MEDIA RELEASE
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Judicial review – CDP's stance

"It is clear that those who are satisfied with the way in which the Constitution is implemented, are fast becoming an endangered species. If the motive for judicial review was to make sure that government executes court orders, the Christian Democratic Party (CDP) would enthusiastically support government plans on reviewing court judgements. It is clear, however, that this is not the motive, and that is of great concern," says CDP leader, Rev. Theunis Botha.

"Leaders that are frequently expressing uneasiness on how the constitution is being implemented, include not only ANC leaders, but State President F W de Klerk through the Foundation and in his personal capacity. De Klerk still seems to stand firm in his belief that his negotiating team handled negotiations properly. But the extent to which government is able to manipulate the constitution to their own ends, surely indicates that something was seriously wrong.

"The ANC, for its part, reacts as though the Peace Accord no longer has any effect on present day constitutionality. This fuels concerns, and the rhetoric used to justify judicial review only serves to add insult to injury.

"We understand that political positions are severely polarised, which will make it extremely difficult to enter into talks for a 'renegotiated settlement' with the view of redesigning a constitution with fewer flaws. Surely, a constitution must live in the hearts of all the people, and not as now only apply to 'a naïve liberal group'."

Juridiese hersiening – CDP-standpunt

"Dit is duidelik dat diegene wat tevrede is met hoe die grondwet manifesteer, vinnig besig is om 'n bedreigde spesie te word. As die motief vir juridiese hersiening was om seker te maak staatsinstellings gee uitvoering aan hofbevele, sou die Christen-Demokratiese Party (CDP) die proses van hersiening van hofuitsprake entoesiasties gesteun het. Dit is egter duidelik nie die motief nie, en dit is hoogs kommerwekkend," sê ds. Theunis Botha, leier van die CDP.

"Leiers wat nou gereeld kommer uitspreek oor hoe die grondwet manifesteer, sluit nie net ANC-leiers in nie, maar ook oud-president FW de Klerk spreek gereeld sy kommer uit via sy Stigting, maar ook in persoonlike hoedanigheid. De Klerk staan skynbaar steeds daarop dat sy onderhandelaars nie verbrou het nie, maar sy kommer oor in hoe verre 'n mate die ANC die grondwet op ongewenste weë gerek kry, is darem ook dik vir 'n daalder.

"Die ANC, op sy beurt, reageer asof die Vredesakkoord geen invloed meer het op hedendaagse grondwetlikheid nie. Dit is onrusbarend, en die retoriek wat ingespan word verdiep net die kommer.
"Ons begryp dat politieke polarisasie nou so erg is dat dit moeilik sal wees om iemand se kop vir 'n heronderhandelde skikking, en 'n grondwet met minder swakhede, te draai. Maar 'n grondwet moet in die harte van die mense leef, wat nou net vir 'n naïewe liberale groepie geld."