

Freedom Day: The Importance and Significance of South Africa's National Day

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Dear Friends,

I am extremely appreciative that you have asked me to speak to you on the eve of South Africa's Freedom Day. I embrace it as an opportunity to consider the situation of freedom and assess related issues in South Africa. I am presenting my views herewith as a research associate currently affiliated with the Universities of Johannesburg and the Free State in Bloemfontein, not as a former ambassador.

Allow me to dwell for a short while on a relevant topic before I start my talk about Freedom Day in South Africa. You have all heard the term "apartheid," but not everyone is familiar with the concept or the history of its policies and its final abolition. So let turn my attention to the following aspects about apartheid: some of the key factors that led to the abolition of apartheid; how apartheid policies impacted the daily lives of individuals; and Nelson Mandela who is often associated with the fight against apartheid.

When we discuss apartheid, Nelson Mandela is the first person that comes to mind; I will bring him up again a little later. Why did South Africa's racist policies persist until the 1990s although nations from all over the world condemned the country's apartheid policies? And why was there such segregation while the black population made up over 80% of the population?

The Cambridge Dictionary describes apartheid as follows: "A system under which people of different races were kept separate by law, and white people were given more political rights and educational and other advantages". Thus, the fundamental idea of apartheid is apartness. People were divided, segregated, and subjected to discrimination based on their race. Apartheid became an entrenched form of discrimination against and among individuals in South Africa, and it finally found its way into the legal system. But even before racism became codified in legislation, it pervaded South African culture on a day-

to-day basis. The foundation of the policy was the idea of dividing individuals according to racial or ethnic characteristics, which were frequently applied to geographic areas and designated areas off-limits to particular racial or ethnic groupings. Apartheid policies included restrictions on where people of color could live or own land, what jobs they could have, who could and could not vote and therefore participate in government, the outlawing of mixed marriages, preventing members of particular racial or ethnic groups from entering certain meetings and unions, restricting their freedom of movement, and prohibiting them from entering certain public spaces.

The laws that were passed to establish apartheid as an official policy served as its legal foundation. In South Africa during the 1800s and 1900s, there were laws, regulations, and campaigns against institutional racism associated to apartheid. Apartheid was widely practiced in South Africa during the 19th century, despite the laws' apparent lack of racism on paper. All of that changed in 1948. Important legislation were now being strictly enforced, such the Group Areas Act and the Population Registration Act, which mandated physical segregation of racial groups, particularly in metropolitan areas. The Prohibition of Mixed Marriages Act, the Immorality Act, the Separate Representation of Voters Act, and the Reservation of Separate Amenities Act were among the other important laws that served as the foundation for apartheid.

Apartheid defined an authoritarian political culture that made sure the white minority in South Africa dominated the country's social, political, and economic spheres. Social stratification existed in this system of minoritization, with White people holding the highest position, followed by Indians and Coloreds (those of mixed blood), and last Blacks. Racial classification determined the places of residency. Apartheid resulted in the forced relocation of more than three million black Africans into segregated neighborhoods between 1960 and 1983. The goal was to confine the Black people to ten "tribal homelands". Consequently, apartheid left a deep and long-lasting effect on South African society. It was ingrained into every facet of that society, from work and social relations to housing and education.

The fight against apartheid in South Africa was a protracted, intricate, and diverse process that included a range of resistance tactics and global solidarity, from peaceful

demonstrations to militant nonviolent direct action and, to a lesser degree, armed conflict. There remained constant opposition to apartheid in South Africa, despite the government's ability to stifle almost all criticism of its policies. Decisions to abolish apartheid were mostly influenced by widespread protests against the National Party government, as well as growing international disapproval of South Africa. The Soweto Student Uprising in 1976 and the Sharpeville massacre in 1960 were the two most horrific incidents that brought attention to this opposition.

Beginning in the early 1990s, apartheid gradually came to an end. A number of things contributed to its demise, such as the end of the Cold War, economic hardships, waning white commitment, international economic and cultural sanctions, and violent domestic dissent. The world community exerted tremendous pressure on the South African government to abolish apartheid. The United Nations Security Council imposed mandatory military sanctions. The governments of Europe and the United States were successfully pressured by grassroots movements to impose trade and economic sanctions. Large international corporations began to leave South Africa, which further undermined the apartheid system.

Significant changes occurred in South Africa as a result of the upheaval and international condemnation. The African National Congress (ANC) and other black political groups were no longer prohibited by President De Klerk, who also granted press freedom and freed political prisoners. After serving 27 years in jail, Nelson Mandela was freed, going on to become a symbol of the anti-Apartheid movement and an advocate for nonviolent change. President De Klerk oversaw the repeal of laws that supported apartheid, which led to the collapse of the system.

If you're interested in learning more about the background of apartheid, check out this website:

<https://www.sahistory.org.za/article/history-apartheid-south-africa>

Moving on to the main portion of my presentation, I want to highlight the main points of this speech right away. These include the historical significance of Freedom Day, how the

holiday shapes South Africa's national identity, how it helps the country's citizens feel proud and united, and what the concept of freedom entails.

The significance of a national day lies in its role as a celebration of a country reaching a momentous achievement. It is a day selected to honour pivotal moments in a nation's history that shaped its identity and collective consciousness. On this specific day a significant historical event is observed – the establishment of the new, democratic South Africa in 1994. Freedom Day commemorates our country's journey toward becoming a nation in the truest sense of the word. This day represents our identity and past. It strengthens the ties of shared values and national identity by encouraging a sense of pride, belonging, and solidarity among the country's citizens. In South Africa, this national day does not celebrate independence or statehood, but our political emancipation and new constitutional order received in 1994. Juridical independence as a sovereign state was already established when four provinces became the Union of South Africa 31 May in 1910, and subsequently a Republic in 1961. From 1910 to 1993 South Africa's National Day was celebrated on that day.

For a national day to be successful, there must be widespread agreement among the population that the chosen date, together with the celebrations and events surrounding it, best captures the essence and goals of the country. This has been South Africa's experience with Freedom Day.

The quest for independence in South Africa has been a convoluted and diverse undertaking characterised by significant historical events and obstacles. Apartheid came to an end in 1994, and South Africa entered a constitutional order that prioritised democracy and human rights. Possibly the most important political events to impact South Africa in the 20th century were the abolishment of apartheid and the country's democratic emancipation. This year, South Africa celebrates thirty years of independence and democracy. Over these three decades there have been many developments in the political landscape of the country with regard to the preservation of values that were not previously held highly or accorded any recognition at all. South Africa's fight for a democratic system of government has been closely associated with the heroic actions of

legendary people who embodied courage, dignity, and a sense of pride in facing injustice and hardship.

In South Africa, Freedom Day is celebrated on 27 April and honours the inaugural nonracial post-apartheid election that took place on that day in 1994. That historic occasion was a decisive turning point in South Africa's history, since it gave every citizen of voting age security to select freely and fairly their political representatives for the next five years. It marked the end of three centuries of minority rule, white dominance, apartheid, and colonialism.

Formal all-party talks started with the lifting of the ban on liberation movements and the release of political prisoners and exiles. Difficult and drawn-out negotiations lasted for several years. The African National Congress (ANC), the South African Communist Party (SACP), various other liberation organisations, and the South African government were all involved in those intricate talks and deliberations about South Africa's future. The first free elections were the result of a negotiated compromise that ended centuries of conflict. It was an incredibly difficult task and all sides were forced to make excruciating compromises. Even though there were several incidents of violence and mistrust during the negotiation process, a new South Africa and a new dispensation emerged. Millions of South Africans queued to the ballot booths on election day, joining together as one nation to usher in a new, bright future. With the approval of its citizens and worldwide recognition as a worthy member state of the international community, South Africa formally achieved and was guaranteed a multi-party democratic form of governance that was to be a shining example to others on how to overcome negative historical divisions in a peaceful manner.

On Freedom Day this year, South Africans have the opportunity to rethink and reflect on their place in a democratic South Africa, to rejoice in the Day's significance and to ponder how the positive results achieved so far can be further improved in future. Essentially, Freedom Day is a celebration of a number of critical changes in South Africa, such as the memory of a significant historical transformation event, reflection on the values and ideals fought for during the identity struggle for a new South Africa, the many personal sacrifices made, and the continuing quest for a more democratic, inclusive, prosperous and egalitarian society. Every voter who voted on that historic day in 1994 is now over the age

of 48. These voters can take pride in showing the rest of the world that democracy is feasible even under the most difficult of circumstances. They made sure that, in contrast to other nations, political turmoil, conflict, and coups leading to a continuation of instability and violent political power struggles, did not become the norm in their society. For them, the democratic voting booth was paramount. Following that vote in 1994, there was a peaceful handover of power, and President Nelson Mandela was sworn in as the victor of the democratic process.

Voting in regular free and fair multi-party elections in-between national and provincial elections has also proven to be essential for stable participatory local government every five years. Voting is a peaceful means of choosing representatives who will carry out the goals and wishes of the people in a transparent and accountable manner, because they have the power to make decisions that will affect everyone's life. They must answer to the entire South African population. But establishing democracy requires more than just having elections every five years. Different policies and actions are also needed in order to transform and improve the lives of the poor and historically disadvantaged. Committed and efficient governance is essential to put those reforms into practice.

The right or prerogative to talk, act, and change one's behaviour whenever one pleases, free from restrictions or obstacles, is usually linked to freedom. The concept of freedom is also known by many other names, including independence, autonomy, sovereignty, self-determination, liberation, and emancipation. South Africans need to never stop asking themselves what their freedom really means. Their freedom is protected in a democratic system that impacts all South Africans, based on policies that aim to improve the lives of all South Africans in numerous ways.

Let us briefly reflect on the roles and accomplishments of two strong individuals as well as their enduring impact on the advancement and maintenance of South Africa's freedom. One is a leader, who is almost completely forgotten, and the other is a highly regarded global figure. Former and present generations in South Africa have been inspired by Albert John Luthuli and Nelson Rolihlahla Mandela. Until today Luthuli's legacy stands as a testament to the courage, tenacity, and unwavering commitment to justice that marked South Africa's path to freedom and equality and his role in that process. His philosophy

of democracy is what has given rise to South Africa's democratic compass. His insight has left an indelible mark on the history of South Africa's struggle toward a truly democratic dispensation. This remarkable South African was a politician, traditional leader, anti-apartheid campaigner and president of the ANC. He died in 1967 — three years after Nelson Mandela began serving his 27-year prison sentence. He urged all patriots who valued freedom to commemorate the historical efforts made in support of liberty and to renew their commitment to the cause. He made this appeal on 3 June 1956 and labelled the date as a day of freedom. He was, in the true sense of the word, a leader of the black resistance. He helped to shape foreign opinions critical of South Africa's apartheid policies by using nonviolent means to end the regressive apartheid system. He was placed under house arrest for eight years due to allegations stemming from his activism. Even though he was subject to limitations during this time restricting his movements and activities, he never stopped motivating his people through his writings and speeches. In 1960, he received the Nobel Peace Prize in recognition of his nonviolent opposition to apartheid. He was the first African to be recognised as such — and the first of four South Africans to receive this prestigious award. Others were Archbishop Desmond Tutu in 1984, Mr. Mandela as President of the ANC, and President De Klerk, as President of South Africa, in 1993.

All of you are familiar with the life and legacy of President Mandela who made headlines almost every day after his release from prison in February 1990 and his inauguration as the first democratically elected president of South Africa in May 1994. Suffice to mention that through a variety of policies and acts, he made a substantial contribution to South Africa's democracy and freedom. His pivotal role in promoting racial harmony laid the groundwork for the nation's transition to a stable democratic republic. His dedication to democracy was demonstrated by his conviction that freedom of speech, accountability, and inclusivity are essential democratic principles. During his term of leadership, a significant period of change occurred. In 1996, a new constitution was ratified, ensuring minority rights and freedom of speech while instituting a powerful central government based on majority rule. His acts, leadership, and unshakable commitment to justice and peace established a lasting legacy whereby his name became synonymous with democracy and freedom in South Africa.

On Freedom Day it is important to remember what democracy really means. With every occasion or celebration, it is imperative to reiterate the commitment to the ongoing societal transformation of South Africa. This calls for every South African to work together and have the same goal. The democratic establishment will unavoidably become unstable if all available resources are directed solely toward redressing past inequalities. A well-intentioned democracy must also address the serious problems of current and future unemployment, inequality, poverty, crime, corruption, and violence—including violence against women and children—if it is to benefit all South Africans. Not only should these issues be addressed head-on during rallies, but they also need to be improved through decisive actions that produce observable results demonstrating that democracy is working in practice for all South Africans.

To continue in this spirit, decisive action must be taken by the South African government and its citizens to stop the risk of decline or erosion of their newly acquired democratic rights. Freedom Day will be an even more joyful occasion when South Africans from all walks of life and backgrounds realise that they all have a duty to continue contributing directly to improving the future for themselves and their children. Then every Freedom Day will in future inspire and strengthen optimism, progress, and transformation in the lives of all South Africans. Or else, President Mandela's stirring speech on the first Freedom Day, which commemorates the anniversary of the 1994 elections, would become meaningless:

“Wherever South Africans are across the globe, our hearts beat as one, as we renew our common loyalty to our country and our commitment to its future. The birth of our South African nation has, like any other, passed through a long and often painful process. The ultimate goal of a better life has yet to be realised. 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.”

Numerous Freedom Day events serve as memorials to the ongoing challenges that South Africa face such as continuing racism, ethnocentrism, misogyny, poverty, discrimination and unemployment. On Freedom Day, South Africans renew their commitment to ending apartheid's lasting impacts and toward a society that is more equitable and fairer. During Freedom Day celebrations, speakers frequently share their own perspectives on what

freedom means and the progress South Africa has made in its thirty years of democracy. They stress the need of valuing and defending the freedoms won through hardship, the need for introspection, and group efforts to improve society. Sadly, far too many speakers still take advantage of the event to infuse their presentations with antiquated liberation rhetoric. The constant harping on struggle expressions is so out of place and impresses fewer and fewer individuals of all persuasions when the genuine meaning of Freedom Day is forgotten. Political leaders usually give speeches at Freedom Day celebrations comparing the past and current situations, and reflecting on what more is needed. For example, in one of his addresses, President Thabo Mbeki spoke about the horrible history of detentions, killings, and other types of tyranny during the apartheid era. He underlined that one has to work hard to maintain and improve the freedom that is celebrated on this day.

President Mandela also made reference to "a better life" and "discipline" in his quoted statement above, but given what is happening in South Africa as it moves toward its next decade of democracy and independence, some concerns about his expressed sentiments need to be raised. Every citizen should be constantly reminded of their constitutionally guaranteed democratic rights on Freedom Day. For centuries, fundamental human rights were suppressed, including the freedom of speech and the ability to protest. Unfortunately, though, the actual status of South Africa's political culture falls short of the high standards set forth in its Constitution. There is a huge discrepancy between stated norms and the real circumstances. Every Freedom Day should be a sobering reminder of the unanswered questions and the meaning of freedom.

South Africans should never give up investigating the real meaning of their freedom, which is based on laws that openly aim to improve everyone's quality of life. Better policies and actions are needed to change history so that the poor and historically disadvantaged can also rise to the top. Effective governance is necessary to put the changes meant to break the cycle of poverty and underdevelopment into action. South Africans should always bear in mind the distinction of freedom from apartheid, indignity, discrimination etc.) and freedom to vote, assemble etc.

Despite these shortcomings, FW de Klerk, the former president and catalyst of transformation, said repeatedly that post-apartheid South Africa was in a better situation than it would have been if the early 1990s negotiated settlement had not been reached and the new Constitution had not gone into effect. Why? Because the concept of freedom, through which many of the liberties that the country has gained, are still guaranteed and protected. The Constitution emphasises the value of human rights. The goal of creating a society based on democratic values, social justice, and fundamental human rights is acknowledged in its preamble, and equity and equality, the advancement of human rights and liberties, and respect for human dignity form the cornerstones of South Africa's democracy. This means that every South African citizen is impacted by this democratic system. As a consequence, the Bill of Rights ensures freedoms or, to put it another way, it ensures liberties throughout a broad range of human endeavours. Individual liberty and security, as well as protection from all forms of violence, freedom of thought, religion, and belief, freedom of artistic creativity, and freedom of expression (press and media) can all be emphasised. Other freedoms include the freedom to receive and distribute information, to engage in academic and scientific research, to lawfully assemble and circulate petitions, to form associations, to exercise political freedom and the right to vote in free elections whenever and wherever they are held, to travel freely, and to choose one's place of residence and employment.

The fact that freedom depends on a set of laws and norms is something that is frequently overlooked or underappreciated. Freedom comes with responsibilities. Freedom is not an unrestricted system that allows people to do as they choose. Freedom and responsibility are inextricably related ideas. For one to exist, the other must exist as well. Freedom comes with a price: Accountability. Freedom necessitates taking accountability for one's words, deeds, and thoughts in addition to the ability to say, think, and act as one pleases. To truly experience freedom, people must be willing to take responsibility for their actions and decisions. This is because full fulfillment of freedom requires taking on responsibility.

In our daily lives, freedom and responsibility are all around us and have a big impact on how we behave and interact with others. The following example serves to highlight the delicate balance that exists between freedom and accountability: Employees have the

right to express their opinions, take initiative, and make decisions as long as they stay within the parameters of their roles. However, this freedom comes with responsibilities such as meeting deadlines, working with colleagues, contributing significantly to the overall success of the firm, and accepting and carrying out choices that are made with the company's and its employees' best interests in mind.

Freedom is like a coin which is singular in nature but have two sides. Duality is the coexistence, albeit to differing degrees, of two opposing natures. Freedom and responsibility are paired opposites, or duality, rather than diametrically different and opposed concepts. These are two extreme extremities of the same concept and not two distinct concepts. As soon as freedom is accepted and enjoyed, the obligation to exercise it prudently is concurrently acquired. Instead of perceiving them as antagonistic forces, their complementary nature must be accepted. A pragmatic balance must be achieved between the demand for freedom and the duty of responsible execution of that right. By tempering freedom, responsibility prevents it from resulting in anarchy or damage.

A government cannot escape its responsibilities when it promotes and let the citizenry enjoy freedom. Governments are inherently entrusted with the duty of maintaining human rights standards, averting discriminatory practices, and ensuring the welfare of the populace while preserving individual liberties.

South Africans also associate freedom with reconciliation. In South Africa, all groups aspire to peace, cooperation, and reconciliation. But genuine reconciliation requires an environment in which all groups benefit and no one is left out intentionally. It is therefore crucial to avoid an environment in which its fundamental nature becomes distorted in order to signify the triumph of one group over another. This is a formula for conflict, not reconciliation. If this happens, Freedom Day loses its actual purpose and become just another meaningless celebration.

The following insightful excerpt is gleaned from President Mandela's autobiography which he dedicated to Freedom with the very appropriately title: Long Walk to Freedom.

“When I walked out of prison, that was my mission, to liberate the oppressed and the oppressor both . . . We are not yet free; we have merely achieved the freedom to be free, the right not to be oppressed. We have not taken the final step of our

journey, but the first step on a longer and even more difficult road. For 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."

Bearing in mind the last sentence, it is significant that all South Africans still see human rights as being extremely important. Few unbiased observers, nevertheless, would argue that this idea has started to gradually fade. Moral coherence and the essence of the human rights idea seem to have vanished over time or at least have become less important. Immediate material gratification seems to be the current norm. The fundamentals of the human rights idea are being shattered by ideological and geopolitical pressures, opening the door to abuse and misuse. These two words, which are becoming more of a slogan than a noble conviction, are used often in speeches.

That being said, it is appropriate to consider the degree to which each and every South African is genuinely experiencing freedom on this year's Freedom Day. Following the 1994 constitutional agreement, South Africa is still an operational democracy, distinguished by regular free and fair elections, a multiparty democratic political system, with steadfast respect for and entrenchment of constitutional governance and the rule of law.

Given that our Constitution is often rated as one of the best in the world, South Africans have good reason to be proud of it. As the preamble states, the current version of the Constitution includes all essential provisions, opportunities, and legal requirements needed to fulfill the goal of a cohesive, successful, and free society. However, the implementation of inappropriate and discriminatory policies and the inefficient and ineffective delivery of essential services stand in the way of achieving and attaining this goal, not the Constitution in itself.

It is crucial that the nation and the government reiterate their joint commitment to building a society that actively supports the goals and ideals set forth in the Constitution, especially on Freedom Day every year. It is essential that both recognise that freedom is neither a means to an end, nor a given. Freedom necessitates constant nurture and protection. Even though human dignity, equality, and freedom are declared to be essential values in the Constitution, it is clear that South Africa's youth-oriented policies are not succeeding

in eliminating poverty and reducing inequality. On Freedom Day this year, young South Africans have little reason to celebrate. A young individual who is employed, healthy, and well educated is the foundation of any country's prosperity. In addition, freedom requires people to participate with knowledge in decisions that impact their lives. Since the general election is set to take place in six weeks, young people should be encouraged to participate and make their voices heard.

Freedom Day not only commemorates the anniversary of South Africa's first inclusive, nonracial democratic election, it also celebrates the nation's first fully democratic constitution. Under the former regime, Parliament could pass any kind of legislation it wanted. The courts' discretionary powers were restricted, and they had to uphold the legislation that Parliament had established. After 27 April 1994, the Constitution and the rule of law became paramount and South African courts now have the power to overturn any presidential order or legislation that contravenes the constitution. That day marked the declaration of the people's power and the handover of sovereignty from Parliament to the Constitution.

When people of all races were given more rights and liberties than they had ever known before, it was a great achievement for every citizen. Set aside considerations of origin, gender, or ethnicity, it was a most proud moment in South African history. To the surprise of the entire world, the people of South Africa had managed to put an end to years of hostility, repression, and strife in order to come to an historic agreement about the nation's destiny.

No discussion of Freedom Day or how freedom is experienced in South Africa is ever complete or properly evaluated and appreciated without due consideration to the Chapter Nine Institutions established in terms of the Constitution. They are mandated to operate independently, subject only to the Constitution and the law, and are required to report on their activities annually to the National Assembly. These institutions include the Public Protector, the South African Human Rights Commission, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, the Commission for Gender Equality, the Auditor-General, and the Electoral Commission. These institutions are independent, impartial bodies tasked to hold the government

accountable and contribute to the transformation and social justice within South Africa. They play a crucial role in safeguarding and strengthening the country's constitutional democracy to protect and promote freedom. It is impossible to exaggerate the importance of these organisations in advancing freedom in South Africa. They guarantee that citizens have a dedicated channel for seeking justice when their rights are violated and that the government is held responsible. Through the preservation of constitutional democracy, these establishments aid in the development of a community in which every individual's freedoms and rights are valued and safeguarded. They are essential establishments in a democracy that emerged from a history of discrimination, oppression, and lack of accountability to ensure that organs of state adhere in letter and in spirit to the new constitutional dispensation. They contribute to the accountability of the government and the promotion of human rights, cultural rights, gender equality, and electoral integrity.

In addition, they ensure that the ideals of good governance and human rights are successfully incorporated into the nation's day-to-day operations rather than becoming abstract concepts. They function outside the traditional three branches of government and are involved in monitoring and assessing the performance of these other branches. Therefore, everyone in South Africa should remember these institutions and their work on Freedom Day. The following quote from Thomas Jefferson, the third American president from 1801 to 1809, must be remembered by South Africans: "The price of freedom is eternal vigilance".

Freedom Day is a festive day that embodies the fruits of previous endeavours. This day must be marked and honoured with humility and thankfulness for all that has been accomplished and assured for future generations. All South Africans own Freedom Day, and no person or group has the right to claim it for whatever petty purpose, or to pursue blatantly self-serving goals — and most definitely not to gain political or personal points.

This Day symbolises decades of resistance and selflessness on the part of the people against the injustices of colonialism and apartheid. South Africans have embraced Freedom Day as a time for celebration, reflection, and renewal as they continue to strive toward building a more affluent, diverse, peaceful, and nonracial society and prosperous country.

Thank you.