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DATE : 15/11/93

NO OF PAGES (including this one) : 3

TO: The Secretary & Chairman
Technical Committee on
Constitutional Issues

FAX NO : 397-2211

FROM : Dean
Faculty of Law

MESSAGE/INSTRUCTIONS : _____

STATEMENT BY LAW FACULTY DEANS CONCERNING PROPOSED METHOD OF APPOINTMENT OF JUDGES TO THE CONSTITUTIONAL COURT

We, the Deans of the Law Faculties listed below, record our protest against the proposal to give effective power to the Government to appoint the majority (or possibly all) of the members of the Constitutional Court.

We are educating our students for an important and constructive role in the constitutional democracy now being developed, a democracy which we welcome and for which we are impatient. But there can be no constitutional democracy if the highest court responsible for upholding that democracy is not independent. The only guarantee of independent judges is a selection procedure designed to choose independent judges.

We urge the negotiators at Kempton Park to reject this ill-considered proposal, and we urge the ANC and the Government to withdraw it.

CHL
15 November 1993

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Issued by Carole Lewis, University of the Witwatersrand.