**CITATION: Pius Nkonzo Langa** *(Posthumously)*

Former Chief Justice Langa’s long and distinguished legal career has moved in parallel with a number of watershed events in South Africa’s history. In the symbolically significant year of 1976 he obtained his LL.B. degree which empowered him to play a meaningful role in the struggle against apartheid and the attainment of our constitutional democracy. In the equally significant year of 1994, in recognition of his outstanding contribution to that effort, he was co-entrusted with the guardianship of our Constitution. Through both his advocacy prior to his judicial career and through his judgment since, he has enriched our constitutional democracy.

Justice Pius Langa was born in Bushbuckridge in 1939, the second of seven children. He completed his high school education through private study and obtained his B.Luris and LL.B. degrees through the University of South Africa. He was admitted as an Advocate of the Supreme Court of South Africa in 1977 and attained the rank of Senior Counsel in 1994.

He commenced his working career in a shirt factory in 1957 and from 1960 to 1977 was employed by the Department of Justice in various positions ranging from interpreter to messenger to magistrate. During his practice at the Bar he represented the underprivileged, civic bodies, trade unions and people charged with political offences. In 1997 he became Deputy President of the Constitutional Court and subsequently Deputy Chief Justice until his appointment as Chief Justice and head of the Constitutional Court in 2005. In that capacity he chaired the Judicial Service Commission. He retired as Chief Justice in 2009 and is currently the chairperson of the Southern African Judges Commission and a member of the Permanent Court of Arbitration.

Justice Langa’s dedicated service to this country was evidenced by his participation in many organisations that were committed to ending apartheid and ensuring democratic rule. These included the UDF, the Multi-Party Negotiating Forum, CODESA, the Constitutional Committee of the ANC, and the advisory group to the Groote Schuur and Pretoria ‘Talks-about-Talks’. He was a founder member of the Release Mandela Committee of Natal and a member of the Regional and National Reception Committee that facilitated and accelerated the release of political prisoners.

He was appointed to the Police Board to assist with the transformation of the Police Services under the aegis of the National Peace Accord, formed to stem the violence that plagued parts of South Africa in the eighties and early nineties, served as a member of the Commission of Enquiry into Unrest in Prisons and was a member of the Commission of Inquiry into certain alleged covert SADF activities.

Chief Justice Langa’s long struggle history helped him to understand the time and commitment it would take to transform our fragmented society and our shared responsibility to do so. He understands the true potential and challenge of transforming our society. In his words:

(T)ransformation is not a temporary phenomenon that ends when we all have equal access to resources and basic services and when lawyers and judges embrace a culture of justification. Transformation is a permanent ideal, a way of looking at the world that creates space in which dialogue and contestation are truly possible, in which new ways of being are constantly explored and created, accepted and rejected and in which change is unpredictable, but the idea of change is constant. This is the perspective that sees the Constitution as not transformative because of its peculiar historical position or its particular socio-economic goals but because it envisions a society that will always be open to change and contestation, a society that will always be defined by transformation.1

In a similar vein, Chief Justice Langa has defended the right to dissent. His ability to speak for all South Africans was demonstrated when he was part of the Court confronted with an equality challenge in *City Council of Pretoria v Walker*. Here, the City Council of Pretoria had levied electricity and water charges on a differential basis depending on whether residents lived in a predominantly white or predominantly black residential area. Tackling this contentious and sensitive issue early on in the Court’s history, he assured all South Africans that:

No member of a racial group should be made to feel that they are not deserving of equal ‘concern, respect and consideration’ and that the law is likely to be used against them more harshly than others who belong to other race groups.2

Beyond his national service, Chief Justice Langa has also played a significant role regionally and globally. In 1998 he chaired a Commission that probed the Lesotho elections on behalf of the Southern African Development and Economic Community and in 2000 was appointed the Commonwealth’s Special Envoy to assist the Fiji Islands’ return to democracy. He has participated in the work of constitutional review commissions in Sri Lanka, Zimbabwe, Rwanda and Tanzania. And, at the request of the Cameroon government, led a delegation of the International Bar Association to Cameroon to review and integrate the country’s system of criminal procedure. He was a member of the Judicial Integrity Group that compiled the Bangalore Principles for Judicial Ethics.

He served on the executive committee of the Democratic Lawyers Association and was founder member and President of the National Association of Democratic Lawyers from 1988 to 1994. He was involved in the founding of the South African Legal Defense Fund, served as a Commissioner of the pre-constitutional Human Rights Commission, served on boards and as trustee of various law-related institutions and organized and participated in numerous conferences, workshops and seminars.

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1 Langa P ‘Transformative constitutionalism’ (2006) 17(3) *Stell L R* 351-360 at 354

2 *City Council of Pretoria* *v Walker* para 81

Justice Langa was appointed Honorary Professor in the Department of Procedural and Clinical Law, University of Natal and served as Distinguished Visiting Professor at the Southern Methodist University, Dallas Texas. He was Chancellor of the University of Natal from 1998-2004 and is currently Chancellor of the Nelson Mandela Metropolitan University.

In recognition of his considerable contributions he has received numerous awards and prizes from both national and international organisations. Notable amongst these was an award by the Judicial Council of the American National Bar Association, the 2004 Justice Prize by the Peter Gruber Foundation (co-recipient with former Chief Justice Chaskalson) and South Africa’s prestigious Order of the Supreme Counselor of the Baobab: Gold.3

Doctor of Laws degrees (honoris causa) have been conferred on him by the universities of Kwa Zulu-Natal, Western Cape, Cape Town, South Africa, Rhodes, Yale and the National University of Ireland, and the degree Doctor of the Public Service (honoris causa) was conferred on him by the North Eastern University, Boston Massachusetts.

It is befitting that the University of the Witwatersrand confer an honorary Doctorate of Laws on Former Chief Justice Langa for his unselfish, inspirational and steadfast service to his country and his profession.

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3Others included awards by the Black Lawyer Association, the National Association of Democratic Lawyers, the 2006

Sydney and Felicia Kentridge Award for Service to Justice and the eThekwini Living Legends award (together with other

local heroes).

4 Confirm.