



**Address by Public Protector Adv Thuli Madonsela during the
commemoration of National Youth Month in Khutsong, Gauteng on
Tuesday, June 19, 2012**

**Programme Director, Ms Lesedi Sekele;
Deputy Speaker of the Provincial Legislature and Chairperson of the Ethics Committee,
Mr S Ngwenya;
Deputy Public Protector, Adv Mamiki Shai;
MEC for Local Government, Mr H. Mmemezi;
Executive Mayor of Merafong Local Municipality, Cllr M Letsie;
West Rand District Municipality's Chairperson of the Public Safety Portfolio Committee,
Cllr B Xulu;
Cllr J Mogale of Merafong Local Municipality;
Representatives of government;
The community of Merafong;
Members of the media;
Ladies and gentlemen**

I am honoured to interface with the young people of Merafong today. This event is part of countrywide national activities aimed at commemorating National Youth Day, a day set aside to pay tribute to the young martyrs of 1976 to whom we owe our freedom.

Three days ago, we commemorated the 36th June 16 in memory of the fateful day in 1976 when young people were gunned down for taking on the apartheid state. Of the 176 people who lost their lives, the vivid memory of the lifeless 12 years old Hector Peterson will haunt us forever.

If you were born in 1976, your status as a young person ceases to exist this year. In terms of the law and universal standards, you are a young person from 18 to 35. For our purposes though, I will use the term young people to include those under 18, who are regarded by law as children. Indeed most of those gunned down 36 years ago were children.

When considering my address for today, I thought the focus should be on what young people want or need today in comparison to the young people of 36 years ago. I also thought I would engage you briefly on the role young people played then to get what they needed and the role young people need to play today to get what they need.

Let's start with the young people of 1976. What they wanted was freedom. They wanted freedom from political exclusion. They wanted freedom from oppression, including an education system that prepared them for perpetual servitude and underdevelopment.

The 1976 generation was faced with a state that refused to allow young black people to shape the country's direction. Young white people on the other hand, were told lies about black people and forced to enlist in army, primarily to quell black resistance. Black young people were, like all black people, excluded and marginalised. Their voice was not recognised by the state. They accordingly resorted to revolt, including destruction of property in order to get their message across. Democracy, as a dialogue, was a language that the apartheid state did not understand. The only alternative available was to undo the apartheid state to allow a democratic state to be built.

Thirty-six years on, we now have a democratic state built on the ashes of the apartheid state that young people helped undo. Not only did young people help bring down the apartheid state, they have played significant roles in the emergence of the post apartheid state. Those born before April 27, 1976 also voted for the first time on April 27, 1994.

But what do young people need and want today? I dare say the aspirations of young people are pretty much similar to their 1976 counterparts. They need a place in the country of their birth. They want fair education opportunities, equal and fair participation in the economy and a say in the running of their country. They want freedom from poverty, unemployment, disease and crime including violence. Basically, young people aspire for happiness and freedom. They want a fair share of the country's resources.

Is it wrong for young people to aspire for these things? Certainly not. If you examine our country's Constitution, you will notice that these are the things that the Constitution promises to all people of South Africa. The preamble of the Constitution states that:

“We, the people of South Africa, recognise the injustices of the our past; honour those who suffered for justice and freedom in our land; respect those who have worked to build and develop our country; and believe that South Africa belongs to all who live in it, united in our diversity. We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to – heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights; lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law; improve the quality of life of all citizens and free the potential of each person; and build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations ...”

The Bill of Rights further entrenches a number of basic rights and freedoms that all are entitled to by virtue of being human beings. These include basic freedoms such as freedom of expression, movement and association. They also include the right to life, human dignity and equality. An important part of the basic rights entrenched in the Constitution are socioeconomic rights. These include rights to access to healthcare, education, housing and social security. The right to economic activity is also entrenched.

Going back to what young people need today, we have to compare what the Constitution promises with the reality of the lives of many young people, particularly black young people of

African descent. Statistics show that many young people face poverty, unemployment and disease. The position of young black people of African descent is exacerbated by the legacy of apartheid. The economic development of young people was also neglected with the position of black people being exacerbated by racial discrimination.

A study by the SA Institute for Race Relations revealed in February that unemployment rate among all 15 to 24-year-olds is 51 percent, which was more than double the national unemployment rate of 25 percent, as found by a Statistics South Africa survey in 2011. This study also found that an increasing number of South Africans were relying on grants, with the number of beneficiaries increasing by more than 300 percent in the past nine years. The study further found that unemployment was highest among African women aged 15 to 24 years, at 63 percent. Youth unemployment varied considerably between races. It was highest among Africans at 57 percent, 47 percent among coloured people, 23 percent among Indians and 21 percent among whites.

In addition, the study found that of the 5.58 million people living with HIV in the country, 89 percent were adults aged 20 to 64 and 53 percent were women of 15 to 49. Young people aged 15 to 24 years of age accounted for 13 percent and children 14 years and under accounted for 8 percent.

One of the realities we cannot ignore from the figures on economic conditions of young people today is the alchemy of racial inequality. If we look back 36 years ago, you will agree with me that the apartheid regime was not concerned about the economic development of African young people. It was only concerned about economic development of young people from one racial group. Many of the realities we face therefore are rooted in the past.

But the economic anxieties of young people today transcend racial concerns. If we focus on the economic frustration of young people in this community, concerns include failure of businesses located here, particularly the mines, to employ local people. Similar concerns have been expressed with regard to government contracts. I will come back to the issue of government contracts or tenders later. In other words, many young people in this area and elsewhere in the country are not yet experiencing the improved quality of life and equal opportunities promised in the Constitution.

This takes us to the question regarding what role should young people themselves play to ensure that they and their communities enjoy the constitutional promise? Should they throw stones and destroy state infrastructure like the 1976 generations? What are your views?

Programme Director;

Allow me to share the story of a courageous young man from Braamfischerville in Soweto, Mr Hilton Masera. When his community was struggling with the problem of a faulty sewage system, which resulted in excrement everywhere and a bad stink that threatened their health, Mr Masera took action. He did not lead fellow residents to revolt against government and vandalise public infrastructure. He identified the institutions to which the community's plight had to be reported. He was patient. He kept on approaching these institutions one by one, even though many were not responsive. When he could not get the desired result, he moved to the next. This continued until he approached my office, the Public Protector. This he did because he knew that the Constitution gives him a voice to engage with and hold the state accountable. As we speak, the problem is being fixed and the fields of excrement have dried up.

Like his 1976 counterparts, Mr Masera took action. But his action recognised that he was not in a powerless situation like the 1976 generation. He had the Constitution on his side, which not only defines the character of the state and basic rights of the people, but entrenches public accountability. Because of his actions, the City of Joburg will never again take the people of Braamfischerville for granted. These people know how government works and they know what the responsibilities of persons entrusted with public power are. They also know how to hold those responsible accountable, working with institutions established to support and strengthen constitutional democracy. The Public Protector is one of those institutions and we are ready to partner with young people. It is open to other young people to do what Mr Masera did. Indeed that has been the case with young people in Monyakeng, Nala Municipality in the Free State.

But complaining to my office and others is not all that young people can do to play a meaningful role in ensuring the development of their communities and onw economic development. I know for a fact that many young people are not sitting at home, waiting for government to make things happen for them. They are busy trying this and that to advance themselves and their communities. This is the way to go. Do not wait for government to invite you to participate. Take the initiative to know development projects in your area. For example, how many of you know of your municipality's Integrated Development Programme (IDP)? Make sure you contribute and follow closely the processes of creating an IDP. Make inputs to ensure that the IDP responds to your situation. This will ensure that state resources are utilised as planned and in a manner that is responsive to all community needs. Your knowledge and participation will also ensure transparency, which will reinforce integrity. Show interest and seek answers regarding who is getting an RDP house and job opportunities if the idea is that the municipality should try as much as possible to develop its own people first before it gives opportunities to outsiders. You should demand answers where you see a disconnect between what was planned and what is being delivered. We do not want to see priority projects being jettisoned in favour of spur of the moment projects informed by kickbacks or other corrupt influences. Engage robustly in ensuring that the municipality is accountable and is responsive to the needs of the community. There is no need to burn down anyone's home. That in any event does not achieve the accountability, integrity and responsiveness we need to ensure that the exercise of public power and control over state resources delivers the constitutional promise.

The role of young people transcends holding those entrusted with public power accountable. It includes taking responsibility for your own lives. I recently read about a young student at the University of Cape Town, who had a business idea to create a waterless bathing agent. Failure to get funding did not deter him. He resorted to entering competitions and using his winnings to start his business. He is a millionaire today. He could have sat there and blamed government but he didn't. This takes me to what we now call *tenderpreneurship*. Don't pin down your life on tenders. That is not a sustainable business pursuit. Where there are some tenders/contracts, they must be awarded in a fair and equitable manner but there can never be enough of these for all and no sustainable business can be built on state tenders/contracts.

That brings me to another malady, corruption. If you are going to get a state tender or contract, you are free do so. But it must be on merit. Secondly, do not be part of overcharging, false billing and delivery of shoddy services. Apart from the fact that this can land you in jail or under the radar of the Asset Forfeiture Unit, this is wrong. It is a key factor in the non- delivery of services government must deliver to improve the lives of people as promised in the Constitution. In other words, I am appealing to young people to play a part in ensuring good governance when engaging in business with the state. I know that many of you do not need this call because you are already doing the right thing.

The Public Protector team has identified young people as an important stakeholder in the pursuit of good governance as part of supporting and strengthening constitutional democracy. As young people, you belong to the most knowledgeable sector of society. Your vantage point is enhanced by your ability to engage in wide-ranging and far-reaching discourses through social networks.

I have already indicated that my constitutional mandate as Public Protector involves supporting and strengthening constitutional democracy. This we do by investigating any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice; report on that conduct and take appropriate remedial action. Various pieces of legislation such as the Public Protector Act, Executive Members Ethics Act, Promotion of Access to Information Act, Protector Disclosures Act, Prevention and Combating of Corrupt Activities Act and the Housing Protection Measures Act, give my office further powers to contribute to this objective. However, in addition to the investigation mandate, my office is required by the Constitution to be accessible to all persons and communities.

Its important to note that our services are free and that we are constitutionally obliged to investigate matters without fear favourable prejudice and that we are independent and subject only to the Constitution and law.

We have made the following three promises to the people of South Africa:

- To be accessible to and trusted by all persons in the communities;
- To provide prompt remedial action; and
- To promote good governance in the conduct of all state affairs.

A number of cases we receive are lodged by young people such as Mr Masera. Many young people who lodge complaints do so on behalf of their communities or others who cannot approach the office on their own. I am particularly encouraged by the number of young people in this room. My team and I believe that not only will we get individual complaints from you but we have a critical mass that will go out and inform others about the Public Protector through Twitter, Facebook, BBM, What's App and face-to-face encounters. Our services can be accessed through 20 walk-in offices, toll-free line (0800 11 20 40), our website (www.publicprotector.org) and email (registration2@pprotect.org). Beyond that, I have faith in each and every one of you as builders of our democracy. You are here because you want to enhance your ability to play your part in ensuring that the South Africa that inspired the courageous and selfless acts of the 1976 generation is speedily realised.

I have a sense that you are part of those young people today that are saying "It's our turn to lead." You are ready to play your part in ensuring that as South Africa approaches its 20th year of democracy in the next two years, the fruits of democracy are felt by yourselves and all of this country's people. My team and I call on you to say no to those who siphon millions of rand meant for health, education, housing and other basic needs while arrogantly telling our people "we are eating for you."

I have a dream of seeing young people getting their hands dirty to build the country that was envisaged by the architects of our Constitution. For example if you are saying you are struggling with the clinic in your community, we would like to see you saying to government "give us a piece of land, pay for the architects and we will work for free or for a minimum wage to bring

development to our people." This is a critical community service culture that young people need to pride themselves with.

On our side we will ensure that we mobilise government support at all levels to help rehabilitate this country in the light of the socio economic challenges faced. I have particularly noted issues related to healing the wounds left by the demarcation protests.

To young people I say, while the times have changed, the call to lead courageously remains. Employing the resilience, determination and focus showcased by the generation of 1976. Today's young people can play a central role in determining solutions to the challenges they and our country continue to grapple with.

I call on all young people anywhere in the country to ensure that from today they double their efforts with regard to playing their part in ensuring that the next phase in our democracy is characterised by good governance, with responsive service delivery, socioeconomic inclusiveness and zero tolerance for corruption related ethical violations.

Thank you.

Adv T N Madonsela
Public Protector of the Republic of South Africa