a renewed focus on radical socio-economic transformation. This includes accelerating land reform, advancing industrialisation, creating sustainable jobs, and tackling inequality in all its forms. It also requires building a capable, ethical, and developmental state that is firmly rooted in the will of the people.

Importantly, the Constitution calls upon all South Africans to be active participants in our hard-fought democracy. The gains of freedom must be defended and deepened through popular mobilisation, social cohesion, and a shared commitment to nation-building. The struggle for a better life for all is not over;

it has merely entered a new phase. As the clarion call of our liberation struggle reminds us: *Aluta Continua.*

As we celebrate 30 years of constitutional democracy, we pay tribute to the heroes and heroines of our liberation struggle who made this achievement possible. We honour their legacy not only through remembrance, but through action, by ensuring that the Constitution continues to serve as a powerful tool for transformation and the advancement of the NDR.

The Constitution remains our guide, but it is through decisive leadership, unity of purpose, and unwavering commitment to the people that its full promise will be realised.



# THE ROADMAP TO 2056

## HOW TO STRENGTHEN CONSTITUTIONAL LITERACY

**T**hirty-one years into South Africa’s constitutional democracy, the moment calls not for mere commemoration or jubilation; however, for a measured reflection on the quality of life secured through democratic governance. It is about advancing dignity, decency and meaningful livelihoods within a functional state, one that rejects brutish inequalities and instead affirms a South Africa envisioned by all, irrespective of race or socio-economic standing, with equity at its core.

This democratic dispensation is firmly rooted in the post-1994 project of dismantling systemic inequality, segregation and socio-economic deprivation. It represents a continuous national endeavour to realise a society that is purposeful, self-determined and sustainable, one that honours the sacrifices of past generations while resisting narrow, self-serving interests. Central to this vision is the role of constitutional democracy in cultivating an informed and engaged citizenry. Constitutional literacy has opened critical pathways within the education system, fostering not only awareness but also a deeper understanding of rights, responsibilities and dem-



**CDE MR MHAULE (DR)**

ocratic values. It is through this foundation that citizens are empowered to participate meaningfully in shaping a just and equitable society.

The promulgation of the Constitution of the Republic of South Africa is intrinsically linked to the foundational policy frameworks of the African National Congress; which, among other imperatives, advanced the principle of constitutional literacy through seminal instruments such as The Freedom Charter, adopted in June 1955 in Kliptown. Within its core provisions, The Freedom Charter articulates the aspirations of the majority and historically marginalised communities, particularly through the enduring clause, “The Doors of Learning and Culture Shall be Opened.” This provision remains central to the transformation of the education sector

and continues to resonate as a defining pillar of South Africa’s democratic ethos. In this regard, it stands as a cornerstone of the democracy presently enjoyed.

This ideological and policy foundation has contributed to the progressive realisation of constitutional rights in the post-apartheid era. Section 29(1) of the Constitution of the Republic of South Africa unequivocally affirms that “everyone has the right to basic education” (RSA, 1996), thereby entrenching education as both a fundamental and justiciable right within the constitutional order. This provision must be understood within its historical context, particularly the legacy of imperialist and apartheid policies, which systematically denied Black South Africans equitable access to quality education and meaningful economic participation. These exclusionary systems entrenched deep structural inequalities across society, the effects of which continue to necessitate transformative constitutional and policy interventions in the present democratic dispensation.

South Africa’s democratic trajectory would have remained fundamentally constrained without education, as any attempt to


conceptualise a just, ethical and developmental state would be rendered incomplete. Within this context, the core mandate of Basic Education is to serve as an enabling agent for the instillation of knowledge and the strengthening of constitutional literacy through curriculum delivery across the Republic.

Constitutional literacy extends beyond the mere realisation of the right to education; it functions as a catalyst for broader civic engagement, including the enhancement of voter education and democratic participation. In this regard, the Constitution of the Republic of South Africa (1996), Section 19(3), provides that “every citizen has the right to vote in elections for any legislative body established in the Constitution, and to do so in secret.” This provision affirms and protects the democratic agency of citizens, empowering them to meaningfully participate in determining governance and shaping the political direction of the country.

Following the protracted and entrenched systems of imperial rule and exclusion, the post-1994 democratic dispensation marked a decisive turning point in South Africa’s political history. With the enfranchisement of the majority population, citizens were afforded the opportunity to exercise their right to vote, thereby amplifying previously suppressed voices. In the inaugural democratic elections, the African National Congress attained majority support of 62.6%, a development that institutionalised a transfor-

## The Constitution in your classroom

### Notes to the teacher



Teachers will find that these activities lead to other ideas and will easily be able to adapt this material to suit their own schools and classrooms.

Many people have worked to write a Constitution for South Africa. Ordinary citizens were included in this process. Our new Constitution can truly claim to be a Constitution of the people. In 1996, the Constitution was adopted by the Constitutional Assembly and on 4 February 1997 it came into effect.

We all need to know about and understand the Constitution so that we can use it to protect our rights in a new democracy.

This guide is designed to be used with the Constitution, 'You and the Constitution' and the comic 'Protecting Your Rights' so that learners can develop constitutional awareness. The activities are suitable for use in many school subjects. They are inter-active and provide language support across a range of age and ability levels.

**LEARNING OUTCOME:** After they have done this activity, learners will be able to define a Constitution and write a Constitution for their class, school or club.

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### What is a Constitution?

**History**

The best way to find out, is to write your own definition of a Constitution. Do it like this:

- Work in groups.
- Use a copy of 'You and the Constitution' to help you.
- On a card or piece of paper, write what your group thinks is a good definition of a constitution.
- Display your definition next to those of all the other groups.

**Life Skills**

Now you have a whole lot of definitions. To get one which the whole class likes:

- Read them all.
- Have a class vote to choose the most popular one.
- Now read the comic 'Protecting Your Rights'.
- Do you want to make any changes to your definition? Do it now.
- Write your final definition on a large card and pin it up in the classroom.

**Language**

Schools, clubs and classrooms can have Constitutions, too. Write a Constitution that would help with the smooth running of your school, club or classroom. You could do it in the same way you wrote the definition.

**The new Constitution - Let's make it work**

mative mandate aimed at advancing the socio-economic development of the South African people and shaping the trajectory of the contemporary state.

Constitutional democracy thus emerged as the principal catalyst for dismantling the legacy of segregation and structural inequities inherited from the colonial and apartheid eras. It provided the framework for redress, inclusion and the reconstruction of a more equitable society.

Within this broader democratic

framework, the purpose of Basic Education extends beyond its administrative mandate. Educators play a critical role in cultivating high-calibre professionals who contribute meaningfully to national economic development, while simultaneously nurturing constitutionally literate citizens. In doing so, they reinforce both the professional and civic capacities of learners, enabling them to fully exercise their democratic rights, including active participation in electoral processes that shape the future of South Africa.

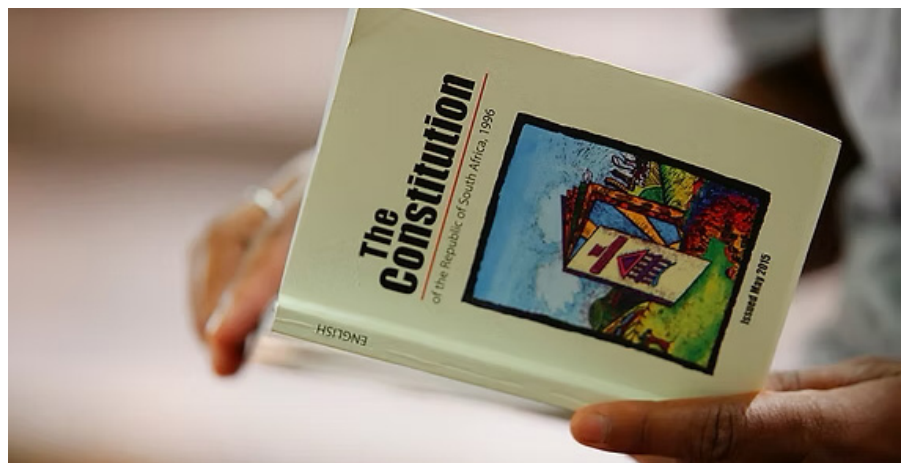


Just as emphasis is rightly placed on ensuring that every child acquires foundational competencies in reading, writing and numeracy. Skills which enable progressive learning outcomes equivalent importance must be accorded to the development of a basic understanding of constitutional values, rights and responsibilities. Such grounding constitutes an essential foundation for meaningful and sustained democratic participation in later life.

In this regard, constitutional literacy should be regarded as an integral component of foundational education, necessary for cultivating informed and responsible citizenship. Democracy is ultimately sustained not only through institutional frameworks; however, through citizens who understand, value and actively uphold democratic principles and constitutional norms.

At a time when democratic values and governance systems are increasingly under strain in various parts of the world, it remains imperative that each successive generation develops a deep and sustained appreciation of the values enshrined in the Constitution of the Republic of South Africa. This appreciation is central to safeguarding the democratic project and ensuring its continued consolidation for future generations.

It is further important to clarify that constitutional literacy is not primarily concerned with the acquisition of technical legal knowledge; however, with an integrated understanding of knowledge,



values and behaviors that have immediate relevance in the lived experiences of learners. In this regard, principles such as human dignity, equality, non-discrimination, participation and accountability are foundational. These principles shape how learners relate to one another within classrooms, schools and broader communities.

Schools constitute a critical environment in which constitutional values are both transmitted and practised. Curriculum areas such as Life Orientation, Social Sciences and History explicitly engage with democratic values, human rights and constitutional principles. However, beyond formal curriculum content, schools also provide experiential platforms through which these values are internalised. Structures such as School Governing Bodies, Learner Representative Councils and institutional codes of conduct offer learners practical opportunities to engage with democratic governance, participation and accountability in action. In this sense, constitutional literacy is cultivated not only through instruction, but also through lived educational experience.

Extending the earlier analogy to foundational learning, just as early literacy and numeracy competencies are critical enablers of future academic achievement and life opportunities, early and consistent exposure to constitutional values is equally vital in shaping active, informed and responsible citizenship. The deliberate strengthening of constitutional literacy from the early grades thus holds significant potential to reinforce democratic participation and consolidation over the longer term.

I encourage all young people and civil society across the length and breadth of the Republic of South Africa to strengthen and actively exercise their constitutional rights. Democratic participation is both a responsibility and a civic imperative that underpins the legitimacy of governance and the consolidation of constitutional democracy.

**Make your voice count!!!**

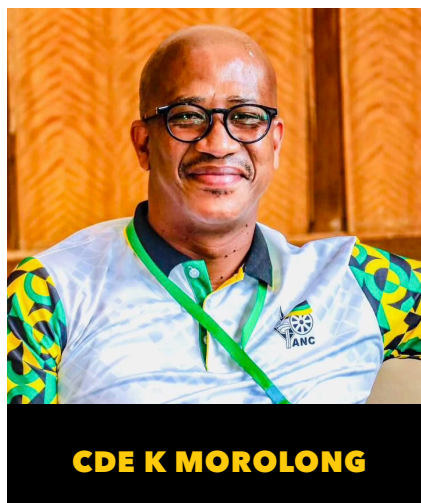
Your Vote, your voice and your voice is central to shaping the future of the Republic •

# THE ROLE OF CHAPTER 9 INSTITUTIONS

## HOW PARLIAMENT HAS EMPOWERED AND OVERSEEN THE CHAPTER 9 INSTITUTIONS TO ENSURE THEY REMAIN INDEPENDENT IMPARTIAL AND EFFECTIVE

**A**s South Africa marks the 30th Anniversary of the signing of the Constitution, we reflect on a living document born out of the struggles of our people and inspired by the vision of a united, non-racial, non-sexist and democratic society. As former Speaker of the National Assembly, Comrade Baleka Mbete, reminds us, “There can be no strong democracy without a strong Parliament.” This democratic vision is grounded in the Constitution and its Bill of Rights, which both affirm the fundamental rights to human dignity, equality and freedom, and obliges the state to respect, protect, promote and fulfil the promise embedded in these rights.

To give practical expression to these commitments, the Constitution established six Chapter 9 Institutions to strengthen constitutional democracy, namely, the Public Protector, the South African Human Rights Commission, the Commission for Gender Equality, the Auditor-General, the Electoral Commission, and the Commission for the Promotion and Protection of the Rights of



Cultural Religious and Linguistic Communities. These institutions serve as guardians of the democratic project and help to ensure that public power is exercised in the interests of the people, at all times.

The African National Congress, guided by the historic vision of the Freedom Charter that “the people shall govern”, has consistently affirmed the importance of strong independent institutions that advance accountability, transparency and social justice, whilst also carrying the promise of transformation of key sectors of South African society. Chapter 9 Institutions are central to this vision because they provide accessible mechanisms through which citizens can assert their rights and hold the State accountable.

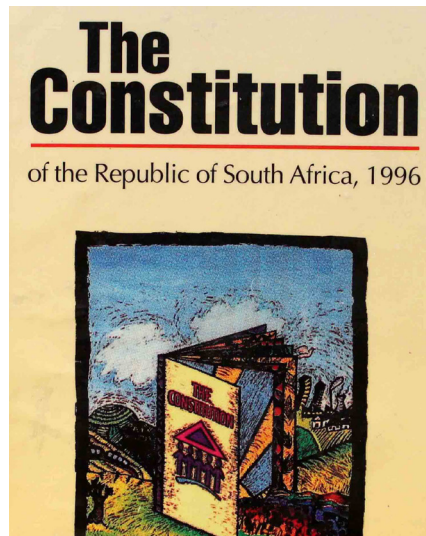
Parliament, as the embodiment of the will of the people, plays a critical role in empowering and overseeing these institutions. Through its legislative authority and oversight function, Parliament ensures that Chapter 9 Institutions are adequately resourced, supported and held accountable,



while safeguarding their independence and impartiality. This reflects a constitutional balance that requires robust oversight, without any undue interference.

It's an extreme measure of pride that over the past three decades, Parliament has strengthened its oversight architecture through Portfolio Committees and dedicated processes that not only scrutinise the strategic plans, budgets and annual reports of these institutions, but also give its tacit support and approval. These platforms enable Parliament to assess whether Chapter 9 Institutions are effectively advancing key rights as contained in the Bill of Rights. These include socio-economic rights such as access to housing, primary health-care, education and social security, as well as civil and political rights such as freedom of expression, freedom of movement and association, equality before the law, and crucially, the right to vote and select those who govern. As the first Speaker of democratic Parliament, Comrade Frene Ginwala emphasised that "Democracy is about ensuring that all people are able to participate fully and equally." This principle continues to find expression in the constitutional framework and in the institutions established to support and protect democratic participation.

This oversight role also finds practical expression in the lived experiences of ordinary South Africans, many of whom have successfully sought redress through institutions such as the Public Protector in such cases as those involving delays in social grants, housing allocation disputes and maladministration in public services. This demonstrates how Par-



liament's enabling and oversight functions translate into tangible protection of citizens' rights. As the late struggle stalwart Mama Winnie Madikizela-Mandela reminded us, "Freedom is meaningless if it does not translate into the lives of our people." The work of Chapter 9 Institutions thus ensures that constitutional rights move beyond principle and are realised in the everyday experiences of citizens.

Equally important is Parliament's role in the transparent and participatory appointment of leaders of these institutions. This process reinforces public confidence and helps to ensure that individuals appointed to these critical roles are fit and proper as well as committed to upholding constitutional values. In doing so, Parliament helps to safeguard the integrity and credibility of Chapter 9 Institutions.

The effectiveness of the Institutions is further strengthened by their ability to act without fear, favour or prejudice. Parliament's oversight must therefore remain firm yet respectful of this constitutional imperative so that these institutions are not weakened but are instead enabled to fulfil

their mandates in defence of the people's rights.

Thirty years into South Africa's constitutional democracy, Chapter 9 Institutions have played a vital role in deepening democracy, exposing maladministration, advancing gender equality, protecting human rights as well as defending the credibility, legitimacy and integrity of our electoral processes. The Electoral Commission in particular has helped to safeguard one of the most important gains of our constitutional democracy by ensuring that elections are free, fair and transparent and that every vote counts in giving effect to the will of the people.

Yet the task of building a just and equitable society, as envisioned in the Freedom Charter and the National Democratic Revolution, remains unfinished. Persistent challenges such as inequality, poverty and unemployment require vigilant, capable and responsive institutions. Parliament must therefore continue to strengthen its oversight role and ensure that these bodies are empowered to drive accountability and advance the socio-economic transformation envisaged in the Constitution.

As we commemorate this milestone during Freedom Month, we are reminded that the Constitution is both a shield and a compass. It protects the rights of all who live in South Africa and guides us towards a more inclusive and just society. The continued strengthening of Chapter 9 Institutions, supported by effective Parliamentary oversight, remains essential to ensuring that the promise of the Bill of Rights is realised in the daily lives of our people •



# THE BILL OF RIGHTS AT WORK

## AN ORGANISED WORKING-CLASS PERSPECTIVE ON CONSTITUTIONAL RIGHTS AND THE FIGHT FOR A NATIONAL MINIMUM WAGE

**T**he Bill of Rights enshrined in the Constitution of South Africa is more than a legal document; it is a commitment to dignity, equality, and social justice for all citizens, especially workers. As a former SACCAWU shop steward I had a first-hand experience of the past injustices due to unfair labour practices and fighting against this was met with disproportionate victimization.

From the perspective of the organised working class, these constitutional rights must be actively translated into practical protections in the workplace. Since 1994, the African National Congress-led government has made significant advances in embedding constitutional rights into labour legislation that safeguards workers and promotes fair labour relations. Key milestones such as the Labour Relations Act 66 of 1995 have been instrumental in protecting workers' rights by promoting collective bargaining, protecting against unfair dismissals, and fostering social justice in



**CDE N GCALEKA-MAZIBUKO**

the workplace. These laws reflect the ANC's unwavering commitment to building a society where workers' dignity is respected and labour is a fundamental pillar of our democratic order.

Beyond the Labour Relations Act, the ANC government has introduced comprehensive legislation to further promote decent work and social protections. The Basic Conditions of Employment Act, the Employment Equity Act, and the Compensation for Occupational Injuries and Diseases Act (COIDA) embody our determination to ensure safe working envi-

ronments, fair remuneration, and protection against discrimination and exploitation. These frameworks empower the working class to collectively assert their rights and challenge exploitation rooted in South Africa's divided past. Despite these advances, our fight is far from over, particularly for vulnerable sectors such as domestic workers and farm workers who continue to lag behind in full enjoyment of labour rights and fair wages.

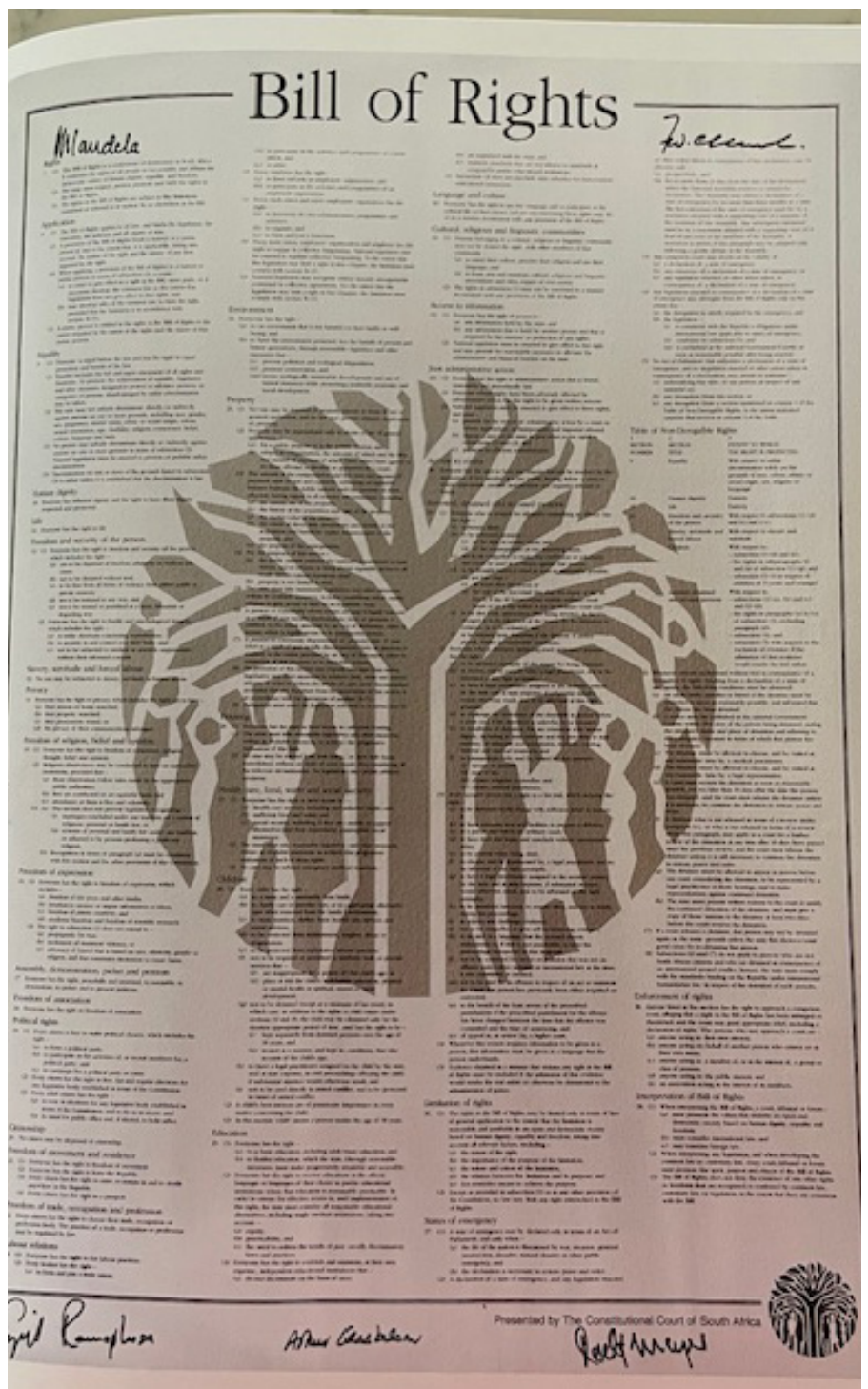
The national minimum wage is central to realising the Bill of Rights at work and correcting historic inequalities in our labour market. Complying with and enforcing the national minimum wage is critical to ensure that workers across all sectors, especially the most vulnerable, receive fair and decent remuneration. Domestic and farm workers, long neglected and underpaid, deserve the protection of a living wage that recognises their contribution to the economy and their dignity as workers. The ANC government acknowledges these persistent disparities



and remains resolute in accelerating implementation and enforcement measures to close the gap. Guaranteeing decent wages for all is not only a constitutional imperative but also a necessary step toward an inclusive and just economy.

Some liberal parties have misrepresented the national minimum wage by arguing that it will lead to widespread retrenchments and further exacerbate unemployment. The ANC firmly refutes this narrative, which is not supported by evidence. There is no causal correlation between the implementation of a national minimum wage and job losses. Rather, fair wages increase workers' purchasing power, stimulate domestic demand, and encourage productivity and economic growth. The organised working class understands that social justice and economic advancement are mutually reinforcing. The ANC's policies prioritize protecting jobs while ensuring just remuneration, firmly rejecting the false premise that workers' livelihoods must be sacrificed for economic efficiency.

In conclusion, the Bill of Rights remains the foundation upon which the ANC-led government builds a fair and equitable labour market. Legislative milestones such as the Labour Relations Act and related labour laws have made significant progress in protecting worker rights. However, the ongoing challenge is to fully realize these rights through strong enforcement of the national minimum wage, especially for vulnerable workers in domestic and agricultural sectors. The ANC is resolved



to confront exploitative practices and ensure that the dignity and social justice promised by the Constitution are actualised in every workplace. By standing united and advancing sound labour policies, we will continue to build a South Africa where all workers are empowered, respected, and fairly rewarded in accordance

with our constitutional vision. As Che Guevara profoundly stated, "A society that does not fight for its poorest has already lost. The test of any revolution is the life of its lowest citizen." This reminds us to prioritize justice and equality for all, ensuring that no one is left behind.



# THIRTY YEARS ON

## ARE SECTORAL PARLIAMENTS GIVING SOUTH AFRICA'S MARGINALISED A REAL VOICE?

**T**hirty years after the adoption of South Africa's Constitution, the promise of a truly inclusive democracy remains both inspiring and unfinished. The Constitution envisioned more than periodic elections. It imagined a living democracy where citizens, especially those historically excluded, would actively shape the decisions that govern their lives. In this spirit, platforms such as the Youth Parliament and Women's Parliament were created to deepen participation and bring marginalised voices closer to the centre of power.

These sectoral parliaments are, in many ways, a reflection of how far South Africa has come. They signal a willingness to listen. They create spaces where young people can challenge authority, where women can demand accountability, and where lived experience enters the formal language of policy. In a country still grappling with inequality, unemployment, and gender-based violence, these platforms matter. They remind us that democracy is not only about representation in numbers but also about voice, presence, and recognition.

Yet thirty years into constitutional democracy, the question is no longer whether these spaces ex-



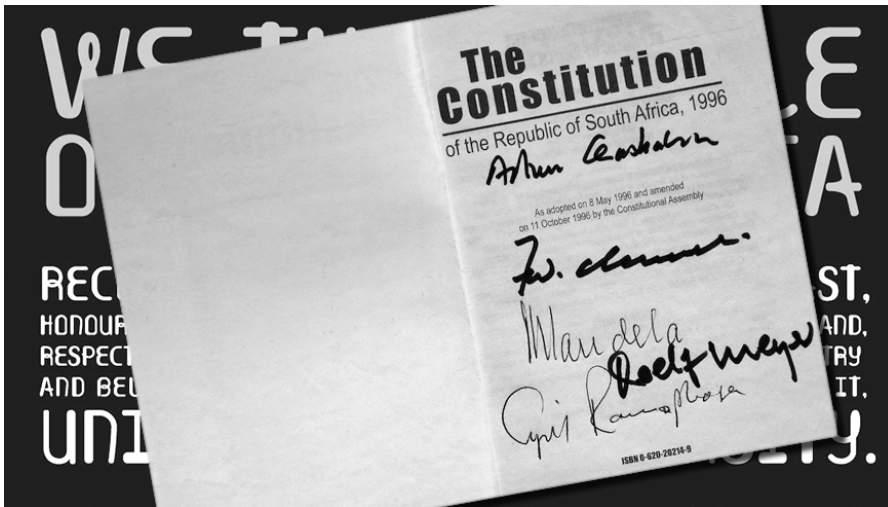
ist. The question is whether they work.

The Youth Parliament, for example, offers something undeniably powerful. It exposes young South Africans to the mechanics of governance and gives them a platform to articulate concerns that often go unheard in formal

politics. In a country where youth unemployment remains staggeringly high, this is not insignificant. Young people speak about exclusion, economic despair, and the urgency of change. They do so in the presence of lawmakers, in the very institutions that hold the power to respond.

But what happens next is less clear.

The ideas raised in these forums rarely translate into concrete legislative action. There is no systematic process that ensures youth recommendations move into committee debates, policy drafts, or lawmaking priorities. Participation, in this sense, risks becoming performative. It creates the appearance of inclusion without guaranteeing influence. For many young participants, the experience may be empowering in the moment but disconnected



from lasting change.

The Women’s Parliament presents a similar paradox. South Africa is often celebrated for its relatively high levels of female representation in Parliament, with women occupying over 45 percent of seats in the National Assembly. This is no small achievement. It reflects decades of activism, legislative reform, and constitutional commitment to equality by in large, the African National Congress.

Yet the persistence of gender-based violence, economic inequality, and patriarchal norms tells a different story. Representation has not automatically translated into safety, dignity, or economic power for women across society. The Women’s Parliament creates an important platform to confront these realities. It brings together voices from across the country to speak candidly about violence, exclusion, and injustice.

And still, the same challenge emerges. The platform amplifies voices, but its ability to shape outcomes remains uncertain.

This is not to dismiss the value of sectoral parliaments. On the con-

trary, they are essential to the health of South Africa’s democracy. They expand participation, nurture civic awareness, and hold symbolic importance in a society built on the principle of inclusion. They are reminders that democracy must be heard as well as seen.

But symbolism is not enough, especially as South Africa looks ahead to the next thirty years.

If these platforms are to fulfil their constitutional promise, they must evolve from spaces of consultation into mechanisms of influence. This requires more than annual gatherings and public statements. It demands institutional reform. There must be clear pathways through which the resolutions of the Youth and Women’s Parliaments feed directly into legislative processes. Parliamentary committees should be required to engage with these recommendations, respond to them, and report on their outcomes.

Equally important is the question of who gets to participate. Too often, these platforms draw from organised groups or selected delegates, leaving out those who are most marginalised. Rural youth,

unemployed young people, and women outside formal networks are frequently absent. If the goal is to give voice to the marginalised, then participation itself must be reimagined to reach beyond the usual circles.

The deeper challenge, however, lies beyond institutional design. It lies in the structural inequalities that continue to shape South African society. As the academic literature reminds us, barriers such as poverty, education gaps, and entrenched patriarchy limit the ability of women and young people to engage meaningfully in decision-making. Without addressing these underlying conditions, participatory platforms can only go so far.

Thirty years ago, South Africa’s Constitution set out an ambitious vision of a democratic society based on equality, dignity, and freedom. Sectoral parliaments are part of that vision. They represent an effort to bring democracy closer to the people, to ensure that those on the margins are not left unheard.

But the next thirty years will demand more.

They will demand that voice leads to power. That participation leads to policy. That listening leads to action.

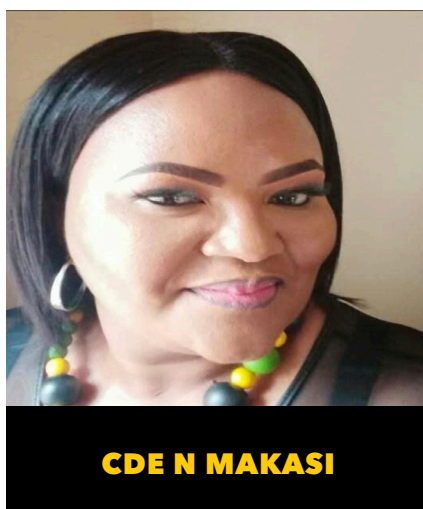
If South Africa is to honour the spirit of its Constitution, it must ensure that platforms such as the Youth Parliament and Women’s Parliament are not just spaces where people speak, but spaces where change begins •



# 30 YEARS OF SECTION 24 (THE RIGHT TO A HEALTHY ENVIRONMENT) AND THE JOURNEY TO A SUSTAINABLE FUTURE

**A**s we commemorate the 30th Anniversary of South Africa's Constitution, we reflect on how our democracy laid the foundation for a sustainable, dignified future. Under apartheid, environmental harm disproportionately burdened Black communities, who were often forced to live near mines, industrial zones, and polluted water sources. Access to clean land, water, and air was itself a site of injustice.

When the African National Congress (ANC) led the constitutional negotiations in the early 1990s, it brought a fundamentally human-rights-centred approach to the table. We recognised that for the majority of South Africans, justice was incomplete without addressing the quality of the air they breathed, the water they drank, and the land they occupied. By enshrining the right to a healthy environment in the Bill of Rights, the ANC ensured that environmental protection was no longer exclusively for the elite, but a core tenet of our democratic mandate. This was a visionary step, making South Africa one of the few nations globally to explicitly link environmental health to human rights.



**CDE N MAKASI**

Central to this vision is Section 24 of the Constitution, which transformed environmental protection from an afterthought into an in-

alienable right:

“Everyone has the right: a) to an environment that is not harmful to their health or well-being; and b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that (i) prevent pollution and ecological degradation; (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.”

Today, Section 24 serves as a formidable shield against reck-



less environmental exploitation. Communities, civil society and courts increasingly rely on it to challenge activities that threaten ecosystems and livelihoods. It provides the legal anchor for litigations that hold emitters accountable and for civil society challenges against mining operations in ecologically sensitive areas. Recent legal victories against unsustainable projects have sent a clear message: economic development cannot come at the expense of our ecological survival. The ANC-led government has consistently championed the balance between development and the preservation of our natural heritage, recognising that a degraded environment is a fundamental barrier to the socio-economic equality we strive to achieve.

Over the past three decades, the ANC-led government has translated this constitutional right into robust frameworks, most notably the National Environmental Management Act (NEMA) No. 108 of 1998 and its Specific Environmental Management Acts. We have established environmental impact assessments, biodiversity protection measures, and community consultation requirements. Environmental governance now increasingly reflects the voices of affected communities. In consultation with communities, we have expanded protected area networks, implemented world-class water management policies, and committed to a low-carbon, climate-resilient economy through our Just Transition Framework.



However, milestones are not the end. We face the challenges of climate vulnerability, poaching, pollution, alien invasives, overexploitation of certain biodiversity resources, illegal mining in conservation areas, and the need to balance energy security (affordable, reliable, and diversified) in a system that has historically been coal-reliant as it transitions to blend with renewables. Unlike purely market-driven environmentalism, our philosophy views sustainable use of biodiversity and the green economy as vehicles for industrialisation, job creation and sustainable ecosystem services. We must navigate identified and foreseeable environmental challenges, including enforcement gaps, institutional constraints, and the urgent need to protect water and food systems to achieve the environmental rights in the constitution.

The ANC is uniquely positioned to steer this journey because

we understand the intersection of environmental and social issues within the context of justice and equity. A Just Transition is therefore not merely about lowering carbon emissions, but about safeguarding workers and associated economic drivers in the coal sector while investing in the youth-driven green economy of the future. Our strong roots in community advocacy allow us to connect national climate goals with local grassroots demands, ensuring that the transition is inclusive and that no community is left behind.

As we mark 30 years of constitutional democracy, our task is to fully implement Section 24 for current and future generations. By reaffirming our commitment to this right, the ANC will continue to lead South Africa toward a prosperous, equitable, and sustainable future •



# BEYOND THE BILL OF RIGHTS

## ADVANCING WOMEN'S RIGHTS AND DISMANTLING GENDER-BASED VIOLENCE IN SOUTH AFRICA'S FOUR DECADE OF DEMOCRACY



### INTRODUCTION

**S**outh Africa's democratic project is anchored in a progressive constitutional order that promises dignity, equality, and freedom for all. Yet, the persistence of gender-based violence (GBV) exposes a profound contradiction between constitutional guarantees and lived realities. GBV is not only a social crisis; it is a direct assault on the democratic gains secured since 1994 and a systemic violation of women's rights.



**CDE LS MAKHUBELA**

This article argues that while South Africa has established an extensive legal and policy framework to advance gender equality, the enduring prevalence of GBV reflects structural failures in implementation, accountability, and societal transformation. The analysis is situated within ongoing debates about the entrenched nature of patriarchy and inequality, and it interrogates the gap between legislative intent and social outcomes.



The discussion begins by tracing the historical foundations of women’s resistance, with particular focus on the 1956 Women’s March - whose seventieth anniversary serves as a critical moment of reflection. It then evaluates post-1994 policy and legislative interventions before proposing actionable measures, informed by international best practice, to strengthen the fight against GBV.

### **HISTORICAL FOUNDATIONS OF WOMEN’S RESISTANCE**

The 1956 Women’s March remains a defining moment in South Africa’s liberation history. On 9 August 1956, over 20,000 women marched to the Union Buildings in Pretoria in protest against the extension of pass laws to black women. Organised by the Federation of South African Women (FEDSAW) in alliance with the African National Congress Women’s League, the march united women across racial and class divides in a powerful act of defiance.

Leaders such as Lilian Ngoyi, Helen Joseph, Albertina Sisulu, and Sophia Williams-De Bruyn embodied a politics that linked racial oppression with gender

subjugation. Their mobilisation challenged not only apartheid legislation but also entrenched patriarchal norms that excluded women from political leadership.

The legacy of the march is both symbolic and institutional. Its demands articulated in the 1955 “What Women Demand” document anticipated key provisions later embedded in the 1996 Constitution, particularly the right to equality. The march reframed women’s struggles as central to the broader liberation movement and laid the groundwork for post-apartheid gender institutions, including the Commission for Gender Equality.

The enduring resonance of the slogan “Wathint’ abafazi, wathint’ imbokodo” reflects a historical continuity between past resistance and contemporary struggles against GBV and economic exclusion.

### **DEMOCRATIC GAINS AND THEIR LIMITS**

Since 1994, South Africa has made notable progress in advancing women’s rights. The Constitution provides a robust legal foundation, explicitly prohibiting

gender discrimination and affirming women’s rights to dignity and equality. Legislative reforms such as the Recognition of Customary Marriages Act, the Employment Equity Act, and the Choice on Termination of Pregnancy Act have expanded women’s legal and socio-economic rights.

Women’s political representation has increased significantly, placing South Africa among global leaders in gender representation in Parliament. Institutional mechanisms including the Commission for Gender Equality and gender-focused government structures have been established to monitor progress and promote accountability.

Legal protections against GBV have also been strengthened through key legislation, including the Domestic Violence Act and subsequent amendments to sexual offences laws. The establishment of the National Council on Gender-Based Violence and Femicide represents an effort to centralise strategic leadership.

However, these gains are undermined by persistent structural inequalities. Women continue to experience disproportionate levels of poverty, unemployment, and economic marginalisation. The persistence of these conditions highlights a critical reality: formal equality has not translated into substantive equality.

### **STRUCTURAL INEQUALITY AND INTERSECTIONAL DISADVANTAGE**

Women in South Africa face intersecting forms of disadvantage shaped by race, class, geography, and social norms. Black women, particularly in rural areas, remain



the most affected by unemployment and poverty. Gender wage gaps persist, and women are overrepresented in precarious and informal forms of work.

Economic exclusion is compounded by unequal access to land, finance, and productive resources. Women entrepreneurs face systemic barriers, including limited collateral and restricted access to credit. At the same time, the burden of unpaid care work continues to fall disproportionately on women, constraining their participation in the formal economy.

These structural inequalities are not incidental; they are central drivers of GBV. Economic dependence, social vulnerability, and limited institutional support increase women's exposure to violence and reduce their ability to escape abusive environments.

### **GENDER-BASED VIOLENCE AS A DEMOCRATIC CRISIS**

GBV in South Africa has reached crisis proportions, widely described as a "second pandemic." It represents a fundamental violation of constitutional rights, including the rights to equality, dignity, life, and security.

Despite a comprehensive legal framework, the scale of violence remains alarming. High rates of femicide, sexual offences, and domestic violence point to systemic failures in prevention, protection, and prosecution. The designation of GBV as a national disaster underscores the severity of the crisis, yet legislative responses have not yielded the necessary decline in violence.

The central challenge lies in implementation. Survivors frequently encounter inadequate

police responses, delays in the justice system, and insufficient access to support services. While reforms have expanded legal definitions and strengthened procedural protections, institutional weaknesses continue to undermine effectiveness.

GBV is both a cause and a consequence of inequality. It reinforces women's economic exclusion, disrupts livelihoods, and imposes long-term psychological and social costs. As such, it must be understood not only as a criminal justice issue but as a structural and developmental challenge

### **FROM POLICY TO PRACTICE: WHAT MUST BE DONE**

Addressing GBV requires a decisive shift from policy formulation to implementation and accountability. A multi-dimensional strategy is essential.

First, the criminal justice system must be strengthened through improved resourcing, specialised training, and strict accountability mechanisms. Survivor-centred approaches must be institutionalised across policing, prosecution, and judicial processes.

Second, prevention efforts must focus on transforming social norms. Community-based interventions, education programmes, and the active engagement of men and boys are critical to dismantling patriarchal attitudes that normalise violence.

Third, economic empowerment must be prioritised. Expanding access to finance, supporting women-led enterprises, and implementing gender-responsive budgeting can reduce vulnerability and enhance women's autonomy.

Fourth, governance reforms are necessary to ensure meaningful representation of women in decision-making structures. The adoption of the 50/50 principle in law would strengthen gender parity across political and economic institutions.

Finally, inter-sectoral coordination must be improved. Effective implementation requires alignment across government departments, civil society, and the private sector, supported by robust monitoring and evaluation systems.

### **CONCLUSION**

South Africa's constitutional framework provides a powerful foundation for gender equality, but laws alone cannot dismantle deeply embedded systems of violence and inequality. The persistence of GBV reveals the limits of formal rights in the absence of effective implementation and societal transformation.

Eradicating GBV requires a sustained, systemic response that addresses both immediate protection needs and the structural drivers of violence. This includes investing in institutional capacity, promoting economic justice, and reshaping social norms.

The legacy of the 1956 Women's March reminds us that progress is driven by collective action and political will. The task before us is to ensure that the promise of the Constitution is realised in the daily lives of women across South Africa. Without this, the country's democratic project remains incomplete •



# TURNING CONSTITUTIONAL RIGHTS INTO REAL SUPPORT

## THE SOCIAL ASSISTANCE ACT, SASSA AND THE ANC'S COMMITMENT TO THE PEOPLE

**W**hen the African National Congress led South Africa into democracy in 1994, the struggle was never only about the vote. It was about restoring human dignity, confronting poverty and building a state that serves the people, especially those who had been deliberately marginalised under apartheid. For this reason, the inclusion of the right to social security in our democratic Constitution was not symbolic. It was a commitment that the new South Africa would not abandon the poor, the elderly, children, persons with disabilities and all those unable to provide for themselves.

The real test, however, was always whether this right would be felt in the daily lives of our people. The Social Assistance Act and the establishment of the South African Social Security Agency, SASSA, in 2004 were decisive steps in making that happen. These measures gave practical force to a constitutional promise and helped build a more coherent, accessible and nationally coordinated system of social support.

Before these changes, access to grants was often inconsistent and difficult, with provinces adminis-



**CDE DW FIENIES**

tering the system in uneven ways. Many vulnerable people faced delays, confusion and unnecessary hardship when trying to access support. The democratic government, led by the ANC, understood that a right delayed or unevenly delivered is a right undermined. The Social Assistance Act created a stronger legal basis for social grants, while SASSA became the institutional vehicle through which the state could reach people more effectively and more fairly.

This was a major advance in the work of transformation. It meant that social assistance could be administered through a single national system with clearer standards, improved oversight and a stronger focus on the needs of

beneficiaries. In this way, SASSA became one of the most direct expressions of a democratic state that takes seriously its responsibility to protect the vulnerable.

Today, about 19 million South Africans receive social grants. That number reflects not dependency, as some critics wrongly suggest, but the scale of poverty and structural inequality that democracy inherited and continues to confront. It also reflects the extent to which the democratic state has intervened to shield millions from extreme deprivation.

For working-class and poor households, social grants are often the difference between survival and destitution. They help families buy food, keep children in school, pay for transport, access healthcare and maintain a measure of dignity in extremely difficult conditions. In many homes, one grant supports several people. In this sense, social assistance does not only reach an individual beneficiary; it sustains entire households and, in many cases, whole communities.

The Child Support Grant has been one of the most important democratic interventions in confronting intergenerational poverty. It



has provided consistent support to caregivers and helped protect children from the worst effects of hunger and deprivation. The Older Persons Grant remains a vital source of stability, especially in households where grandparents carry the burden of supporting children and unemployed family members. Disability grants continue to provide essential relief to those whose health conditions limit their ability to earn an income.

The significance of this system extends beyond immediate household

relief. Grant income flows into township, rural and informal economies, supporting small traders and local businesses. In that way, social assistance not only protects the poor but also contributes to economic activity in areas where unemployment and exclusion remain severe.

For the ANC caucus, this history matters. The Social Assistance Act and the creation of SASSA showed that democratic governance must be measured by its impact on the lives of ordinary people. These interven-

tions demonstrated that constitutional rights must be backed by legislation, institutions and administrative capacity if they are to mean anything in practice.

At the same time, we must be honest that the work is not complete. Administrative failures, fraud and service delivery weaknesses must be confronted without hesitation. A programme of this importance requires integrity, professionalism and a constant commitment to treating beneficiaries with respect. Strengthening SASSA is therefore part of the wider task of building a capable, ethical and people-centred state.

More than twenty years after its establishment, SASSA remains one of the clearest examples of how the democratic state, under ANC leadership, has translated the values of the Constitution into practical support for millions. For 19 million South Africans, social assistance is not a policy concept. It is food in the cupboard, school uniforms for children, money for transport to a clinic and dignity for the elderly and vulnerable.

As the ANC advances its renewal agenda, this legacy must be protected and strengthened. Renewal is not

only about organisational rebuilding; it is about restoring public confidence through clean governance, capable institutions and a renewed focus on the material conditions of our people. Defending and improving SASSA is therefore part of the broader renewal of the movement and the state. It requires that we root out corruption, improve administration, modernise service delivery and ensure that every beneficiary is treated with dignity, efficiency and fairness.

In this sense, the renewal agenda must also be a people's agenda. It must reaffirm the ANC's historic mission to stand with the poor, the working class and the vulnerable, while rebuilding the capacity of the democratic state to drive transformation. The Social Assistance Act and the establishment of SASSA remain powerful reminders that when the ANC leads with clarity, integrity and purpose, the state can become an instrument for social justice and real change in the lives of the people. That is the task of renewal before us: to defend what has been achieved, correct what has gone wrong, and deepen the work of building a South Africa that truly belongs to all who live in it •



# BOOK REVIEW

**Cde Saul Pelle**

## A Brief History of South Africa

(From the earliest times to the Mandela Presidency)

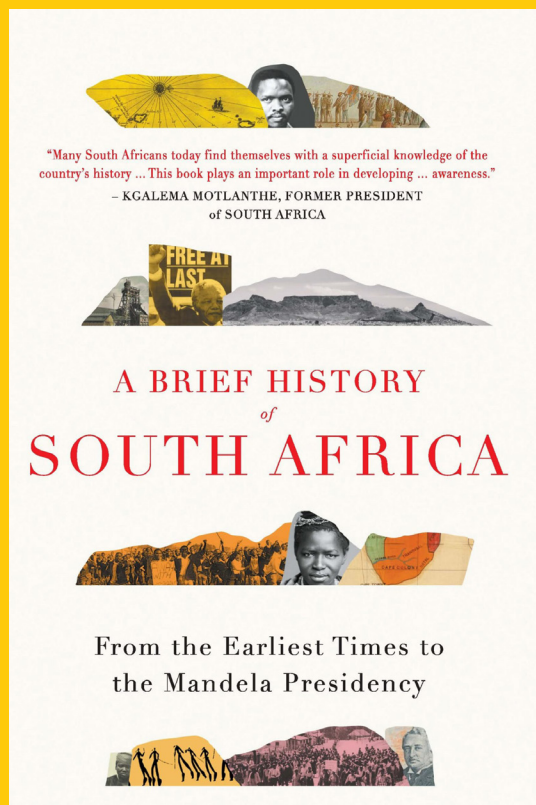
*"I marked an X in the box next to the letters ANC and then slipped my folded ballot paper into a simple wooden box. I had cast the first vote of my life. This is for all the South Africans an unforgettable occasion. It is the realisation of hopes and dreams that we have cherished over decades, the dreams of South Africa which represents all South Africans."*

**Nelson Mandela By Himself – The Authorised Book of Quotations pp234**

**H**istory, explicates former President Kgalema Motlanthe in his foreword to the book A Brief History of the South Africa, is not just an account of past events. It is also an interpretation of those events and developments; it underpins our identities as individuals, as societies and as nations. It is for this reason, says Motlanthe, that history is deeply political. How people understand their past determines to a large extent how they understand themselves, their role in the world and the nature of their challenges.

A key purpose of this book, authored by John Pampallis and Maryke Bailey, is to provide a study guide for both formal and non-formal adult education. It sets to assist in strengthening history teaching in schools.

For most of the period covered by the book, South Africa was under colonial and racist rule, and much of the text covers the nature of this rule and the opposition to it from the political and trade union organisations of black people, supported by some anti racist whites. The book examines political developments, the nature of racist rule, the development of the economy, the exploitation of workers and their resistance through trade unions,





and the resistance to oppression by communities, women's and youth organisations.

This book is divided into two parts. Part A is a narrative history from the earliest times until the end of the Mandela presidency. Part B deals with the historical development of nine themes: the economy, the bantustans, the history of schooling, poverty and inequality, life under apartheid, women's struggles, the trade union movement, South Africa's successive constitutions, and the international solidarity movement against apartheid. This will enable readers who want a quick overview of a particular theme to access the relevant material easily. Each chapter or theme is followed by further readings and discussions or activities to assist learners in engaging with the text. All narrative chapters and themes are relatively short and can be read by most readers in less than half an hour. It is expected that the knowledge gained from the book will be supplemented by additional readings.

Of particular interest in this book is the chapter on Negotiations and the coming of Democracy, especially on the April 1994 elections which were held on 27 April 1994. All residents of South Africa as well as citizens living abroad were eligible to vote for both national and provincial legislatures. They went off remarkably peaceful and the Independent Electoral Commission (IEC) described the few violent incidents as negligible. After the

elections, the political violence that had long disrupted life in the country came to an abrupt end in most parts.

The 1994 April election marked the end of a long struggle for a non-racial, democratic state with a government elected by all the people, formal equality of all before the law, and the other liberal-democratic freedoms contained in the Bill of Rights. Ahead lay the mammoth challenges of eradicating poverty and radically reducing inequality, overcoming racism, sexism, homophobia and other forms of bigotry, and creating a common national identity out of the fragmentation and inequality left by centuries of colonialism and apartheid. Despite the challenges, it was clear that a whole new era had dawned, and there was widespread optimism that there was now a constitutional basis for tackling these challenges.

As South Africa prepares for the next general election to be held by 2029 to elect a new National Assembly as well as the provincial legislature in each province, it is hoped that they will be peaceful. These will be the eighth elections held under conditions of universal adult suffrage since the end of the apartheid era in 1994.

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A word about the authors of this valuable book:

John Pampallis has taught in South Africa, Botswana, Canada and Tanzania, including eight years at the Solomon Mahlangu Freedom College in Tanzania, a school for young South African exiles. From 1989 to 2015, he was involved in education policy development. He has also published a number of books on South African history, including Foundations of the new South Africa.

Maryke Bailey is a history teacher with experience in providing training and professional development, and developing history teaching resources. She contributes to public debates on education policy, providing analyses of South Africa's education system from a teacher's point of view •

Any reader who wants to understand the history of the complex problems South Africa faces today should read this book. First published by Jacana Media (Pty) Ltd in 2021, this edition is published by Fanele ISBN 978-1-928232-95-7 [www.jacana.co.za](http://www.jacana.co.za)