Freedom Requires Responsible Citizens

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On 27 April - Freedom Day - we commemorate South Africa's first democratic elections, held on this day in 1994 and resulting in the establishment of a new democratic government representative of a state based on constitutionalism and the rule of law. Freedom Day, however, is as much about remembering what freedom in a constitutional democracy entails, as it is about honouring the past.

Freedom certainly means that we have to recognise the injustices of our past and honour all those who helped to establish justice and freedom in South Africa. It means that we should not only respect those who have worked and are still working to build and develop our country, but that we must be those people ourselves - believing that South Africa belongs to all who live in it, united in our diversity.

Freedom in our constitutional democracy means that every South African should be entitled to the rights in the Constitution. It also means that everyone must respect and live by the founding values of our supreme law: human dignity, the achievement of real equality and the advancement of human rights and freedoms; non-racialism and non-sexism; the supremacy of the Constitution and the rule of law; and universal adult suffrage, a national common voters roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness. Former president Nelson Mandela said it best when he stated that "...to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others".

Vitally, freedom requires all South Africans to be active and responsible citizens. In our constitutional democracy - a country limited only by its constitutional values, principles and rights - to vote and elect representatives is a right, a duty and a responsibility. It is important, in principle, to vote and to vote responsibly in order to ensure that those who are elected to represent the people are indeed protecting the constitutional values, principles and rights on behalf of every South African. It is thus a duty, as much as it is a right, to participate in the election of those who must govern South Africa. It is, above all, also a responsibility - not only ensuring that people with integrity and the interest of all South Africans at heart are elected, but to ensure that those leaders remain accountable, transparent and responsive regarding everything they do.

It is not enough to participate in elections and then, until the next election, sit back and abdicate our responsibility as citizens in favour of elected representatives. We must, on an ongoing basis, be demanding more from our representatives and our government. Justice Sachs, on behalf of the Constitutional Court in the Doctors for Life-case, said that an active and continuous public involvement in government was a constitutional obligation and not just "a matter of legislative etiquette or good governmental manners". Hence, although elections are inherently periodical, constitutional values including accountability, responsiveness and openness, are by their very nature ubiquitous and timeless: "They are constants of our democracy, to be ceaselessly asserted in relation to ongoing legislative and other activities of government. Thus it would be a travesty of our Constitution to treat democracy as going into a deep sleep after elections, only to be kissed back to
short spells of life every five years”.

We have to demand accountability, transparency and responsiveness from those who represent us - and ultimately from the government which is governing on behalf of all the people. Benjamin Franklin's assertion that "[t]hey who can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety", may be somewhat harsh, yet emphasises how important it is to continue to earn freedom, especially when those freedoms such as the right to equality, to access information, to education and health services, are not being realised by the government.

Be an active citizen - whether in your community, province or on a national level. Make use of your constitutional rights - as an individual, but also collectively. Make submissions and representations, whether written or oral, to your local municipality, provincial legislature and national parliament. Support those individuals and organisations who demand of the government to explain their conduct and justify their laws, but do not only expect of others to be your voice. Air your concerns, opinion and constructive criticism in your community, in the media and in parliament, provincial legislature and local government. Take responsibility for those for whom you have voted, and demand responsibility from those who are governing our various spheres of government.

Our Constitution laid the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law. However, in order to free the potential of each person and ensure a quality life for everyone living in South Africa, we constantly need to remind ourselves what it means to be free and of what it means to have a choice in how we are being governed. Speaking at the first anniversary of South Africa’s non-racial elections on 27 April 1995, then President Mandela said: "On this day, you, the people, took your destiny into your own hands. You decided that nothing would prevent you from exercising your hard-won right to elect a government of your choice. Your patience, your discipline, your single-minded purposefulness have become a legend throughout the world..." On this Freedom Day, we will again be celebrating the hard-won right to elect a government of our choice. But we will also be celebrating the freedom to demand from our representatives nothing less than accountability, transparency and responsiveness - in the absence of which, we are free to choose other representatives who will live up to our rightful expectations.

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