



# CHIEF JUSTICE PIUS LANGA

## *A Life to Be Honored*



Pius Nkondo Langa was only nine when South Africa's National Party came to power in 1948 on a platform of greater segregation of whites and blacks. The policy, officially labeled "apartheid," contended that white people were superior and deserved the exclusive benefits of the nation's resources and goods.

"Apartheid was a policy of oppression, seeking to dehumanize the natives so that they could better serve those who colonized them," Langa told a group of SMU Dedman Law students, faculty, alumni, and special guests at a symposium in May 2011. "The usefulness

of black people to the South Africa that was created was restricted to being the drawers of water and the hewers of wood for the white minority."

No one can speak more powerfully or personally about the evils of apartheid and the absolute need to fight it at every turn than Langa, who served for fifteen years on South Africa's Constitutional Court. For the final five of those years, he was the Chief Justice – the first black Chief Justice in the nation's history. He has spent his entire life facing oppression and opposing it. And he continues to do so.

For a handful of days this past spring, SMU Dedman Law celebrated Chief Justice Langa's life of fighting and succeeding. On May 12, he delivered a powerful speech on the SMU Dedman campus in which he told the story of the South Africa Constitutional Court and those who fought for its existence and independence. Two days later, on May 14, Southern Methodist University awarded Langa the Doctor of

Laws *honoris causa* degree to honor his extraordinary life and career dedicated to the pursuit of human rights and constitutional law in South Africa.

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"Chief Justice Langa is a truly historic figure in South Africa and world legal history," SMU Dedman School of Law Dean John Attanasio said when he introduced Chief Justice Langa on May 12. "He was a witness to atrocious acts of discrimination and cruelty. But he also was on the front lines in the pursuit of liberty and justice and equality.

"Chief Justice Langa's life should be studied and admired," he said. "SMU

Dedman Law School is honored to call him a friend and to have him as a frequent guest lecturer.”

Born in 1939 in Bushbuckridge, South Africa, Langa was the second of seven children. He received a private education despite the restrictions of apartheid. Starting in 1957, he spent three years laboring in a shirt factory, but in 1960, he accepted a job as an interpreter and messenger at the South African Justice Department, where he was eventually promoted to magistrate. He also attended the University of South Africa, receiving his LL.B. degree in 1976.

A year later, Langa was invited to practice at the Natal Bar and attained the rank of senior counsel seventeen years later. His clients included the underprivileged, civic organizations, trade unions, and others who faced legal problems with the oppressive apartheid government. He served as a founding member of the Release Mandela Committee.

In 1994, South African officials created the Constitutional Court as part of the anti-apartheid reforms. Newly-elected President Nelson Mandela appointed eleven justices to serve on the nation’s highest court, including Pius Langa. In 2005, President Thabo Mbeki named Langa Chief Justice – a position he held until he retired in 2009.

But Chief Justice Langa’s efforts to promote democracy reach far beyond South Africa. For example, he has served as a special envoy assisting the leaders of the Fiji Islands in their efforts to return to a democratic form of government. He has participated in constitutional review commissions in Sri Lanka, Zimbabwe, Rwanda, and Tanzania. Finally, he is a member of the Judicial Integrity Group, which is responsible for drafting the Bangalore Principles for Judicial Ethics.

Chief Justice Langa has visited SMU Dedman School of Law a half-dozen times. The first was in 1998 when he and three other members of the Constitutional Court traveled to Dallas to discuss South Africa’s democratic transformation. Since

then, he has served as a Distinguished Visiting Professor at the law school several times – in 2000, 2001, and 2004.

In the May Symposium, Chief Justice Langa walked students, faculty, alumni, and special guests through the three centuries of struggles for freedom that preceded the democracy that finally arrived in the mid-1990s. South Africa was ruled, he told the audience, by those who colonized the nation through brute strength. There were numerous wars, which ended with the strongest claiming to be “lord and master of the land and its people.”



Three professors from SMU Dedman School of Law formed a response panel and discussion after Justice Langa’s lecture. Featured from top, clockwise: JOSEPH J. NORTON; JENIA TURNER; JEFFREY KAHN

“Such was the philosophy of the time: the mighty must prevail and the weakest had to be content with a position of inferiority and sometimes slavery,” he said. “We should note that apartheid oppression was effected through law. The doctrine of parliamentary sovereignty permitted the undemocratic South Africa to make any law, regardless of whether it was just or furthered the cause of freedom and human rights.

“Let me just say that many sons and daughters of South Africa lost their lives in order to bring about change,” he said.

“Eventually, sanity had to prevail. In 1994, South Africans embarked on a new

direction. It was agreed that the time should be used to build and not to destroy. A new South Africa had to be born.”

Chief Justice Langa reminded the audience that there is “still a long road to travel.”

“The Constitution speaks of a better life for all,” he said. “It speaks of creating a world where everyone can meet their full potential. This, then, is the terrain in which we at the Constitutional Court had to operate. It is a noble and difficult terrain.” ■