

# *Annual Reconciliation Award 2009*

## **ALBIE SACHS**

**- “for realizing reconciliation through his life and work”**

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An apartheid bomb very nearly ended Albie Sachs's life in 1988. While recovering, he learned to write again. Most people would seek retribution. Albie began to draft South Africa's first democratic constitution.

The choice to move forward, to pursue the soft vengeance of rule of law and reconciliation, was not taken lightly. Reconciliation was not cheap. But despite its cost, Albie did not allow apartheid and its crimes to set the tone for the transition. For him, the future depended on supplanting racism with reconciliation. It depended on social justice that showed no patience for entrenched inequality. And, it depended on creativity, selflessness, and a good sense of humour.

Today, the constitution continues to offer South Africa's finest framework for reconciliation and social justice – even if implementation of the vision remains incomplete.

Albie's human rights activism started in 1952 when, as a 17-year old law student at the University of Cape Town, he took part in the Defiance of Unjust Laws Campaign. Three years later, he attended the Congress of the People where the Freedom Charter was adopted. He began practising at the Cape Bar at 21.

He was frequently raided by the security police and subjected to banning orders restricting his movements. He endured 168 days of solitary confinement. In 1966, he went into exile. Working closely with Oliver Tambo, leader of the African National Congress, Albie helped to draft the organisation's Code of Conduct and statutes.

In 1990, he returned home and devoted himself full-time to preparing for a new democracy, including arrangements which eventually paved the way for the Truth and Reconciliation Commission. After the elections of 1994, he was appointed by President Mandela to serve on the newly established Constitutional Court.

As a judge, Albie became a chief author of post-apartheid jurisprudence, producing several important rulings which have helped reshape the South African landscape. In addition, he has travelled extensively to share and exchange experiences with colleagues from other countries.

Albie has played a pivotal role in developing the Constitutional Court building itself, and its art collection – with the aim of turning it into a symbol both of its African heritage and an open, people-centred and inclusive ethos. His legendary tours of Constitution Hill have introduced thousands of visitors to the court and its mission.

Human rights and reconciliation are often seen as conflicting goals. Albie Sachs's life and work has shown that the achievement of the one depends on the realisation of the other.

We honour Albie tonight for his contribution to reconciliation, unwavering even in the face of intense personal sacrifice. As one of the principal architects of the Constitution, Albie has helped to shape a society in which the reconciliation process is firmly founded in human rights. The success of the urgent struggle for social justice, which requires the participation of all of us, will depend on whether this vision is taken forward or forgotten.



*Photo by Clara Tilve*