



**THE ASSAULT ON SOUTH AFRICA'S CONSTITUTIONAL DEMOCRACY: A CALL TO UNITED  
ACTION  
18 March 2021**

Twenty-five years ago, the people of this nation adopted the *Constitution of the Republic of South Africa* (1996), enshrining in the history of the country the very first democratic code of rights, entitlements and responsibilities governing the conduct of the people and the state.

The *Constitution* affirms a decisive break from a history of 350 years of ruthless colonial exploitation, apartheid oppression and the cruel under-development of the majority of South Africans, wherein generations were consigned to a life of servitude, poverty and violence.

Embedded within the *Constitution* are the principles of justice and reconciliation; a profound commitment to human rights, restitution and the establishment of a democratic society founded on equality, dignity, tolerance and prosperity for all the people of this land. All these make our *Constitution* a towering and sacred achievement of all the peoples of South Africa.

The adoption of the *Constitution* has enabled South Africans to experience the liberty afforded by free elections and full participation in a democratic society; enjoying freedom of association, expression and movement; a robust media and a widely trusted judiciary. Our deeply valued *Constitution* - a binding source of national unity - now faces a serious threat.

For more than a decade, parliamentary and political accountability, particularly under the governing party, have been seriously undermined. Signs of the government's increasing inability to protect its citizens have caused great anxiety among our people. The restiveness in the population has grown as various institutions of governance have been severely tested, some to breaking point.

Recently, a former president of our country, once described in a Constitutional Court judgement as embodying the "constitutional being" of the Republic, defied an order of the same Court instructing him to continue providing witness testimony at the Commission of Inquiry into Allegations of State Capture (the Zondo Commission). This astonishing defiance by a former Head of State not only violates the law but assails the *Constitution* itself.

While the normal institutional processes necessitated by such an attack on our *Constitution* are underway, the former president, frustrated by the impeccable conduct of an independent



judiciary, has now launched a malicious attack on the judiciary itself, particularly on the Constitutional Court, the cornerstone of our *Constitution*.

The threat to our constitutional democracy goes beyond that posed by an individual. It illustrates how that individual embodies a political culture fundamentally antithetical to democracy: the cult of personality, rule by factional dictate, nepotism, and totalitarianism in a securitised state.

Every day, South Africans are witness to:

- Unrestrained large-scale looting, which has destabilised the state and brought the economy to the brink of collapse. The proceedings of various Commissions of Inquiry, including those investigating state capture, the South African Revenue Services and the Public Investment Corporation, have detailed what has amounted to an acute decay in public governance and business practice.
- The brazen intention by beneficiaries of corruption to utilise the proceeds of their corruption not only for personal accumulation, but to enable a reportedly well-organised cartel of compromised politicians, highly placed state functionaries, and local and international business accomplices to stall the prosecution of the perpetrators and beneficiaries of state capture.
- Disparate parties directly implicated in the state capture project that have been enlisted to amplify the former president's unlawful defiance of the Constitutional Court. The deployment of personnel in army camouflage playing the role of a private militia, the very existence of which offends the letter and spirit of our democracy, is an ominous dimension of this anti-constitutional conduct.

Our people fought for and chose constitutional democracy as a bulwark against fascism and dictatorship. The way in which the people's democracy is being subverted by this purposeful cartel undermining good governance, eroding accountability and promoting misrule, points to how those who subvert it will govern South Africa should they succeed. After a century of struggle for liberty, South Africa cannot return to the totalitarian order that brought such misery and suffering to its people.

Our future as a democracy is only as secure as our refusal to tolerate the destabilisation of the state and our unyielding defence of the *Constitution*, the foundational creed of this nation



and the supreme law of the land. We therefore, call on all people to defend the abiding values enshrined in the *Constitution*.

They should be in no doubt that we are essentially a nation of resilient people who have overcome extreme intolerance and hardship and whose legacy and heritage are not to be trifled with, let alone stolen.

We, the people from every political, racial, gender, ethnic, religious, linguistic, cultural and class backgrounds, united under and loyal to our *Constitution*, must now reclaim what has given us collective dignity, self-respect and the admiration of the world.

We therefore, call on all people of goodwill to vigorously oppose this threat to our democracy and to stand united against those intent on violating the values and principles embodied in our *Constitution*.

Our resistance must be resolute against those determined to make a wasteland of this great country.

**DEFEND OUR DEMOCRACY! DEFEND OUR *CONSTITUTION*!**

**Endorsed by:**  
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Bonang Mohale  
Boyce Mpempe  
Bulumko Msengana  
Burton Jaganathan  
Busisiwe Mavuso  
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Edwin Hertzog  
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Frank Chikane  
Frank Meintjies  
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Horst Kleinschmidt  
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Ilse Fischer Wilson  
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Joanne Yawitch  
Joe Mwase  
Joel Sibanda  
Johann van Loggerenberg  
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Judith February  
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Karuna Mohan  
Khumo Shuenyane  
Koogan Pillay  
Krish G  
Kristen Abrahams  
Latifa Omar  
Lawson Naidoo  
Lebogang Mpempe  
Leon Wessels  
Lindi Mazibuko  
Lindile Mteza  
Lindiwe Mabuza  
Loretta Jacobus  
Lumkile Mondli  
Lyndall Shope-Malofe  
Lynn Abrahams  
Mafeno Phora  
Makate Sheila Mashile-Sisulu  
Maria Burton  
Marjorie Jobson  
Mark Spyker  
Martin Dolny



Martin Kingston  
Mary Burton  
Masuku Sampson Kamela  
Mathulwane Mpshe  
Mavuso Msimang  
Meg Fargher  
Melanie Verwoerd  
Mfanufikile Skosana  
Michiel le Roux  
Mike Abel  
Miles Japhet  
Mkhuseli Jack  
Mmusi Maimane  
Moe Shaik  
Monde Ntebe  
Morley Nkosi  
Mosibudi Mangena  
Moss Ntlha  
Mu-Aalima Fakude  
Muhammed Choonara  
Murphy Morobe  
Mustapha Isaacs  
Mxolisi Dukwana  
Mxolisi Mgojo  
Nadas Pillay  
Nat Phomane  
Natalya Dinat  
Neeshan Balton  
Neil Froneman  
Nersan Govender

Nilesh Singh  
Niven Maraj  
Nkulie Pityana



Palesa Morudu  
Peace Centre  
Peggy Pillay  
Percy Mahlathi  
Peter Tarantal  
Peter Vundla  
Philip van Ryneveld  
Pingla Udit  
Piyushi Kotecha  
Pops Rampersad  
Prof Abdool Karim  
Prof Andre Odendaal  
Prof David Everatt  
Prof Farid Esack  
Prof Harald Winkler  
Prof Heinrich Prekel  
Prof Ivan Turok  
Prof Janet Cherry  
Prof Nick Binedell  
Prof Shabir Madhi  
Prof Wannie Carstens  
Prof Willie Esterhuyse  
Rev Prof Peter Storey  
Richard Rosenthal  
Rick Menell  
Rod Solomons  
Rufus Ledwaba  
Ruth Rice  
Sadna Balton  
Sagie Pillay  
Sakkie Potgieter  
Sandile Dayi  
Shaeera Kalla  
Shaheda Omar  
Sheila Sisulu  
Sihle Msengana





Siphiwe Ndebele  
Siphiwe Nxumalo  
Sipho Mabuse  
Sipho Mahlangu  
Sipho Pityana  
Sizwe Mabizela  
Smuts Matshe  
Solly Mapaila  
Strike Moyakhe  
Sunny Morgan  
Sydney Mufamadi  
Tebogo Fafudi  
Tebogo Khaas  
Thabo Mahlangu  
Thandi Orleyn  
Thembi Msibi  
Theo Steele  
Thozamile Botha  
Tim Wilson  
Tower Itumeleng Mosala  
Tracey Henry  
Trevor Fowler  
Trevor Manuel  
Trish Hanekom  
Truida Prekel  
Vanessa September  
Vassie Naidoo  
Vincent Barnes  
Vincent Zwelibanzi Mntambo  
Viviene Taylor  
Vusi Pikoli  
Wally Serote  
Wannie Carstens  
Wayne Duvenage  
Wayne Jean-Pierre  
Wendy Appelbaum



Yousuf Vawda  
Yvonne Muthien  
Zandile Myeni  
Zavareh Rustomjee  
Zeph Makgetla  
Zohra Ebrahim  
Zolile Ngcakani  
Zubeida Jaffer  
Zunaid Mosam

**Organisations**

#SA1stForum

Active Citizens Movement



Ahmed Kathrada Foundation  
Amnesty International South Africa  
Black Lives Matter Foundation  
Business Unity South Africa  
CDT Foundation NPC  
Centre for Good Governance and Social Justice NPC  
ChaiWaLaSA  
Constitution Hill Trust  
Corruption Watch  
COSATU Gauteng Province  
COSATU North West  
COSATU Young Workers Forum  
Ecumenical Leadership Council NPO  
Free State Activists for Social Justice Against Corruption  
Free State ANC Anti Corruption Lobby Campaign  
Freedom Under Law  
Gandhi Development Trust  
Gauteng Together Working Group  
In Transformation Initiative (ITI)  
Institute for Healing of Memories  
Johannesburg Against Injustice (JAI)  
Khulumani Support Group  
Legal Resources Centre  
Legal Resources Trust  
Lombard Insurance Group  
Merebank Justice Network  
Millenium Trust  
MK National Council  
Movement for a United South Africa (MUSA)  
National Interfaith Council of South Africa (NICSA)  
Ntwane Community Development Forum  
One South Africa Movement  
Open Secrets  
Organisation Undoing Tax Abuse



Phoenix Settlement Trust  
Public Affairs Research Institute  
Public Interest SA  
SACLI  
South African Hindu Maha Sabha  
Strategic Dialogue Group  
Strategic Dialogue Group in Limpopo  
Survivors of State Capture at SARS Trauma Support Group  
SynNovation Solutions  
Teddy Bear Foundation for Abused Children  
The Active Citizens Movement  
The Congress Of Business & Economics SA  
The Desmond and Leah Tutu Legacy Foundation  
The Gauteng Together Working Group  
The Greater Mayfair Civic Association  
The House of MCC  
The Strategic Dialogue Group  
The Working Group of Former DGs, representing more than 40 DGs from the First and Second Administrations  
Transformation & Development SA  
United Front of Civics  
We, the People movement  
YCLSA in Moses Mabhida (KZN) Province