

4 June 2014

The SA Human Rights Commission
Chairperson: Adv. Lawrence Mushwana
33 Hoofd Street
Braamfontein Forum 3
Braamfontein

RACIAL ATTACKS AND INSULTS AGAINST VOTERS OF THE AFRICAN NATIONAL CONGRESS

1. I, Stone P Sizani, Chief Whip of the Majority Party in Parliament, wish to formally request the South African Human Rights Commission (SAHRC) to conduct an investigation into a complaint of gross violations of basic human rights of 11,436,921 voters who cast their ballots in the 7 May 2014 general election.

1. Since the fifth democratic election were held on 7 May, there has been unprecedented public onslaught directed at the great majority of those who turned out to exercise their constitutionally-protected democratic right to elect the government of their choice, in this instance the African National Congress (ANC). These attacks have sought to undermine their democratic electoral expression, dignity and constitutional rights through publication and circulation of demeaning racial material and insulting media commentary.

1. The following are the racist attacks and insults by prominent institutions or individuals against ANC voters, which we request the Commission to investigate:

3.1 On 28 May 2014, the Eye Witness News (EWN) published a cartoon on its website that contain racial undertones and insults - depicting ANC voters in 'black' as "clowns" and "poephols". The creators of the cartoon, Dr Jack & Curtis, have since apologized. However, the cartoon represents the persisting racism, violation of inherent human rights and dignity within our society, and should therefore be subjected to a formal investigation by the Commission. This, we hope, would dissuade would-be offenders on similar issues and thereby foster social cohesion and nation building. This will also afford the Commission an opportunity to provide the public with an authoritative guidance on such matters for future reference.

3.2 On 3 June 2014, Democratic Alliance Deputy Chief Whip, Hon. Michael Waters, circulated a racially offensive picture on Twitter, which depict ANC voters as dogs lining up to vote for the party - represented by a poster of President Jacob Zuma. The picture is highly demeaning, racist and violates the dignity of many South Africans for merely choosing to associate themselves with the ANC (i.e. freedom of association) and

exercising their right to vote. Given the influential position Mr. Walters holds within the DA in Parliament as its Deputy Chief Whip, his conduct has the potential to stoke racial intolerance, hatred and prejudice – thereby undermining the great progress made by South Africans in the last 20 years. The fact that his leaders in the DA have not taken any action against him for such despicable conduct sends a chilling message that the party agrees and condones his racist view. The Commission must investigate his conduct with a view to sending a strong message to the party and Mr. Walters' ilk that racism cannot be tolerated in our constitutional democracy.

3.3 On 30 May 2014, The Star Online edition published a story, titled "SA voters like abused spouses – Thuli", in which the Public Protector Advocate Thuli Madonsela characterizes ANC voters as "abused spouses". The comments by Adv. Madonsela in this story are highly unjustifiable for a person in her position as leader of a Chapter 9 institution, who ought not to insult and undermine the intelligence of over 11 million people and their dignity. The Public Protector is enjoined by the Constitution to protect the public against any violation of their rights (through improper conduct or prejudice) – rather than insult, question the democratic rights and offend the dignity of the public.

The metaphorical comparison used by the Public Protector to mock the voters is also offensive to many women who bear the brunt of sexual or gender violence. By casually using "abused spouse" metaphor in her analogy, she has trivialised an extremely serious crime and demonstrated gross insensitivity to the victims – most of whom are women. It is unacceptable, outrageous and dehumanizing. As it is often said, women's rights are human's rights. Therefore by publicly referring to victims of gender violence in such degrading terms during her vilification of ANC voters is a violation of their human rights.

1. Section 10 of the Constitution of the Republic of South Africa states unequivocally that "everyone has inherent dignity and the right to have their dignity respected and protected". The commission has an obligation in terms of the Constitution to protect the dignity and human rights of all South Africans.

1. I believe strongly that these racist attacks and insults directed at ANC voters flagrantly violates the constitutionally enshrined right to freedom of association, freedom of political choice, and right to dignity guaranteed in the Bill of Rights.

1. In this regard, I wish to request the South African Human Rights Commission to conduct an investigation into the conduct of these individuals or institutions and take appropriate corrective measures to bring relief to the affected South Africans.

I trust that the information provided above is sufficient to warrant an urgent investigation into this matter in the interest of the 11,436,921 South Africans.

Yours Faithfully

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