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**MEDIA ADVISORY  
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**REMARKS MADE BY GEN. BANTU HOLOMISA REGARDING THE JUDICIARY**

The Judiciary of the Republic of South Africa noted with concern the recent remarks by General Bantu Holomisa, MP. During a telephone interview last night General Bantu Holomisa, MP made remarks to the effect that the Judiciary of the Republic of South Africa is controlled by the African National Congress. This captious assertion was not based on facts and General Holomisa did not offer any evidence to substantiate this claim.

Judges are mandated by the Constitution of the Republic of South Africa to adjudicate matters that come before them without fear, favour or prejudice. When each Judge assumes office she or he takes an oath or affirmation in the following terms: to be faithful to the Republic of South Africa; to uphold and protect the Constitution and the human rights entrenched in it; to administer justice to all persons alike without fear favour or prejudice and in accordance with the Constitution and the law.

To Judges, this obligation and the oath are sacred.

The Judiciary holds the view that if this unfortunate statement is not corrected it has the potential to mislead ordinary South Africans into believing that Judicial Officers are influenced by political considerations when adjudicating legal disputes before the courts. The Judiciary contends that this statement is false, baseless and meant to undermine the successes achieved over the past twenty years, in building and maintaining an independent Judiciary. Unsubstantiated criticism of that kind has the potential to delegitimise the courts.



We wish to reiterate the call to members of the public to approach the Judicial Conduct Committee of the Judicial Service Commission with evidence of bias, impropriety and/or corruption against any member of the Judiciary. The Judicial Conduct Committee is mandated, in such instances, to deal with complaints brought against Judges judiciously.

**Ends.**

*Issued by the Office of the Chief Justice*

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