

CITATION: THULI MADONSELA

Advocate Thulisile Madonsela was born in Johannesburg in 1962 and grew up in Soweto. Her parents, Bafana and Nomasonto, were traders and sent her to Evelyn Baring High School in Nhlalango, Swaziland, from where her family originates. After school, she worked as an assistant teacher from 1980 to 1983. Between 1984 and 1987 she worked as a legal and education officer at the Paper Printing Wood & Allied Workers Union, whilst also studying for a BA in law at the University of Swaziland. After graduating with a BA in 1987, she went on to complete an LLB at the University of the Witwatersrand in 1990.

In 1992, Madonsela joined the Centre for Applied Legal Studies at Wits University as a Ford Foundation intern and then joined its Gender Research Project from 1993 to 1995. These were exciting times to be at CALS and Madonsela was particularly involved in labour law issues and in working with women in trade unions, as well as constitutional issues. Indeed, she was to forfeit a Harvard scholarship to remain engaged in South Africa on constitutional issues. She was appointed as a Technical Advisor of the Theme Committees in the Constitutional Assembly working on different aspects of the 1996 Constitution. She was also a member of a Task Team that prepared constitutional inputs for the Gauteng Province of the African National Congress, and presented the final constitutional document at the African National Congress' Gauteng Constitutional Conference in 1995.

After 1994, Madonsela set up her own company to work on issues of gender and the law. In this capacity she was worked closely with the Department of Justice, as well as other government departments, on a range of significant policies and laws, including Justice Vision 2000, the National Action Plan on the Promotion and Protection of Human Rights, the Promotion of Equality and Prevention of Unfair Discrimination Act, the Employment Equity Act and the Local Government Transition Act.

In 2007, Madonsela was appointed as the full-time member of the South African Law Reform Commission, by President Thabo Mbeki. She served on the SALRC until 2009 when she was appointed as Public Protector of South Africa by President Jacob Zuma for a non-renewable seven-year term (commencing 19 October 2009). She was unanimously supported for this position by the multi-party National Assembly. At the announcement of her appointment, Zuma said that Madonsela 'will need to ensure that this office continues to be accessible to ordinary citizens and undertakes its work without fear or favour'.

It is in this position that Madonsela has flourished as a courageous defender of the people of South Africa against corruption and maladministration.

She likens her role as Public Protector to the Venda chief's paternal aunt known as the *makhadzi*, a non-political figure who 'gives the people a voice while giving the traditional leader a conscience'. In particular, it has been her willingness to 'speak truth to power', to defend the integrity of her Office and to hold even the most senior government officials to account that has won her the lasting respect and affection of the nation. In the recent case of *South African Broadcasting Corporation v Democratic Alliance*, the Supreme Court of Appeals described the Public Protector's role in calling out corruption and maladministration: 'In modern democratic constitutional States, in order to ensure governmental accountability, it has become necessary for the guards to require a guard. And in terms of our constitutional scheme, it is the Public Protector who guards the guards.' More recently in a case relating to her Report on improper conduct and irregular expenditure at the Nkandla private residence of the President, *Economic Freedom Fighters v Speaker of the National Assembly*, the Constitutional

Court described the Public Protector as ‘the embodiment of a biblical David, ... who fights the most powerful and very well-resourced Goliath, that impropriety and corruption by government officials are. The Public Protector is one of the true crusaders and champions of anti-corruption and clean governance.’

Madonsela has been such a champion - a formidable guard and a staunch defender of the Constitution, whose courage, strength and dignity have seen her stand fast in the face of significant resistance by organs of the state. She has been recognised in this by numerous awards, including a Doctor of Laws degree, *LL.D. (Honoris causa)* from the University of Stellenbosch and the University of Cape Town.

It is in recognition of her steadfastness and integrity in seeking out corruption wherever it is to be found, in upholding the Constitution, and in defending our democracy, that her alma mater, the University of the Witwatersrand, takes great pleasure in awarding Advocate Thuli Madonsela an honorary doctorate degree.