



UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG  
Private Bag 3, WITS 2050, South Africa • Telegrams Uniwits • Telex 4 271255A • Telephone (011) 716 1111

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TO: The Secretary & Chairman  
Technical Committee on  
Constitutional Issues

FAX NO : 397-2211

FROM : Dean  
Faculty of Law

MESSAGE/INSTRUCTIONS :  
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**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

Professor Carole Lewis  
Faculty of Law  
University of the Witwatersrand.

Professor D Visser  
Faculty of Law  
University of Cape Town

Professor D van der Merwe  
Faculty of Law  
Rand Afrikaans University

Professor D McQuoid Mason  
Faculty of Law  
University of Natal, Durban

Professor J Burchell  
Faculty of Law  
University of Natal, Pietermaritzburg

Professor C van Loggerenberg  
Faculty of Law  
University of Port Elizabeth

page 2

Professor G Lubbe  
Faculty of Law  
University of Stellenbosch

Professor R Harker  
Faculty of Law  
Rhodes University

Professor V Jaichand  
Faculty of Law  
University of Durban Westville

Issued by Carole Lewis, University of the Witwatersrand.

*Carole Lewis*