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# **HAS THE SOUTH AFRICAN JUDICIARY BEEN CAPTURED? MR. MALEMA ANSWERS**

BY  
THE SOCIETY FOR THE PROTECTION OF OUR  
CONSTITUTION



## The Society For The Protection Of Our Constitution

14 SEPTEMBER 2022

RE: MALEMAS' TELEVISED SPEECH GIVEN AT BOKSBURG ON SUNDAY 11  
SEPTEMBER 2022

1

The leader of the Economic Freedom Fighters (EFF), the third largest political party in South Africa, gave a speech in Boksburg on 11 September 2022.

2

Malemas' speech was televised on South African television stations.

3

During Malemas' speech Malema announced that at any given weekend no less than *fifteen* judges of the High Court of South Africa play golf at a golf estate owned by wealthy businessperson – Anton Rupert.

4

Malema unequivocally proclaimed that the South African judiciary has been *captured*. During his speech Malema clearly suggested that High Court judges who enjoy playing golf at a golf estate owned by Anton Rupert are corrupt.

5

11 September 2022 was followed by 12 September 2022, followed by 13 September 2022 and followed by 14 September 2022. A denial by members of the *South African High Court judiciary* has not been forthcoming.

6

As far back as 1914 the Appellate Division in the aforesaid judgment of *McWilliams 1914 AD* found that a person who does not deny an allegation of wrong made by another within a *reasonable* period of time will be taken to have admitted the allegation directed at him/her.



7

Surely, the Chief Justice and/or Minister of Justice and/or the Judge President of the various High Courts have a duty to reassure the public that the judiciary is *impartial* and that members of the judiciary uphold Section 34 of Act 108 of 1996 by adjudicating matters in a fair and *impartial manner*.

8

The admission by the High Court judiciary that matters before the High Court are *not* dealt with in a fair, impartial manner not only instils a sense of *horror* in practitioners but a complete sense of despondency in the hearts of members of the South African public.

9

High Court litigation in South Africa is already a *preserve* of exclusively *rich* people.

10

The admission that the judges of our High Court have been captured leaves South Africans with no remedy to redress *disputes*.

11

Section 34 of Act 108 of 1996 provides:

*Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court, where appropriate another independent and impartial tribunal or forum.*

12

When people are denied a forum to have their disputes dealt with in a civilized and dignified manner people will invariably resort to *self help*. This will result in unabated eruption of violence. Revolution is the inevitable result of the failure to uphold the provisions of the *Bill of Rights* contained in the Constitution.

13

White monopoly capital must embark on steps to ensure a thorough investigation against corrupt judges. Imprisonment of one such judge will be a *deterrent* and will instil a sense of trust in the dispossessed masses in South Africa. This sense of trust may delay the inevitable revolution that will come by another 30/35 years.



14

Anton Rupert must make himself available to be interviewed and to be asked questions concerning his *involvement* with South African judges. Ramaphosa must be asked to produce documents to show that the judges pay a *quid pro quo* for the entertainment they clearly provide for these judges at his *golf course*.

15

Any criminal lawyer will observe the proximity of the actions of *Anton Rupert* and *these judges* to the satisfaction of the crime of *corruption*!

**DRAFTED FOR/ON BEHALF OF THE SOCIETY FOR THE PROTECTION OF OUR  
CONSTITUTION**

