

Address by the Hon Andries Nel, MP, Deputy Minister of Justice and Constitutional Development during a Joint Sitting of Parliament to Commemorate the 30th Anniversary of the Adoption of the Constitution of the Republic of South Africa held on 4 June 2026

Honourable Speaker of the National Assembly,
Honourable Chairperson of the National Council of Provinces,
Honourable Members,
Fellow South Africans,

Today we commemorate one of the most significant milestones in our history: the 30th Anniversary of the adoption of the Constitution of the Republic of South Africa in 1996.

We do so under the theme: One Constitution. One Nation. Reflect. Renew. Recommit.

It is both a celebration and a call to action.

I had the privilege of serving as a member of the Constitutional Assembly that drafted and adopted our Constitution between 1994 and 1996.

Our Constitution did not emerge from nowhere, nor was it imposed upon the people of South Africa from elsewhere.

It was the product of a protracted struggle against colonialism and apartheid.

It carries within its provisions the aspirations of generations of South Africans who fought for freedom, equality and human dignity.

We remember those who were imprisoned, those who were exiled, those who were tortured, those who lost their lives, and all those who refused to accept that injustice and oppression should define their being.

The Constitution is not merely a legal text. It is the product of struggle, sacrifice, and hope.

The values that ultimately found expression in the Constitution did not begin in the Constitutional Assembly.

Despite being forged in the furnace of negotiations between those forces representing a dying and decaying apartheid past and those representing a democratic and progressive future, the Constitution emerged true to its ancestry.

The Bill of Rights adopted by the ANC in 1923, the Africans' Claims adopted by the ANC in 1943, the Womens' Charter of 1954, and the Freedom Charter adopted in 1955 – these represent the ancestry of our Constitution.

Our Constitution is a revolutionary and transformative document.

It is the supreme law of the land, the basis for the transformation of our society into a united, non-racial, non-sexist, democratic state founded on the values of human dignity, the achievement of equality and the advancement of human rights and freedoms.

This vision can only be truly realised through the fundamental transformation of our society, a monumental historic project requiring a democratic developmental state acting in concert with all sectors of society.

Transformation is mandated, driven and guided by the Constitution.

The Constitution is not designed to obstruct transformation but to advance it.

We are all duty bound continuously and critically to assess the progress we are making in discharging this mandate.

The Constitution begins with the words: "We, the people of South Africa."

These words remind us that the Constitution belongs to the people.

It is not the property of government.

It is not the property of Parliament.

It is not the property of lawyers or judges.

It is the collective covenant of the people of South Africa.

It is, as has often been said, the birth certificate of our democratic nation.

It defines who we are and who we aspire to become.

The Constitution is the supreme law of the Republic.

Every law, every policy and every exercise of public power must be consistent with it. No person and no institution stands above it.

This principle of constitutional supremacy represented a decisive break with our past.

Under apartheid, Parliament could pass unjust laws that violated fundamental rights. We do not want to return there.

Today, all public power is constrained by the Constitution and subject to constitutional scrutiny.

The Constitution creates a democratic state consisting of three, co-equal branches which have distinct but interdependent roles to play in transforming society.

The legislature exercises its legislative authority by passing laws which must progressively advance transformation of the state and society;

The executive is responsible for the implementation of laws and the development of policies geared towards the transformation of society;

The courts exercise judicial authority by interpreting the laws passed by the legislature and action taken by the executive in accordance with the Constitution.

At the heart of our constitutional order is a simple but profound principle: all are equal before the law.

Regardless of race, gender, language, religion, social status, sexual orientation, or political affiliation, every person enjoys equal protection and equal benefit of the law.

It reflects our determination that never again shall South Africa be a country in which some are more human than others.

The Preamble sets out the kind of South Africa we seek to build.

It calls upon us to heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights.

It calls upon us to improve the quality of life of all citizens and free the potential of each person.

And it calls upon us to build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

This constitutes a revolutionary programme of fundamental social and economic transformation.

For thirty years, the Constitution has provided the framework through which South Africa has pursued this transformation.

It has anchored democratic governance.

It has established independent courts and institutions.

It has expanded access to housing, healthcare, education, water, electricity and social protection.

It has helped to improve the lives of millions of South Africans.

But as we reflect honestly on these thirty years, we must acknowledge that whilst we are not where we were, and we are also not where we need to be.

Our democracy has achieved much. But much remains to be done.

Poverty, unemployment and inequality continue to deny millions of South Africans the full enjoyment of their freedom and the ability to free their potential.

Crime and violence undermine safety and social cohesion.

Corruption and deprives us of the resources we need to implement the provisions of the Constitution.

Gender-based violence continues to violate the rights and dignity of women and children.

Too many young people remain excluded from education, skills development and meaningful work.

The Constitution provides neither excuses nor guarantees. It provides a framework for united action.

It places obligations on government, institutions and citizens alike.

It requires us to continue working to dismantle the legacies of colonialism, apartheid and patriarchy.

It requires us to build a democratic and developmental state capable of meeting the needs of our people.

It requires us to build an economy that is more inclusive, more dynamic and more capable of creating opportunities for all.

As we renew our commitment to the Constitution, we must also defend it.

Across the world, democratic values are under assault.

Values such as equality, inclusion, non-racialism, non-sexism and human solidarity are increasingly being challenged.

We see attempts to spread division, misinformation and intolerance.

We see attacks on democratic institutions and the rule of law.

We must never take our constitutional democracy for granted.

This demands that we build the broadest united front to defend, consolidate and advance our Constitutional democracy and status as a sovereign country in the family of nations.

The Constitution survives not because it is written on paper, but because citizens believe in it, defend it and give life to it through their actions.

That is why active citizenship remains essential.

The Constitution establishes both representative and participatory democracy.

Citizens do not participate only once every few years when elections take place.

Democracy requires ongoing engagement by the people.

It requires citizens who organise, participate, hold institutions accountable and contribute to the development of their communities.

It requires citizens who recognise both their rights and their responsibilities.

This year provides an important opportunity to put these principles into practice.

On 4 November 2026, South Africans will participate in our Seventh Democratic Local Government Elections.

These elections matter because local government is the sphere where the Constitution must find most direct expression in the lives of the people.

The right to vote is among the most important rights secured by our Constitution.

Generations of South Africans struggled for that right.

We encourage all eligible South Africans, especially young South Africans, to register to vote and to ensure that their registration details are up to date and to use the Voter Registration Weekend on 20 – 21 June to do so.

The future of our constitutional democracy belongs to you.

Your generation will shape the next thirty years of our constitutional journey. Your vote matters.

Let us recommit ourselves to building a united, non-racial, non-sexist, democratic and prosperous South Africa.

One Constitution. One Nation. Reflect. Renew. Recommit.

I thank you.