

## **Freedom Day is Constitution Day**

By **Dr Leon Schreiber MP** - DA Shadow Minister for Public Service and Administration

Madam Speaker,

I am glad that the topic of today's debate explicitly links Freedom Day to our Constitution.

Because, at the most fundamental level, Freedom Day is a celebration of the adoption of this document – our Constitution – and our transition to a constitutional democracy based on individual liberty.

But as we've heard throughout this debate today, there is broad consensus that Freedom Day has come to serve as an annual reminder of the many freedoms we still do not enjoy in this country.

Just below the surface of this consensus lies a profound political disagreement about how to bring about meaningful freedom that will shape our country for years to come.

On the one side, you will find those who recognise that we have not achieved substantive freedom because the governing party has failed to live up to the task outlined for it by the Constitution.

This grouping of constitutionalists, led by the DA but with adherents in many other parties, understand that loyalty to constitutional values, the rule of law, non-racialism, a market economy, and a capable State free from cadre deployment holds the key to achieving substantive freedom.

On the other side, however, stand those who scapegoat our Constitution for the catastrophic failings of the ANC to create a truly free and open society.

Their position was most clearly articulated recently by Minister Lindiwe Sisulu.

In an op-ed, she directly attacked our Constitution and dismissed its guardians on the Constitutional Court as "*mentally colonised*".

This is no aberration – attacks on our Constitution are almost always camouflaged by the language of race and racism.

A few weeks later – on Human Rights Day no less – the ANC Premier of KwaZulu-Natal, Sihle Zikalala, called for a coup against constitutional democracy in favour of so-called parliamentary sovereignty.

This is the same system that prevailed under Apartheid, and would give the government unfettered power to make any law of its choosing – even laws violating our most basic human rights.

Although many high-profile ANC leaders from the RET faction clearly fall into this anti-constitutional camp, its vision is most clearly articulated by the EFF, which has long led the assault on our Constitution.

As the competing narratives over Freedom Day make clear, South Africa is headed for a showdown between democrats loyal to the Constitution, and demagogues at war with it.

The outcome of this battle will determine the fate of South Africa from 2024 onwards.

A win for the Democrats will usher in a DA-led coalition government that will restore South Africa to the constitutional path, because we understand that the Constitution is not an obstacle to ending poverty and unemployment, but the key to doing so.

But a win for the Demagogues will see the EFF, RET and their allies ascend to power – with devastating consequences.

As the ANC majority crumbles in 2024 and beyond, every citizen as well as every member from every faction in every political party, including the ANC, will need to pick a side.

I ask every South African, including members of this House, to reflect on the following question: do I blame the Constitution for South Africa's failure to achieve substantive freedom, or do I blame the government that has failed to implement and uphold the Constitution?

The answer each of us provides to this question, will determine whether South Africa will still celebrate Freedom Day in years to come.

Thank you.