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| **CITATION: DIKGANG ERNEST MOSENEKE**Dikgang Ernest Moseneke was born in Pretoria in December 1947 where he attended primary and secondary school. A young activist in the Pan-Africanist Congress, he was arrested at the age of 15 and in 1963 was detained and convicted for his participation in opposing the oppressive apartheid laws. He was sentenced to 10 years in prison, which he served on Robben Island. Despite his harsh imprisonment and the cruel experiences endured on Robben Island, Moseneke completed his matric and BA, B Luris and LLB degrees via UNISA. Moseneke started his professional career as an attorney's clerk in Pretoria in 1976. In 1978, he was admitted and practised for five years as an attorney and partner at the law firm Maluleke, Seriti and Moseneke. In 1983, he was called to the Bar and practised as an advocate in Johannesburg and Pretoria. Ten years later, he was elevated to the status of senior counsel. Moseneke served on one of the technical committees that drafted the Interim Constitution of 1993 and a year later was appointed Deputy Chairperson of the Independent Electoral Commission, which conducted the first democratic elections in South Africa. In 1994, whilst practising as a silk, Moseneke accepted an acting appointment to the Transvaal Provincial Division of the Supreme Court and served as a Judge of the High Court in Pretoria, which subsequently became the North Gauteng High Court. Between 1995 and 2001 Moseneke left the Bar to pursue a full-time corporate career during which time he served as the Chairperson of Telkom, African Merchant Bank, Metropolitan Life and African Bank Investments. He also served on several other boards but relinquished these positions to return to the bench in 2001 to become a permanent judge of the High Court. In 2002, Moseneke was nominated and appointed to the Constitutional Court of South Africa. In June 2005, Moseneke was appointed as Deputy Chief Justice of the Constitutional Court, a prestigious position that he held until he retired in May 2016. He is renowned for being one of South Africa's leading jurists who has made a significant contribution towards interpreting and developing the country's jurisprudence. Many of his judgments have influenced the courts of other democracies around the world. He has been a firm proponent of the doctrine of separation of powers, finding and articulating within this doctrine constitutional limitations on the executive power of the President of the Republic in cases including Masetlha v President of the Republic of South Africa and Another. He has developed a distinctively South African understanding of equality that includes provision of restitutionary measures in Minister of Finance and another v Van Heerden. As Moseneke wrote in that case, "our Constitution heralds not only equal protection of the law and non-discrimination but also the start of a credible and abiding process of reparation for past exclusion, dispossession, and indignity within the discipline of our constitutional framework." He has outlined a balance between the rights of those affected by decisions to be heard and the right of the state to take action in pursuit of government policy, in cases such as National Treasury and Others v Opposition to Urban Tolling Alliance and Others. In several areas such as the Law of Lease, Public International Law, and the Internal Rules of a Democratic Parliament, he has been a fearless advocate of the text and the transformative purpose of the Constitution. Through his judgements, Moseneke has influenced the development of our law in a manner akin to that of a Chief Justice of a democratic South Africa. Moseneke was a founding member of the Black Lawyers' Association and the National Association of Democratic Lawyers of South Africa. He has served several non-governmental organisations including Project Literacy, the Sowetan Nation Building project and the Nelson Mandela Children's Fund. The recipient of numerous honours, Moseneke was awarded the KWV Award of Excellence, the Black Lawyers' Association Excellence Award, the UNISA School of Business Leadership Excellence Award and the International Trial Lawyer of the Year Award, amongst others. In 2016, Archbishop Thabo Makgoba presented Moseneke with the Archbishop's Award for Peace with Justice for his lifelong contribution towards public service. He said that the judge "earned renown for his strong commitment to social justice and equality, for his fiercely independent spirit and for his dedication to striving for what is good for all the people of South Africa." Moseneke holds honorary doctorates from three Universities and is an Honorary Professor in the Wits Steve Biko Centre for Bioethics. In 2016, Wits and the University of Cape Town co-hosted a legal symposium in honour of Moseneke which focused on two broad themes - 'the Activist Judge' and 'the Intellectual Judge'. The symposium focused on issues related to political accountability, free education, land restitution, and the fight for political and economic freedom and the rule of law. In the same year, Moseneke launched his memoir titled *My Own Liberator*, which he wrote because he grew up as a slave, under the oppression of apartheid. He reflects on the contribution of the people who have influenced him, the importance of education and hard work, the conviction of not compromising one's moral code, the compassion for those less fortunate and the unflinching refusal to accept an unjust political regime or acknowledge its oppressive laws. In 2017 Moseneke was appointed to lead an arbitration inquiry into what was subsequently one of the worst post-democratic tragedies that led to the deaths of 144 psychiatric patients. Patients were moved from the Life Esidimeni facility to sub-optimal non-governmental organisations, which resulted in what Moseneke described as a "harrowing account of death, torture and abuse". He subsequently ordered the government to pay R1.2 million to the families of each victim. In 2018, Justice Moseneke was bestowed with the National Order of Luthuli for his outstanding contribution to the field of law and the administration of justice in South Africa without fear, favour or prejudice. The Order recognises South African citizens who have contributed to the struggle for democracy, nation-building, building democracy and human rights, justice and peace as well as for the resolution of conflict. Wits University has been privileged to have a person of very high distinction and personal calibre at its titular helm since 2006. As Chancellor, Moseneke symbolised the University's commitment to intellectual integrity and academic excellence. He served two six-year terms which ended in October 2018. In honour of the significant political, social and economic contribution that he has made to South Africa and the people of this country; in recognition of the transformation that he has spurred as an intellectual, scholar, activist and jurist; in appreciation of his public service and advancement of society; the University of the Witwatersrand deems Justice Dikgang Ernest Moseneke a worthy recipient of a Doctor of Laws degree honoris causa. |