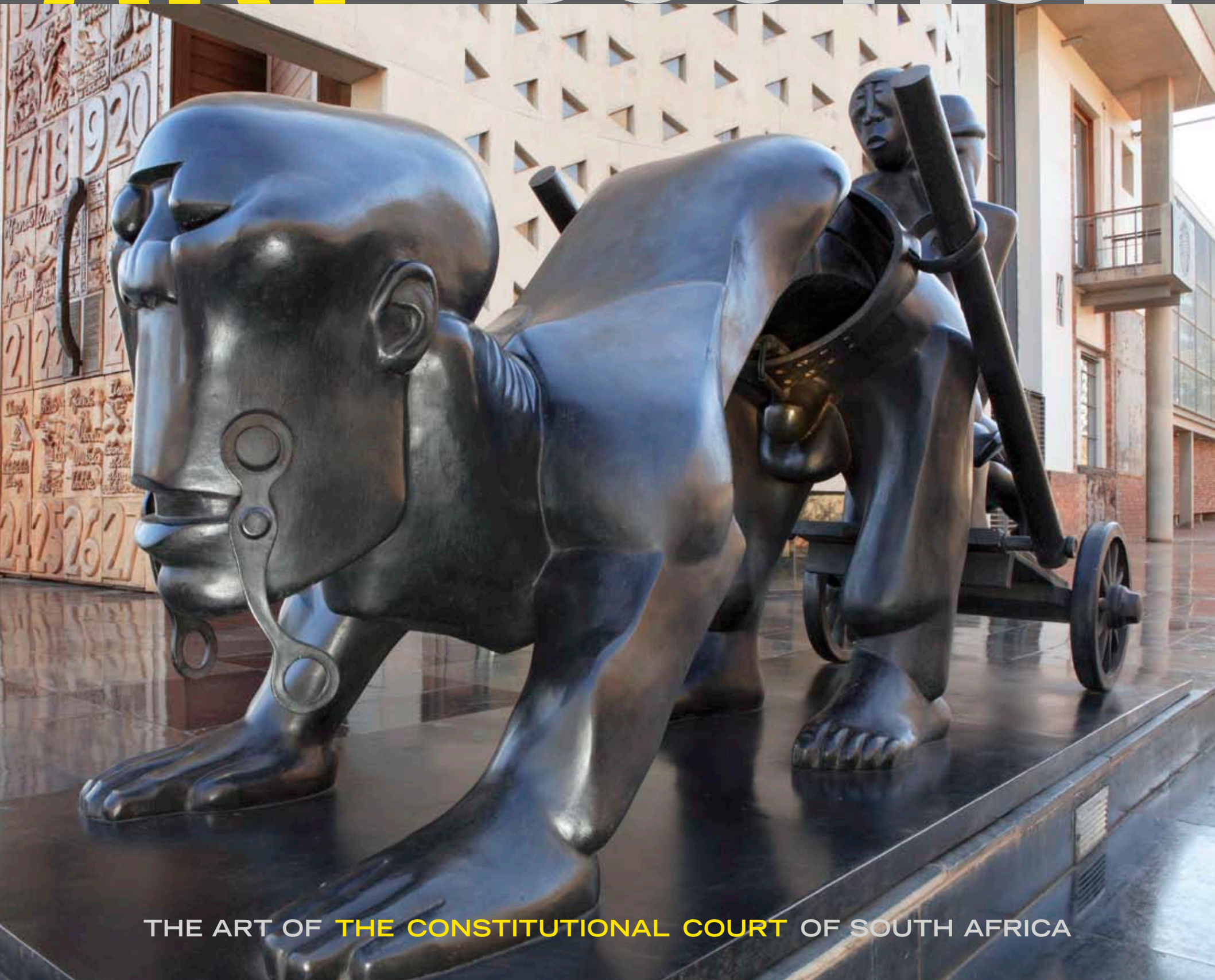


ART AND JUSTICE



THE ART OF THE CONSTITUTIONAL COURT OF SOUTH AFRICA

The art collection of the Constitutional Court of South Africa has come into being through the energy of the judges of the Court and the generosity of the art community. From the outset, the architectural vision for the Court was that the artwork be integrated into the very fabric of the building. Not only would there be space for sculptures, prints and paintings, but the architectural language of the Court would integrate function and aesthetics in groundbreaking ways. To achieve their remarkable vision, the architects – omm design workshop and Urban Solutions – and the Artworks Committee of the Court commissioned artists through a series of competitions to design the doors, security gates, light fittings, sun screens, sound baffles and other finishings in the Court. The result is an extraordinary building that bears witness to the creative and collaborative energy of many South Africans.

The Constitutional Court building has helped to reshape thinking about the integration of function and aesthetics in architectural projects. At the same time, it has demonstrated how artistic vision, human rights and the workings of justice can be unified by the respect for human dignity. Along with its companion volume, *Light on a Hill: Building the Constitutional Court of South Africa* (David Krut Publishing, 2006), *Art and Justice: The Art of the Constitutional Court of South Africa* celebrates this extraordinary project through the vibrant photography of Ben Law-Viljoen and texts from the architects, the Constitutional Court judges and some of the artists whose works are included in the collection.

COVER: Dumile Feni, *History*, 1987, bronze tubing, 100 x 296 x 170 cm, installed at the entrance to the Court

OPPOSITE: Exhibition Gallery of the Constitutional Court

OVERLEAF LEFT: Judith Mason, *The Man Who Sang and the Woman Who Kept Silent 1 and 2* (detail), 1995, mixed media, 166 x 122 cm

OVERLEAF RIGHT: Court Foyer

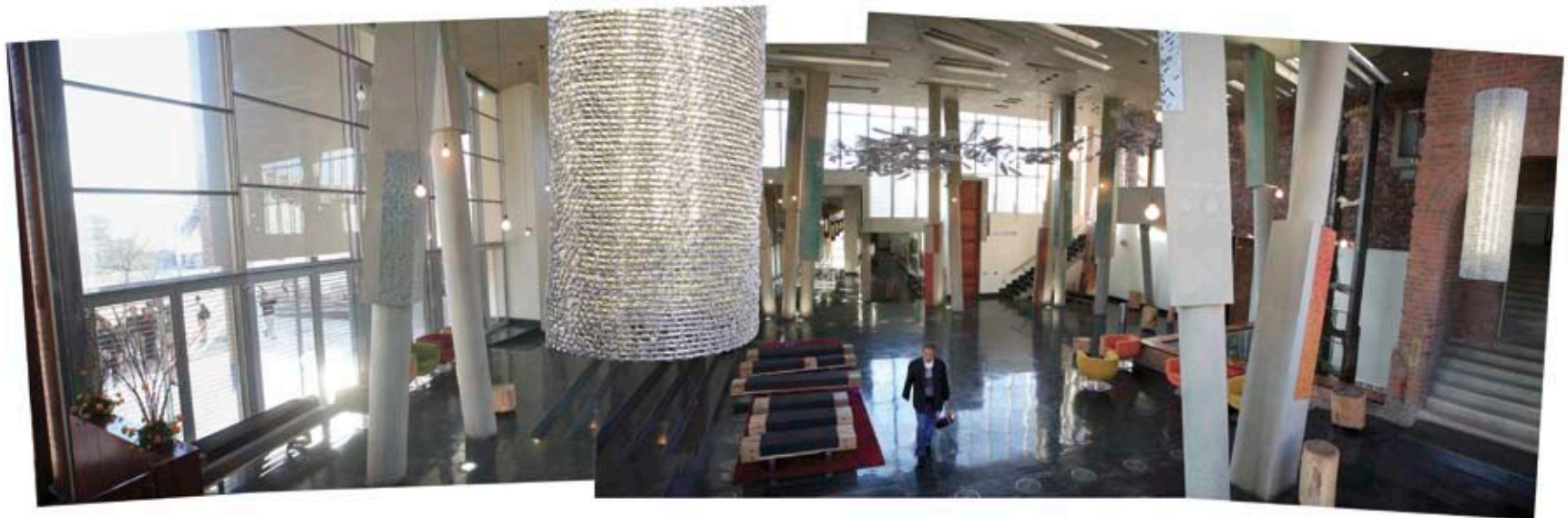
PP. 4-5: Willie Bester, *Discussion*, 1994, wool, 160 x 213 cm





ART_{AND} JUSTICE

THE ART OF THE CONSTITUTIONAL COURT OF SOUTH AFRICA



Photography by Ben Law-Viljoen

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The publication of this book was made possible in part by a grant from the Ford Foundation

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The Constitutional Court Trust

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PREVIOUS: The Court in session during the case *Shilubana and Others vs Nwamitwa*. The case concerned the right of a woman to ascend to the chieftainship of the Valoyi community in Limpopo.

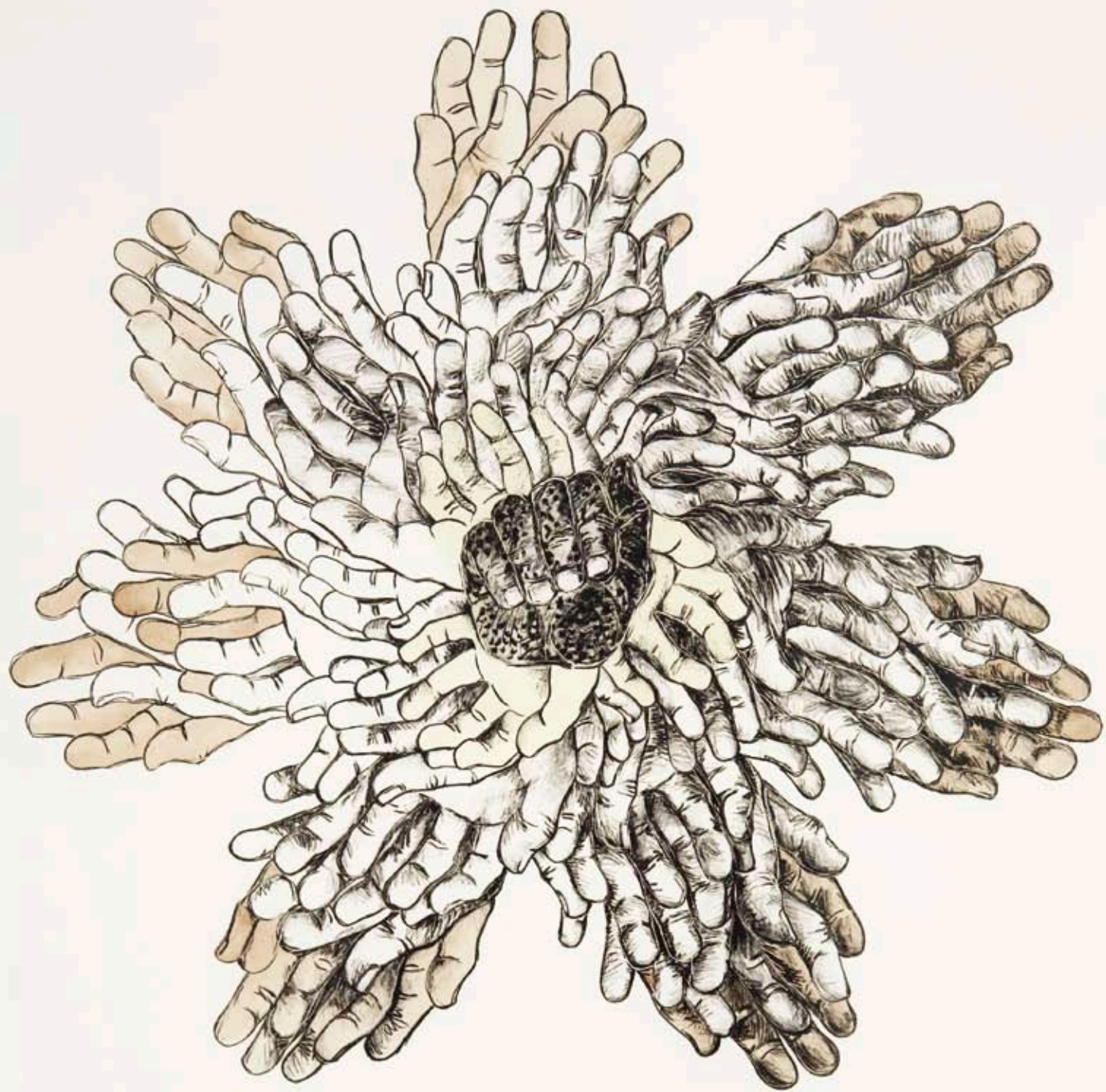
RIGHT: Geogie Papageorge, *Through the Barrier – 1956 Treason Trial Frieze and Ladder*, installed in the Foyer by Charl van der Merwe





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MESSAGE FROM CHIEF JUSTICE PIUS LANGA

The Justices of the Constitutional Court of South Africa have the privilege of working in a beautiful environment. Every day, as we try to answer difficult questions concerning fundamental human rights, the moving works of art and uplifting design of our building constantly remind us of what should never be forgotten: that justice is for people and that all people are united in their inherent human dignity. My hope is that this spirit of shared humanity, so clearly conveyed by the Court's collection, will continue to inspire judges and ordinary people alike in our collective pursuit of justice.

Pius Langa
Chief Justice, Constitutional Court of South Africa

OPPOSITE: Judith Mason, *Flower*, 2006,
linocut, 76 x 57 cm

OVERLEAF: Chandeliers by Walter Oltmann
creating a leafy canopy in the Foyer

FOREWORD BY JUSTICE RUTH BADER GINSBURG

The Constitution of the Republic of South Africa marks the birth of a new nation dedicated to “democratic values, social justice and fundamental human rights.”¹ It is fitting that the judicial guardian of the Constitution, the Constitutional Court, is housed in a building notable for its accessibility to the public, as the Court itself is. Constructed on the site of the Old Fort Prison where Nelson Mandela and Mahatma Gandhi were once locked up, the Court incorporates part of that fearsome edifice. Empty cells, barbed wire and some of the artwork serve as reminders of past tears and travail, and the long struggle for freedom. Overall, however, the building's design expresses high hope for, and abiding faith in, “a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.” The Constitution, Court building and artwork share an animating theme: “Everyone has inherent dignity and the right to have their dignity respected and protected.”

The art displayed in the Court is a perfect match for the building's design. The collection affords the visitor, and all who work at the Court, a moving and delightful impression at every step and turn. Imbued with the spirit of emancipated humanity, it is the most vibrant collection I have seen in any courthouse in the world.

None of the Renaissance iconography typically shown in tribunals of justice and no austere portraits of judges of yesteryear (invariably white and invariably male) fill the Constitutional Court's foyers, corridors and rooms.² Instead, the art is of, by, and for “the people of South Africa,” now “united in [their] diversity.”

Approaching the building, one sees on the façade the Court's name, in bright colors, in the many tongues spoken in South Africa. The arrangement conveys to the entrant: whatever your race, language or station, you are welcome here. Inside, the talent and spirit of the nation's artists and crafters combine to create a brilliant homage to what South Africa is becoming: “a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law.”

Some of the artmakers are internationally renowned; others perhaps do not even think of themselves as artists, they simply make beautiful things. Among the most evocative works in the collection is the famed “Blue Dress” triptych³

by Judith Mason, a gentle memorial to an executed ANC combatant whose naked body, covered only with a scrap of blue plastic, had been found as a result of Truth and Reconciliation Commission proceedings. Willem Boshoff's granite tablets recording each day of the decades Nelson Mandela and the other Rivonia defendants spent in prison similarly remind viewers of the years of division, oppression and pain under apartheid. Emblematic of the transformation of the nation from a racist, authoritarian state into a constitutional democracy are the carpets, alive with color, woven by rural women using designs adapted from paintings by the artists Simphiwe Zulu, Romeo Zamane Makhanya and Sfiso Ka-Mkame; the finely wrought security gates; the woven chandeliers; the carved doors; the slightly irregular round table at which the Justices confer; and the Court's logo symbolising “justice under a tree”. Throughout, one sees the imprint of the hands, eyes and imaginations of all the people whom the Constitution, and laws made thereunder, exist to serve.

On my visit to the Court in 2006, I had the very best tour guide in Justice Albie Sachs, whose bright mind, caring heart, eternal optimism and indomitable spirit have inspired legions of jurists round the world. His appreciation of the alliance between art and justice, and his skill in the fine art of persuasion, have contributed enormously to the remarkable collection previewed in the following pages, and in the companion DVD. When Albie asked me to write a preface for this extraordinary, spirit-lifting publication, what could I do but just say, “yes”?

Ruth Bader Ginsburg
Associate Justice, Supreme Court of the United States

¹ This and other quotations are from the *Constitution of the Republic of South Africa* (1996).

² J. Resnik and D. Curtis, *Representing Justice: From Renaissance Iconography to Twenty-First-Century Courthouses*, 151 Proceedings of the American Philosophical Society 139 (2007), 179-180.

³ The title of the work is *The Man Who Sang and the Woman Who Kept Silent*.



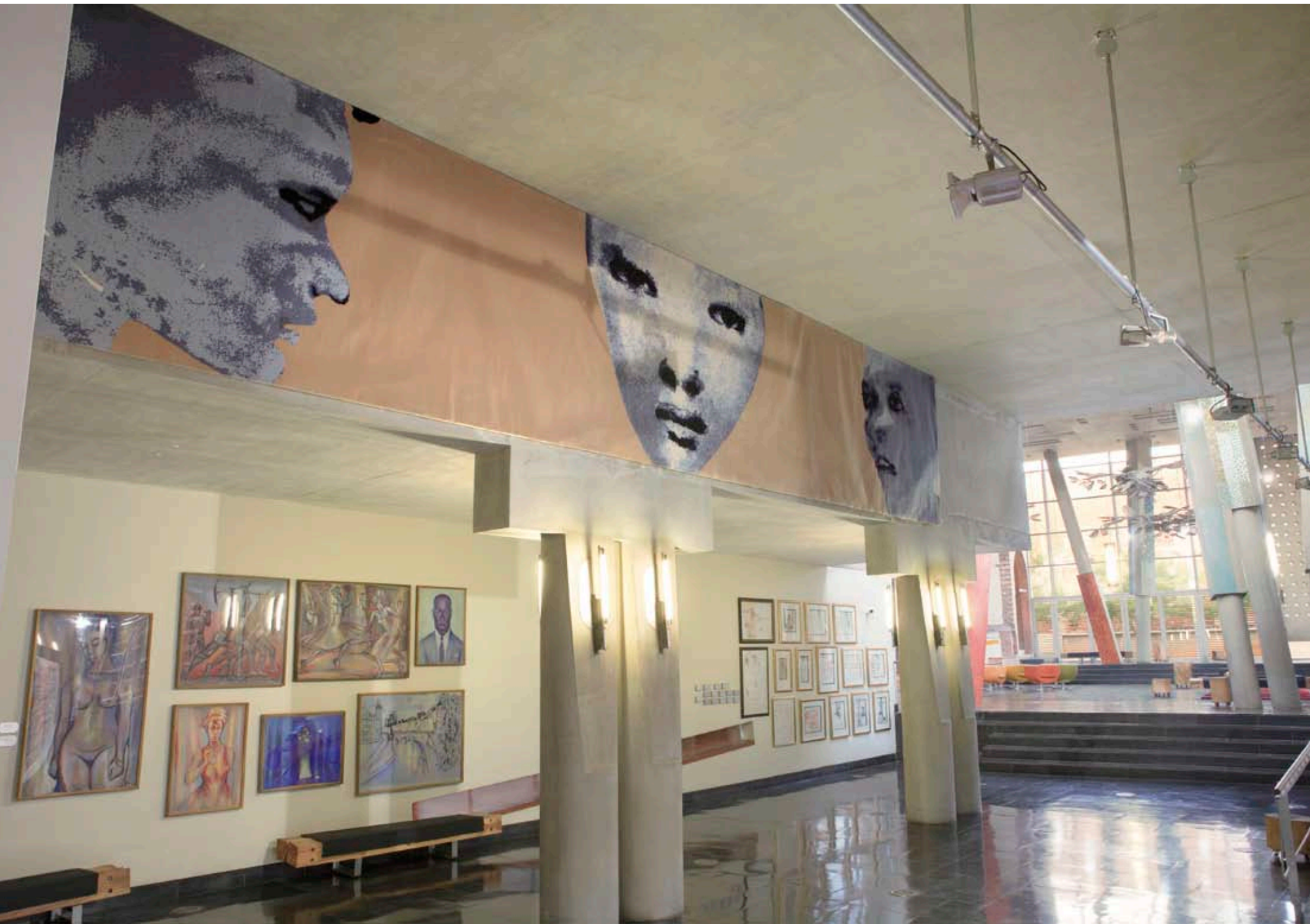






introduction

1



ART AND FREEDOM

by Justice Albie Sachs

The eleven newly appointed judges of the Constitutional Court of South Africa held their first meetings seated on borrowed chairs in bare office space. We had no building, no Rules of Court, no library and virtually no administration. We had to decide whether to wear robes (we felt we should), how to be addressed (not as “My Lord” but as “Justice”) and how we should organise our workload. We also began to give serious thought to a new site for the Court. The old Parliament building in Cape Town, once for whites only, continued to function, but with a new, non-racial, elected membership, many recently out of prison, or returned from exile or from working in the underground. The Union Buildings, formerly the citadel of apartheid executive power, continued to sit resplendent on the hills of Pretoria, but now with Nelson Mandela occupying the Presidency. There was, however, no building for the newly established Constitutional Court, which, according to the Constitution, had to be in Johannesburg. So we made temporary arrangements to work in hired office space, while the selection of a site and the construction of a purpose-built Court got underway.

Justice Yvonne Mokgoro and I were given the task of seeing to it that the makeshift courtroom was reasonably functional and not too inelegant.

The basic construction and furnishing of the Court would be done by the Department of Public Works, but decor would be our responsibility. For this we were given R10 000 (\$1 300). The story that follows is about how, with a modest brief and a tiny budget, we were able to develop an artworks programme that has brought delight to thousands of visitors to the Court, made explicit the connection between art and human rights and established a new paradigm internationally for the role of art in public buildings.

Existing court buildings in South Africa possessed well-established ghosts that resisted expulsion, and the only images in most of these courts were of dead white male judges and a blindfolded woman holding the scales of justice. As someone who one day would be a dead white male judge, I had no prejudices in that respect, but it seemed that what was a simple relic of history told a bitter story of exclusion. People not classified as white, or not men, were not treated well by official history. And the blindfolded woman eternally holding the scales of justice seemed to be a tired, imported cliché, out of step with the intense longing for equal justice in our deeply divided society. We had fought for decades to get our new Constitution. It drew inspiration from other constitutions throughout the world but was entirely home-grown, a product of years of negotiation between former enemies who now looked each other in the eye and found principled ways to live together. Surely we could create a Court that was rooted in our national experience and expressed the many and varied ways in which South Africans envisaged justice.

Sometimes, attending to an insignificant detail opens up huge questions for the imagination. The Court logo – to be formally inaugurated by President Nelson Mandela on the day the judges took their oath of office – was one such detail. The old emblem of the South African state had been quite elegant from a purely aesthetic point of view, a slightly Africanised adaptation of European heraldic style. But it had become a symbol of racist and repressive laws, of restriction orders of every kind, of forced removals and death sentences. In the memories of the majority it was far from neutral; its use made it ugly. We sought a radical rupture and an image that conveyed the idea of a Constitution that protected the basic rights of all our people. We asked the designer Carolyn Parton to produce two images: a tree rooted in our soil, and a human figure symbolising the people’s right to protection under the law. When it came time to choose between the two, we opted for a combination: a group of people gathered under a sheltering tree [p. 18]. In recognition of the equal status of our eleven official languages, the plaque bearing the logo records, in each language, the President’s inauguration of the Court on 14 February 1995. In a remark that captured the feelings accompanying that important day, President Mandela observed that the last time he had stood up in Court had been to find out if he was going to be hanged. Now, however, he was inaugurating the country’s first Constitutional Court. Appropriately, our first case – heard the very next day with more than four hundred people on death row – was whether capital punishment was consistent with our new constitutional order. We held that it was not.

PREVIOUS: Court logo designed by Carolyn Parton, pictured here on a rainy day

OPPOSITE: Exhibition Gallery, showing one panel of the Marlene Dumas tapestry *The Benefit of the Doubt*, works by Gerald Sekoto (on long-term loan from Iziko South African National Gallery) and several drawings by Dumile Feni



ABOVE: Carolyn Parton's logo for the Constitutional Court

RIGHT: Sandile Goje, *Making Democracy Work*, 1996, linocut, 49.5 x 39.5 cm. This work was seminal to the architects' conceptualising of the Court building.



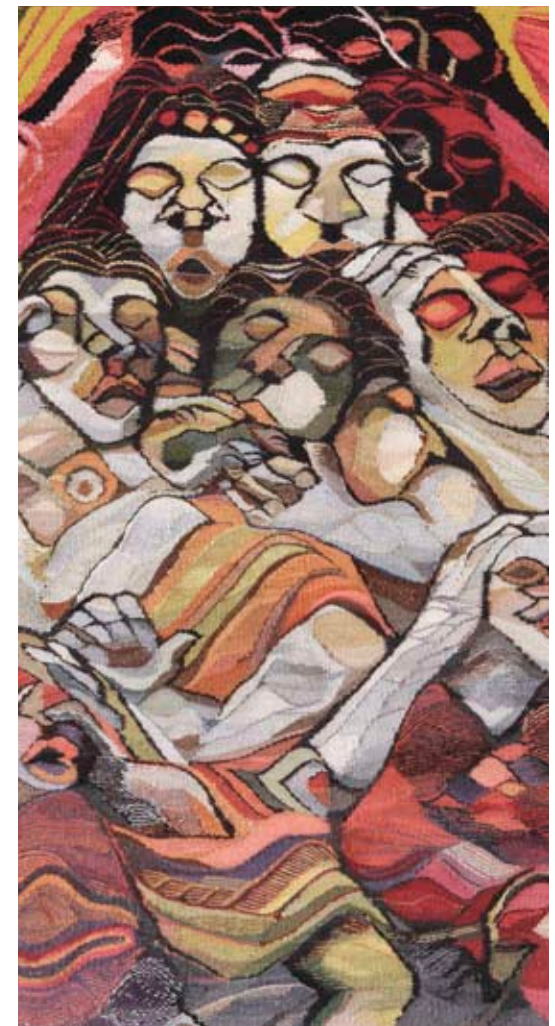


The logo was thus adopted as the symbol of the Court, establishing from the start that this Court would be different from other courts. But more than that, the logo directly influenced the character of the design that was to win the international competition for a new Court building. The winning architects – Janina Masojada and Andrew Makin of omm design workshop and Paul Wygers of Urban Solutions – developed their entry around the concept of justice under a tree.¹ I was on the competition jury and noted how captivated both the professionals and the lay people were by the coherent manner in which the concept was articulated. In traditional African society, disputes are often settled by the elders of the community who gather under a tree for this purpose. The limitations of the old patriarchal structures in many African societies notwithstanding, this way of solving problems is transparent and community-oriented. Happily, gender equality is now firmly

entrenched in the Constitution and women play an active role in judicial proceedings. “Justice under a tree” presupposed openness, the equal dignity of all participants in the conversation, respect for different voices and a core of humane principles underlying the proceedings. It turned out that the philosophy encapsulated in the small brass logo of the Court was to animate the resplendent building that is now the Constitutional Court of South Africa.

In the meantime, we had to decide how to spend the R10 000 set aside for “decor”. Should we acquire an embellished and framed copy of the *Magna Carta* or some other internationally famous legal document? Or should we obtain a work by a South African artist that had no specific legal reference but that captured something of the spirit of our new democracy? Yvonne Mokgoro and I decided to commission Joseph Ndlovu to create a tapestry [right] that we felt would reflect the humanity and social interdependence that underlay our Bill of Rights. With that, our budget was exhausted. Yet we had a large reception area and endless bare corridors crying out for images. This is where the willingness of members of the art community to contribute to the enhancement of the Court came to be decisive.

As a member of a youth organisation in the 1950s, I had taken part in painting a mural inspired by the work of the great Mexican muralists Diego Rivera, José Clemente Orozco and David Siqueiros. The police cracked down on our work and the mural was destroyed. In the 1970s, in exile in newly independent Mozambique, I joined Malangatana and other Mozambican artists, together with Chilean artists in exile, in painting murals.



LEFT: Large copper and brass doors by Andrew Lindsay and Myra Fassler-Kamstra leading to the Court Chamber

BELOW: Joseph Ndlovu, *Humanity* (detail), 1995, fibre, 181.4 x 150.5 cm



Every public building in Mozambique displayed works by local artists: these were more than just adornment; they were the expression of an emerging new national identity. Now faced with the challenge of “decorating” the new Court, I felt convinced that after decades of censorship and repression, South African artists and galleries would be eager to contribute works to the building that represented the new democracy and that defended their constitutional right to freedom of artistic expression.

One of the first people I approached was Cecil Skotnes. He had designed panels with a distinctive African theme for many public buildings in the country, and for decades his studio had been open to artists excluded from art schools by apartheid. He immediately, and with characteristic modesty, mentioned an almost-completed panel depicting his response to the achievement of democracy that he would love to give to the Court. To complete

the work – entitled *Freedom* [p. 24] – Skotnes collaborated with the artist Hamilton Budaza who added the side panels. This was the first artwork to be installed in the Court and I was anxious about how it would be received since it did not contain familiar court iconography. Fortunately, the public response was enthusiastic and the way was now open to receive further work from sympathetic artists and galleries.

We were not looking for denunciatory or triumphalist art, but works of a high aesthetic quality that represented the spirit of human dignity in all its varied manifestations. Linda Givon of the Goodman Gallery in Johannesburg offered to speak to artists represented by her gallery and in no time we received *Discussion* by Willie Bester [pp. 4-5], which we placed at the entrance to the Court Chamber, *Sleeper (Black)* by William Kentridge [pp. 28-29] and *Hotel with Landscape (Spy)* by Robert Hodgins [above]. Louis Schachat donated Hodgins’s

The Scene of the Crime [p. 35] as well as a striking work by Gail Catlin, while Mark Read of Everard Read donated several pieces from his gallery.

After attending a talk I gave in The Hague on South Africa’s Truth and Reconciliation Commission, a South African artist living in the Netherlands introduced herself to me as Marlene Dumas. Having heard about the new Court, she shyly asked if we would be interested in a copy of industrially made tapestries she had been commissioned to do for a new court building in Holland. Entitled *The Benefit of the Doubt* [pp. 16, 31, 112, 118], and formally handed over to us by the Dutch Prime Minister, the tapestries stood evocatively against the wall of our reception area for several years until the new Court building was completed.

Andrew Verster contributed the vibrant triptych *Hotlands* [p. 34], and Kim Berman a suite of drawings with *Fires of the Truth Commission* on the

OPPOSITE: Robert Hodgins, *Hotel with Landscape (Spy)*, 1996, oil on canvas, 89.5 x 120 cm

RIGHT: Nomonde, *Body Map*, 2002, digital inkjet print on paper, 74 x 41 cm

one side [pp. 136-137] and *Alex Under Siege* on the other [pp. 134-135]. Regi Bardavid offered her heartfelt *Grief 1-5*, five drawings made after her husband was shot dead in a robbery [pp. 154-155]. Our corridors were slowly filling up and we had a special ceremony for the installation of *The Man Who Sang and the Woman Who Kept Silent*² by Judith Mason, a work based on Truth Commission proceedings and now perhaps the most famous image in the Court [pp. 123-125]. Whenever I travelled, to India, Sri Lanka, Ethiopia, Ivory Coast, Angola, Guyana, I brought back artwork that included batik, sculpture, embroidered works and paintings.

Without funds, the collection virtually collected itself, with all the excitement, unevenness and incoherence of a totally serendipitous activity. Staff at the Court took a lively interest in this process, even demanding, when a picture was moved for cleaning, to know where it had been placed. The lawyers, the public and the press also began to expect to see the artwork when they came to Court. So when the Old Fort Prison was chosen as the site for the new building, and an international competition was organised for its design, it seemed natural that the brief for this competition should require gallery space to be incorporated into the plans for the Court. Eventually, with the arrival of the winning architects on the scene, the collection would be transformed both in character and quality by the architectural vision brought to bear on the place of the artwork in the building.

Many corporate, and some public, institutions with large buildings have acquired art and produced admirable catalogues to give the public access to





their collections. What distinguishes the Court's collection, however, is the way in which artwork has been integrated into the very fabric of the Court building. I had envisaged complementing the art collection with murals and mosaics to give the building a special glow and a strong African quality, but the architects had something far more sophisticated and ambitious in mind. They wanted to draw artists and crafters from all parts of our society into the process of designing many of the basic accoutrements of the building, such as the doors, security gates, carpets and lamps. The idea was not to put up a building and then adorn it with beautiful or interesting objects, but to incorporate art into the texture of the building as it was being constructed. Serendipity gave way to professional decision-making and control and, the challenges of designing by committee notwithstanding, a beautiful design – one that demonstrated extraordinary trust between the collaborating artists and the architects – took shape.

The project naturally required fund raising. The government contribution of 1% of the initial budget was helpful, but we estimated that for artists to be engaged in producing artworks to be integrated throughout the building and for installations in key areas, something like R4 million (\$520 000) would be required. With government facing huge difficulty financing health and education, not to speak of adequate buildings for the judiciary, we could not call on it for special budgeting. Nor could we approach the private sector, because the Court had a strict policy of not accepting any support from private firms or individuals who could one day be litigants before it. In the end we received

support from the cultural departments of various European governments (the Netherlands, Flanders, Norway and Sweden) and from North American philanthropies (the Ford Foundation, Tides, the Flora Family Foundation, The Shelley and Donald Rubin Foundation and others).

In her essay in this book, the architect Janina Masojada, one of the members of the design team, will tell the story of how, as the building was being constructed, the Artworks Committee pioneered ways of involving artists and crafters in the creation of integrated artworks. I will simply mention that we started by speaking to about seventy artists at a gathering in the ex-prison where the Court was to be built, and ended by advertising thirty-two sites and activities requiring artistic intervention, following through on a great majority of them.

The final phase for developing the art collection was set in motion when we moved into the finished building. We had to place the moveable artworks in appropriate places, paying special attention to protecting certain works from excessive light. We also sought to balance the collection by including work by Gerard Sekoto, who had died as an exile in Paris,³ and by Dumile Feni, who died while exiled in New York.⁴

A donation from the Association of Law Societies helped us to buy John Baloyi's sculpture *Ghost* [pp. 32, 143, 159]. Thea Soggot, daughter of the prominent human rights lawyer David Soggot SC, donated two works made with river mud [pp. 150-151]. As the reception area for the library took shape, we acquired a photomontage by Jo Ractliffe to encase the area [pp. 144-147], a carpet designed by Cecil Skotnes for the floor [pp. 22, 72-73] and *Tethered*

Monkey by Albert Adams to hang over the entrance [p. 142]. We also purchased a set of *Body Maps* by the Bambanani Women of Khayelitsha, Cape Town who had participated in a project organised by the University of Cape Town and Médecins sans Frontières to narrate their experience of living with HIV & AIDS [pp. 21, 164-165], as well as a painting by children coming to terms with the AIDS pandemic [pp. 166-167], the acquisition of which was co-ordinated by Justice Yvonne Mokgoro.

In 2005, with support from the Department of Environmental Affairs and Tourism, a series of workshops was held – managed by Leonard Shapiro of CraftSouthAfrica – in the Judges' Conference Room and Lounge with women from weaving and embroidery cooperatives in the Northern Cape and Limpopo Provinces. This resulted in eighteen embroidered panels now installed in this section of the Court [pp. 76-77, 78-79]. The 2006 installation of the beaded flag made by crafters from the African Art Centre in Durban was a highpoint for the Court [pp. 84-87]. Other important contributions to the Court (and there are too many to name each one) include a sculpture by Edoardo Villa, a large painting by Karel Nel [p. 133] and a photograph by David Goldblatt [pp. 156-157] of the row of solitary confinement cells still standing on Constitution Hill as a reminder of the site's dark history.

The integrated artworks (gates, carpets, lights, mosaics) are now an essential part of the everyday experience of those working in the Court and of the thousands of visitors from South Africa and abroad who visit the building. We believe that public art should be accessible to the public, so have represented all of the artworks on our website,

OPPOSITE: Library reception area with a large rug based on a design by Cecil Skotnes

OVERLEAF LEFT: Cecil Skotnes and Hamilton Budaza, *Freedom*, 1995, engraved wood panels, 253.5 x 278 cm

OVERLEAF RIGHT: Cecil Skotnes and Hamilton Budaza, *Freedom* (detail)

made a DVD of the tour I conduct around the Court and produced two books about the building, *Light on a Hill* and now this volume.

We thank the many artists and crafters from all over the country who have helped to impart soul, passion and delight to the building. Art and justice are usually represented as dwelling in different domains: art is said to relate to the human heart, justice to human intelligence. Rationality is sometimes seen as inimical to art, and passion as hostile to justice. Our building shows how art and human rights overlap and reinforce each other. At the core of the Bill of Rights and of the artistic endeavour represented in the Court is respect for human dignity. It is this that unites art and justice, and that provides the unifying spirit of this book.

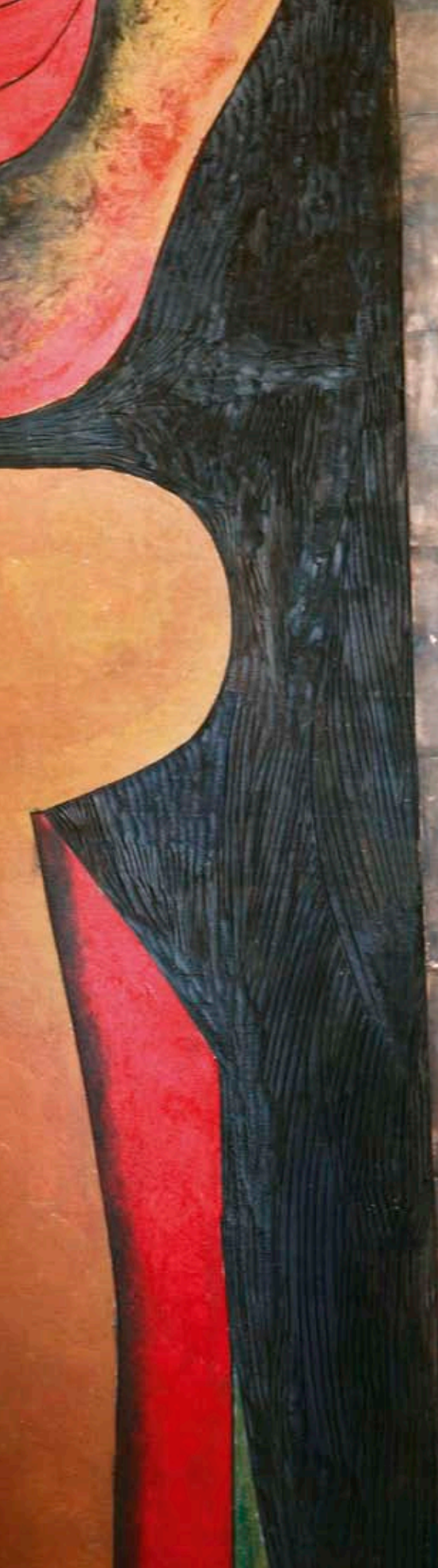
1 For a discussion of this see *Light on a Hill: Building the Constitutional Court of South Africa* (David Krut Publishing, 2006), the companion volume to this book that focuses on the architecture of the Court building.

2 The work is popularly known as "The Blue Dress".

3 Sekoto's work does not belong to the Court but is on indefinite loan from Iziko South African National Gallery.

4 Drawings by Feni that I brought back from my own exile years in London are included in the collection [pp. 26, 27, 126, 127].





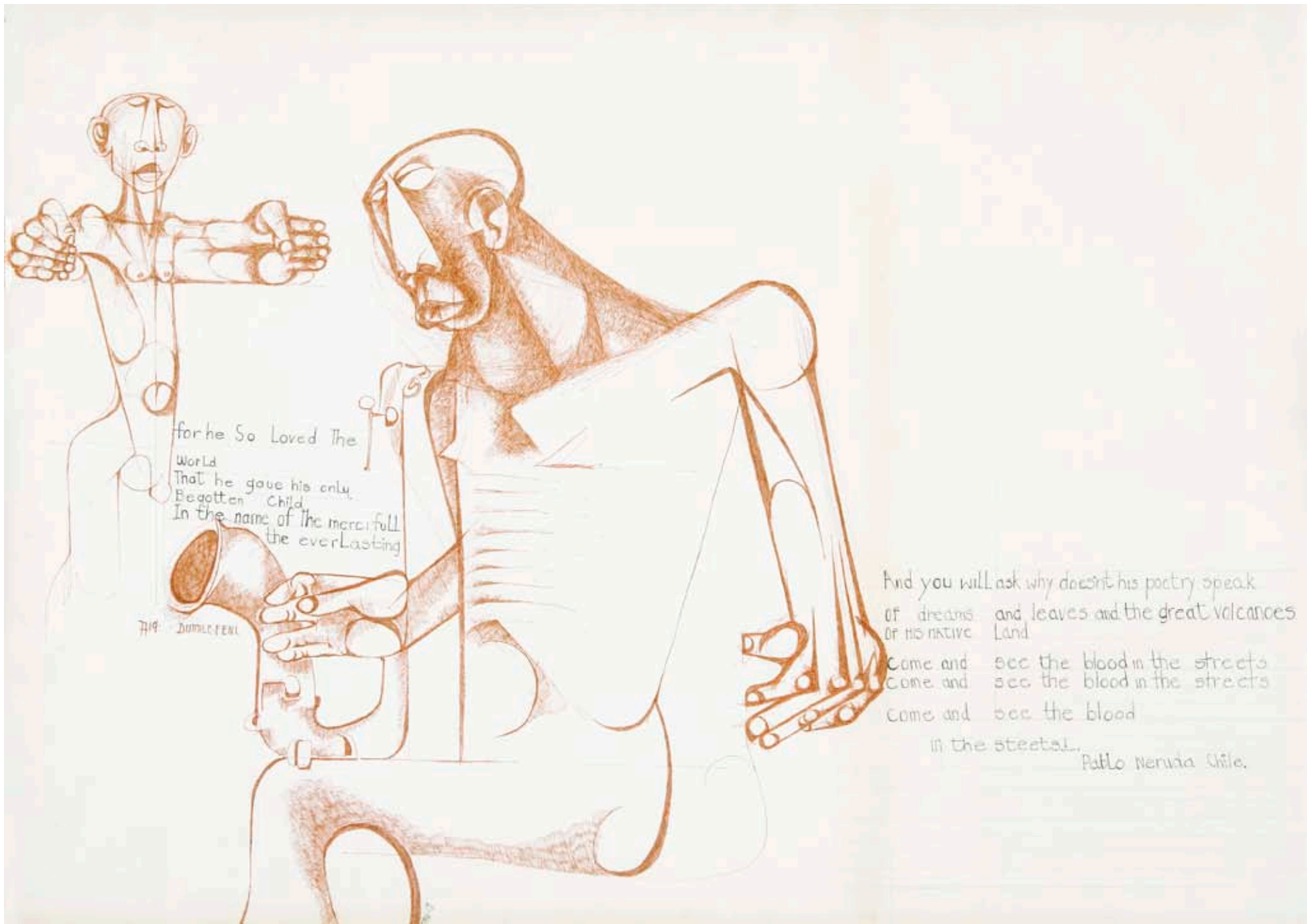


ABOVE: Dumile Feni, *Bass Player*, undated, pen and ink on paper, 39 x 49 cm

OPPOSITE: Dumile Feni, *Homage to Soweto*, 1977, pen and ink on paper, 60 x 83 cm

DUMILE FENI DRAWINGS

Dumile Feni made these evocative drawings while he was living in exile in London in the 1970s. Dumile's home was a dingy basement in a rundown neighbourhood, furnished only with a mattress, a piece of string on which he hung a change of clothing and, pinned to the walls, his beautiful drawings. He often visited my home to hear the laughter of children, sit in a comfortable chair and eat a warm meal in a heated apartment. After the massacre of hundreds of protesting school children in 1976 by South African security forces, Dumile gave me the drawing *Homage to Soweto*. He loved jazz and instead of representing the massacre by depicting police violence or bloodied bodies, he drew this elegiac homage of the artist/musician to the martyred child. Dumile died in New York before our new Constitution was adopted, but his pictures anticipated the respect for human dignity that lies at the heart of our constitutional order. Apartheid never succeeded in destroying in the great majority of African people the spirit of *ubuntu* (which holds that "I am a person because you are a person; I cannot separate my humanity from acknowledging your humanity") and when I interpret the Bill of Rights in my capacity as a Justice of the Constitutional Court, I like to feel that I am animated by that spirit. I was deeply honoured to offer Dumile's drawings to the Court so that they could have a permanent home in the first great building of our new democracy. — Albie Sachs



for he So Loved The
World
That he gave his only
Begotten Child
In the name of the merciful
the everLasting

719 DUMLEFERI

And you will ask why doesn't his poetry speak
of dreams and leaves and the great volcanoes
of his native Land

Come and see the blood in the streets
Come and see the blood in the streets
Come and see the blood
in the streets.

Pablo Neruda Chile.





KENTRIDGE '11

SLEEPER (BLACK)

Sleeper (Black) is part of a series of prints created by William Kentridge following the theatre production *Ubu and the Truth Commission* (1997). The play, written by Jane Taylor, directed by Kentridge and featuring the work of the Handspring Puppet Company, is based on the hearings of the Truth and Reconciliation Commission and a nineteenth-century play by Alfred Jarry called *Ubu Roi*. *Sleeper* extends the drawing techniques employed by Kentridge for the character of Ubu in the play, and represents his experimentation with a number of mark-making methods: using his thumbprint to make a mark on the printing plate, wheeling a bicycle over the paper, hitting the paper with a rope impregnated with charcoal and even having children and cats walk across the surface. In his notes on the play (recorded on the Handspring Puppet Company website), Kentridge notes that the central concern was how to represent the witnesses who gave testimony at the Truth and Reconciliation Commission hearings. He remarks that in the staging of the play, “the body of Ubu became an undulating landscape, a small rise in the ground behind which the witness spoke”. *Sleeper* is an extension – perhaps more personal – of that idiosyncratic representation of the body against a black ground. – Bronwyn Law-Viljoen

THE BENEFIT OF THE DOUBT

In 1998, Marlene Dumas attended a talk on South Africa’s Truth and Reconciliation Commission that I gave at The Hague. After the lecture she invited me to see her work in Amsterdam and when I asked if she would consider donating a piece to the Court, she suggested a duplicate set of industrially produced tapestries, entitled *The Benefit of the Doubt*, made for a new court building in Holland. They were sealed in heavy boxes, but a glance at a partially revealed corner of one convinced me that their tenderness and ambiguity made them ideal for the Court. A year later the Dutch Prime Minister formally presented the tapestries to the Court at a ceremony in the Market Theatre, where they stood on view for some weeks, before being transferred to the temporary offices of the Court. Once the building of the new Court was in progress, the architects suggested they be installed in the Court Chamber, but some of my colleagues demurred. While they were happy to see art in other areas of the Court, they felt that the Chamber should be a more sober space and remain unadorned. So the tapestries found a home on the concrete beams linking the Foyer with the Exhibition Gallery. – Albie Sachs

PREVIOUS: William Kentridge, *Sleeper (Black)*, 1997, etching, aquatint and drypoint, 97 x 193 cm

OPPOSITE: Marlene Dumas, *The Benefit of the Doubt* (detail), 2000, triptych, fibre, 181 x 400 cm, 181 x 273 cm, 181 x 400 cm

OVERLEAF LEFT: North end of the Exhibition Gallery showing Andrew Verster’s neon installation *The Provinces* (1996) and John Baloyi’s wooden sculpture *Ghost* (2004), 160 x 170 x 400 cm

OVERLEAF RIGHT: Norman Catherine, *Speaker of the House* (detail), 1989, canvas, metal, wood and acrylic, 251 x 118 x 122 cm







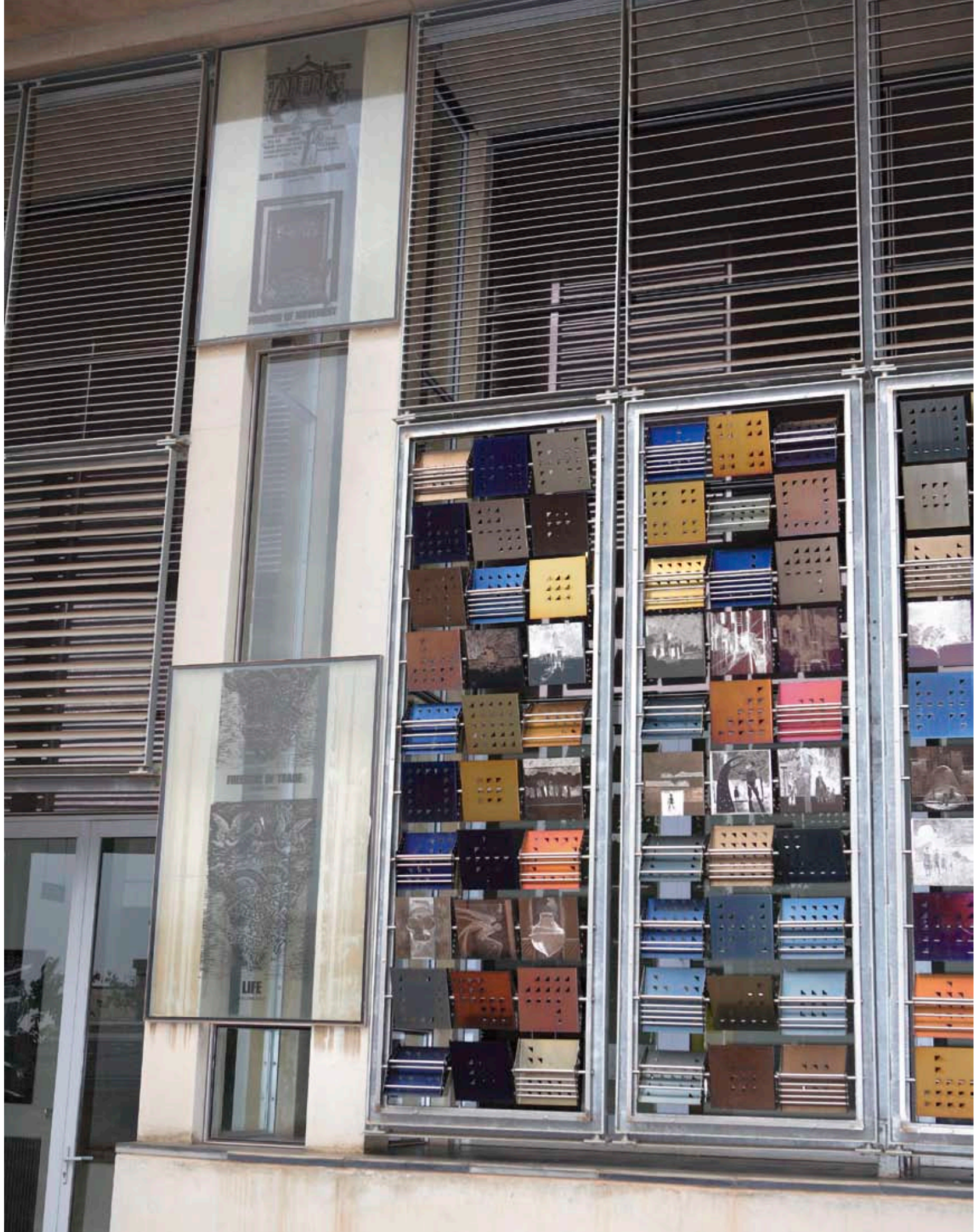


ABOVE: Andrew Verster, *Hotlands*, 1993,
triptych, oil on canvas, each 201 x 75 cm



OPPOSITE: Robert Hodgins, *The Scene of the
Crime*, 1994, oil on canvas, 91 x 121 cm





ART AND ARCHITECTURE

by Andrew Makin

While most buildings springing up in cities all over our modern world are still *conceived* in the human imagination, they are *realised* through a series of intricately connected architectural, industrial and economic “systems”. This state of affairs is partly due to the enormous pressures brought to bear on architects and construction companies to produce a variety of multi-functional buildings under strict deadlines and budgetary constraints. As a result, there are very few traces of human intervention – in the form of craftsmanship – in many new commercial and industrial buildings. By contrast, the signs of the systems and machines that make these buildings are everywhere apparent. Human intervention in the architectural process has shifted from conceiving, crafting and assembling, to conceiving, assembling and managing; machines and technology have, by and large, replaced the autonomous processes of art and craft so that creative authority is now vested in the hands of a few specialists.

Added to this situation is the fact that the built environments of our highly industrialised world are increasingly abstract and those who inhabit them have very little say in what they look like and how they should be made, even while they form part of the labour- force constructing them. Thus, the built environments in the first world and in emerging

urban economies often do not represent the people who live and work in those environments, but rather the values of the corporate or state bodies called upon to conceptualise and realise them.

With this in mind, the architects of the Constitutional Court building sought a physical representation of the constitutional values of freedom, dignity and equality. At the same time we wanted a building that would give expression to human creativity and ingenuity and bear the signs of *making*, a building that would represent the work of South African artisans, crafters and artists; work, in other words, that is the product of human interaction with ideas and materials rather than of systems and technologies of management.

So, while the primary framework and the building elements of the Constitutional Court building are the product of industrial technologies and processes, many parts and components of the building were set aside in the planning process to be conceived by people *other than* the architects and made by processes other than the industrial and technological. The results of this – highly collaborative – process can be seen in the finished building: the ideas and handiwork of many people are visible throughout the building, from elements as large as entire façades to small interventions like the tiny cast-bronze nosings that mark the front of stair treads. The incorporation of art into the Court has leant depth to the experience of visiting or working in the Court and widened the building’s scope of reference and representation.

Artwork is not simply *applied* in the Constitutional Court, as pictures on the walls and sculptures in the spaces. Rather, it is *integrated*, serving

as a fundamental component of the building’s materiality and as a primary contributor to the meaning and symbolism of the building. It is possible to say, therefore, that the Constitutional Court building is the product of the people of South Africa, and is a real and material expression of their freedom, dignity and equality, their human capacity to imagine and create.

West elevation of the Court showing glass panels from the "Images of Human Rights Portfolio" on the left and sun screens by Lewis Levin and Patrick Rorke on the right

CALLING ALL ARTISTS, CRAFTERS AND DESIGNERS

by Janina Masojada

The Artworks Committee and the architects of the Court created a series of competitions for art that would be integrated into the Court building. In order to reach as many corners of South Africa's arts community as possible, the Committee published an invitation to participate in the artworks programme in newspapers, on the radio and at educational institutions, galleries and community art centres. The invitation called on designers, artists and craftspeople from across the country to submit proposals to the Artworks Committee:

In my capacity as a member of the Artworks Committee for the building of the new Constitutional Court on the site of the Old Fort Prison ('Number Four') in Johannesburg, I am happy to announce that the artworks programme is about to unroll. This will be a unique artistic venture for a unique building. The Constitutional Court will serve as the flagship edifice on Constitution Hill. Construction of the building is nearing completion. Thirty-one sites for integrated architectural artworks have been identified. They do not involve acquiring loose art and placing it in the building, but rather ensuring

that the eye, hand, intelligence and heart of the artist and of the crafter are integrated into the very fabric of the building itself.

The adjacent prisons serve both as a reminder of the pain of the oppressive past and of our capacity as South Africans to convert that negativity into positivity. The work of the Court is guided by values of human dignity, equality and freedom. We are eager that the widest range of South African artists and crafters participate in what we envisage as a national project for a national building.

... The success of this project will not only enhance the quality of the new Constitutional Court building and all that it stands for, but serve as an example of how the widest range of artists can be invited to take part in public art activities. I would like to thank you in advance for your assistance in this regard.

Sincerely
Albie Sachs

The procurement process had to satisfy the ambition of the Artworks Committee to build an art collection in which both established (local and international) artists, as well as little-known or emerging makers of art and craft, would be represented.

The art competitions, as with the architectural one, defined the requirements of each of the artworks in terms of its location and performance (structure, security, sun-control, visibility etc), and in the broader context of the ideals of the Constitution.

In a series of three competitions, a total of twenty-five different types of interventions were identified

with a potential for seventy-five commissions. Artists submitted their work to an adjudication panel led by the architects, with judges of the Court and representatives of the art and heritage community reviewing submissions.

The competitions called, in some cases, for finished pieces of art – for example lampshades, gates and sun screens – and, in others, for conceptual design proposals only. For the latter, the artist submitted a conceptual response to a particular building requirement, and the design development and implementation (the making of the work) was undertaken in collaboration with the architects and a specialist fabricator. Fixing of the work on site was the responsibility of the building contractor.

The artworks programme is ongoing, though there is less and less call for integrated works since the building's physical needs are largely satisfied. The construction budget contributed partially to the costs of the artwork, but extra funding, raised and managed by the Artworks Committee, covered the inevitable additional costs resulting from the special designs and fabrication requirements.

Artists gather at the Old Fort Prison on 9 August 2001 to be briefed on the artworks programme for the Constitutional Court







building with art

2

BUILDING WITH ART

SECURITY GATES, ENTRANCE DOORS, SIGNAGE, SUN SCREENS, MOSAIC BENCH

The design brief for the new Constitutional Court stipulated the *physical* requirements of the building (the spatial relationship between rooms and the needs of the people using them, for example) and the *performance* requirements (to be water-proof, acoustically sound, visually accessible and so on).

In addition, and just as important as these pragmatic considerations, was the brief that the building have *meaning* and *relevance*: that it express our collective social, political and cultural achievement in the context of the new South African democracy and contribute to an ever-evolving national cultural identity. Meaning and experience were constantly interrogated in the design process and were the major themes of a debate that helped to refine the architectural response to the project.

In the design development of the Court, the fundamental intention was for the building to be unified with the South African context expressed in and promised by the country's new Constitution. The architects responded to this brief on an urban and architectural scale, as well as in terms of the elements of the building (the bits and pieces making the whole). Artists and craftspeople were invited to participate in the building's make-up by submitting proposals for these elements, some quite small (like the nosings on the stairs in the Exhibition Gallery, pp. 108-109) and some much larger interventions (such as the west-elevation sun screens, pp. 36, 56-59).

The traditional supply chain for such elements was replaced by artists and craftspeople who conceptualised and customised many of the building components. These had to respond to functional (building performance) requirements and physical environments, but also bring meaning – human energy, creativity and a vibrant aesthetic – to the building.

PREVIOUS: Judges' Wing (level -1) with Siphon Ndlovu, *Images of South African History* 1, 2, 3, 4, c1998, acrylic on canvas, each 152 x 122 cm

OPPOSITE: Security gate in the Judges' Wing (level -1) by Lisa Perold





SECURITY GATES FOR THE JUDGES' CHAMBERS

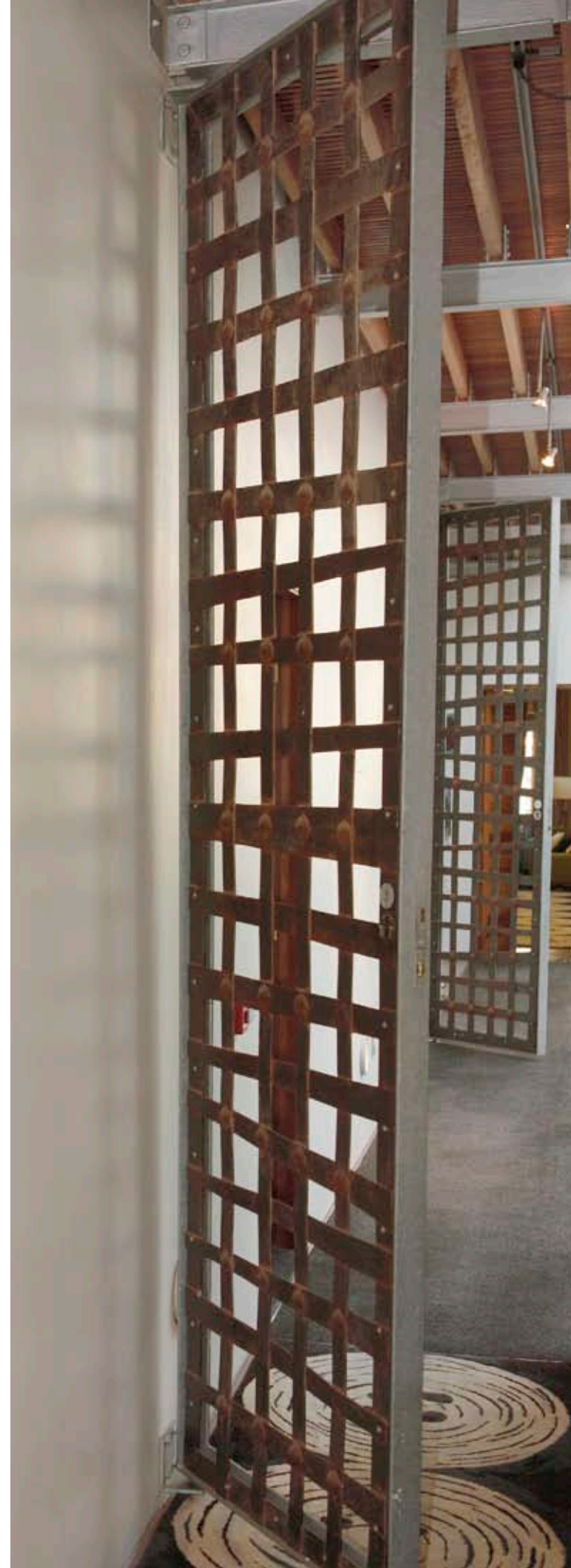
The practical requirement for security for the Judges' Chambers meant the development of a brief that described the physical properties (location, size) of a set of gates, their required performance (security control, visibility) and the meaning of "security" in the context of the history of incarceration. The Court is built on the site of a former prison, which meant that the question of the physical requirements of security (gates and bars) had to be treated with particular sensitivity. This concern was conveyed to the artists who won the commission to design the gates.

Fourteen pairs of security gates, designed and made by a team of artists and fabricators, were delivered to the Court from across the country for the builders to fit into the building fabric. Each pair of gates is unique and, given the range of material used in their construction and the artistic styles to which they give expression, they have become a "collection" of works – integrated into the building – that show off individual artistic and technical talent, inventiveness and a diversity of skills.

LEFT: View into secretaries' offices on the ground, first and second floors of the Judges' Wing

OPPOSITE LEFT: Security gates leading to the Chambers of Justice Tholakele Madala

OPPOSITE RIGHT: Security gates leading to the Chambers of Justice Yvonne Mokgoro



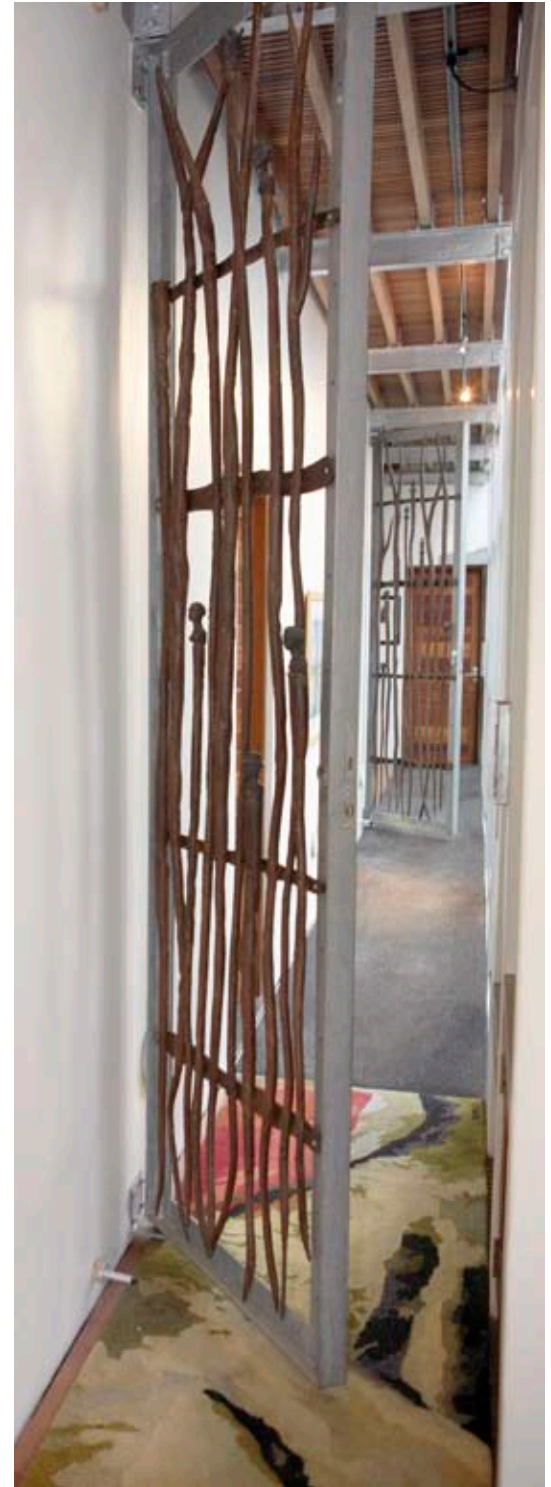


LEFT: Security gates leading to the Chambers of Justice Johann van der Westhuizen

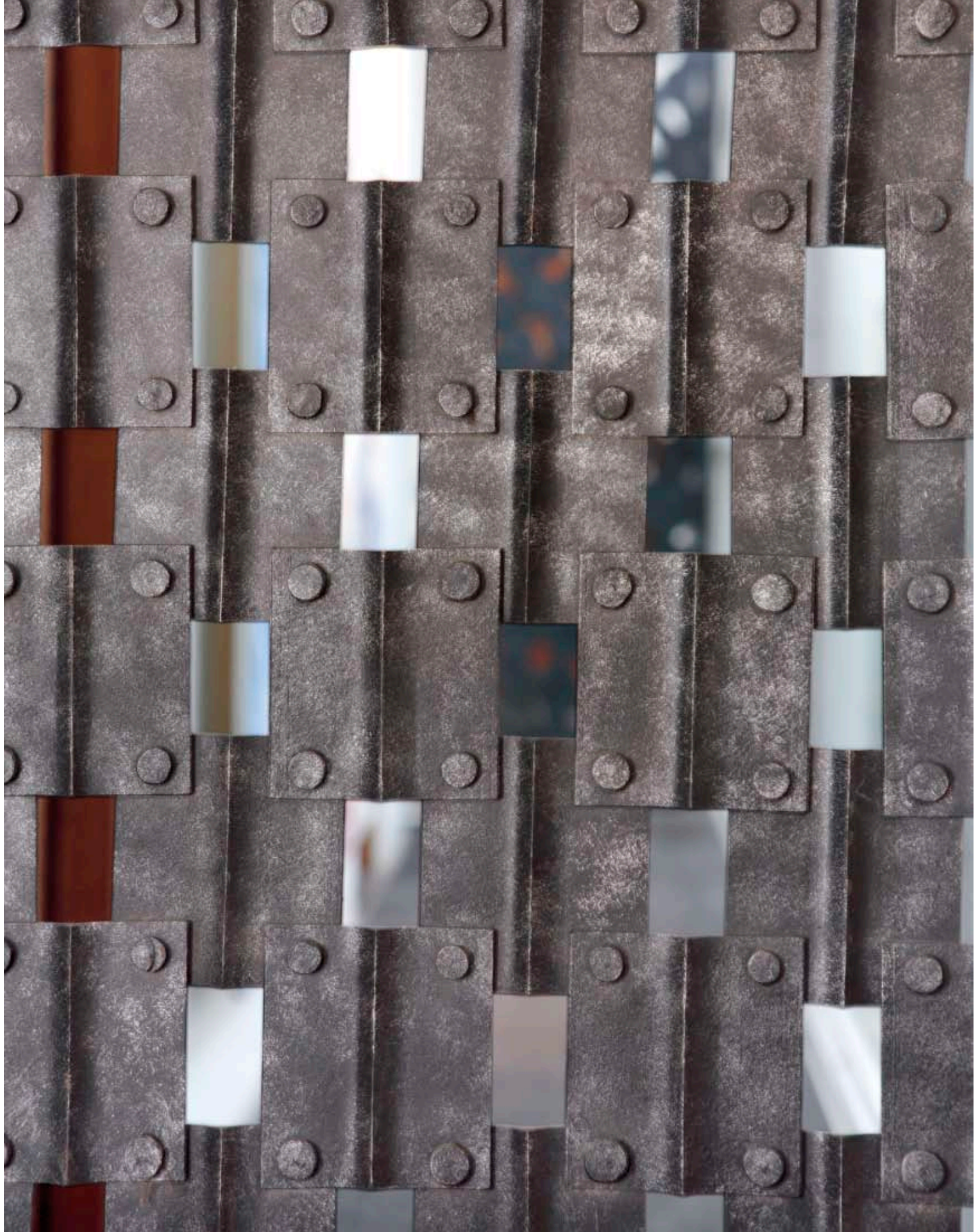
RIGHT AND OPPOSITE: Security gates leading to the Chambers of the Acting Justice

OVERLEAF LEFT: Detail of security gate leading to the Chambers of Deputy Chief Justice Dikgang Moseneke

OVERLEAF RIGHT: Security gates leading to the Chambers of Justice Sandile Ngcobo











THE WOODEN ENTRANCE DOORS

The eight-metre-high doors that serve as the entrance into the Court off Constitution Square complete the west face of the building. With their carved symbols from the articles of the Bill of Rights in sign language, they are a reminder of the inclusiveness of the Constitution and the importance of the individual in society.

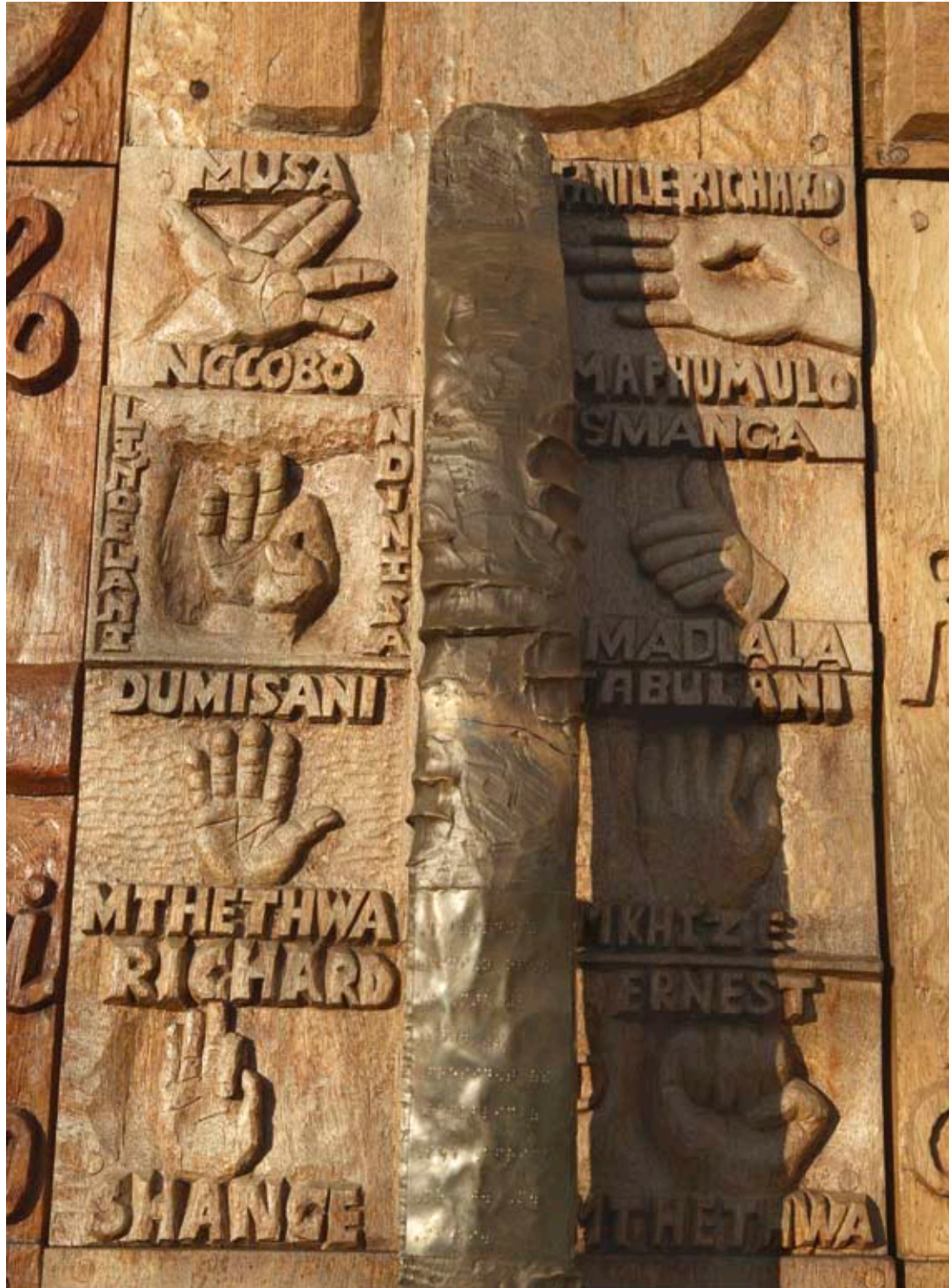
LEFT: Entrance to the Court, looking south towards the ramparts with the doors to the left and Dumile Feni's bronze sculpture *History* in the middle ground

OPPOSITE: Late-afternoon sun strikes the eight-metre wooden doors and the concrete entablature above the entrance to the Court

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CARVING THE DOORS

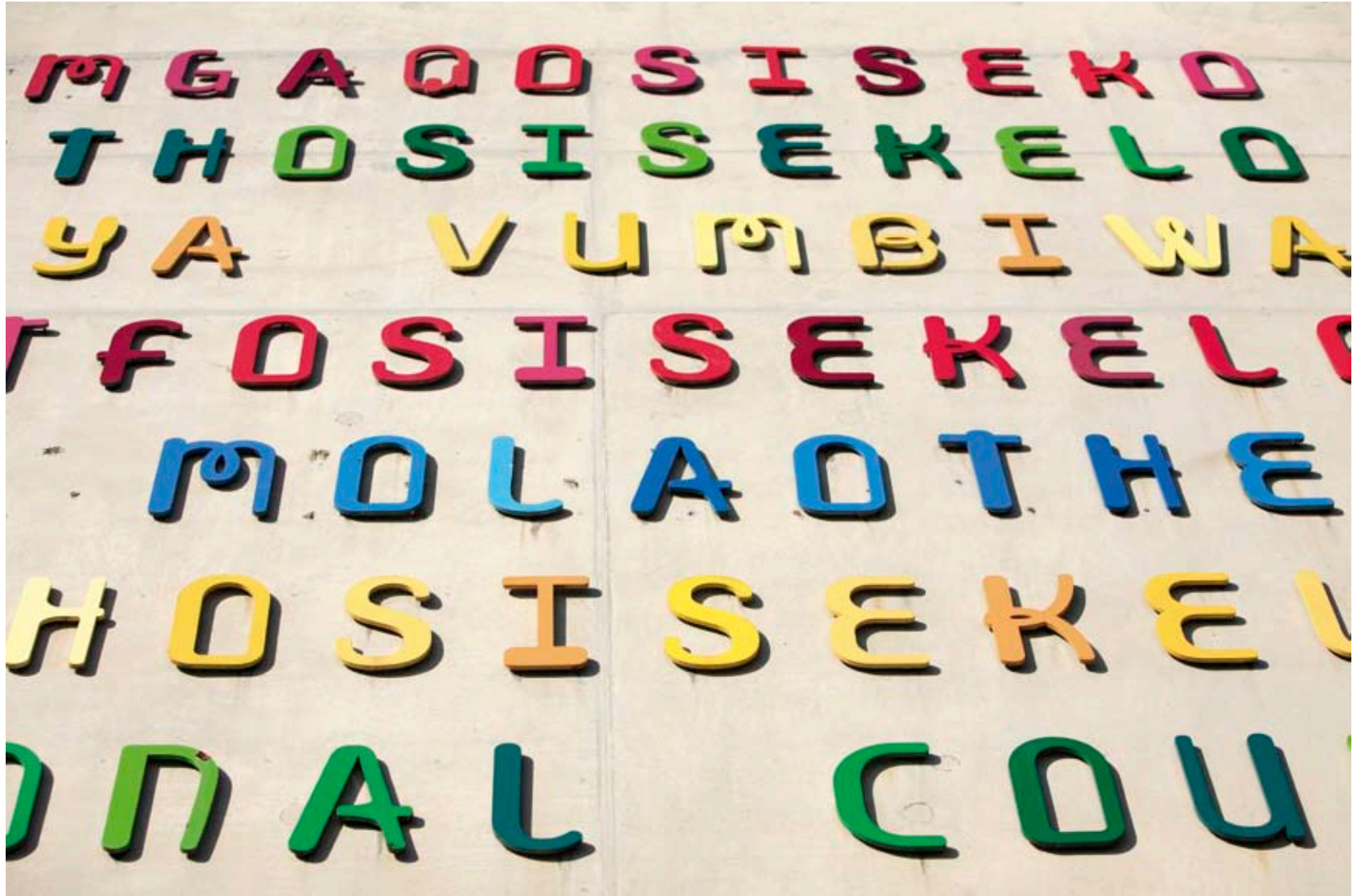
When Andrew Verster was awarded the commission for the front doors and had submitted a design, he approached Andries Botha to help him realise this project. Botha suggested incorporating sign language into the doors and connecting its symbols to elements of the Constitution. Working with a group of local carvers who created a series of panels freely interpreted from Verster's clay maquettes, Verster likened the process to the making of a Gothic cathedral "where, though thousands of hands did the work, the whole had a unity." Botha oversaw the making of the panels, encouraging the carvers' creativity and assisting with conceptual or logistical problems. The carvers "signed" their names on the panels so that authorship of the project could be recognised as shared between the carvers and the originators of the project. The brass door handle, inscribed with Braille, was designed by Botha and Verster, and made by Botha.

OPPOSITE LEFT: Brass handle of the Court entrance door inscribed with Braille

OPPOSITE RIGHT: Carvers making panels for the doors

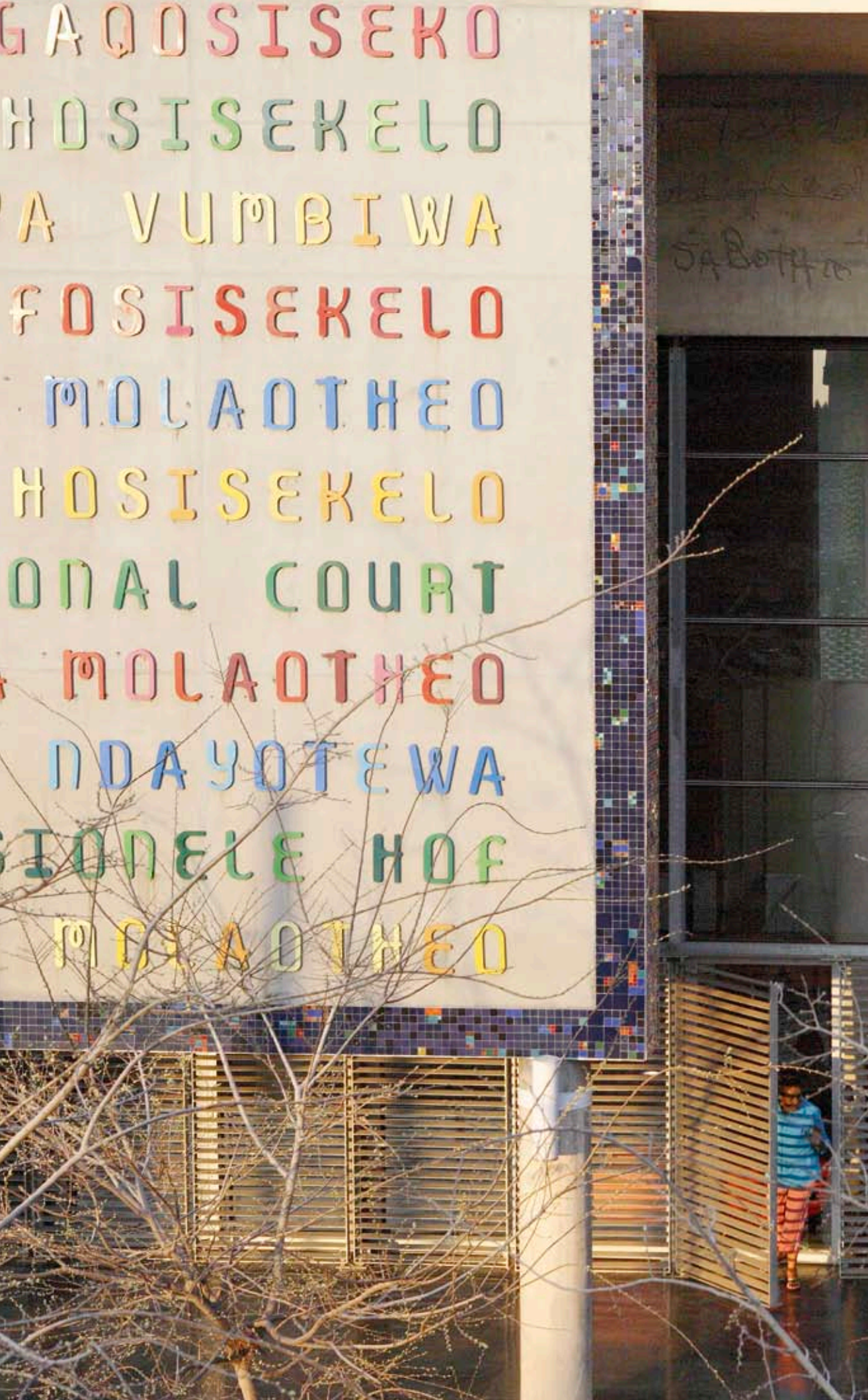
RIGHT: Detail of one of the panels of the entrance doors; the inscription in isiZulu reads "the rights of arrested, detained and accused persons"





ABOVE: The concrete façade above the west-facing entrance to the Court is emblazoned with the words "Constitutional Court" in the eleven official South African languages. The font is designed by Garth Walker.

OPPOSITE: West-facing entrance to the Court. In the top-right corner is the concrete entablature inscribed with the words "human dignity, freedom, equality" in the handwriting of the eleven Judges of the Court.



SIGNAGE IN THE COURT

The competition brief for the design of the font for the Court's signage called for

... an original font, born out of our national context ... The font will form the text that gives direction to people speaking in a range of South African languages, from a range of geographic locations both rural and urban, from diverse cultural and educational backgrounds. The font must have dignity and authority; it must be familiar and hospitable (friendly and un-intimidating), sensitive to the history of the site, unique, expressive, with humanist letterforms.

The winning proposal, by designer Garth Walker, presented a range of letters, signs and symbols found on the site and in the immediate neighbourhood – street traders' hand-painted signage, graffiti on the prison walls of the site, historic institutional signage. Fragments from these sources were collected to form an alphabet that reflects the spirit and history of a place and is firmly rooted in the visual street vernacular of present-day Johannesburg. This new typeface, together with various symbols, formed the signage in the Court building. All the Court signs are in at least two official languages with an associated symbol.

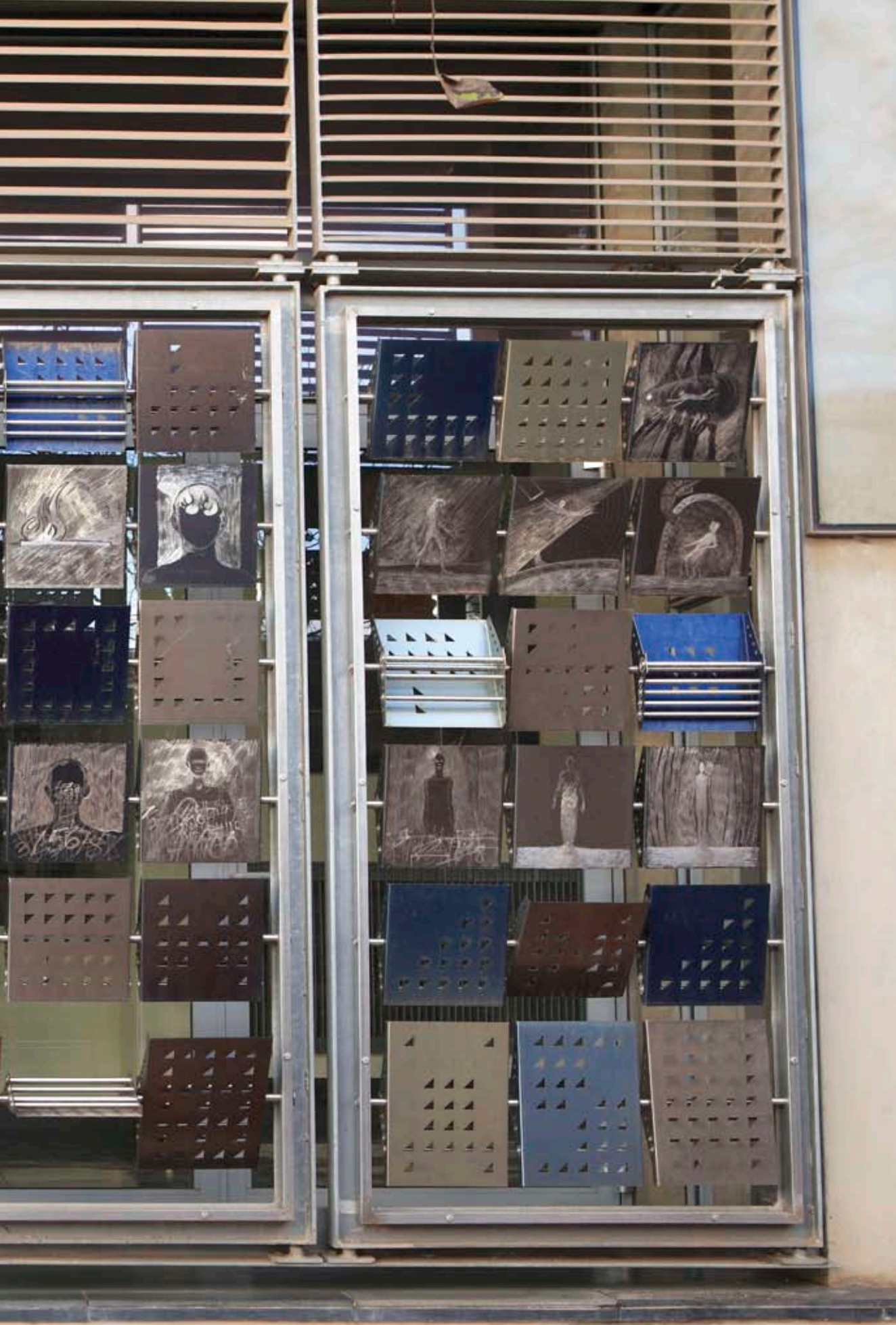
Garth Walker recalls how he arrived at the concept for his design: "I remember climbing the stairs to the cells on the top floor of the Old Fort, like so many prisoners before me. Standing in virtual darkness looking at the walls ... at nothing, then my heart stopped. Scratched into the walls, [were the] words of someone I'd never know, forever engraved on the grey cement:

SON OF SAM

NOW, SON OF HOPE

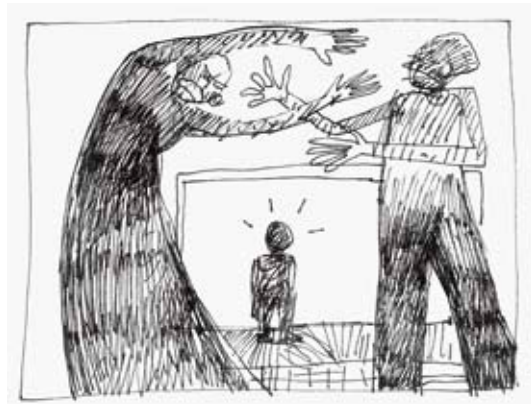
I knew I had to use these words."





SUN SCREENS

The sun screens on the west elevation of the Court, designed by Patrick Rorke and Lewis Levin, provide much-needed protection from the strong afternoon light without darkening the inside of the building. The artists' initial proposal to the architects describes the screens as "an artwork executed as a collaboration between two artists ... a series of pivoting square plates" that would reflect the sun and appear gold, bronze and silver. The plates "recall traditional beadwork ... [and] the multitude of individuals working together in a democracy". Rorke drew the imagery for the screens from interviews he conducted with people living and working in the area around the site of the building. These personal histories serve as a vibrant "story board" of the lives of people represented by the Constitution that the Court upholds, and the success of the work lies in the dynamic tension between the intimacy of the stories and the enormous scale of the completed work.



LEFT: Sun screens on the Court's west elevation by Patrick Rorke and Lewis Levin

ABOVE: Sketch by Patrick Rorke for a sun screen panel

OVERLEAF LEFT AND RIGHT: Details of the sun screens, each of which can be tilted to allow in more or less light



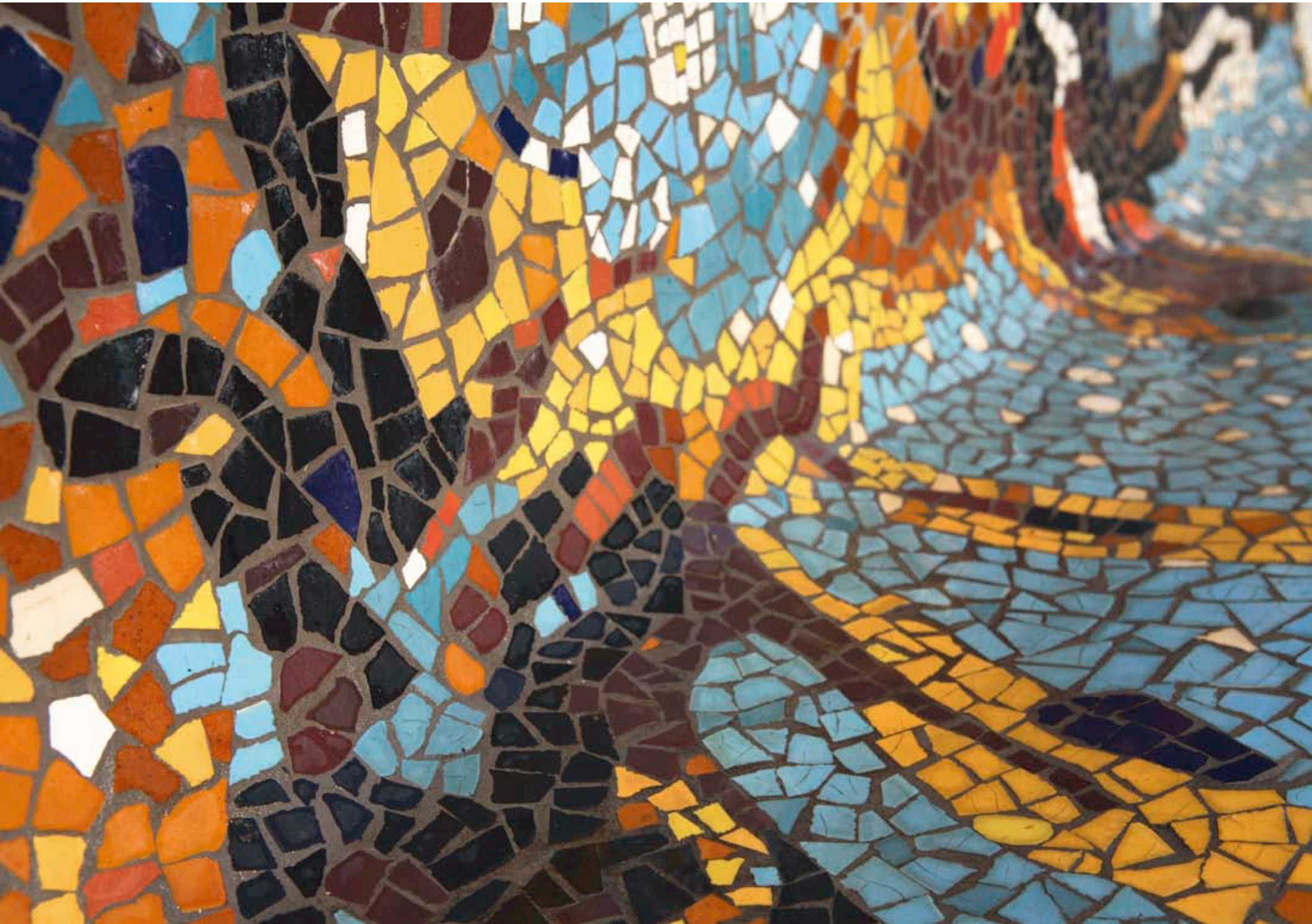




MEMORIAL BENCH

John Didcott, one of the original appointees to the Constitutional Court, was famous for his independent spirit as a judge in the apartheid era. After his death in 1998 his family offered to donate a bench to the Court in his honour. The architects proposed that a mosaic bench be placed in the enclosed garden in the centre of the Court site. Working from one of Didcott's favourite pictures, a painting by Joan Cundall-Allan, Marco Cianfanelli designed this striking bench. Directly behind the bench, prison bars taken from the demolished awaiting-trial block of the old prison were installed to screen the garden from a city substation. The creepers that have grown up over these bars now form a soft background for this exuberant work. — Albie Sachs

Marco Cianfanelli's memorial bench for Judge Didcott stands in the inner garden of the Court facing west, its back to a city substation







variety and
individual expression

3

VARIETY AND INDIVIDUAL EXPRESSION

JUDGES' CHAMBERS, CARPETS, NEON SCULPTURE, EMBROIDERED PANELS

At the heart of the new constitutional order is the imperative to transform our society into one in which there is equality and freedom for all. This ideal requires political will and the collective effort of all South Africans. The Constitutional Court judges, while representing the diversity of the citizenry as well as a variety of legal opinions, have a common commitment to this task. To achieve it, they debate the matters before the Court, seeking a collective vision in the name of the Court.

The architecture and works of art and craft in the Court endeavour to express the richness of such a process, without resorting to easy or facile symbolism. At the north end of the Exhibition Gallery, a neon installation by Andrew Verster [p. 75] is a good example of the balance struck between the desire for a representation of a national identity and the recognition that such an identity is never static or neatly heterogeneous. The work is a collection of delicate neon outlines representing the nine provinces. Each hangs as an independent shape on the mobile, and balance is achieved by the relationships between the elements. This work suggests the possibility of a creative tension between individual expression and a collective vision. Significantly, it is at its most striking when the bright neon colours stand out against a background of darkness.

A more tangible and immediate representation of the relationship between individuals and the collective, however, can be seen in the Judges' Chambers, strung along the east side of the building in discrete units housed under one roof and overlooking a communal garden. Owing to the requirements of the Departments of Public Works and Justice, the interiors of the Judges' Chambers are identical in structure and contain the same basic furnishings. But it was important to the architects and the judges that within this institutional order there was recognition of the value and uniqueness of the individual. This was achieved partly through the introduction of a collection of unique hand-tufted carpets to the Chambers. The carpets are based on details from paintings by Sfiso ka-Mkame and Romeo Zamane Makhanya, and the weaving, co-ordinated by the architects, was done by a collective in the Eastern Cape.

Similarly, the text cast into the concrete entablature above the Court entrance [p. 51] reinforces the importance of the individual in our national endeavour. The words "human dignity, freedom, equality" (from the Founding Provisions of the Constitution) were proposed by the then Chief Justice Arthur Chaskalson, and the architects suggested the words be written in the hand of "every person", not in a traditional font associated with classical Greek and Roman architecture. Thus the words, translated into Braille and the eleven official languages of South Africa, are in the handwriting of the eleven judges of the Court.

These and other artworks in the Court, some created by individuals, others made by craft collectives, are a tangible expression of the desire, on the part of the architects and the building committee, to make a Court building that is inclusive and representative without seeming fragmented and chaotic.

PREVIOUS: Judges' Lounge and Conference Room with carpets based on designs by Siphwe Zulu

OPPOSITE: Mobile by Timothy Mlambo above the table in the Judges' Conference Room





THE JUDGES' CHAMBERS

Chambers is where a judge spends the better part of his or her day. Some judges like to beat peak-hour traffic and start work at the crack of dawn, often having their breakfast in Chambers. At the Constitutional Court, the Judges' Chambers are particularly special: while they all have the same basic layout, each set of Chambers has been fitted with a custom-made carpet; and to give the space an individual touch, the judges have arranged the furniture to suit them and personalised the decor, adding various *objets d'arts* and memorabilia. When you walk through the door of one of the Chambers at the Constitutional Court you can almost read the personality of the judge to whom the space belongs. — Yvonne Mokgoro

LEFT: Chambers of Justice Yvonne Mokgoro

OPPOSITE: Chambers of Justice Albie Sachs







OPPOSITE: Chambers of Deputy Chief Justice
Dikgang Moseneke

RIGHT: Chambers of Justice Sandile Ngcobo



CARPETS AND RUGS

A number of artists submitted paintings to the Artworks Committee for the designs of the carpets and rugs in the Court. From these, the architects digitally scanned details for a series of custom-made carpets for various locations in the building. The carpets were made by teams of weavers in northern KwaZulu-Natal and the Eastern Cape using custom dyed wools and in two different carpet-making techniques (hand-tufted and woven, depending on where they were to be placed).

The carpets in the Court Chamber and the Foyer were inspired by patterned shadows of leaves on the ground at the building site. But where the carpets in the Chamber are a muted black and white, the Foyer carpets are an exuberant mix of rich purple and deep red. They form a rectangular pattern, creating, with the benches in the Foyer, a kind of “waiting room”, albeit a very different one from the cubicles and drab rooms one has to endure in many official buildings.

LEFT: Weavers at Sculptured Rugs, Port Alfred, Eastern Cape making carpets for the Judges' Chambers

OPPOSITE: Chambers of Justice Johann van der Westhuizen





OSKÖRNES
2005



RUG BY CECIL SKOTNES

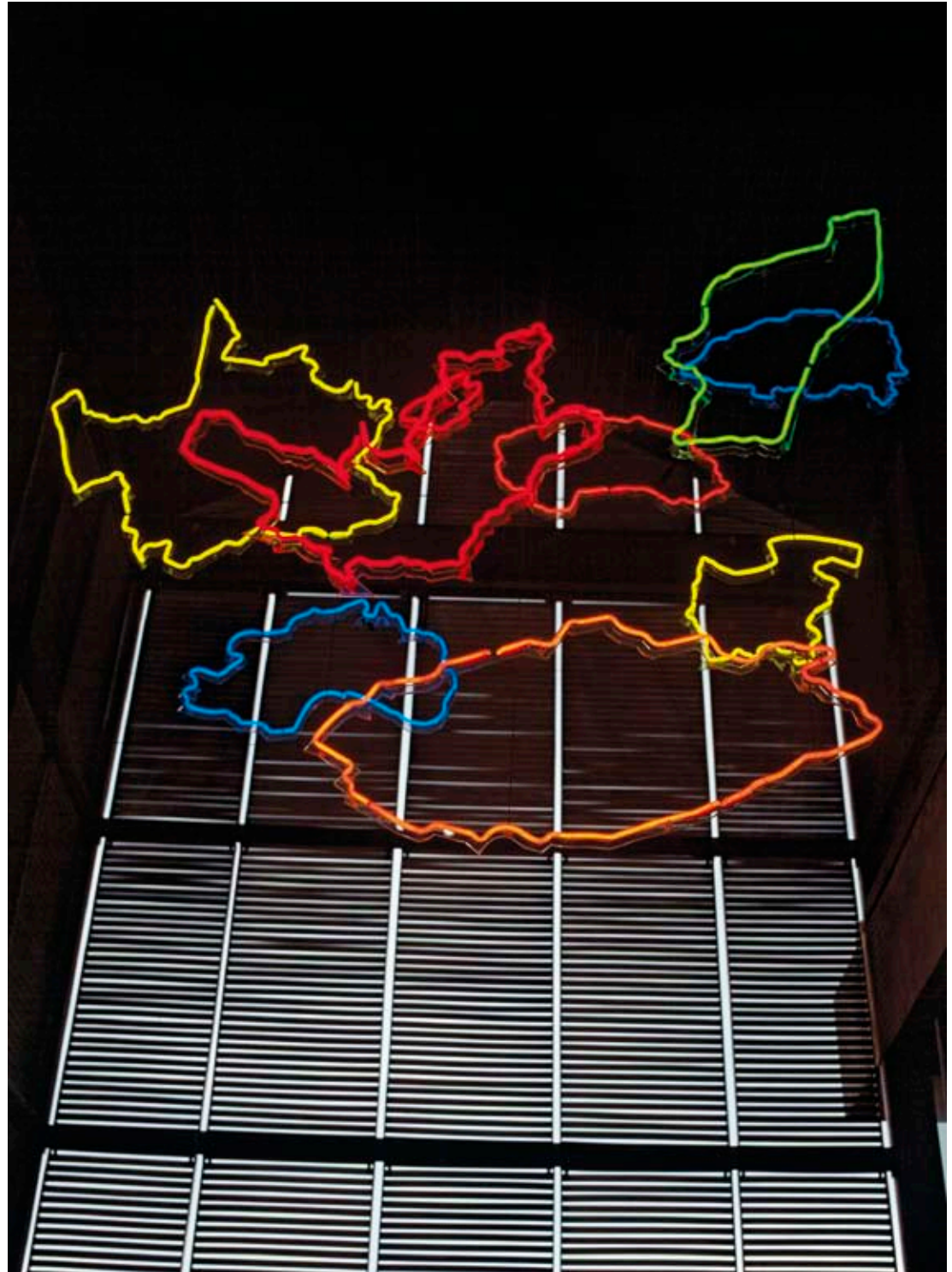
In 1962, during a period of great political repression in South Africa, a young student at the University of Cape Town named Peter Simon courageously agreed to a request from me to hide in his student's cottage two African leaders on the run from the police. After weeks in hiding, the fugitives escaped from the country. One of them, Chris Hani, went on to head the armed wing of the African National Congress and to enjoy immense popularity when he returned from exile in 1990, after the ANC had been unbanned and Nelson Mandela released. Three years later, however, he was assassinated by extreme right-wingers one morning as he returned home from buying a newspaper. In a book I wrote in 2002 I referred to the assassination and in passing paid tribute to the bravery of Peter Simon who, he subsequently told me, had kept the secret even from the person who had later become his wife. On learning that he was now an expert on carpets and had a successful business in this field, I invited him to do a tour of the Court when next he was in Johannesburg to see the beautiful carpets we had installed in the building. Just before his visit, the Artworks Committee received a request from Justice O'Regan of the Library Committee for a rug for the entrance area to the Library. When Peter arrived, I passed this request on to him and he immediately measured the space and offered to fill it. His idea was to make a series of carpets designed by South African artists. Some weeks after his visit, this striking rug, based on a design by Cecil Skotnes, arrived for installation. — Albie Sachs

Rug in the reception area of the Library
based on a design by Cecil Skotnes



NEON SCULPTURE

The neon light is a simple idea. I took a map of the country and traced the outlines of our nine provinces which, even out of context, are easily recognised. The differences in size of the provinces is fascinating. The smallest, Gauteng, is the richest and the biggest is one of the poorest. I then translated the outlines into wire and made a mobile. Suspended, the nine shapes moved and turned, creating an intriguing interplay. I chose the most contrasting, the most luminous colours, remembering that the place the sculpture would occupy has much natural light from the windows. The result is symbolic of how the disparate elements that make up the country are interlocked and dependent on each other. — Andrew Verster



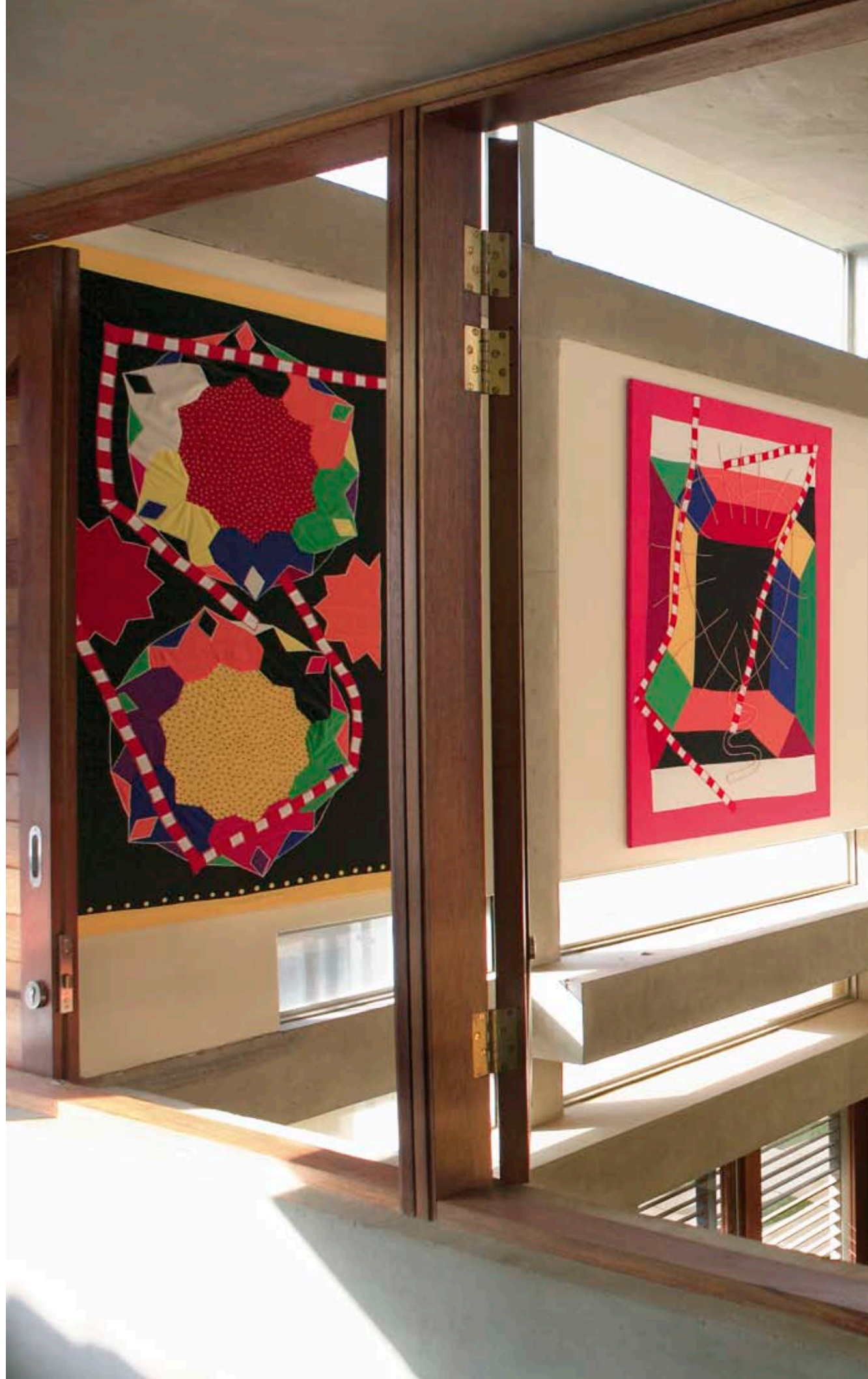
OPPOSITE: The design of this rug in the Library is based on a painting called *Fair Trial* by Siphwe Zulu

RIGHT: Andrew Verster, *The Provinces*, 1996, neon and Perspex

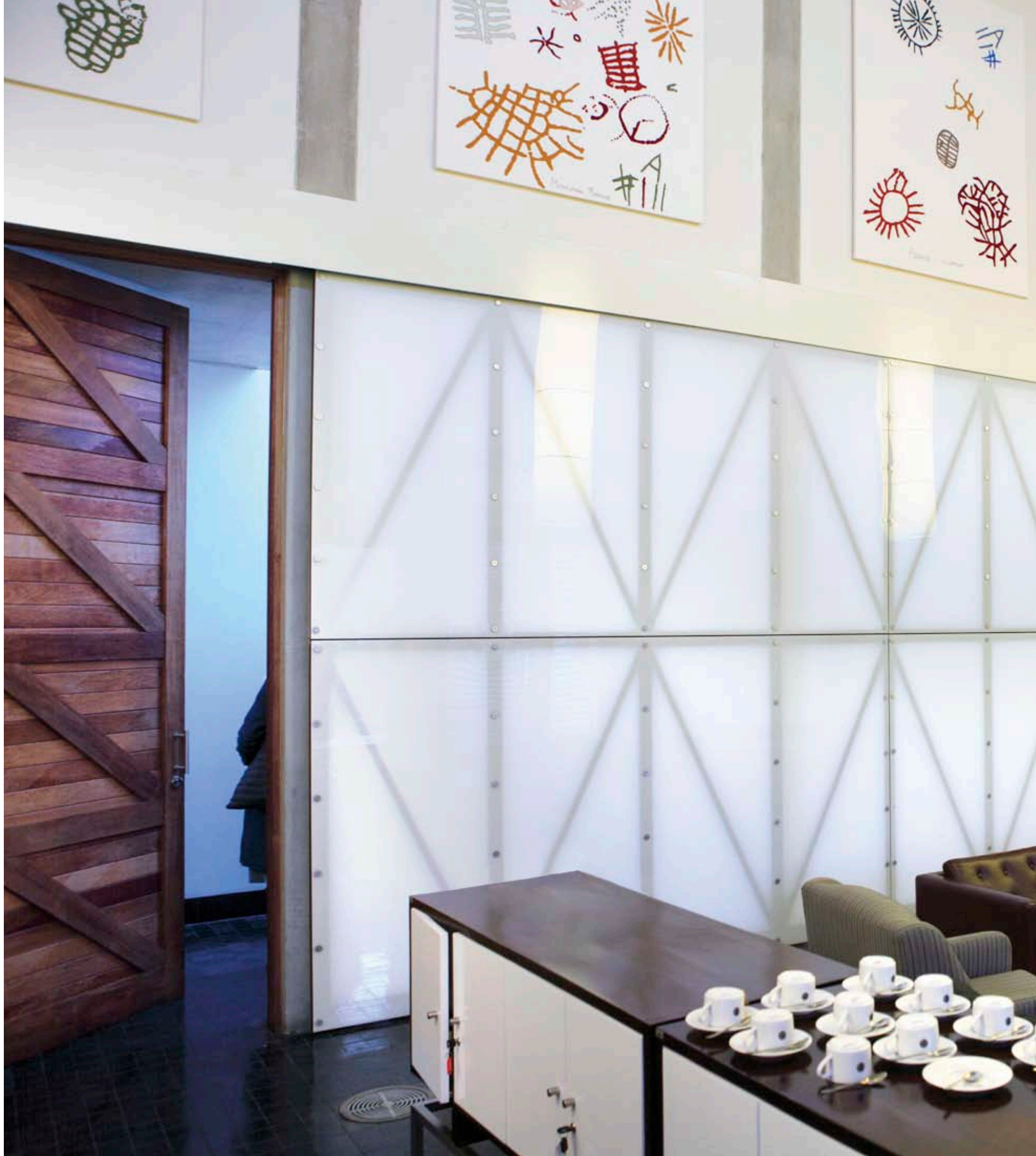
EMBROIDERED PANELS

The eighteen embroidered and appliquéd fabric wall panels hanging in the Judges' Conference Room and Lounge were designed and made by a group of eighteen craftswomen from the Northern Cape and Limpopo provinces. Leonard Shapiro of CraftSouthAfrica was appointed as director of the project by Justice Albie Sachs and the Department of Environmental Affairs and Tourism. Shapiro ran a four-day design workshop at the Court where the women designed the images for the wall panels. The panels were then embroidered by the women in their home provinces. Once the panels were completed, Minister Martinus van Schalkwyk presented the panels to the Court as a gift at an official opening.

Embroidered panels in the Judges' Lounge created by artists from Limpopo. The abstract designs are the artists' interpretations of city scenes.

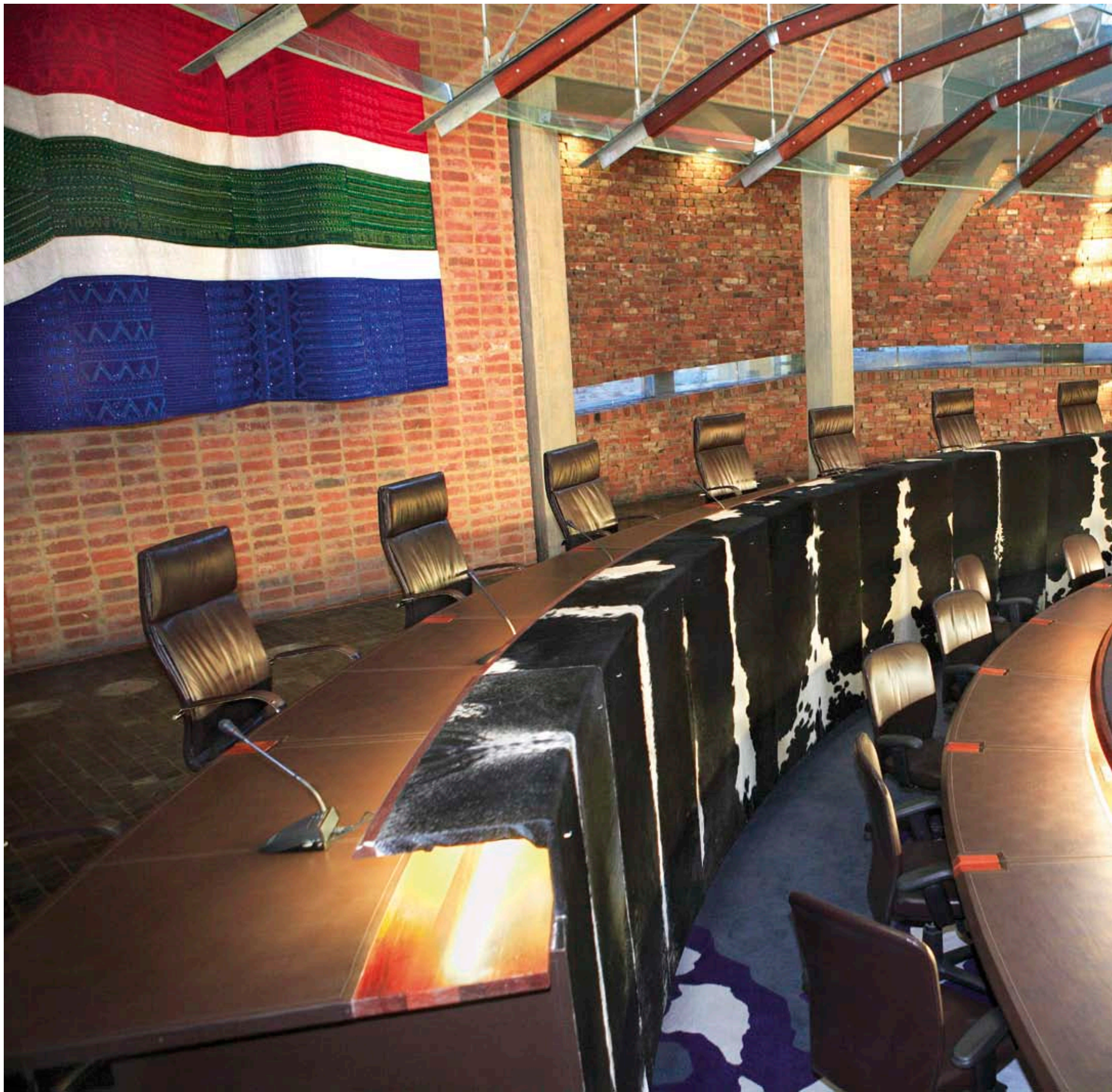








Embroidered panels in the Judges' Lounge created by artists from the Northern Cape. The designs are based on rock engravings found at various sites in that province. The carpet is based on a design by Sipiwe Zulu.





collective creativity

4

COLLECTIVE CREATIVITY

COURT CHAMBER CARPET, FLAG, ACOUSTIC BANNERS, MOSAICS

Many hands have contributed to the making of the new Constitutional Court building. From the conception of an idea to the implementation of the final work, the architects, artists, craftspeople and builders worked together to deliver the final result.

For some of the art projects in the Court, the conceptual idea was proposed by an artist in response to a brief by the architects defining the requirements of performance. The artists and architects then jointly developed the practical requirements of the work, taking into account structure, weather conditions, acoustics and other practicalities. The architects worked with an independent fabricator to resolve the making of the piece, its material structure and the method of attachment to the building. Finally, the building contractor received the artwork and fixed it into the building fabric.

Each person involved in the collaborations brought valuable skills to bear on the project. Technical input complemented traditional craft skills and artistic vision so that each project could be safely and practically implemented. At the same time, the artworks enhanced the look and tone of the building, giving functional elements conceptual relevance and visual appeal. The end result was a built environment comprising a great variety of elements made by many different people. This collective creativity is strongly in evidence in the large front doors of the Court, the magnificent beaded flag installed in the Chamber, the colourful mosaics on the pillars in the Foyer and the embroidered panels in the Judges' Lounge.

PREVIOUS: Judges' Bench in the Court Chamber adorned with Nguni cattle hides

OPPOSITE: Carpet designed by Andrew Verster in the Court Chamber

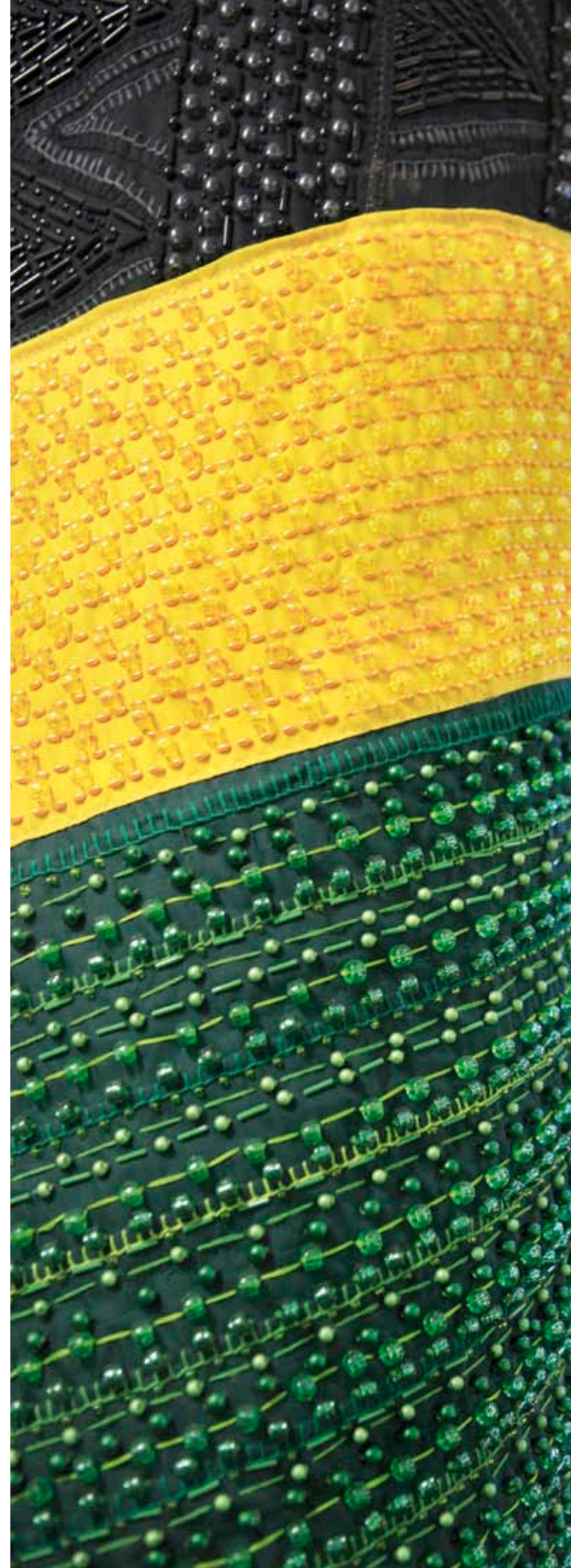




THOBANI MAMUN



Beaded South African flag in the Court Chamber, 250 x 600 cm, designed and created by the African Art Centre in Durban





THE BEADED FLAG

The flag in the Court chamber was conceptualised by members of the African Art Centre in Durban, under the management of Anthea Martin. This large work required the intensive labour of a group of beaders who worked at the panels over several months until they were ready to be joined together and attached to a backing. Leonie Malherbe describes this painstaking process:

We laid the whole flag out to pin the panels together – this job was exhausting – the fabric pulled and stretched and we had to constantly measure widths that kept changing. Barefoot we had to walk carefully on the beading ... kneeling on the beads was torture, so we used cushions and these had to be moved each time we moved a few centimetres. Pinning was difficult ... because of the weight of the fabric. Everything had to be tacked which was murder on the fingers.

After this intensive labour, the flag – bearing the names of all the crafters who worked on the panels – was finally installed in the Chamber in 2006. Its brilliant colours and sparkling beads offer a vibrant contrast to the muted tones of the carpets and other decorative elements in the space.

ABOVE: Making of the beaded flag

RIGHT: The Court in session. The beaded flag hangs on the east wall behind the Judges' Bench.





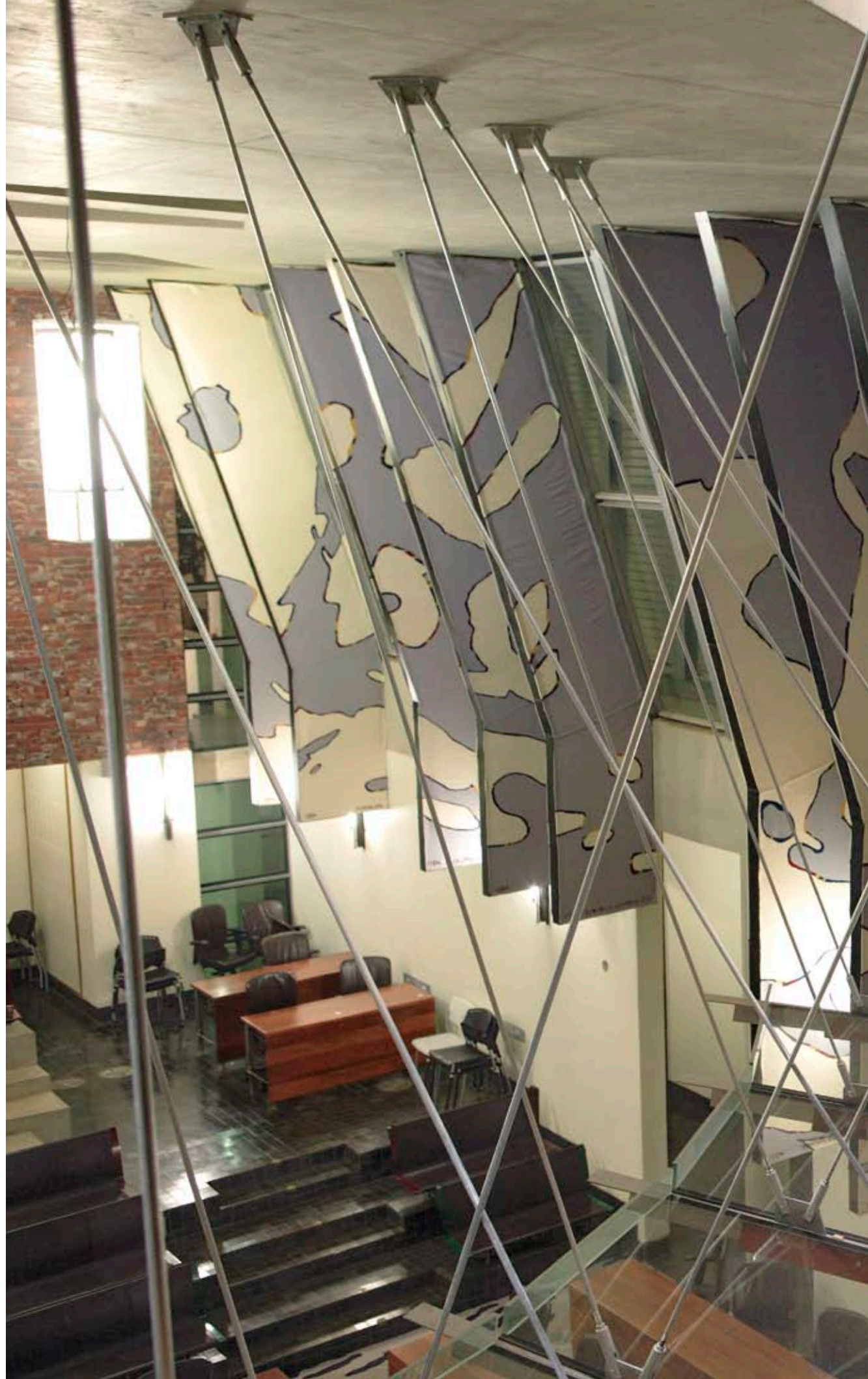
ACOUSTIC BANNERS AND CARPET IN THE COURT CHAMBER

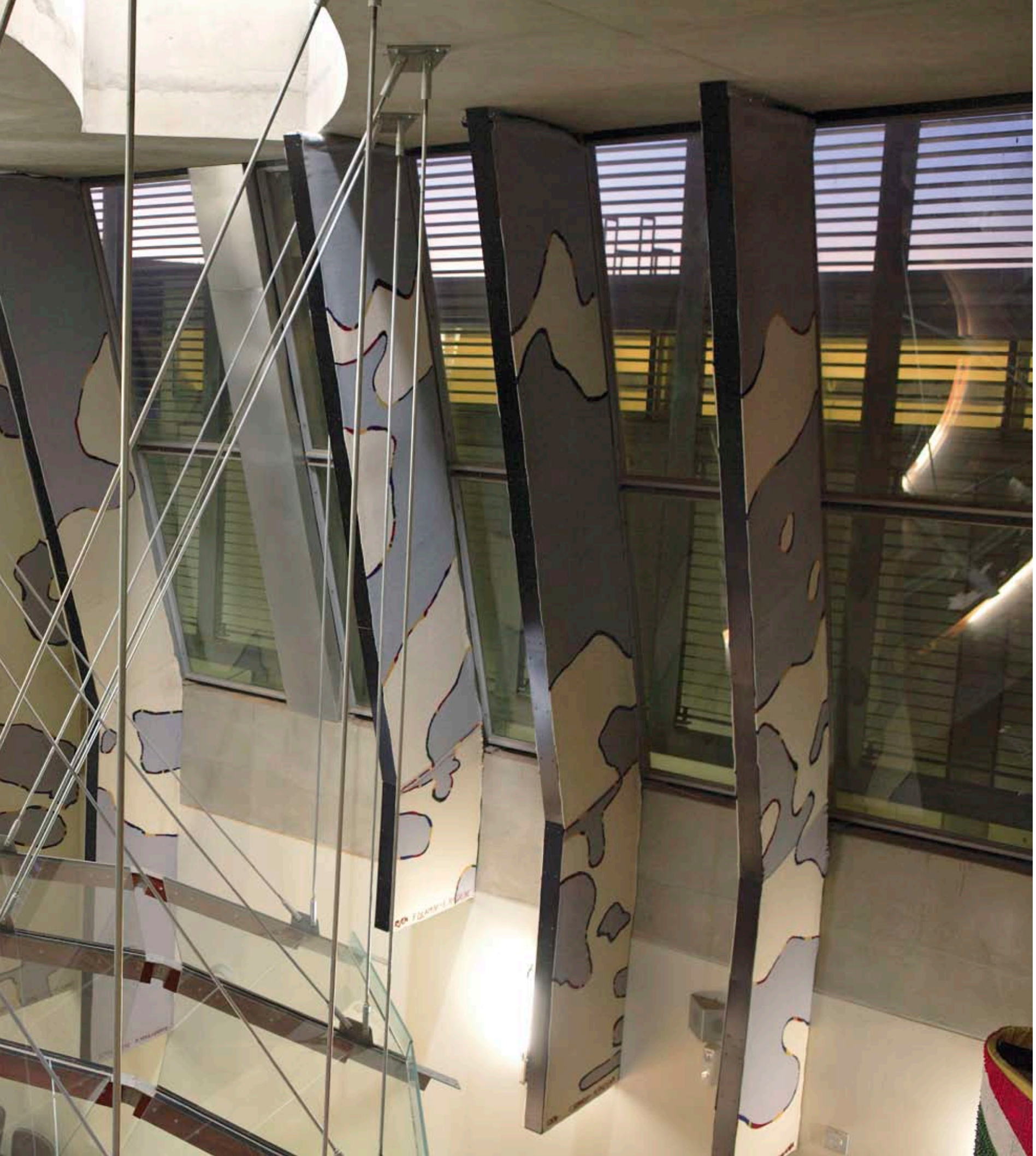
The inspiration for the acoustic banners and the carpet design in the Court Chamber was a photograph taken on the building site of the shadows of leaves on a tree.

The idea of “justice under a tree”, as a democratic, accessible forum for communities to resolve disputes, had informed the thinking behind the architecture of the Court building. With this in mind, the artist Andrew Verster proposed that the Court Chamber carpet allude to the shadows one might see outside under a tree. Once implemented, this idea also suggested openness and connection to landscape.

The muted colours of the hand-tufted carpet covering the floor of the Court Chamber amphitheatre suggest the play between light and dark, shadow and sunlight. Together with the acoustic banners suspended on one wall of the chamber, the Nguni cattle hides on the panels of the judges’ bench, and the beaded flag on the east wall, they are the only decor and colour in this space. Wanting to avoid the distraction of over-exuberance, the judges had requested that the Chamber remain unadorned, serene and calm. The carpets and Nguni hides provide physical and psychological warmth and the banners perform the function of acoustic absorption.

Acoustic banners on the north wall of the Court Chamber designed by Andrew Verster and made by The Weaver’s Hut in Donnybrook, KwaZulu-Natal







FOYER MOSAICS

The competition brief called for decoration applied to the slanting columns in the Foyer, a space, described as a “forest of columns”, that makes reference to the idea of holding court under a tree. I took as my point of departure for the design indigenous trees, using the shapes of their seedpods, thorns and leaves to inform the patterns in the ceramics.

The architects were concerned that the concreteness of the columns should read from floor to ceiling and so, after a morning in the half-built space watching the movement of the sun and the play of shadows on the columns, I devised a ratio of mosaic to concrete.

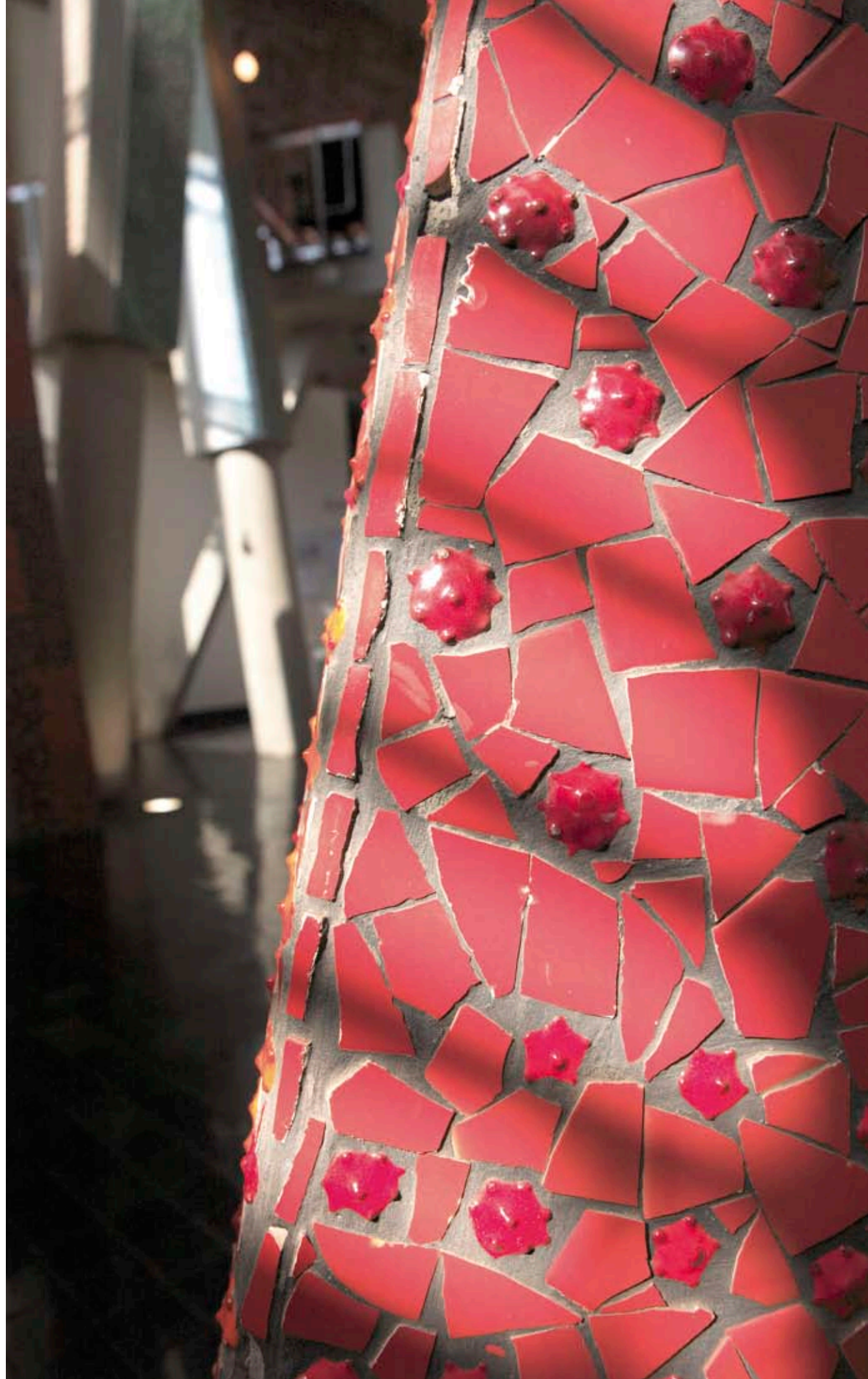
Some of the columns have the square plan on the bottom and some on the half touching the ceiling, allowing me to treat some as “sky columns” and some as “earth columns”. The patterns on the latter – seedpods and thorns – were made up in terracotta, reds and ochres. The “sky columns” – leaves and pods – were in grey greens, turquoise and blue greens. I wanted the mosaic to dissolve into the space along with the pattern of shadows created by the windows and perforated ceiling.

Using all the kilns we could find in Durban, a large team cut out, molded, fired and glazed each piece of ceramic, and then experimented with glazes and colours. In a process lasting almost three months, we laid out the strips for each column in my studio. Finally the strips, held together with brown paper and netting, were transported to Johannesburg where a team of six took two weeks to install the mosaics. — Jane du Rand

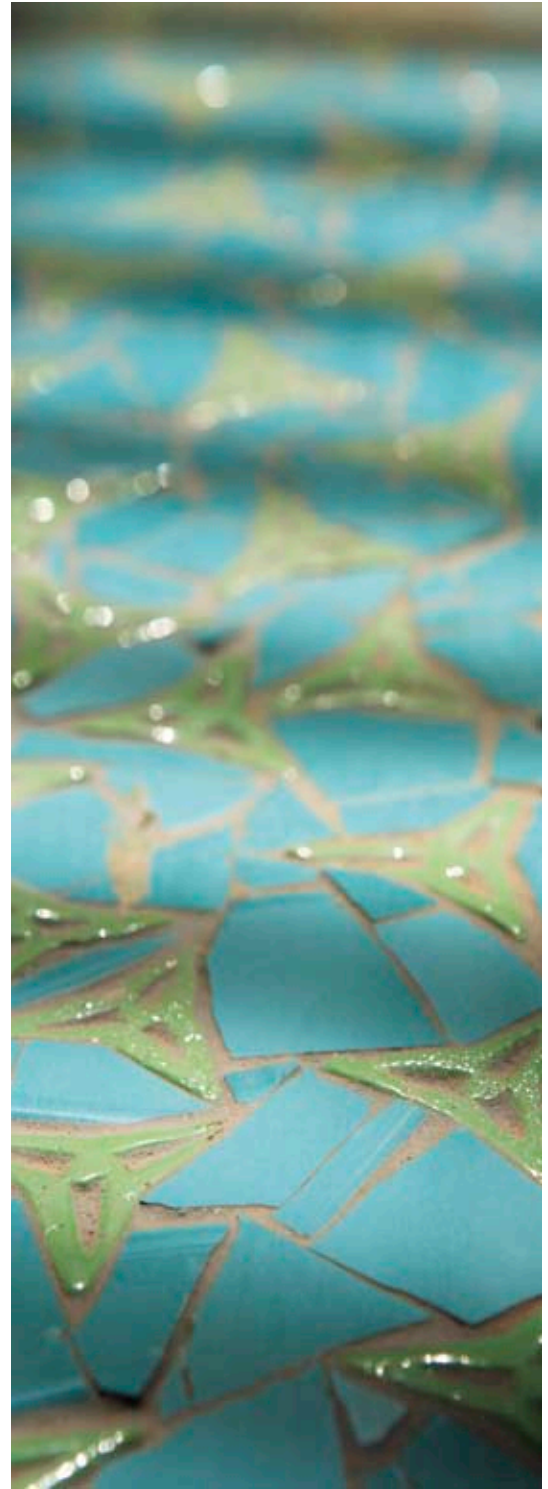
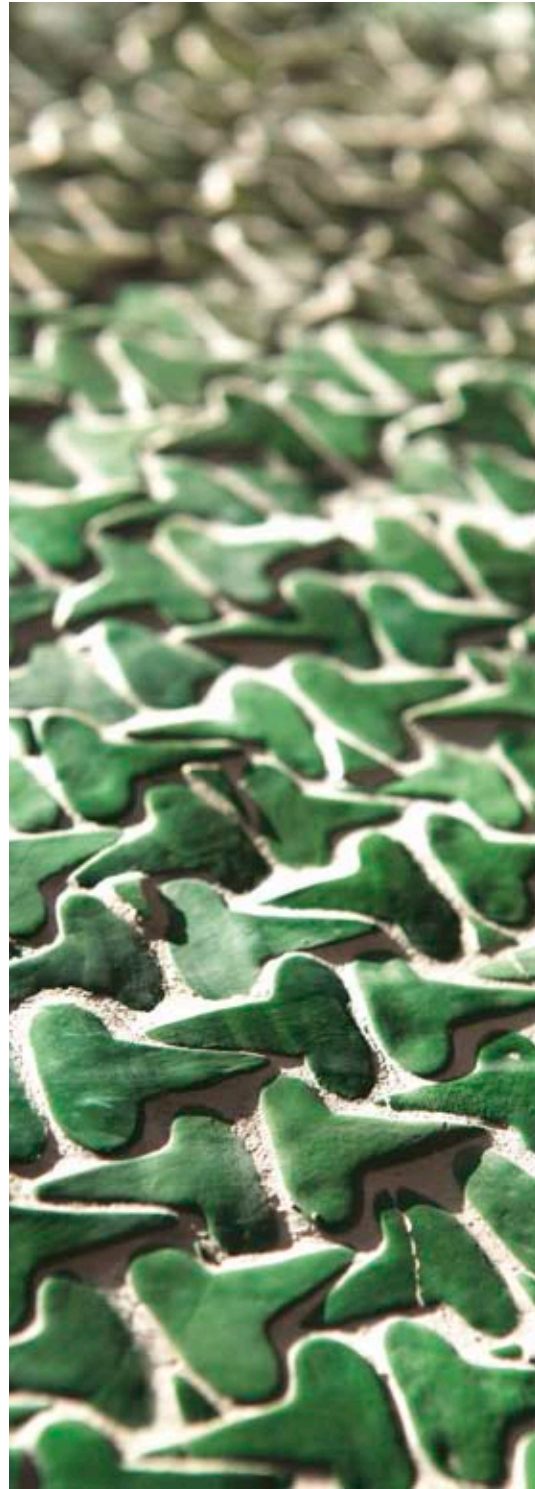
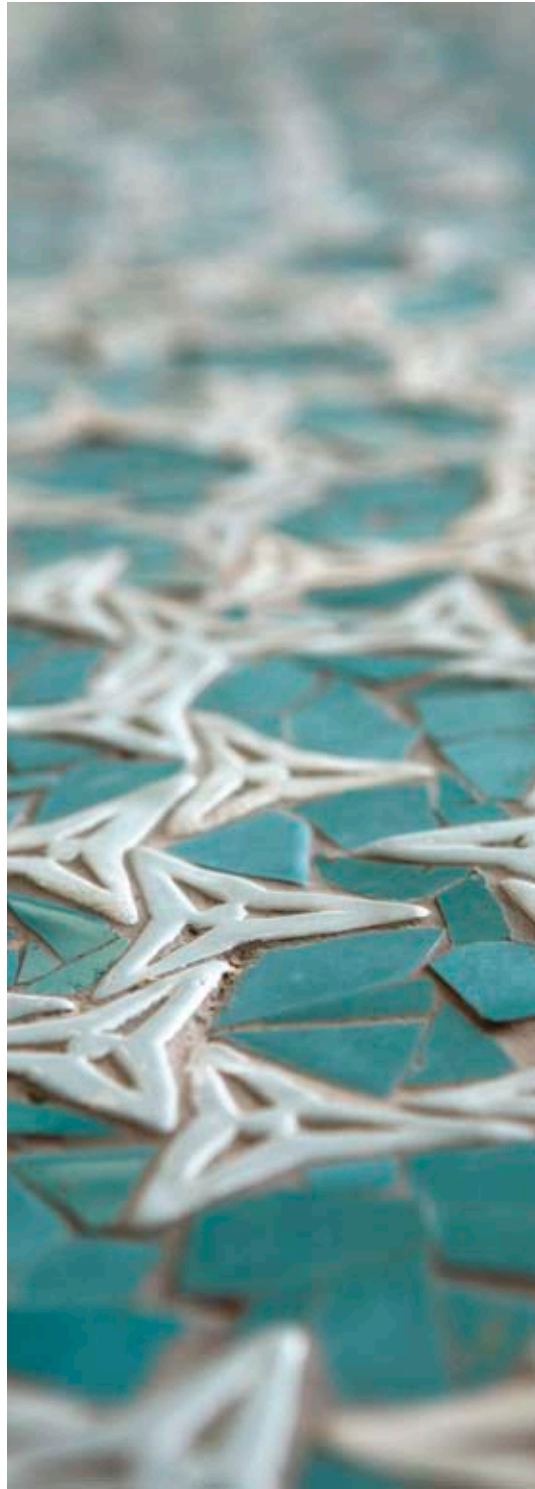
OPPOSITE AND RIGHT: Red and terracotta mosaics enliven the columns in the Foyer

OVERLEAF LEFT: Paul Stopforth, *Freedom Dancer*, 1993, acrylic on wood, 251.5 x 210 cm, installed in the Foyer

OVERLEAF RIGHT: Mosaics by Jane du Rand adorn the columns in the Foyer











craft transformed

5

CRAFT TRANSFORMED

CHANDELIERS, LAMPS, COURT CHAMBER DOORS, NOSINGS

Many of the lighting systems in the Court demonstrate the combination of traditional and industrial technologies. For some of the lights, for example, recycled strips of aluminium and brass were woven into hanging lanterns and chandeliers. While the lights are modern – their forms simple and appropriate to the architectural language of the Court building – they allude to the traditional craft of basketry used in the making of containers and fish traps.

For other lights, vertical tubes were woven from saplings and painted white on one side for greater reflectivity, their elongated shapes alluding to trees but also, once again, to baskets. And in still other lights, aluminium cable was woven to form petals and leaves attached to branches that form reflective, tree-like canopies below the Foyer ceiling.

The lights for the Staff Canteen incorporate photographs of South African urban and rural landscapes. To complement this imagery, gas-stays traditionally used for vehicle hatch-backs support the Canteen's tip-up screens made from woven Zintingo saplings. All of these processes serve to demonstrate the transformation of traditional crafting techniques and objects: basketry is alluded to but recontextualised in the setting provided by the Court and weaving is given a dynamic and modern interpretation.

Several other of the Court furnishings reinterpret traditional craft in innovative ways. The patterns on the nosings that edge the stairs in the Exhibition Gallery are adapted from the markings used in clay pottery to decorate pots and other vessels. The large Court Chamber doors suggest the weft and weave of Kente cloth, but translated into the warmth and solidity of metal.

PREVIOUS: View of the Foyer showing Walter Oltmann's wire chandeliers forming a "canopy" of leaves and Jane du Rand's vibrant mosaics on the slanted concrete pillars

OPPOSITE: Detail of wire chandeliers by Walter Oltmann





WIRE CHANDELIERS

I was approached by the architects to produce a wire chandelier in the form of a canopy of leaves for the Court Foyer. They had seen some of my wirework sculptures and felt that the semi-transparent weave might work well in the space and would allude to the Court logo depicting people congregated under a tree. I suggested four branches with radiating clusters of leaves onto which the LCD lighting strips could be attached. The chandeliers were not meant as primary light sources, but additional elements to complement the space without being too obtrusive. The leaves would allow daylight to filter through from openings in the roof, suggesting the shaded space beneath a tree. Three cylindrical, aluminium wire lampshades hang to the side of the Foyer and two larger, free-standing versions of these occupy other spaces in the building. – Walter Oltmann



Walter Oltmann's wire chandeliers



ABOVE: Staff Canteen with lights designed
by Hugh Fraser

OPPOSITE: Lights by Robert Denton and
Lientjie Wessels in the Judges' Gallery



Judges' Gallery showing lights by Robert Denton and Lientjie Wessels and a tapestry by Kagiso Pat Mautloa in the background







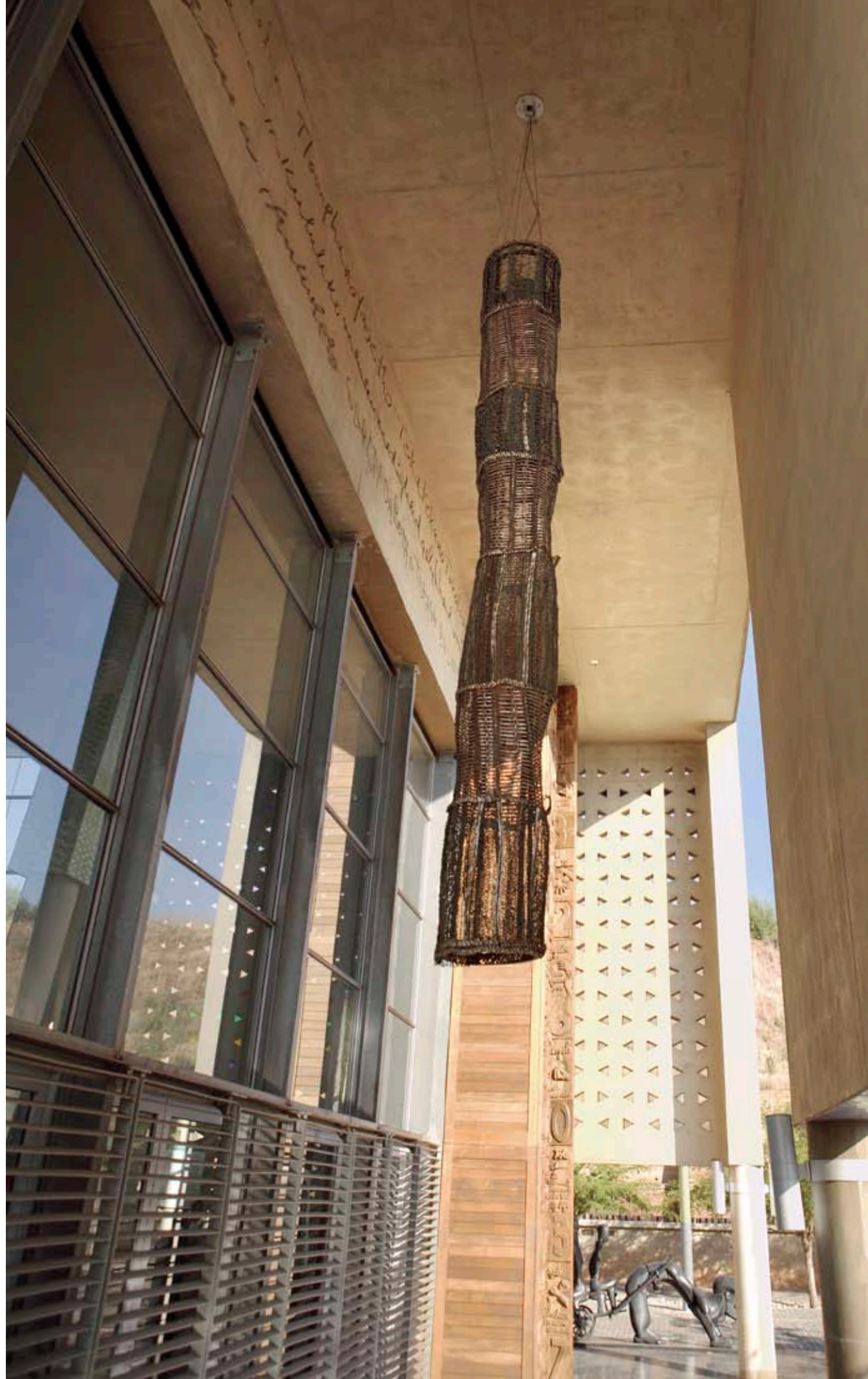
OUTDOOR CHANDELIERS

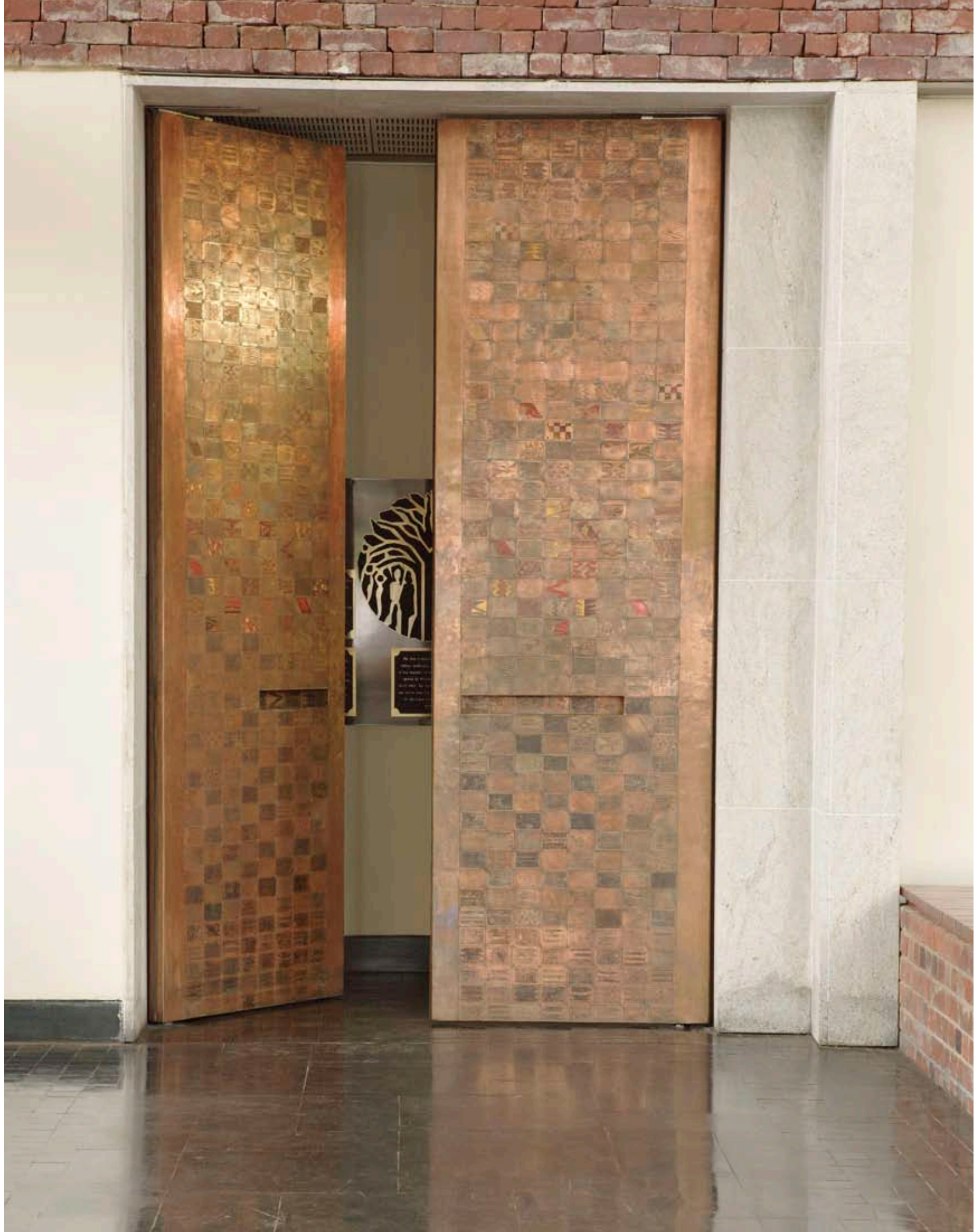
Suspended beneath the concrete entablature outside the Court's west entrance are three woven lights each measuring four-and-a-half metres in length. The work of artist Lindelani Ngwenya, the lights were developed in collaboration with the architects and then completed by Ngwenya working alone in his studio. Ngwenya remarks that he has always been fascinated with the craft of weaving and has adapted the techniques practised almost exclusively by women in KwaZulu-Natal for his own sculptures, working not with grass but in copper and aluminium. He sees his work as reflecting elements of African culture. Copper, he says, is "African gold" and its malleability makes it ideal for creating organic shapes. Though he employed his signature weaving technique for the lights, they were a departure from his usual figurative subject matter. He was not, however, daunted by the size of the lights since he has sometimes created life-sized sculptures. Suspended in an alcove that is often in shade, the chandeliers offer a pleasing contrast to the weightiness of the concrete that surrounds them.

OPPOSITE LEFT: Lindelani Ngwenya in his studio at work on the chandeliers for the alcove at the west entrance to the Court

OPPOSITE RIGHT: Lindelani Ngwenya's woven copper chandelier

RIGHT: View of the alcove at the west entrance to the Court showing the concrete entablature (top), the wooden doors and Dumile Feni's sculpture *History* in the background







THE COURT CHAMBER DOORS

Myra Fassler-Kamstra and I met one afternoon to discuss ideas for the making of the doors and as we looked through images a book fell open on a photograph of a gold and red Kente cloth. The image spoke to us immediately. The design would easily translate into copper or brass to make a flush, modern door that would reflect light – the light of the law, the light representing the highest court in the land. When we were informed that our entry had won the competition for the design, the reality of making the doors set in. I asked fellow artist and jewellery designer Verna Jooste to assist in bringing them to life. We needed to create over 3000 pieces to make up the doors, a scale that immediately discounted some interesting treatments that we had initially devised. We had no option but to etch each metal piece. As we made the plates we wanted to find a way of working that would bring us close to the material, so after some time we dispensed with a more “scientific” way of using clocks and instruments and instead measured the readiness of the copper for transferring images by watching the slowly heating metal until it reached a deep orange. The entire door was made using this method of “listening” to the material so that we had a more direct relationship with it, and in doing so we found an organic, heartfelt and earthy way of making! – Andrew Lindsay

OPPOSITE: Court Chamber entrance doors designed by Andrew Lindsay and Myra Fassler-Kamstra

LEFT: Detail of the etched metal plates of the Court Chamber entrance doors



THE STAIR NOSINGS

Potter Jabu Nala submitted, through the African Art Centre in Durban (an organisation which facilitated several of the art interventions in the Court), images of her clay pots for consideration in the integrated artworks programme. Three generations of women in her family have earned international acclaim for their skills in traditional pot-making. The building, however, had no need for pots and the architects did not want conventional (direct) application of this craft form into building scale through surface pattern and decoration. Instead, a more creative way of incorporating Nala's work into the Court was sought.

A stair nosing is a building element on the edge of a step to bring to one's attention a change in level and, if necessary, to serve as a non-slip strip. We saw this requirement as an opportunity for a small-scale art/craft intervention on the thirty-six steps of the Exhibition Gallery; a subtle, low-key, performance-driven artwork was called for.

Jabu Nala was commissioned to make lengths of patterned tiles with traditional clay markings. Moulds were made of her tile surfaces, with the depth and internal detail necessary for nosings to be fixed onto the floor. In a casting foundry, the required multiple numbers of each type were cast in brass, forming the patterned gold bars. The bars are "scattered" along the edges of the stairs in the Exhibition Gallery in a seemingly random manner, catching and reflecting the western sunlight on their surfaces, and serving as textured counterpoint to the dark slate of the stairs. The nosings are a functional, integrated building element that lend beauty and warmth to the building and that allude to the tradition of clay pot-making. — The architects



OPPOSITE: Brass stair nosings by Jabu Nala

LEFT: Clay pots by Jabu Nala. The patterns on the pots were the inspiration for the designs of the brass stair nosings.

BELOW: Stairs of the Exhibition Gallery; a warm west light catches the patterns on Nala's stair nosings







collecting art
for a court

6



ART AND JUSTICE

by Bronwyn Law-Viljoen and Karel Nel

When a public art collection is born in the flurry and euphoria of a social and political revolution and comes into being in the first flush of a new democracy, and when its purpose is to adorn and humanise a building that represents the hope and vision of that democracy, chances are it will adhere to somewhat different criteria than those followed by curators of most other public collections.

Collections of art in large public buildings are usually subject to the trends of the day, budget constraints and the vagaries of the art market. They are invested with the seriousness, and perhaps some of the character, of the institutions or the organisations to which they belong, are shown to the public, written about, rearranged and added to. If they are thoughtfully curated they will display range and depth and will be exhibited with due consideration for their relationship to the spaces they occupy. Occasionally, works in such collections that lose their appeal or betray a momentary lapse on the part of a curator will be relegated to dark basements and eventually sold to make way for more appropriate works. A considered collection will have longevity and, if astutely assembled, will appreciate over time. The art collection of the Constitutional Court, however, has followed a somewhat different trajectory, one that reflects the drama and utopian feeling out of which the collection arose.

When Justice Albie Sachs recounts the story of the beginnings of the Court's art collection he often begins with the words "we had R10 000 for decor"¹ as though this wry comment could give us some insight into the strange and wonderful journey upon which he and his colleagues on the architectural and artworks committees of the Court would embark in the years after 1994. Justice Sachs has told this story countless times in private conversations, in interviews, to lecture halls full of people and to visitors on his regular tours of the Court building – with no diminishment of passion in the telling – and it has acquired all of the humour, tension and pathos of the well-told tale as well as something of the character and demeanour of the teller. And the phrase "R10 000 for decor" is a strangely fitting way for this story to begin because it immediately establishes the tenuousness of the collection's relationship to the market and, by extension, to the unspoken rules governing the sober gathering together of artworks to form a public collection. If there were sobriety in the gathering of *this* collection it lay partly in remembering the colossal injustices of our past to which, for all its warmth and vibrancy, the new Court building would bear witness, standing as it did upon the site of an old apartheid prison.

The central idea of this book, the fruit of over three years of discussion and thought, was that it would somehow explicate two key relationships: the connection between art and the architecture of the Court and the more subtle, less tangible relationship between art and justice. To understand these two relationships it is important first to consider some of the important ideas underpinning the Constitution that

is, so to speak, housed in the Court. The Constitution, in its careful delineation of the rights of all citizens, is characterised, on the one hand, by the notion of accessibility and, on the other, by an appeal to a universal humanity that rises above the State. By "accessibility" we mean not simply the language and interpretation of the Constitution as a legal document, though this is certainly part of it, but rather that the Constitution speaks, time and again, of "access", the free and unencumbered passage for all to representation in the courts, to shelter, to education, to health care and to other fundamental rights. Such access is both a guarantee of and a direct response to the dignity of all people; hence the inherent *humanity* of the Constitution that goes beyond Humanism and other ideologies. The great Jewish philosopher Emmanuel Levinas makes reference to a humanity that is a "uniqueness [which] lies in the responsibility I display for the other" and that comes with the realisation that "I cannot fail in my duty towards any man, any more than I can have someone else stand in for my death."² Levinas's idea is similar to the foundational African conception of human interdependence contained in the word *ubuntu*. In its architectural interpretation of this principle, the Court building would *exteriorise* the Constitution, serving as point of reference for all that the Constitution sought to describe and achieve, while the art woven into its fabric and displayed in its spaces would *explicate* the Constitution and, in the process, transform the building into a welcoming place of beauty and warmth.

The Court building and its collection are thus a bold attempt to give shape and form to these two ideas: accessibility and humanity. Before the Court rose from the ruins of the prison, the building and its

PREVIOUS: Adrian Kohler, *Dogs of War*, 1997, mixed media, 160 x 118 x 80 cm

OPPOSITE: Marlene Dumas, *The Benefit of the Doubt* (detail), 2000, triptych, fibre, 181 x 400 cm, 181 x 273 cm, 181 x 400 cm

immediate urban environment were subject to the rigorous thinking of the architects and judges who sat together on committees weighing the significance – in the light of our history and with the promise of our future in mind – of every detail of the unfolding design. At the same time a process set in motion before the new building had been planned was brought into focus and clarified by the architectural project. But what began as a relatively simple decoration project now acquired a very different meaning and function as Albie Sachs and others passionately expounded upon the importance of art for an understanding of the fundamental meaning of justice, and as the arts community in turn responded to calls for their work, contributing with extraordinary generosity and commitment to the larger vision. Thus, the “decor” committee – at first a two-person band comprising Justices Albie Sachs and Yvonne Mokgoro – rallied to the rapidly expanding task at hand, threw aside caution and the constraints of their committee’s brief and, having spent the famous R10 000 in one fell swoop on the very first purchase for the Court, embarked upon an ambitious project with all the passion, tenacity, and not a little chutzpah, of well-trained legal minds on an important case.

But rather than repeat a story best told by one of the players, we want to try to understand the spirit of the enterprise and, ultimately, the *raison d’être* of what promises, in time, to be a major South African collection. When this happens, some of the rambunctiousness and “serendipity” (to quote Albie Sachs in his introduction to this book) of the early days of “collecting” will inevitably diminish. The collection will mature, be consolidated and written about – criticised and praised in equal measure one

hopes – and take its place amongst its elder peers. It will become, in other words, a different kind of collection in time. But before that happens we have a moment to pause and consider with what aims and in what manner it came into being.

In casting about for the defining parameters of the collection, we return again and again to the idea of “generosity”. And we call it an “idea” because we wish to extend its meaning beyond the sudden rush of emotion that compels one to give with largesse, though undoubtedly there was a good deal of this at play when works were first donated to the Court. Rather, we wish to invoke a more philosophical and even, perhaps, a more political notion of generosity: as a turning back to a shared past in order to remind ourselves of our responsibility for the failures of our history and to acknowledge the possibility of a shared humanity as we face the future. It means a breaking with the economy of exchange as reciprocity (in such an economy our history would demand an eye for an eye, a tooth for a tooth) for an economy of giving, even of sacrifice (in the sense of giving with little thought for the loss one feels). It is an economy of shared commitment to a single ideal such that those who share the ideal cast about for a way of expressing their faith in it. Such an economy has the power to transform – people, communities, even whole societies.

As the Court took shape around a broad architectural vision of the integration of art into the various components, spaces and functional requirements of the building, the collection itself, even before it had earned such a name, began to acquire an identity, roughly organised around a triple-layered intention and meaning. First and foremost, the art in the Court would enhance and augment

the physical elements of the building – concrete would be softened and coloured with mosaic tile or glass, stairs would acquire decorative brass edges, security gates would be patterned, lights would suggest and extend the themes of the spaces in which they hung, doors would allude to and reinterpret certain craft forms. Then, some objects not immediately or obviously “useful” would inhabit key areas of the Court in the form of site-specific sculptures or installations. And finally, moveable works – paintings, prints, sculptures, photographs, textile works – would embellish, adorn, enliven, punctuate and interpret the building and its referent, the Constitution, to the public who entered its doors.

The commissioned installations would both lend meaning to and acquire meaning from the sites in which they were to be placed. So for example, Andrew Verster’s neon sculpture of the outlines of the nine South African provinces hangs at the northernmost end of the Court against the backdrop of the northern suburbs of Johannesburg, standing out at night as a bright splash of colour against the dark sky. It has suffered somewhat from its exposure to the wind and rain that have been allowed to enter the building through the opening above a small courtyard a few steps to the south of where it hangs. This is a matter for the new curators and managers of the art collection who are paying serious attention to the effects of the elements on some of the works in the building. Indeed, the appointment of curators signals an important watershed for the collection. Its coming of age calls for a disciplined documentation of its holdings, a clear policy for future acquisitions and a careful plan for the ongoing exhibiting and preservation of the works.

Verster's sculpture hangs in delicate counterpoint to the heavy granite installation just beneath it in the open courtyard or alcove inserted into the lower section of the Exhibition Gallery. Two works command this square opening in the building's fabric, a space at once suggestive of an inner courtyard and a prison cell. Its ambiguity as a space arises from the combination of the absence of a roof, the windows on its east side looking into the judges' wing of the Court, and its uncompromising four-cornered shape that, in almost every photographic rendition, appears as a plunging box receding back into or cushioned by the rest of the building. This effect is heightened by the dramatic black granite panels of Willem Boshoff's *Prison Hacks*, a work that marks out, in marching rows of scored-through lines, the days of incarceration of the Rivonia trialists. In its combination of stone and text, the work recalls Maya Lin's Vietnam Veterans Memorial Wall in Washington D.C., its meticulously engraved lines serving as a hieroglyph to loss and sacrifice just as Lin's lists of names pay tribute to the dead soldiers of a desperate and futile war. At ninety degrees to this work is Wilma Cruise's *Right to Life* commemorating Nelson Mandela's Rivonia Trial speech in which he calmly stated his willingness to die, if necessary, for what he believed in. Here, rather than being engraved into the stone background, the text stands out from it in relief, drawing attention to the affirmation of life embodied in Mandela's confrontation with death.

Further south, Georgie Papageorge's wire and wood ladder punctures the leafy canopy created by Walter Oltmann's unusual wire chandeliers in the Foyer, its massive form serving as a reminder of the violence of our history and the glass panels at its

base commemorating the struggle for freedom. It is an uncompromising installation, offering relief only through its reaching skyward, away from the sunken square in which it is planted.

Like the many custom-made carpets and rugs throughout the Court, several commissioned tapestries brighten and lend warmth to key meeting points: Kagiso Pat Mautloa's untitled work hanging in a conference room at the south end of the Judges' Gallery; Willie Bester's *Discussion* installed at the entrance to the Court Chamber used by Counsel; and Joseph Ndlovu's *Humanity* on the east wall of the lower Library level all interpret the human face and figure through the softening media of wool and textile.

Other installations, though not commissioned, fit into spaces in the most serendipitous of ways. Marlene Dumas's tapestries, hung high up on either side of the upper section of the Exhibition Gallery, present an extraordinary combination of power and pathos, softening the broad concrete slabs of the walls against which they hang. The disembodied, childlike faces populating this work look out over the Exhibition Gallery and one has to crane one's neck to see them, the discomfort of looking up echoed in the legal phrasing of the title *The Benefit of the Doubt*. Kim Berman's dramatic and glowing double-sided prints *Fires of the Truth Commission* and *Alex Under Siege* enliven the exhibition space beneath the Dumas tapestries, their weighty subject matter made more powerful by the delicate way in which the works are suspended from the ceiling.

Close by are two clusters of works that serve as important reference points in the collection. The first is a handful of paintings by Gerard Sekoto on indefinite loan from Iziko South African National

Gallery, including a version of his masterpiece *Song of the Pick* and the very last of his paintings, *The Smoker*, unfinished at his death. Adjacent to this group of colourful works are several drawings by Dumile Feni, made while he was in exile in London and given to his fellow exile Albie Sachs whose home he often visited. While certainly nowhere near the scale and perplexity of some of his large charcoal works, taken collectively these small drawings, many seeming almost incomplete so spare are they in their use of line and colour, suggest a powerful longing and sadness, their poignancy intensified by our knowledge that Dumile died alone in poverty in New York as he was about to return to a free South Africa. In contrast, between the Sekotos and the Dumiles is William Kentridge's reclining nude *Sleeper (Black)*, a dense drypoint print made richer and more textured by the artist's use of a variety of marks (his own thumbprint, the tracks made by children and cats walking across the paper).

It is remarkable that a male nude occupies such a prominent place in the Gallery. Quietly echoed in Sekoto's small *Nude of a Young African Woman* to the left, the print's subject matter serves as a bold declaration of the Court's commitment not only to intangible human rights such as freedom of expression, religion and sexual preference but also to the flesh-and-blood people who stand before the Judges' Bench, to their right to be fed and clothed and sheltered, their right not to be executed or tortured. It is an assertion of the dignity of the human *body* before the law, of the absolute necessity to the very wellbeing of society of protecting that body from cruelty, isolation and pain.

The reclining figure in Kentridge's print thus serves as a strong signifier of some of the themes that have emerged, partly in hindsight, in this collection. Certainly, in the first halcyon days of acquiring work in a somewhat piecemeal and haphazard fashion, through donations or commissions and the generosity of artists and galleries, there was not what one would consider a curatorial policy, in the strictly museological sense, for the process of collecting. There were, however, several underlying principles at play. One of these was that the Court should be home to a wide variety of works and that the collection should take shape not around narrowly political themes but rather around more broadly human ones. While there are certainly strongly political works in the collection – Cruise's *Right to Life*, the "Images of Human Rights Portfolio", Jan du Toit's *The Fruits of Labour*, Berman's *Fires of the Truth Commission*, Anne Sassoon's *Ismail and Isaac*, Sue Williamson's *A Few South Africans*, David Goldblatt's *Twenty-Six punishment cells and lavatory* to name a few – there are a number of works that address deeply personal themes and emotions – Regi Bardavid's *Grief* drawings, several quiet, intimate portraits by Kami Brodie, Cecily Sash's understated still life *Bird* for example. Then there are works that might be described as purely emotive, even celebratory – the vibrant woodcut *Freedom* by Cecil Skotnes and Hamilton Budaza, John Baloyi's enigmatic *Ghost*, Orlando de Almeida's spirited *Moving into Dance* spring to mind – while several are richly conceptual – Karel Nel's *Cipher*, Kim Lieberman's *Constellations*.

There are not, it will be noted, many abstract works in the collection, though Lionel Abrams's *Family Portraits (Proust Series)* and Andrew Verster's

Hotlands both approach this genre through bold colour and jostling, abstracted forms. With the passage of time this may change, which is not to suggest that abstraction signals maturity, but rather that the Court collection may find itself searching for different visual languages through which to express its character. It may find that the relative visual clarity of figurative works gives way, over time, to a more inchoate expression of our human experience, a less emphatic, less immediate reference to the past. Perhaps we will also forget some of the small stories contained in many of the works in the collection, or feel less *compelled* to remember.

But for now, there is an urgent need to pay tribute to the past and to the lives of those who have made the Court possible, and to keep in mind the place – the real physical presence – of the Court in the bustling, multicultural, cosmopolitan, joyous, troubled complex city of Johannesburg. This reference to place is perhaps best exemplified by Patrick Rorke and Lewis Levin's delicate engravings on the west-elevation sun screens of the stories of people who live in the immediate precinct of the Court, and by Garth Walker's design of the signage font, taken from some of the graffiti on the walls of the old prison and from the informal signs of vendors in the streets of nearby Hillbrow.

Perhaps the most referenced work in the collection, Judith Mason's *The Man who Sang and the Woman who Kept Silent*, exemplifies both the manner in which works were acquired for the Court and the preference for figurative works in the collection. The poignancy of this work, with its two oil panels and a dress made from blue plastic bags, resides not in its figuration, however, but in the absence of a human figure in all three parts of the

work. It is rendered powerful by its allusion to rather than representation of the bodies of the two people who are its subject matter. As the blue dress flutters in the breeze that comes up the Exhibition Gallery³ from the north side of the building, it is the lack of a body inhabiting the garment that most moves the viewer, that provokes the sudden sharp awareness that the delicate object suspended high above one is a memorial to courage and an affirmation of the dignity of human life. The text inscribed on the dress is a simple ode to modesty, while the larger work is a profound elegy of loss, betrayal and shame. Situated halfway along the length of the Gallery, beneath the Dumas tapestries, near Amos Miller's portrait of Nelson Mandela and Thea Soggot's striking *Figure II*, the work is the pivotal point around which the collection circulates, both physically and metaphorically. This is partly owing to the powerful testimonies from the Truth and Reconciliation Commission that served as the inspiration for the work, but also to its fragility, its reference to the lives of real people, its trembling between shame and hope. The work, quite humbly, allows this collection to occupy, in the best sense possible, the moral high ground because of its appeal to the always-urgent need for justice and compassion in society.

The art collection of the Court thus cuts across some of the tendencies and debates around collecting for public institutions and corporations. It is open, democratic, largely unmindful of the distinctions between decoration, craft and high art, and motivated, above all, by a need to remember, to celebrate, to dare to hope for a better society. It is, in this sense, both commemorative and forward-looking, both radical and utopian.



DOGS OF WAR

Adrian Kohler's *Dogs of War* was created for the Handspring Puppet Company's 1997 production of *Ubu and the Truth Commission*, directed by William Kentridge. The suitcase that forms the body of the three-headed dog Brutus in the play once belonged to Kentridge's father, Sir Sydney Kentridge, QC. Given to him by the great anti-apartheid lawyer Bram Fischer after they had appeared together in a libel case brought by Solly Sachs, a trade union leader and the father of Justice Sachs, it was beside Kentridge through some of the most important legal events in South African history. Sir Sydney, a highly respected member of the Bar both in South Africa and England, was counsel for the community in the inquiry into the massacre at Sharpeville in 1960 and appeared for the family of Steve Biko during the inquest into Biko's death in 1977. The suitcase, once a humble repository for the barrister's papers, now finds itself installed in the Exhibition Gallery of the Constitutional Court, quietly testifying to the ironies of South African history.

1 At the time, \$2000.

2 Séan Hand, *The Levinas Reader*, Oxford, UK and Cambridge, MA: Blackwell, 1989, 252.

3 In the interests of preservation the dress has recently been enclosed in a Perspex box, though it still hangs in its usual place in the Exhibition Gallery.

Adrian Kohler, *Dogs of War*; the suitcase that forms the body of the three-headed dog once belonged to Sir Sydney Kentridge QC



GERARD SEKOTO IN EXILE

When Sekoto left South Africa in 1947, he took with him certain precious items, including a 1940s photograph by Andrew Goldie. In 1946, he made a watercolour sketch inspired by the photo, following this with the oil masterpiece *Song of the Pick* (1946-7) [p. 120]. He returned to the image repeatedly through the years, even including the words “song of the pick” in one of his poems. The 1978 version of the painting, which he kept with him until his death, demonstrates Sekoto’s passion for this subject.

Nude of a Young African Woman (right) represents a synthesis of various elements of Sekoto’s art. Before enrolling in life-drawing classes in Paris in 1947, he had never portrayed the female nude. Then in 1965 he travelled to Senegal, a deeply moving experience that influenced his work in general and this painting in particular.

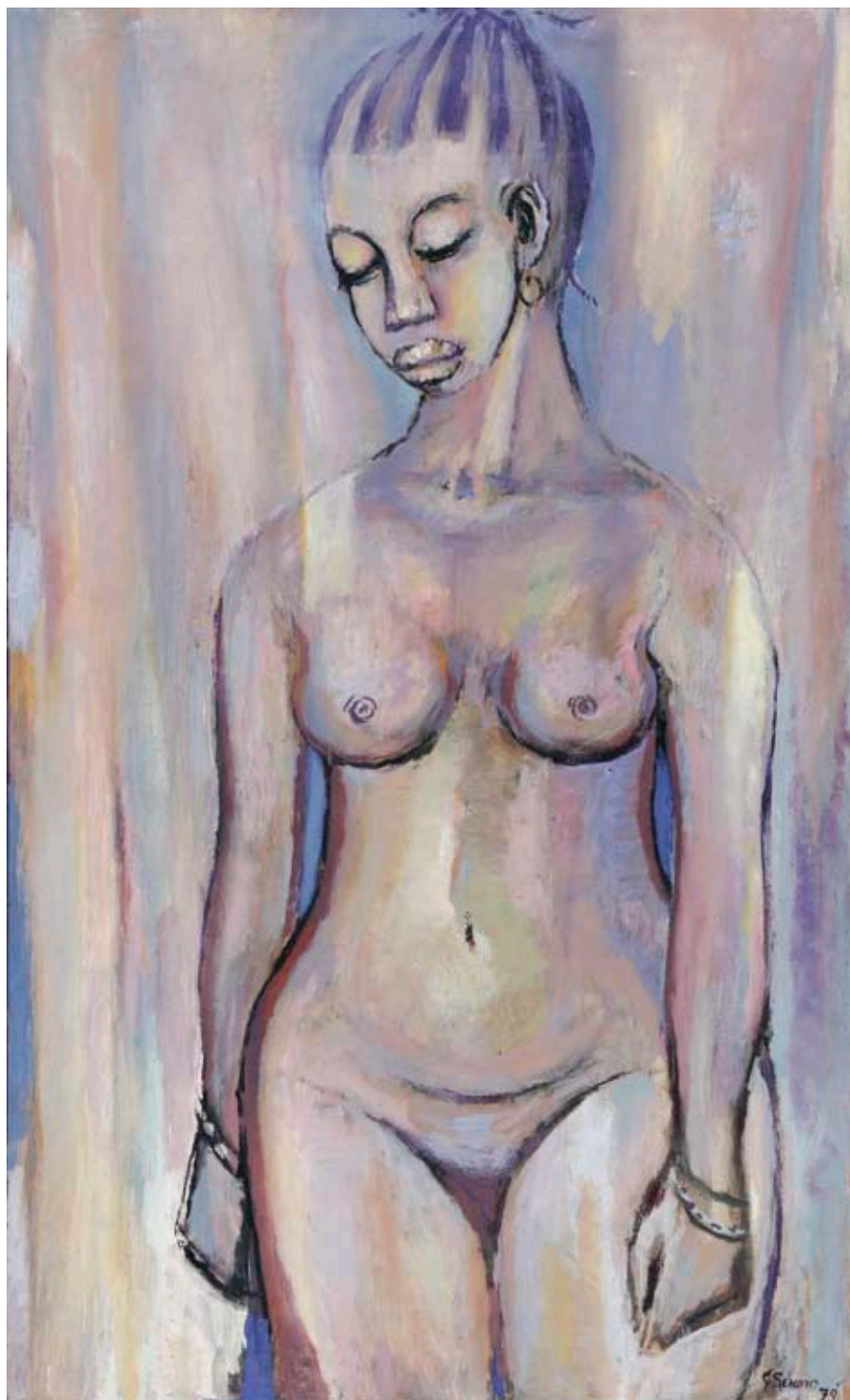
The Smoker [p. 121] is Sekoto’s last painting. Consumed with a desire to perfect it, he made countless sketches in its preparation. He was still at work on the painting when he died in Paris in 1993. – Barbara Lindop

OPPOSITE: Exhibition Gallery, showing one panel of the Marlene Dumas tapestry *The Benefit of the Doubt* hanging above several works by Gerard Sekoto

RIGHT: Gerard Sekoto, *Nude of a Young African Woman*, 1979, oil on canvas, 144 x 87 cm (on loan from Iziko South African National Gallery)

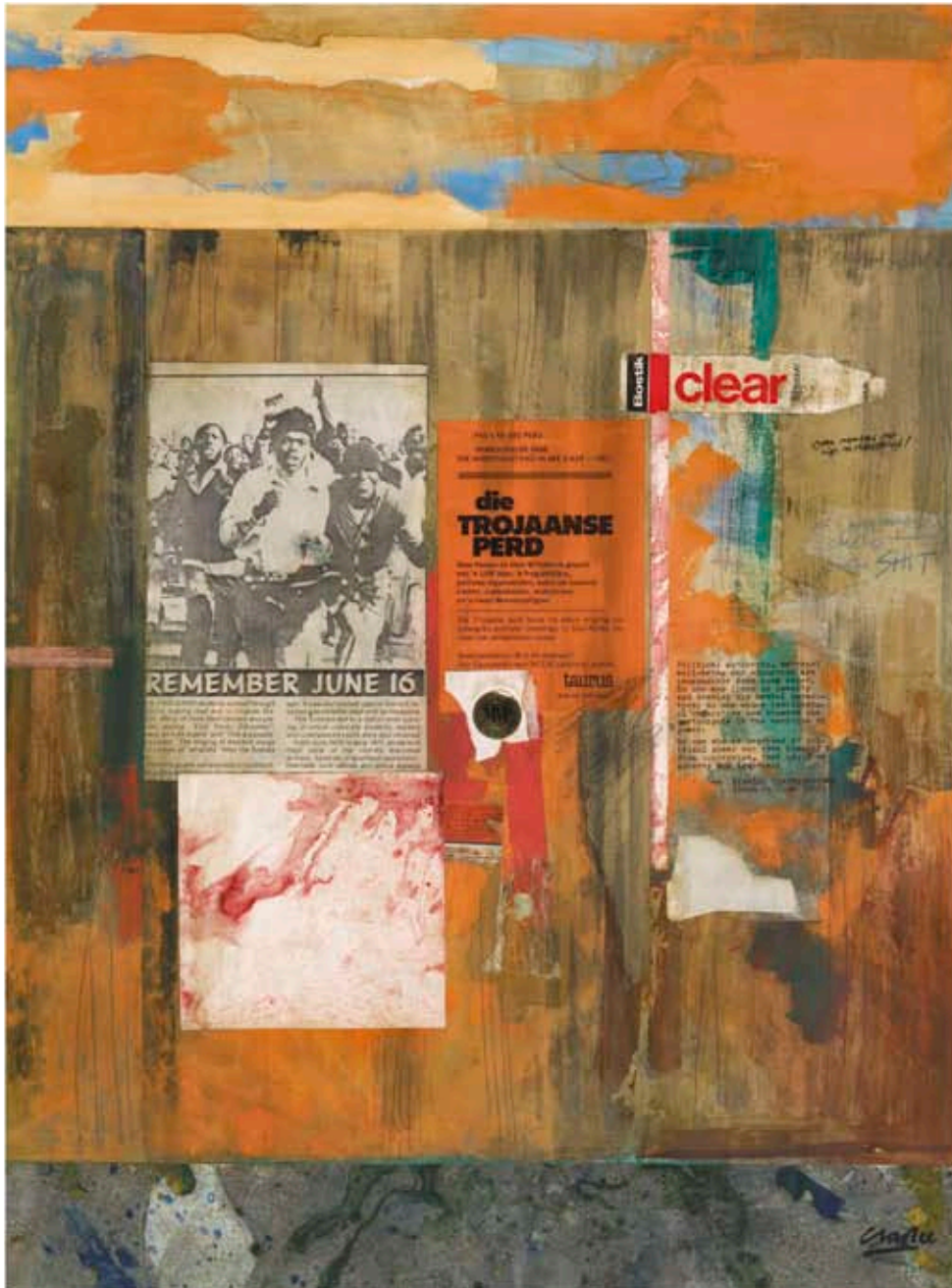
OVERLEAF LEFT: Gerard Sekoto, *Song of the Pick*, 1978, oil on canvas, 99 x 97 cm (on loan from Iziko South African National Gallery)

OVERLEAF RIGHT: Gerard Sekoto, *The Smoker*, 1993, oil on canvas, 65 x 81 cm (on loan from Iziko South African National Gallery)









Peter Clarke, *The Trojan Horse*, c1990, diptych, mixed media, each 65 x 48 cm

THE MAN WHO SANG AND THE WOMAN WHO KEPT SILENT

This work commemorates the courage of Phila Ndwandwe and Harald Sefola whose deaths during the Struggle were described to the Truth Commission by their killers.

Phila Ndwandwe was shot by the security police after being kept naked for weeks in an attempt to make her inform on her comrades. She preserved her dignity by making panties out of a blue plastic bag. This garment was found wrapped around her pelvis when she was exhumed. "She simply would not talk", one of the policemen involved in her death testified. "God ... she was brave."

Harald Sefola was electrocuted with two comrades in a field outside Witbank. While waiting to die he requested permission to sing *Nkosi Sikelel' iAfrika*. His killer recalled, "he was a very brave man who believed strongly in what he was doing."

I wept when I heard Phila's story, saying to myself, "I wish I could make you a *dress*." Acting on this childlike response, I collected discarded blue plastic bags that I sewed into a dress. On its skirt I painted this letter:

Sister, a plastic bag may not be the whole armour of God, but you were wrestling with flesh and blood, and against powers, against the rulers of darkness, against spiritual wickedness in sordid places. Your weapons were your silence and a piece of rubbish. Finding that bag and wearing it until you were disinterred is such a frugal, commonsensical, house-wifely thing to do, an ordinary act ... At some level you shamed your captors, and they did not compound their abuse of you by stripping you a second time. Yet they killed you. We only know your story because a sniggering man remembered how brave you were. Memorials to your courage are everywhere; they blow about in the streets and drift on the tide and cling to thorn-bushes. This dress is made from some of them. *Hamba kahle. Umkhonto.*

The dress, swinging on its hanger in the breeze, reminded me of the drapery on the *Victory of Samothrace* in the Louvre. So I painted a local Victory figure moving through imprisoning grids of wire accompanied by a hyena – at once a predator and scavenger.

Justice Albie Sachs saw these pieces and a painting of three braziers I had made in memory of Sefola and his friends. He suggested I combine Phila's dress and the braziers into a commemorative work. Eventually the dress, the dress painting (donated to the Court in memory of Gerald Gordon QC by his wife Nancy) and the second larger canvas were all placed together in the Court.

Having the opportunity to honour the man who sang and the woman who kept silent has been a privilege, but it leaves me with an abiding sense of shame. — Judith Mason



ABOVE: Judith Mason, *The Man Who Sang and the Woman Who Kept Silent 2*, 1995, mixed media, c221 x 70 x 45 cm

OVERLEAF LEFT: Judith Mason, *The Man Who Sang and the Woman Who Kept Silent 1*, 1995, oil on board, 166 x 122 cm

OVERLEAF RIGHT: Judith Mason, *The Man Who Sang and the Woman Who Kept Silent 3*, 1995, oil on board, 190 x 160 cm










OPPOSITE: Dumile Feni, *Untitled*, undated, pen and ink on paper, 40 x 49 cm. There is a second drawing on the reverse of this work. On the side shown here the words "Familiarity, Genesispluss, Kingdom of the Silent Kalendar" are inscribed. The other side of the work shows a drawing of two figures and the inscription "01478" and "Not for sale" in the bottom right-hand corner.

RIGHT: Dumile Feni, *Prisoner 1*, c1968, pen and ink on paper, 44.5 x 34 cm



A photograph of an outdoor courtyard. The floor is paved with large, light-brown rectangular tiles, with dark grey or black lines forming a grid pattern. On the left, there is a glass door or window with a dark metal railing in front of it. On the right, a plain white wall extends to the edge of the frame. In the background, a large window with a black frame reflects a modern building with a grid-like facade. Below the window, a white rectangular panel is mounted on the wall, containing a quote in black text.

It is an
ideal which I hope to live for
and to achieve. But if needs be,
it is an ideal for which I am pre-
pared to die.

(NELSON MANDELA, RIVONIA TRIAL 1964)

RIGHT TO LIFE

Right to Life [p. 129] was installed at the Court in 2004. It consists simply of a statement made by Nelson Mandela during the Rivonia Trial of 1963-4 as recorded in contemporary news reports:

It is an ideal which I hope to live for and achieve. But if needs be, it is an ideal for which I am prepared to die.

The words were enlarged, laser cut from stainless steel and attached to the wall. The letters are about 130 mm high, the font and layout making reference to fonts used by many newspapers.

Two historical events informed the conceptualisation of the work: Nelson Mandela's statement from the dock and the first case heard by the Constitutional Court.

In 1963, Nelson Mandela and eight others had been charged with sabotage and were almost certainly facing the death sentence. As defence lawyer Joel Joffe said, "it would be difficult for the judge not to sentence them to death." Mandela's lawyers were worried. Mandela himself had admitted the conduct charged; the state's case seemed incontrovertible and the gallows loomed large. Mandela chose to open the case for the defence by making a statement from the dock in which he did not attempt to exonerate himself but to explain the reasons for his political position. Against the advice of his lawyers, who were concerned that his words would be provocative, Mandela concluded his four-hour statement by declaring that he would be prepared to die for his beliefs.

Nelson Mandela's stance had enormous international impact and many have argued that it contributed to the Trialists receiving life imprisonment instead of the death penalty, which was then mandatory for treason.

The first case heard in the Constitutional Court concerned the unconstitutionality of the death penalty. These two momentous events in our history are celebrated in *Right to Life*.

— Wilma Cruise

PRISON HACKS

Willem Boshoff's *Prison Hacks* is made from eight slabs of Zimbabwe Black granite and represents the prison sentences of eight of the Rivonia Trialists: Nelson Mandela (9377 days), Walter Sisulu (9269 days), Govan Mbeki (8548 days), Elias Motsoaledi (9269 days), Andrew Mlangeni (9269 days), Denis Goldberg (7568 days), Raymond Mhlaba (9269 days) and Ahmed Kathrada (9269 days). The Rivonia Trial took place in 1963 and 1964 after a raid on the farm Liliesleaf in Rivonia in July 1963 in which eleven men, described by Mandela in his book *Long Walk to Freedom* as "the entire high command of *Umkhonto we Sizwe*", were arrested. Two of the eleven men, Arthur Goldreich and Harold Wolpe, escaped from the Old Fort Prison and made their way to Swaziland; James Kantor, who was viciously treated in prison, was discharged, and the remaining eight defendants were given life sentences for charges ranging from sabotage to furthering the objectives of Communism. The trial was strongly condemned by the international human rights community. With the exception of Denis Goldberg who served twenty-two years in Pretoria Central Prison, the men were imprisoned on Robben Island. In February 1990 Nelson Mandela was the last of the Trialists to be released from prison.

In this work, one of several dealing with resistance history and imprisonment, Boshoff represents each prison sentence as a series of six vertical lines crossed out by a diagonal. The lines, marching relentlessly across the surface of the black granite, convey the hopelessness of time marked and measured. Taken collectively, they suggest the enormity of the injustice committed by the apartheid regime but also the strength and courage of the imprisoned men. The marks, inscribed in stone, serve as reminders of the darkness of our history and the hopes of those who fought to alter its course. — Bronwyn Law-Viljoen

PREVIOUS: Courtyard at the northern end of the Exhibition Gallery in which are installed Willem Boshoff, *Prison Hacks*, 2003, 8 granite slabs, 130 x 100 cm (left) and Wilma Cruise, *Right to Life*, 1994 (commissioned by the architects for this site), stainless steel on concrete, 120 x 500 cm (right)

OPPOSITE: Willem Boshoff, *Prison Hacks* (first three panels showing the days served in prison by Nelson Mandela, Walter Sisulu and Ahmed Kathrada)

MELSON MANDELA: 11 JUN 1944 - 11 FEB 1990

(93.77 04Y55)

MEMORIAL WALL WITH PERFORATED METAL PANELS

WALTER BOSCH: 11 JUN 1964 - 15 OCT 1981 (93.00 04Y55)

MEMORIAL WALL WITH PERFORATED METAL PANELS

MEMORIAL WALL WITH PERFORATED METAL PANELS



THE FRUITS OF LABOUR

Jan du Toit was a student at the Foundation School of Art in Observatory when he completed this work *The Fruits of Labour* in 1997. He had grown up on a farm in Tulbagh in the Western Cape and wanted to find a way to represent the lives of farm workers in the area. The bowl on the top of the sculpture contains several objects that suggest the meagre rewards for a lifetime of labour on the wine and fruit farms in the Western Cape: six slices of bread, a plug of tobacco and a *dop beker* (representing the notorious dop system of payment in the form of alcohol to workers on wine farms).

CIPHER

Karel Nel's *Cipher* alludes to the early formation of abstract forms that develop into pictograms, hieroglyphics and writing that enable humans to record the events of the world and our innermost feelings. The black form is made of 540 million-year-old carboniferous dust from Eurasia. The landmass Eurasia separated over eons into pieces in a process known as continental drift, which led in time to the evolution of distinct species, races and the development of cultures. Over time, these differences have led to racism and its consequences. The dust from Soweto in this work was witness to events relating to apartheid, including the pernicious system of migrant labour. The dust from Denmark witnessed the monitoring of displaced migrants and refugees at the Sandholm refugee camp.

LEFT: Jan du Toit, *The Fruits of Labour*, 1997, metal, wood and found objects, 147 x 56.5 x 39 cm

OPPOSITE: Karel Nel, *Cipher*, 2003, large screen, dust from Sandholm refugee camp, Copenhagen, dust from Kliptown, Soweto and carboniferous dust from Eurasia, 244 x 165 cm









PREVIOUS: Kim Berman, *Alex Under Siege*
1, 3, 5, 7, 1988, drypoint and monotype, each
80 x 129 cm

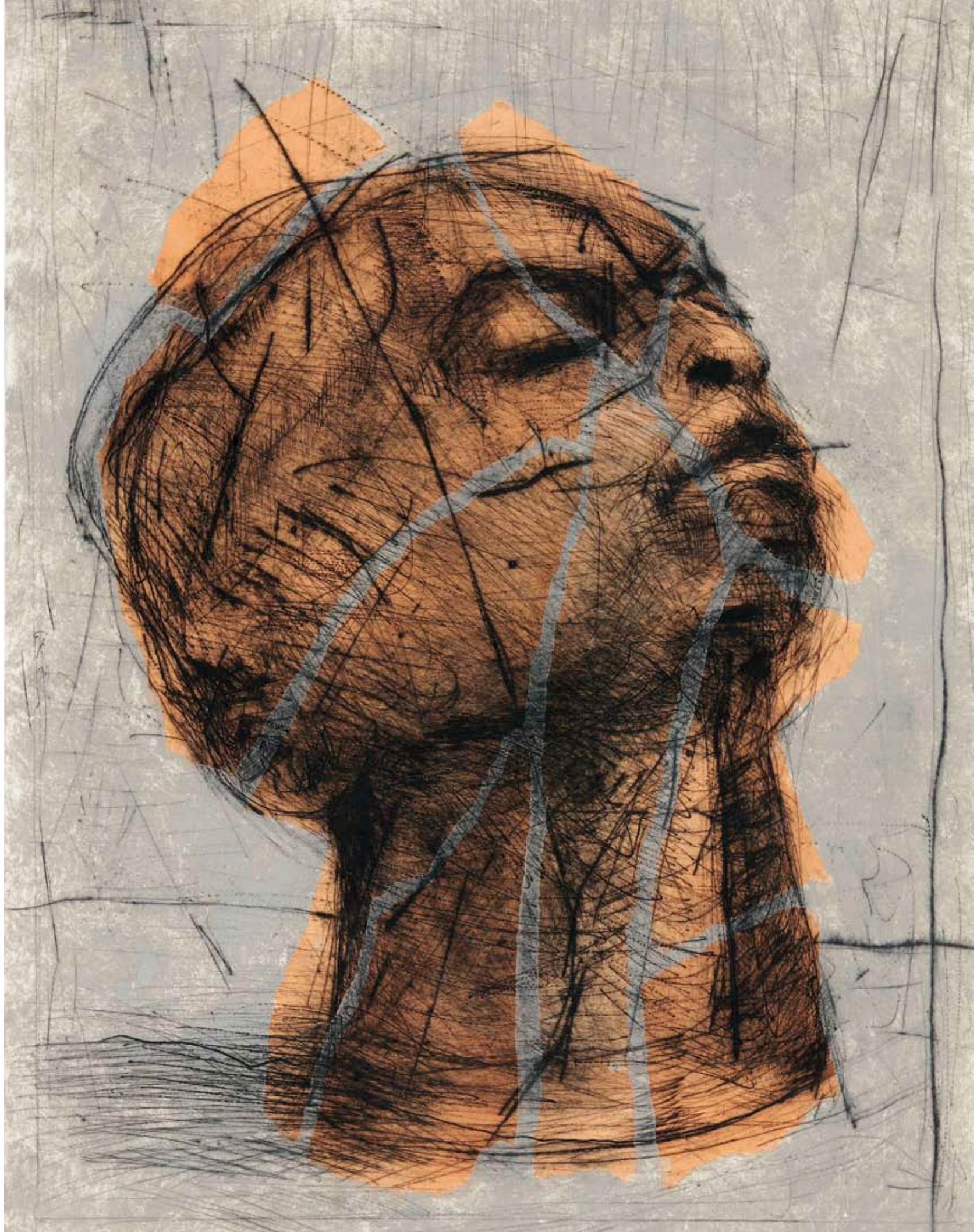


OPPOSITE AND ABOVE: Kim Berman, *Fires of the Truth Commission 1, 3, 5, 7*, 2000, monotype, each 80 x 129 cm



ABOVE: Penny Siopis, *Forgotten Family 1*, 1996, mixed media, 96 x 156 cm

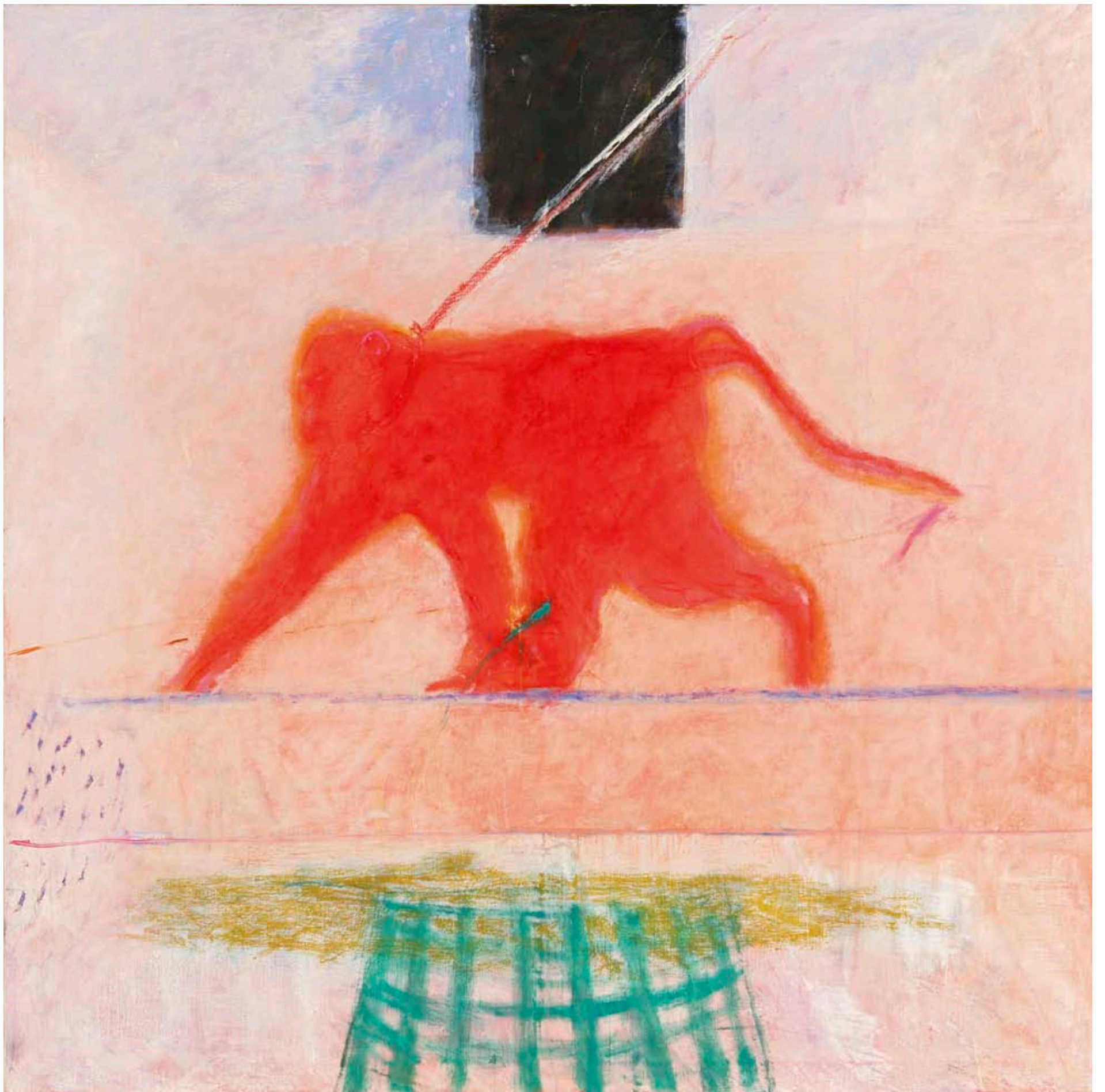
OPPOSITE: William Kentridge, *Head*, 1993, drypoint, 120 x 92 cm (on loan from Chief Justice Pius Langa)







Anne Sassoon, *Ismail and Isaac 1, 2, 3, 4*, 2001,
oil on tracing paper, each c1395 x 95 cm

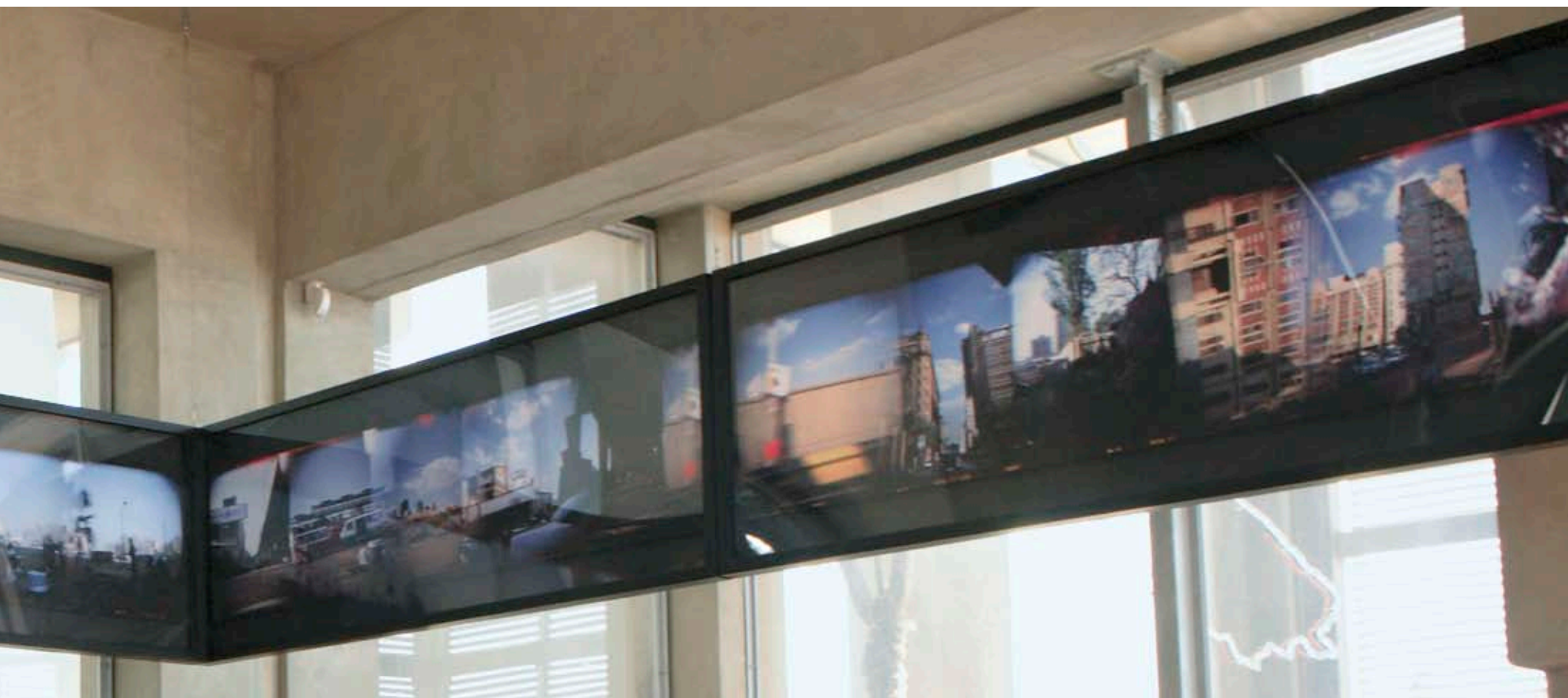






PREVIOUS LEFT: Albert Adams, *Tethered Monkey*, undated, acrylic on canvas, 155 x 155 cm

PREVIOUS RIGHT: Shirley Cloete, *Hands of Peace for Africa with Rising Sun*, 2003, glass (top) and John Baloyi, *Ghost*, 2004, wood (background)



ABOVE: Jo Ractliffe, *Johannesburg Frieze*, 2000-2004, photographic prints on cotton paper, 6 images each 50 x 200 cm (installed in Court Library by Bie Venter)

OVERLEAF: Jo Ractliffe, *Johannesburg Frieze* (detail)







TAPESTRY BY KAGISO PAT MAUTLOA

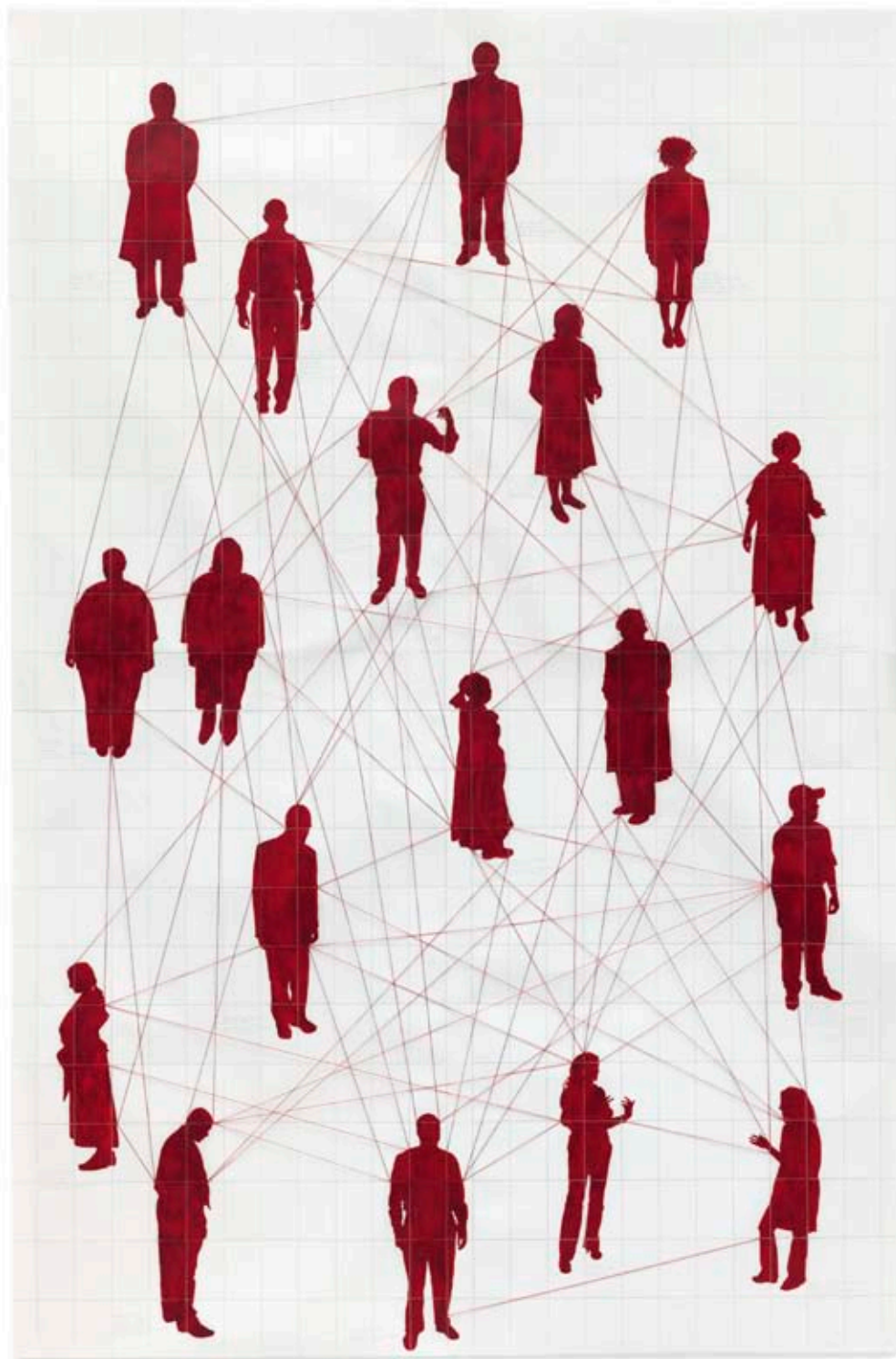
This wonderfully vivacious tapestry by Kagiso Pat Mautloa hangs in a conference room at the end of the Judges' Gallery. It demonstrates Mautloa's characteristic combination of figuration and abstraction. Mautloa associates the Court with the idea of togetherness, with people gathering in a space, and this is what inspired him when he was commissioned to make the work for the Court. He chose to represent a series of faces that came into his imagination as a kind of montage. The jostling faces suggest the great variety of people in South Africa, the many differences that go into making what we might think of as a "nation". The background of the image is dense – almost black – and the faces – in bright yellows, blues and reds – stand out as points of light on a dark ground.

CONSTELLATIONS

This work shows a "constellation" of people who may not have met but who have moved through the same place – the Constitutional Court. *Constellations* grew out of photographs taken at the Court of different people – judges, security guards, one of the Court architects, the tea lady. Though some of these people may have more prominent positions in society than others, one can never fully measure the impact of a single, ordinary life. Eighteen blood-red figures are presented on postage-stamp paper that has an underlying grid of perforations. The figures are linked by these perforations, and by red silk thread reminiscent of the lines drawn between constellations of stars. – Kim Lieberman

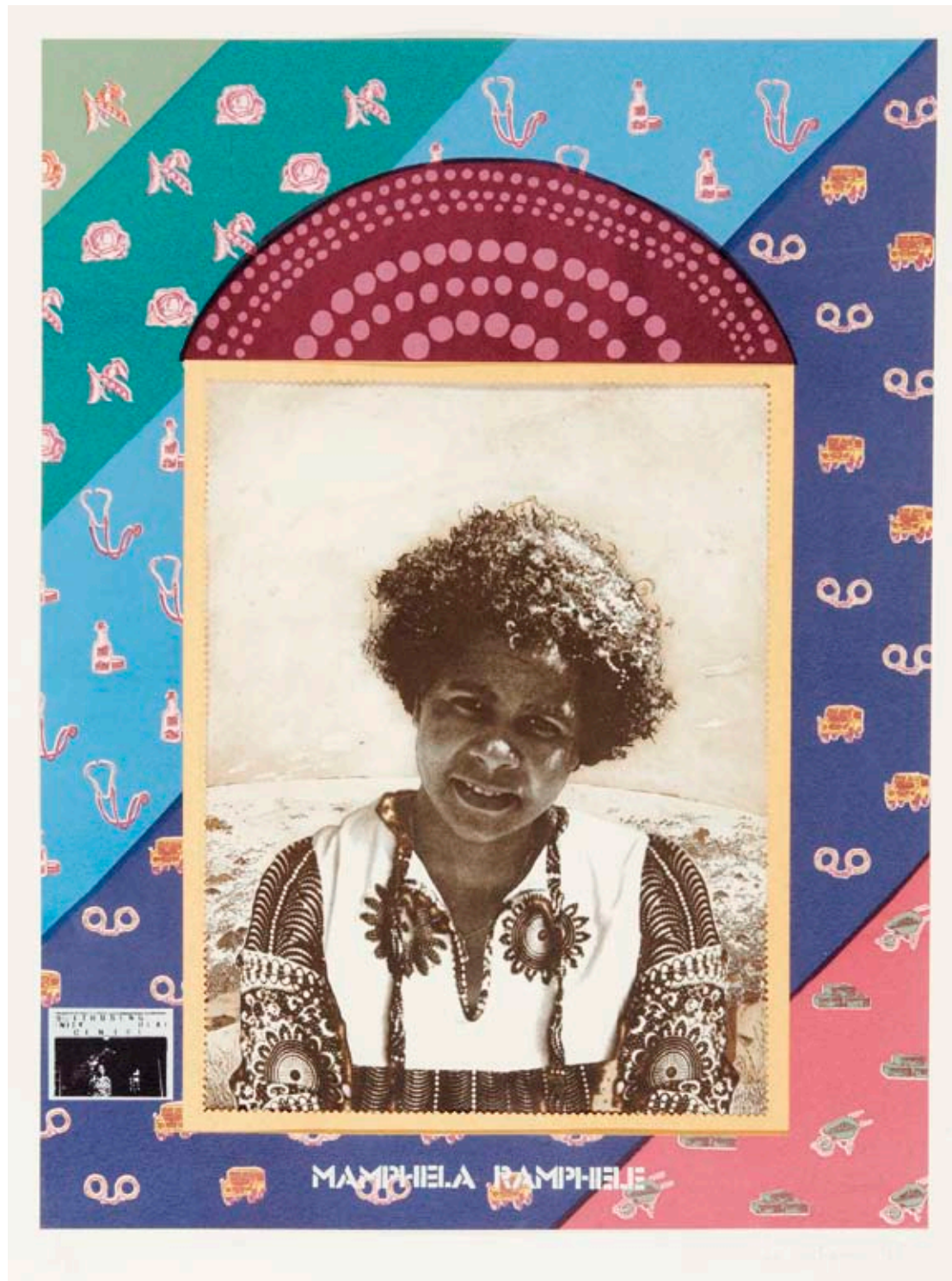
OPPOSITE: Kagiso Pat Mautloa, *Untitled* (detail), 1995, wool, 200 x 450 cm

RIGHT: Kim Lieberman, *Constellations*, 2008, ink on stamp paper, 110 x 73 cm









PREVIOUS LEFT: Thea Soggot, *Figure II* and *Figure II (back)*, 2004, Magaliesburg earth and pastel on paper, each 192 x 114 cm

PREVIOUS RIGHT: Thea Soggot, *Figure II* (detail)

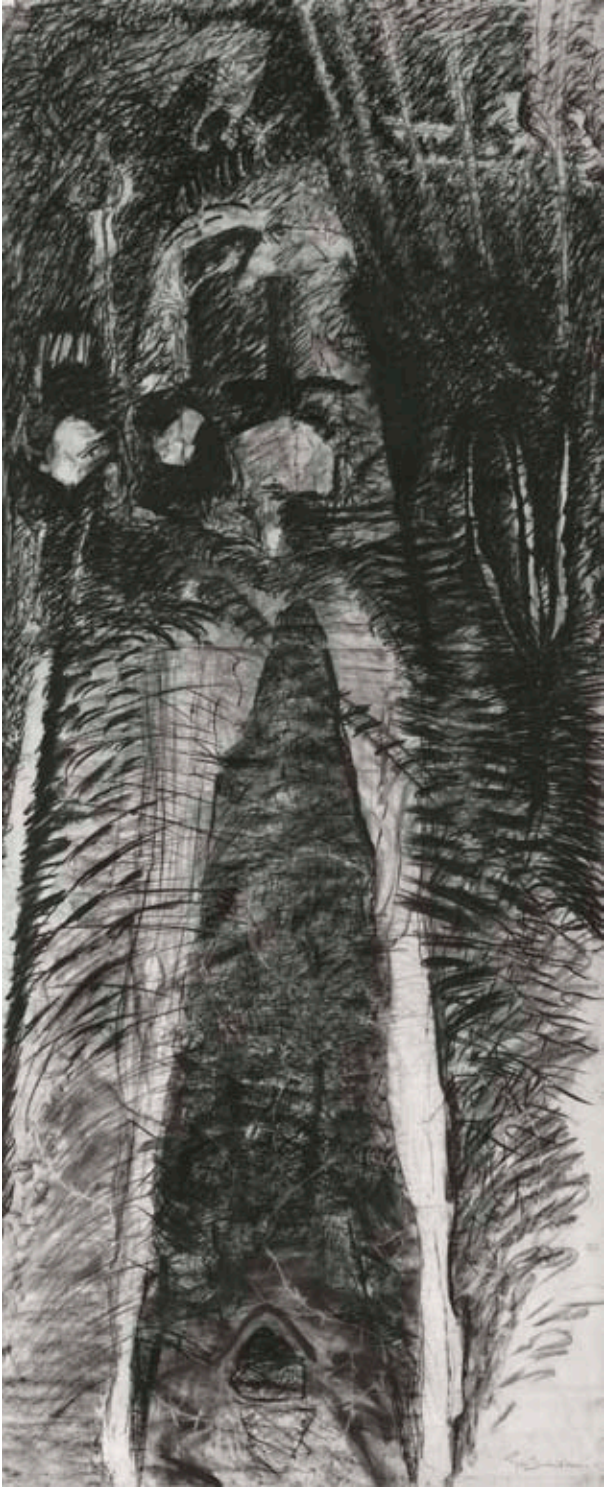
LEFT: Sue Williamson, *A Few South Africans: Mamphele Ramphele*, 1985, photo-etching and screenprint collage, 121 x 97.5 cm

OPPOSITE: Sue Williamson, *A Few South Africans: Jenny Curtis Schoon*, 1985, photo-etching and screenprint collage, 121 x 97.5 cm

A FEW SOUTH AFRICANS

A series of screenprint collages by Sue Williamson honours South African women who fought for an egalitarian society. One of these women was Jeanette Schoon, a community worker and trade-union activist, who went into exile in Angola while her husband Marius was serving a twelve-year prison sentence for his work in the ANC underground. In 1984, a parcel bomb sent by South African security agents killed Jeanette and her young daughter Katryn, both of whom are shown in this picture. The agents involved acknowledged their role in the murders at a Truth and Reconciliation Commission hearing and were granted amnesty. Jeanette and Katryn were amongst many opponents of apartheid whose deaths by assassination and torture were documented by the Commission.







GRIEF

Profoundly shocked by the murder of her husband in a robbery, Regi Bardavid poured her sorrow into five urban griefscapes. They represent a personal lament for her loss of love, happiness and security in the city of Johannesburg, where she had set up home after a life of wandering, first in Egypt, then in Italy and the Congo. Bardavid trained as an artist under Bill Ainslie at the Johannesburg Art Foundation, where Dumile Feni and William Kentridge had also discovered the expressive power of drawing in black and white. Bardavid's powerful drawings now hang opposite works by Feni and Kentridge in the Court Exhibition Gallery.

Regi Bardavid, *Grief Nos 1, 2, 3, 4, 5*, 1990,
conté crayon and charcoal on paper,
each 200 x 82 cm



TWENTY-SIX PUNISHMENT CELLS

Established in 1893, the Old Fort served as a military base and a prison. In its latter incarnation, white inmates were kept in the Old Fort and black male prisoners in Sections Four and Five. A Women's Gaol was added in 1909. The prison closed in 1983 and lay derelict for many years before being chosen as the site of the new Constitutional Court. Though much of the site was demolished to make way for the Court, some elements, such as the cells in this photograph by David Goldblatt, were kept intact as a reminder of its dark history.



David Goldblatt, *Twenty-six punishment cells and lavatory. Number Four, Hillbrow, Johannesburg. 31 December 1999, 1999*, digital print on paper, 22 x 299.5 cm



ABOVE: Amos Miller, *Nelson Mandela in New York*, 1990, acrylic on canvas, 121 x 213 cm

OPPOSITE: Exhibition Gallery showing Norman Catherine, *Speaker of the House*, 1989, canvas, metal, wood and acrylic, 251 x 118 x 122.5 cm (left); John Baloyi, *Ghost*, 2004, wood, 160 x 170 x 400 cm (background); Walter Oltmann, *Mediator*, 1998, copper wire, copper tubing and mirror, 203 x 98 x 28 cm (right)

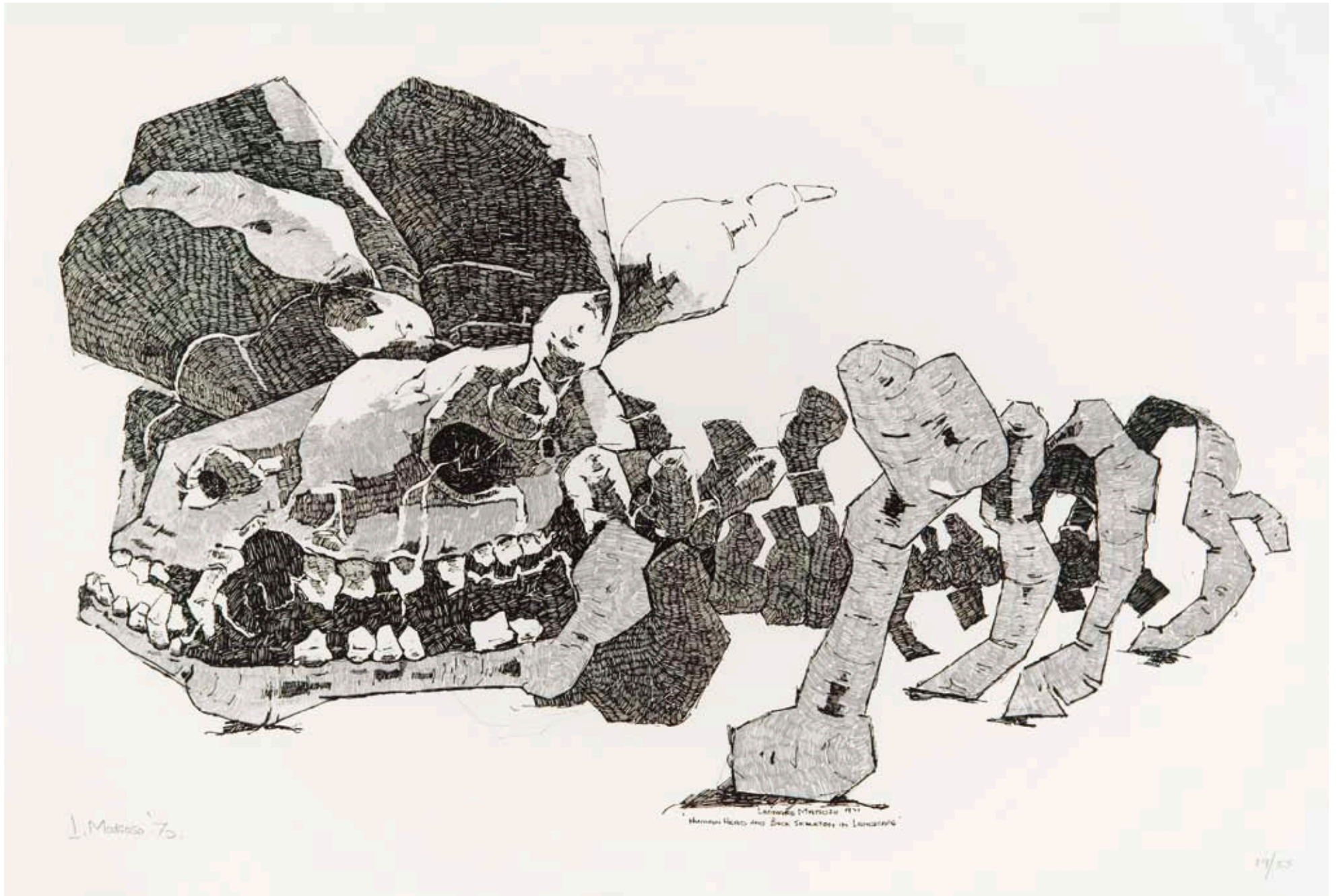


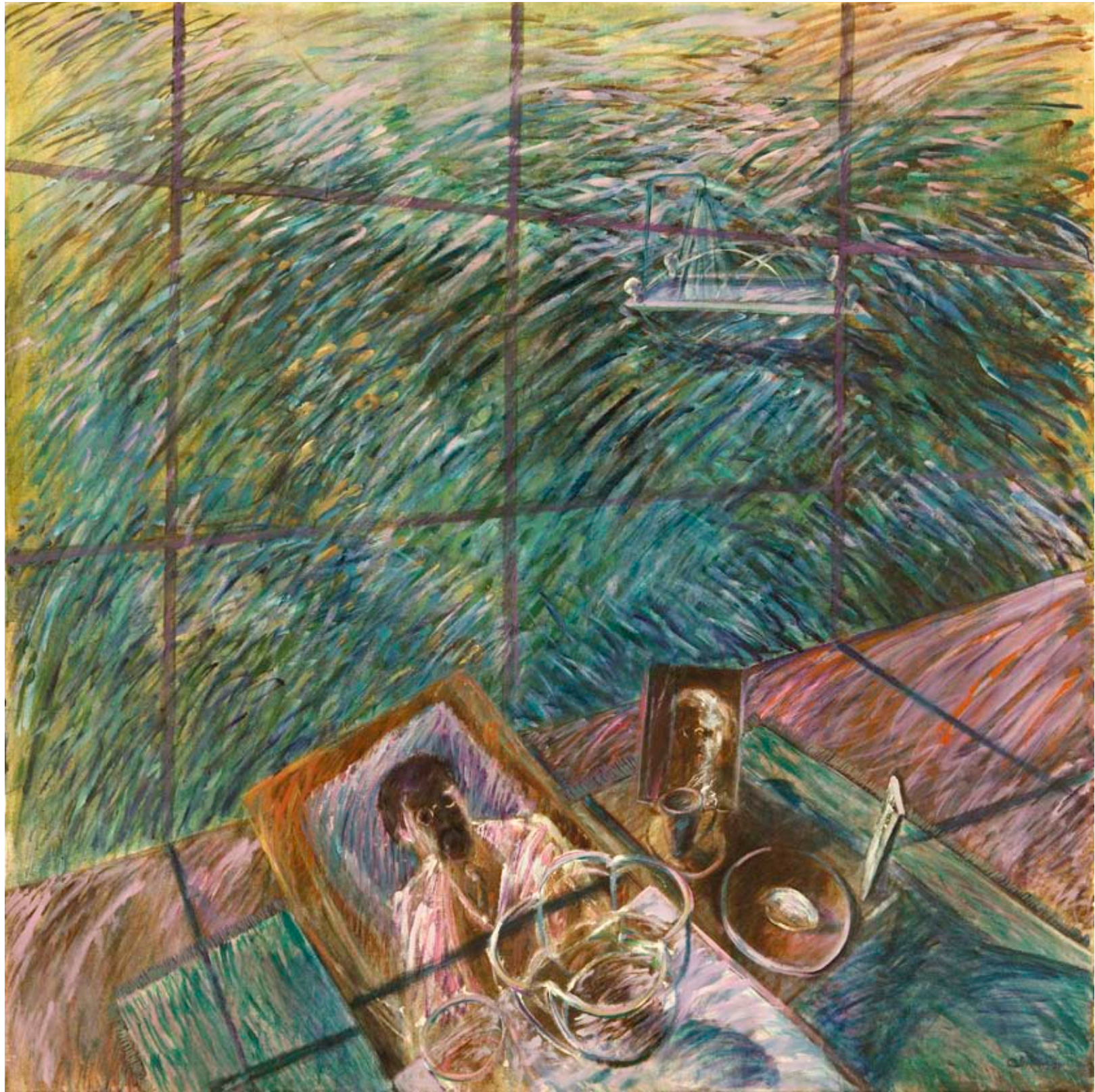


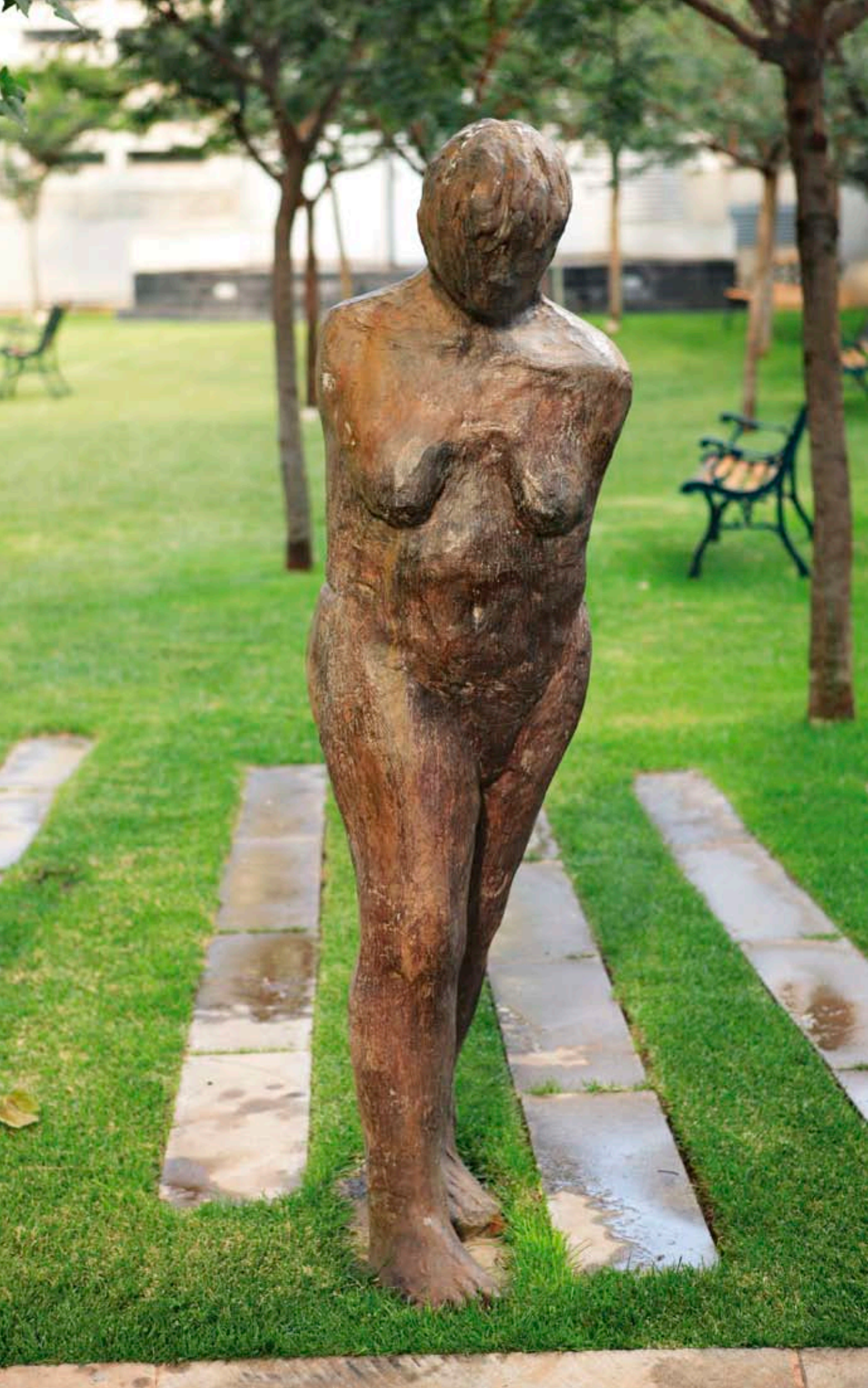
L. Matsoso '72

LEFT: Leonard Matsoso, *Portrait of a Philosopher*, 1972, ink on paper, 52 x 36.5 cm

OPPOSITE: Leonard Matsoso, *Human Head and Buck Skeleton in Landscape*, 1971, ink on paper, 35.5 x 48.5 cm







ALICE

This work was first exhibited in uncast plaster form in 1998 on an exhibition entitled *Mirroring Ourselves*. Albie Sachs enquired about the possibility of acquiring it as a bronze for the Court, but between *Alice's* plaster form and her final realisation in bronze she underwent a transformation. I was not quite satisfied with the shape of the figure and after adding and subtracting, *Alice* became much more corporeal.

Alice's name suggests the idea of mirroring and reflection. More specifically, it refers to the reality on the other side of the looking glass, a world more magical and su(per)real, perhaps, than our own.

After casting, *Alice* was exhibited striding towards her own mirror image. To create this tableau I cast *Alice* twice so that she and her reflection existed in equal corporeality, a conceit derived from Rodin who used a single figure three times to create *The Three Shadows* surmounting *The Gates of Hell*.

At the Court, *Alice* stands on the edge of a pond peacefully contemplating her own reflection in the water. – Wilma Cruise

OPPOSITE: Lionel Abrams, *Family Portraits* (*Proust Series*), 1991, 154 x 153 cm

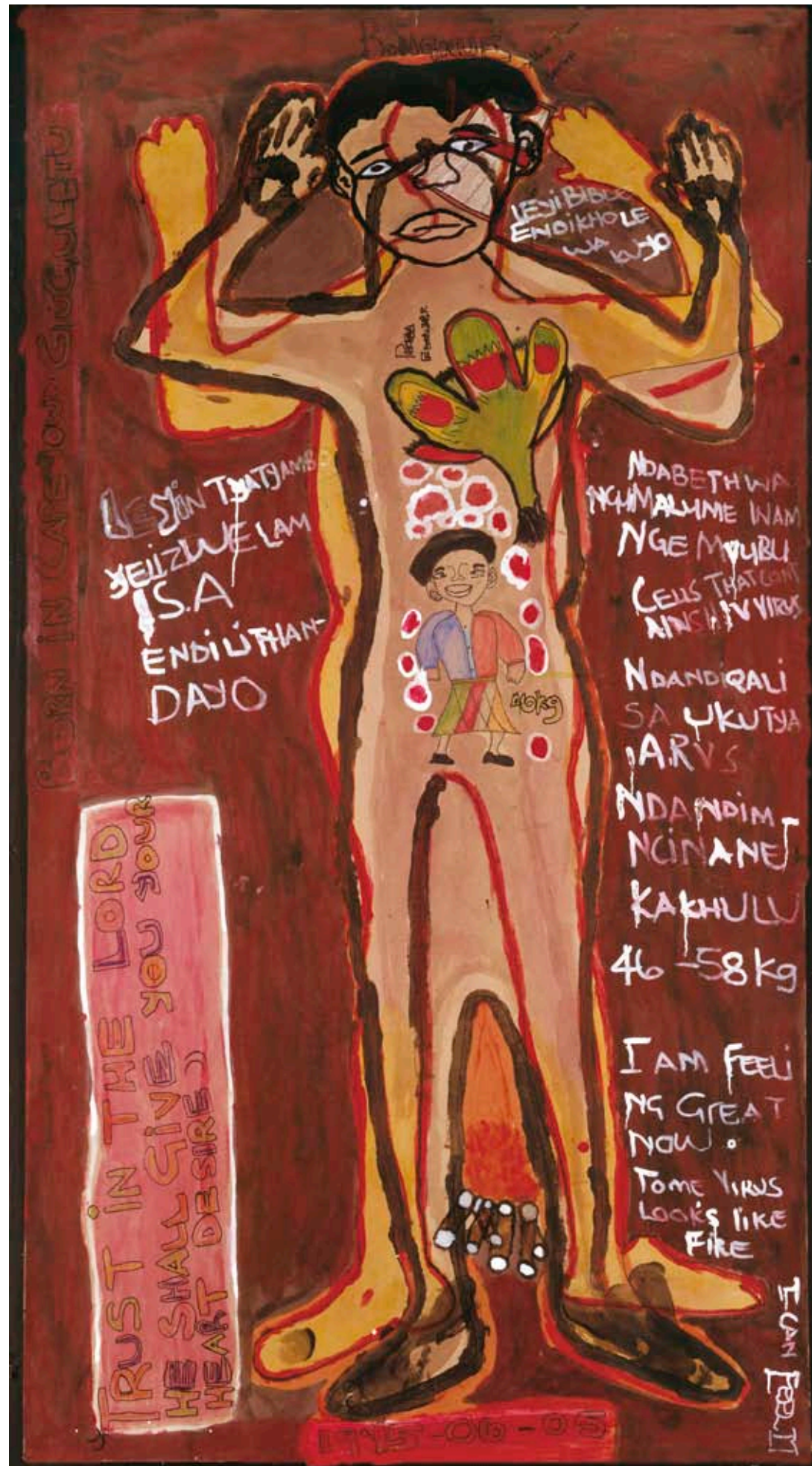
LEFT: Wilma Cruise, *Alice*, 2000, bronze, 180 x 50 x 86.5 cm

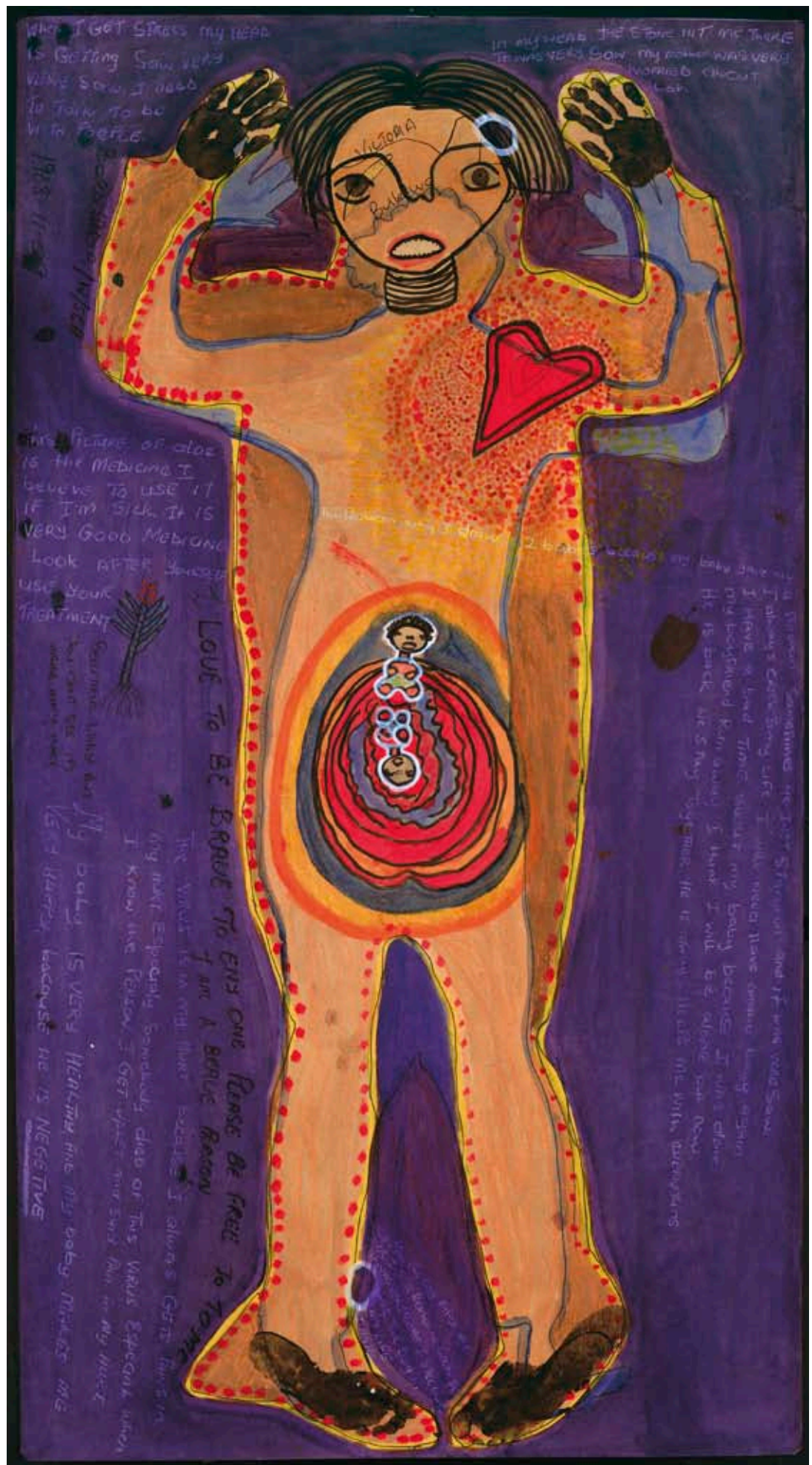
BODY MAPS

The fourteen Body Maps displayed in the Exhibition Gallery of the Court were created by the Bambanani Women's Group in Khayelitsha, Cape Town. The HIV-positive women, who were given access to antiretroviral drug therapies, were invited to tell their stories through a community outreach programme initiated by the AIDS and Society Research Unit of the University of Cape Town and Médecins Sans Frontières. The participants made "body maps": life-sized works tracing the contours of their bodies and representing, through images and text, the virus, the path of the drugs in the body and the participants' individual histories.

In the book *Long Life*, programme facilitator Jane Solomon remarks that the project was about a group of women coming to terms with their HIV status through art and narrative therapy. The result is a collection of evocative images that tell powerful stories and help to fight damaging and degrading attitudes towards those living with HIV & AIDS. The Body Maps were scanned onto paper and canvas and limited editions of each of the images produced. The Court, which has issued two landmark judgements dealing with HIV & AIDS, owns a full set of the works on paper.

— Bronwyn Law-Viljoen





OPPOSITE: Victoria, *Body Map*, 2002, digital inkjet print on paper, 74 x 41 cm

RIGHT: Bongiwe, *Body Map*, 2002, digital inkjet print on paper, 74 x 41 cm





1000 WISHES FOR THE CHILDREN OF THE WORLD

This giant colourful painting represents 1000 children's wishes for a better world. It was created as part of a worldwide initiative involving children from South Africa, Germany, America and Brazil. The painting was displayed at Constitution Hill on 16 June 2004 as part of a Youth Day celebration and at the United Nations Day of the African Child.

Over 200 children attended the event in Johannesburg, taking part in a ceremony that drew on the symbolism of Constitution Hill, once the place of abuses of human rights and freedoms and now the home of the Constitutional Court. The event was part of a programme to recognise and promote the rights of children in our democracy and around the world. – Yvonne Mokgoro

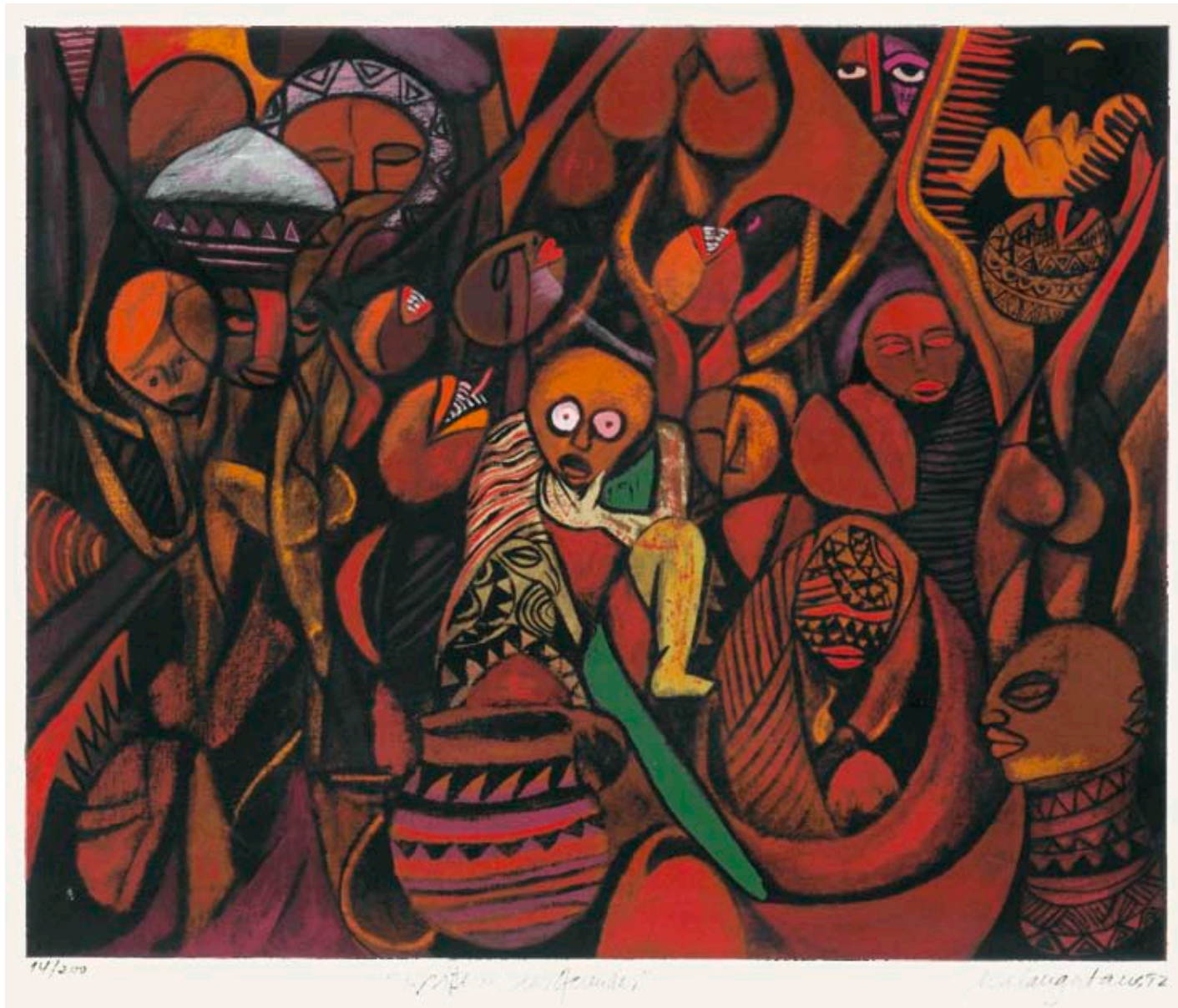
1000 Wishes for the Children of the World,
2004, acrylic on canvas, 190 x 206 cm



Véronique Tadjo, *Three Figures*, 2002,
oil pastel on cloth, 91 x 95.5 cm



Unknown Ethiopian artist, *Untitled*
 (Biblical Story 2), undated, acrylic on canvas,
 77 x 138.7 cm (gift from the Chief Justice
 of Ethiopia)



ABOVE: Malangatana (Mozambique),
The Ritual of Sacrifices, 1992, screenprint,
39.5 x 48.8 cm

OPPOSITE: Malangatana, *O Aberto (Open)*,
1985, screenprint, 67 x 41 cm



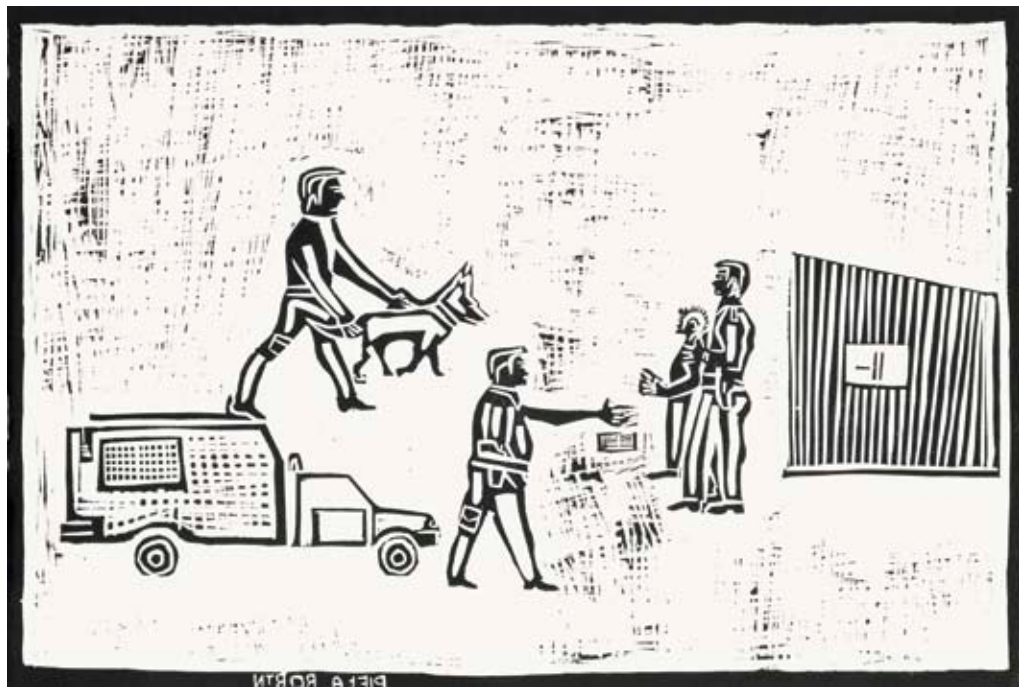
IMAGES OF HUMAN RIGHTS PORTFOLIO

This striking lino- and woodcut portfolio, designed and printed by Jan Jordaan of Art for Humanity and created by twenty-seven artists, is a celebration of South Africa's Bill of Rights. The creation of the portfolio helped to launch the Artists for Human Rights Trust in 1998. Judge Albie Sachs was invited to open the exhibition of these prints in the Durban Art Gallery on International Human Rights Day, 10 December 1996. On this occasion, he was presented with a portfolio for the Constitutional Court. The prints now hang in the Library at the Court. The Artists for Human Rights Trust owns the unsold portfolios and, from the sale of the portfolios, donates funds to art and human rights projects.

The "Images of Human Rights Portfolio" of prints installed in the Court Library







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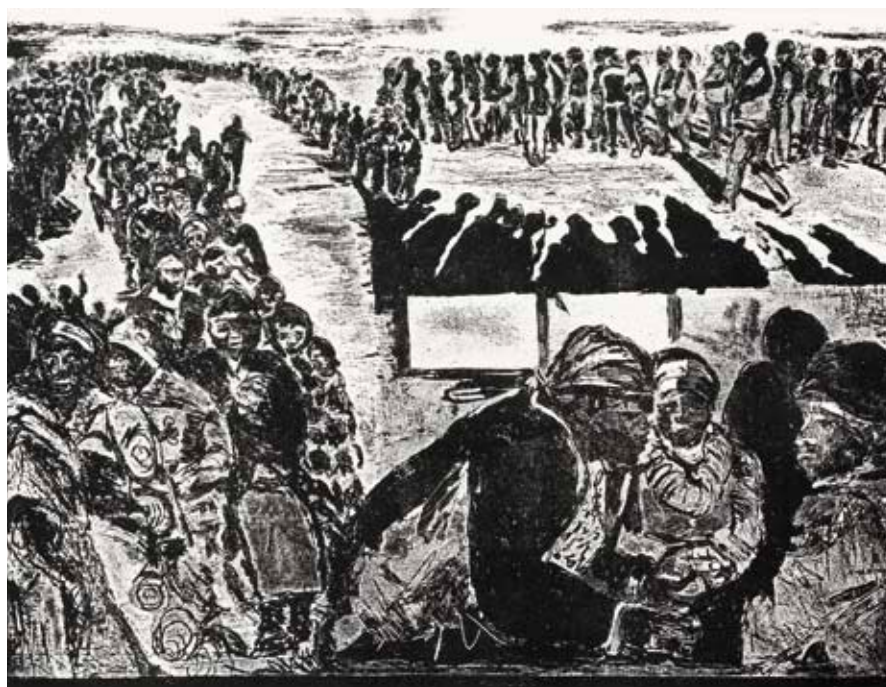
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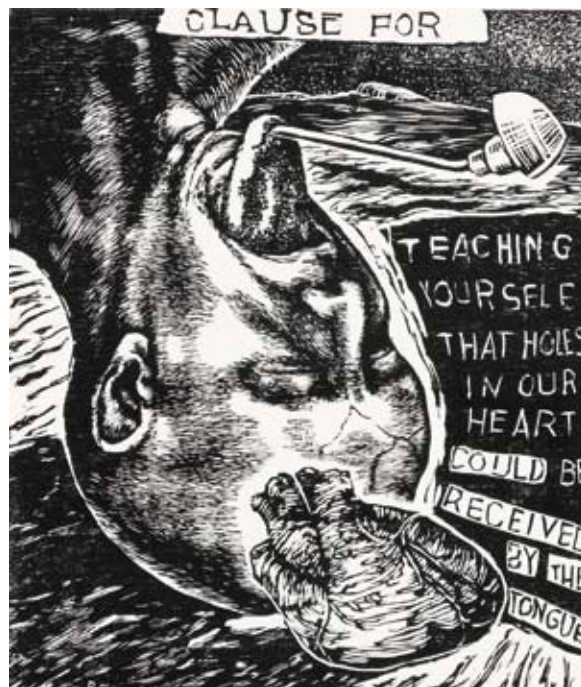
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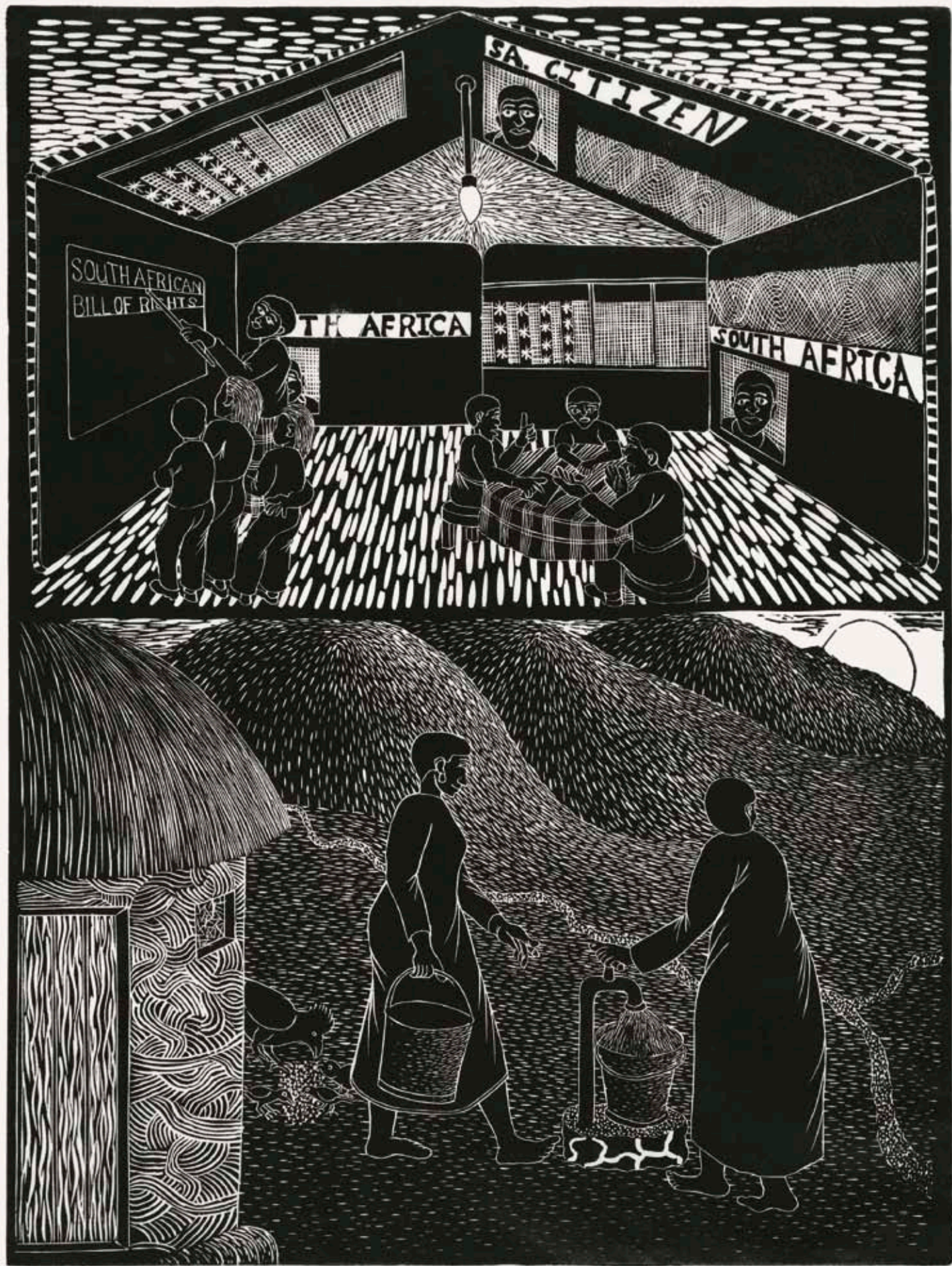


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- 1 Pietà Robin, *Polisie die Man Gevang*, 1996, linocut, 38 x 57 cm
- 2 Carina Minnaar, *Winged*, 1996, linocut, 48.2 x 35.8 cm
- 3 Ezekiel Budeli, *Ancestral Kingdom*, 1996, linocut, 29.2 x 47.8 cm
- 4 Diane Victor, *The Right to Information*, 1996, linocut, 39.5 x 30 cm
- 5 Samkelo Bunu, *Land and Property Right*, 1996, woodcut, 30 x 30 cm
- 6 Margaret Gradwell, *A Fair Deal*, 1996, woodcut, 34.5 x 30.4 cm
- 7 Andrew Verster, *Cultural Association*, 1996, linocut, 30 x 29.5 cm
- 8 Dina Cormick, *Freedom of Religion, Belief and Opinion*, 1996, linocut, 30 x 29.7 cm
- 9 Ian Marley, *Servitude is Like the Tide, it Changes*, 1996, woodcut, 51.6 x 35.5 cm
- 10 John Yule, *Safe as Housing*, 1996, linocut, 40.6 x 28.4 cm
- 11 Sophie Peters, *Just Administrative Action*, 1996, linocut, 40 x 29.8 cm
- 12 Edwine Simon, *The Right to Strike (Labour)*, 1996, linocut, 40 x 30.5 cm
- 13 Vedant Nanackchand, *Access to Courts*, 1996, woodcut, 50 x 29.9 cm
- 14 Philip Badenhorst, *Peace of Mind*, 1996, linocut, 39.8 x 30.7 cm
- 15 James Mphahlele, *Freedom and Security of the Person*, 1996, masonite cut on paper, 35 x 57 cm
- 16 Norman Kaplan, *All Shall be Afforded Dignity*, 1996, linocut, 56 x 48 cm
- 17 Azaria Mbatha, *Citizenship*, 1996, linocut, 32.8 x 48 cm
- 18 William Zulu, *Life*, 1996, linocut, 42.1 x 29.9 cm
- 19 Thami Jali, *Free Language and Culture*, 1996, linocut, 30.2 x 30 cm
- 20 Vuyile Voyiya, *Untitled*, 1996, linocut, 30.6 x 40.2 cm
- 21 Sibusiso Sabela, *Playing Children in Wheelchairs*, 1996, linocut, 31 x 29.9 cm
- 22 Kim Berman, *Political Rights*, 1996, drypoint and monotype, 38 x 50.2 cm
- 23 John Roome, *Peaceful Protest*, 1996, linocut, 53 x 37.7 cm
- 24 Jonathan Comerford, *Freedom of Association*, 1996, linocut, 39.5 x 29.5 cm
- 25 Nlanhla Xaba, *Migrant Family Life in South Africa*, 1996, linocut, 45.2 x 30.4 cm
- 26 Philippa Hobbs, *Received by the Tongue*, 1996, woodcut, 30 x 25.5 cm
- 27 Endpiece, Jan Jordaan, *Birthright*, 1996, linocut, 57.5 x 38.5 cm



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LEFT: Sandile Goje, *The Right to Citizenship*, 2003, linocut, 42 x 33 cm

ABOVE: Jane Nkata and Billy Makhubele, *Day of Freedom*, 1994, beadwork and printed fabric on board, 111.6 x 144 cm





three sentinels for
an art collection

7

THREE SENTINELS FOR AN ART COLLECTION

GODZILLA, MOVING INTO DANCE, HISTORY

Constitution Hill in Braamfontein, Johannesburg, where the Court stands on the site of the Old Fort Prison, is open twenty-four hours a day and is visited and traversed by many people. Early in the morning, commuters from the nearby suburbs cross the site to get to work in the city business district. A little later, children in school uniforms pass by on their way to school. Later it is the turn of Court staff, lawyers and visitors who arrive for work, for Court cases or to tour the site. In the afternoon the pattern is repeated in reverse, and in the evening people arrive to attend book launches and other cultural events in the Foyer and the former prison spaces. Three sculptures, *Godzilla* by John Baloyi, *Moving into Dance* by Orlando de Almeida and *History* by Dumile Feni, stand like sentinels at three corners of the Court building, greeting all who enter the Court precinct. These imposing sculptures are not simply guardians of the building, but introduce an aesthetic energy to the site, indicating that the Court is filled with artwork by artists and crafters from all parts of the country.

PREVIOUS: North-west approach to the Constitutional Court with the Hillbrow Tower at left, the Welsh Library and John Baloyi's massive wooden sculpture *Godzilla* (centre) and the wall of Number Four prison to the right

OPPOSITE: John Baloyi, *Godzilla* (detail), 2004, wood, 310 x 237 x 241 cm



GODZILLA

John Baloyi was a protégé of the famous wood sculptor Jackson Hlungwane (who is, like Baloyi, a Tsonga speaker). After the Court had acquired one of Baloyi's works, he invited me to speak at the launch of a Tsonga-Venda woodcarvers' workshop and gallery he had opened in Elim, several hundred kilometres north of Johannesburg. Upon arrival I was overwhelmed by the sight of a massive carving by Baloyi entitled *Godzilla*, which I was later able to acquire for the Court. Baloyi explained that some years before, he had come across a huge tree uprooted by the flooding of the Limpopo River and trapped between rocks downstream. He envisaged the monstrous yet likeable Godzilla emerging from the violence of the water, and carved it in one piece from the roots and trunk. Just as Baloyi's fame was beginning to equal that of his master, he was tragically killed in a car crash. – Albie Sachs

MOVING INTO DANCE

Orlando de Almeida grew up in Mozambique where he supported the opposition to the Portuguese colonial dictatorship. He now lives in Pretoria. To express the joy he felt that people who had been divided could now be united, he produced the small sculpture *Moving into Dance* at the time of South Africa's first democratic elections. The work took its place in the Court's temporary home and when the new building was ready it was agreed that a larger version of the sculpture be created for the east entrance to the Court. A team of workers, headed by Charl van der Merwe, made the sculpture and at the opening ceremony of the Court a tarpaulin was pulled from the work and dancers from the group *Moving into Dance* leapt out from around it. – Albie Sachs

OPPOSITE: Orlando de Almeida, *Moving into Dance* (detail), 2004, bronze tubing, c270 x 22 x 550 cm

OVERLEAF: Orlando de Almeida, *Moving into Dance*











Casting of Dumile Feni's *History* at Tallix Art Foundry in Beacon, New York. Pictured above are Isaac Witkin, Vanessa Solomon and Albie Sachs.





HISTORY

Dumile Feni died in 1991 as he was about to return to South Africa after more than two harsh decades in exile, at one stage sleeping at night on the subway in New York. The managers of Tallix Art Foundry in Beacon, New York informed us that they had possession of several clay models Dumile had completed before his death. When his daughter Marriam Diale, who was born not long after he went into exile and whom Dumile had never met, came to New York with the intention of making a film on his life, funding was secured from a private foundation to stabilise one of the works and have it cast in bronze in enlarged form to be placed in front of the Court in South Africa. Funding was also found to stabilise the other works. The South African sculptors Vanessa Solomon and the late Isaac Witkin supervised the production of *History*, which, Dumile had explained, illustrated how throughout history some people had given their bodies and souls to pull others along. The sculpture was inaugurated by President Thabo Mbeki at the Schomburg Center in New York, and then at the Court on 16 June 2007 by Zanele Mbeki. It is popular with children who walk by the Court on their way home from school and enjoy sitting on and embracing it. — Albie Sachs

Dumile Feni, *History*, 1987, bronze tubing,
100 x 296 x 170 cm, installed at the entrance
to the Court



appendix

THE ART COLLECTION

Lionel Abrams, *Family Portraits (Proust series)*, 1991, acrylic on canvas

Albert Adams, *Tethered Monkey*, undated, acrylic on canvas [p. 142]

Ayo Aina, *Old and New*, 1999, mixed media

Aminsha, *Mermaid*, undated, batik on cloth

Aminsha, *Turtle*, undated, batik on cloth

Paul Andrew, *Near Graaf-Reinet, Karoo*, 1996, watercolour on paper

Tyrone Appollis, *Kalk Bay*, 1996, oil on board

Philip Badenhorst, *Peace of Mind*, "Images of Human Rights Portfolio", 1996, linocut [p. 176]

Samuel Bak, *Star Hole*, undated, pastel on paper

John Baloyi, *Godzilla*, 2004, wood [p. 185]

John Baloyi, *Ghost*, 2004, wood [p. 32]

Regi Bardavid, *Grief No 1*, 1990, conté crayon and charcoal on paper [p. 154]

Regi Bardavid, *Grief No 2*, 1990, conté crayon and charcoal on paper [p. 154]

Regi Bardavid, *Grief No 3*, 1990, conté crayon and charcoal on paper [p. 154]

Regi Bardavid, *Grief No 4*, 1990, conté crayon and charcoal on paper [p. 155]

Regi Bardavid, *Grief No 5*, 1990, conté crayon and charcoal on paper [p. 155]

Kim Berman, *Political Rights*, "Images of Human Rights Portfolio", 1996, drypoint and monotype [p. 178]

Kim Berman, *Alex Under Siege 1*, 1988, drypoint and monotype [p. 134]

Kim Berman, *Alex Under Siege 3*, 1988, drypoint and monotype [p. 134]

Kim Berman, *Alex Under Siege 5*, 1988, drypoint and monotype [p. 135]

Kim Berman, *Alex Under Siege 7*, 1988, drypoint and monotype [p. 135]

Kim Berman, *Fires of the Truth Commission 1*, 2000, monotype [p. 136]

Kim Berman, *Fires of the Truth Commission 3*, 2000, monotype [p. 136]

Kim Berman, *Fires of the Truth Commission 5*, 2000, monotype [p. 137]

Kim Berman, *Fires of the Truth Commission 7*, 2000, monotype [p. 137]

Hilda Bernstein, *African Elephant*, undated, etching

Willie Bester, *Discussion*, 1994, wool [pp. 4-5]

Bethesda Arts Centre, *The Truth Tree*, 2007, fabric appliqué

Bethesda Arts Centre, *Sun and Moon*, 2007, fabric appliqué

BK, *Still Life with Musical Instruments*, 1998, coloured sand on canvas on board

Bongiwe, *Body Map*, 2002, digital inkjet print on paper [p. 165]

Willem Boshoff, *Prison Hacks*, 2003, 8 granite slabs [pp. 128-129, 131]

Claude Bouscharain, *Expectation*, 1968, acrylic on canvas

Kami Brodie, *Papa and Martha*, 1992, oil and acrylic on canvas

Kami Brodie, *Iris, Working Woman*, 1998, oil and acrylic on canvas

Kami Brodie, *Three Working Women: Anna, Lizzie, Maggie*, 1994, oil and acrylic on canvas

Hamilton Budaza and **Cecil Skotnes**, *Freedom*, 1995, engraved wood panels [pp. 24, 25]

Ezekiel Budeli, *Ancestral Kingdom*, "Images of Human Rights Portfolio", 1996, linocut [p. 174]

Samkelo Bunu, *Land and Property Right*, "Images of Human Rights Portfolio", 1996, woodcut [p. 175]

Norman Catherine, *Speaker of the House*, 1989, canvas, metal, wood and acrylic [p. 33]

Gail Catlin, *Woman*, 1993, gouache on paper

Babalwa Cekiso, *Body Map*, 2002, digital inkjet print on paper

Johannes Maswanganyi, *Perfect Paradise*, undated, wood and paint, 115 x 129 x 150 cm

Chaplet, *Texte and Cavaliers*, 1993, acrylic on canvas

Chasal, *Poisson Solaire*, undated, wool

Chasal, *Le Départ*, undated, wool

Peter Clarke, *The Trojan Horse*, c1990, diptych, mixed media [p. 122]

Shirley Cloete, *Hands of Peace for Africa with Rising Sun*, 2003, glass [p. 143]

Coconol, *African Huts with Baobab Trees*, undated, acrylic on canvas on board

Jonathan Comerford, *Freedom of Association*, "Images of Human Rights Portfolio", 1996, linocut [p. 179]

Dina Cormick, *Freedom of Religion, Belief and Opinion*, "Images of Human Rights Portfolio", 1996, linocut [p. 175]

Monika Correa, *The Banyan Tree*, c1986, fibre

Fiona Couldridge, *Pandora's Box (Sandtoad)*, 1999, mixed media

Wilma Cruise, *Alice*, 2000, bronze [p. 163]

Wilma Cruise, *Right to Life*, 1994, stainless steel on concrete [p. 129]

Lilyane Daneel, *Man with Bicycle*, 1993, acrylic on board

Lilyane Daneel, *Gardener*, c1993, acrylic on board

Lilyane Daneel, *Working Class Woman*, 1993, acrylic on board

Orlando de Almeida, *Moving into Dance*, 2004, bronze tubing [pp. 187, 188-189]

Laurentina Dlamini, *Hlabisa basket*, undated, llala palm

Tlafa Dlamini and **Cesar Mkhise**, *Angel*, undated, cloth and bead

Tlafa Dlamini and **Cesar Mkhise**, *Angel*, undated, cloth and bead

Tlafa Dlamini and **Cesar Mkhise**, *Angel*, undated, cloth and bead

Marlene Dumas, *The Benefit of the Doubt*, 1998, digital print on paper

Marlene Dumas, *The Benefit of the Doubt*, 2000, triptych, fibre [pp. 31, 112, 118]

Durban Children, *1000 Wishes for the Children of the World*, 2004, acrylic on canvas [p. 166]

Jan du Toit, *The Fruits of Labour*, 1997, metal, wood and found objects [p. 132]

Masibuye Emasiswini, *Cast your Vote*, undated, photograph

Dumile Feni, *Bass Player*, undated, pen and ink on paper [p. 26]

Dumile Feni, *Betrayed (Head of John the Baptist)*, 1968, pen and ink on paper

Dumile Feni, *Birthday Lady*, 1978, pen and ink on paper

Dumile Feni, *History*, 1987, bronze tubing [pp. 192-193]

Dumile Feni, *Homage to Soweto*, 1977, pen and ink on paper [p. 27]

Dumile Feni, *Legendary*, c1977, pen and ink on paper

Dumile Feni, *Passionately Muled*, 1977, pen and ink on paper

Dumile Feni, *Penny Whistler*, 1969, pen and ink on paper

Dumile Feni, *Prisoner 1*, c1968, pen and ink on paper [p. 127]

Dumile Feni, *Prisoner 2*, c1968, pen and ink on paper

Dumile Feni, *Three Figures*, c1968, pen and ink on paper

Dumile Feni, *Three Women*, undated, pen and ink on paper

Dumile Feni, *Untitled*, undated, pen and ink on paper [p. 126]

Dumile Feni, *Untitled*, 1968, pen and ink on paper

Dumile Feni, *Untitled*, undated, pen and ink on paper

Dumile Feni, *Violinist*, undated, pen and ink on paper

Sandile Goje, *Making Democracy Work*, 1996, linocut [p. 18]

Sandile Goje, *Peace is in Our Hands*, 1996, etching

Sandile Goje, *The Right to Citizenship*, undated, ink on paper

David Goldblatt, *Twenty-six punishment cells and lavatory. Number Four, Hillbrow, Johannesburg. 31 December 1999*, 1999, digital print on paper [pp. 156-157]

Alice Goldin, *The Glen*, 1992, oil on canvas

Alice Goldin, *Morning Mist*, 1991, silkscreen on paper

Alice Goldin, *Spring Flowers*, 1993, oil on canvas

Vivian Gottlieb, *Blue Blue*, undated, watercolour on paper

Vivian Gottlieb, *Landscape with House*, undated, watercolour on paper

Vivian Gottlieb, *Red Birds*, undated, watercolour on paper

Vivian Gottlieb, *Wood Gatherer*, undated, watercolour on paper

Margaret Gradwell, *A Fair Deal*, "Images of Human Rights Portfolio", 1996, woodcut [p. 175]

Jordi Guillemet, *L'armari ... L'arquitectura*, 1996, photographs

Habib, *Hamlet*, 1996, gouache on paper

J. Hengaerhier, *Abstract*, undated, oil on canvas

J. Hengaerhier, *Vitalitat*, undated, oil on canvas

J. Hengaerhier, *The Planet*, undated, oil on canvas

J. Hengaerhier, *Untitled*, undated, oil on canvas

J. Hengaerhier, *Untitled*, undated, oil on canvas

Nondumiso Hlwele, *Body Map*, 2002, digital inkjet print on paper

Philippa Hobbs, *Received by the Tongue*, "Images of Human Rights Portfolio", 1996, woodcut [p. 179]

Robert Hodgins, *Hotel with Landscape (Spy)*, 1996, oil on canvas [p. 20]

Robert Hodgins, *The Scene of the Crime*, 1994, oil on canvas [p. 35]

- Idasse**, *Untitled*, 1989, conté crayon on paper
- Thami Jali**, *Free Language and Culture*, "Images of Human Rights Portfolio", 1996, linocut [p. 178]
- Louis Jansen van Vuuren**, *Leeukop*, 2000, digital print on paper
- Louis Jansen van Vuuren**, *Strelitzias*, 2000, digital print on paper
- Jan Jordaan**, *Birthright*, "Images of Human Rights Portfolio", 1996, linocut [p. 179]
- Ora Joubert**, *Architecture*, undated, mixed media
- Norman Kaplan**, *All Shall be Afforded Dignity*, "Images of Human Rights Portfolio", 1996, linocut [p. 177]
- Norman Kaplan**, *South Africa's Bill of Rights*, "Images of Human Rights Portfolio", 1996, linocut
- Diana Kenton**, *Mountain Landscape VII*, 1962, oil on canvas
- Diana Kenton**, *Mountain Landscape XI*, 1962, oil on canvas
- Diana Kenton**, *Mountain Landscape XII*, 1962, oil on canvas
- William Kentridge**, *Head*, 1993, drypoint, on loan from Chief Justice Pius Langa [p. 139]
- William Kentridge**, *Sleeper (Black)*, 1997, etching, aquatint and drypoint [pp. 28-29]
- Adrian Kohler**, *Dogs of War*, 1997, mixed media [pp. 110, 117]
- Erik Laubscher**, *Landscape*, 1996, oil on canvas
- Erik Laubscher**, *Storm Sky Namibia*, 1993, etching
- Eugénio Lemos**, *Untitled*, 1989, gouache on paper
- Eugénio Lemos**, *Untitled*, 1987, gouache on paper
- Kim Lieberman**, *Connected*, 2008 ink on stamp paper
- Kim Lieberman**, *Connected*, 2008, oil on stamp paper
- Kim Lieberman**, *Constellations*, 2008, ink on stamp paper [p. 149]
- F. Macheane**, *Untitled*, 1984, pen and ink on paper
- Grand Maghandla**, *Water*, 1994, watercolour on paper
- G. Mahlangu**, *The Appeal*, 1999, mixed media
- Billy Makhubele** and **Jane Nkata**, *Day of Freedom*, 1994, beadwork and printed fabric on board [p. 181]
- Malangatana**, *Luz Verde (Green Light)*, 1986, screenprint
- Malangatana**, *O Aberto (Open)*, 1985, screenprint [p. 171]
- Malangatana**, *The Ritual of Sacrifices*, 1992, screenprint [p. 170]
- Susie Malgokak**, *Mother and Son*, 1994, lithograph
- Maria**, *Body Map*, 2002, digital inkjet print on paper
- Ivor Markman**, *Let's Bury the Constitution October 27 1985*, 1985, photographic print on paper
- Ian Marley**, *Servitude is Like the Tide, it Changes*, "Images of Human Rights Portfolio", 1996, woodcut [p. 176]
- Judith Mason**, *Flower*, 2006, linocut [p. 10]
- Judith Mason**, *Gothic Leopard*, 1986, fibre
- Judith Mason**, *The Man Who Sang and the Woman Who Kept Silent 1*, 1995, oil on board [p. 124]
- Judith Mason**, *The Man Who Sang and the Woman Who Kept Silent 2*, 1995, mixed media [p. 123]
- Judith Mason**, *The Man Who Sang and the Woman Who Kept Silent 3*, 1995, oil on board [p. 125]
- Angelina Masuku**, *Hlabisa Basket*, undated, Ilala palm
- Johannes Maswanganyi**, *Perfect Paradise*, undated, wood and paint [p. 194]
- Leonard Matsoso**, *Bullfight*, 1972, etching
- Leonard Matsoso**, *Helpless Helpless*, 1972, ink on paper
- Leonard Matsoso**, *Human Head and Buck Skeleton in Landscape*, 1971, ink on paper [p. 161]
- Leonard Matsoso**, *The Generation Fourth from Last*, 1972, etching
- Leonard Matsoso**, *Imagine*, 1972, etching
- Leonard Matsoso**, *Portrait of a Philosopher*, 1972, ink on paper [p. 160]
- Leonard Matsoso**, *Untitled*, 1972, ink on paper
- Leonard Matsoso**, *Untitled*, 1972, etching
- Kagiso Pat Mautloa**, *Untitled*, 1995, wool [pp. 102-103, 148]
- Kagiso Pat Mautloa**, *Untitled*, 1995, wool
- Kagiso Pat Mautloa**, *Untitled*, undated, wool
- P. Mazibuko**, *Masibuye Emasiswini*, undated
- J.S. May**, *Cape Landscape*, undated, oil on board
- Mbaki**, *Harvesting Bananas*, 1998, acrylic and sand on canvas on board
- Mbaki**, *Fruit Market*, 1998, acrylic and sand on canvas on board
- Azaria Mbatha**, *Citizenship*, "Images of Human Rights Portfolio", 1996, linocut [p. 177]
- Azaria Mbatha**, *Chariot*, undated, screenprint
- Mbula**, *Baobab Tree*, 1998, oil on canvas on board
- Amos Miller**, *Nelson Mandela in New York*, 1990, acrylic on canvas [p. 158]
- Carina Minnaar**, *Winged*, "Images of Human Rights Portfolio", 1996, linocut [p. 174]
- Cesar Mkhise**, *Monkey*, undated, cloth and beads
- Cesar Mkhise** and **Tlafa Dlamini**, *Angel*, undated, cloth and beads
- Cesar Mkhise** and **Tlafa Dlamini**, *Angel*, undated, cloth and beads
- Cesar Mkhise** and **Tlafa Dlamini**, *Angel*, undated, cloth and beads
- Timothy Mlambo**, *Untitled (mobile)*, undated, cork and balsa wood [p. 65]
- Doreen Mnchunu**, *Untitled*, undated, beads and cloth
- MOB**, *Untitled*, undated, print on paper
- Nonhlanhla Monsele**, *Hlabisa basket*, undated, Ilala palm

Philip Moore, *Red People in Blue House*, 1998, acrylic on canvas

João Moreira, *Madonna and Child*, 1999, oil on canvas

João Moreira, *Untitled*, 1998, acrylic on canvas

James Mphahlele, *Freedom and Security of the Person*, “Images of Human Rights Portfolio”, 1996, masonite cut on paper [p. 177]

Ntombi Nala, *Uphiso*, undated, clay

Vedant Nanackchand, *Access to Courts*, “Images of Human Rights Portfolio”, 1996, woodcut [p. 176]

Ncedeka, *Body Map*, 2002, digital inkjet print on paper

Joseph Ndlovu, *Humanity*, 1995, fibre [p. 19]

Sipho Ndlovu, *Images of South African History 1*, c1998, acrylic on canvas [p. 40]

Sipho Ndlovu, *Images of South African History 2*, c1998, acrylic on canvas [p. 40]

Sipho Ndlovu, *Images of South African History 3*, c1998, acrylic on canvas [p. 40]

Sipho Ndlovu, *Images of South African History 4*, c1998, acrylic on canvas [p. 40]

Cordelia Ndzamela, *Body Map*, 2002, digital inkjet print on paper

Karel Nel, *Cipher*, 2006, dust from Copenhagen and Soweto on wooden screen [p. 133]

Jane Nkata and **Billy Makhubele**, *Day of Freedom*, 1994, beadwork and printed fabric on board [p. 181]

Bulelwa Nokwe, *Body Map*, 2002, digital inkjet print on paper

Noloyiso, *Body Map*, 2002, digital inkjet print on paper

Nomawethu, *Body Map*, 2002, digital inkjet print on paper

Nomfundiso, *Molweni Afrika*, undated, fabric paint on cloth

Nomonde, *Body Map*, 2002, digital inkjet print on paper [p. 21]

Hugh Ntukwana, *Penny Whistler*, undated, ink and watercolour on paper

Nvak, *The Market*, undated, oil on canvas

Walter Oltmann, *Mediator*, 1998, copper wire, copper tubing and mirror [p. 159]

Cluis Ouduns, *Vir Volk en Vaderland*, 2004, linocut

Georgie Papageorge, *Suspension in Relation to the Last Supper III*, 1993, mixed media

Carolyn Parton, *Home*, 1999, oil on canvas

Joanne Patterson, *Aardvark*, 1998, mixed media

P.L. Patterson, *Portrait of H.A. Naidoo's Granddaughter*, 1987, oil on canvas

Sophie Peters, *Just Administrative Action*, “Images of Human Rights Portfolio”, 1996, linocut [p. 176]

Jo Ractliffe, *Johannesburg Frieze*, 2004, photographic prints on cotton paper [pp. 144-145, 146-147]

Azwifarwi Ragimana, *Chair for Judge Yacoob*, undated, wood

Gerald Rakaibie, *Moshoeshoe*, 1996, pencil and crayon on paper

Pieta Robin, *Polisie die Man Gevang* (the police caught the man), “Images of Human Rights Portfolio”, 1996, linocut [p. 174]

John Roome, *Peaceful Protest*, “Images of Human Rights Portfolio”, 1996, linocut [p. 179]

Sibusiso Sabela, *Playing Children in Wheelchairs*, “Images of Human Rights Portfolio”, 1996, linocut [p. 178]

Cecily Sash, *Bird*, 1981, pencil on paper

Cecily Sash, *Farm*, 1999, mixed media on paper

Anne Sassoon, *Ismail and Isaac 1*, 2001, oil on tracing paper [p. 140]

Anne Sassoon, *Ismail and Isaac 2*, 2001, oil on tracing paper [p. 140]

Anne Sassoon, *Ismail and Isaac 3*, 2001, oil on tracing paper [p. 141]

Anne Sassoon, *Ismail and Isaac 4*, 2001, oil on tracing paper [p. 141]

Jürgen Schadeberg, *Sharpeville Funeral*, 1960, photograph

Usha Seejarim, *People in Prosperity*, 2004, linocut

Sekete, *Untitled*, undated, oil on canvas

Gerard Sekoto, *African Woman with Turban*, 1988, oil on canvas, on loan from Iziko South African National Gallery

Gerard Sekoto, *Buildings across the Seine*, 1978, oil on canvas, on loan from Iziko South African National Gallery

Gerard Sekoto, *Nude of a Young African Woman*, 1979, oil on canvas, on loan from Iziko South African National Gallery [p. 119]

Gerard Sekoto, *The Professor*, 1968, oil on canvas, on loan from Iziko South African National Gallery

Gerard Sekoto, *Senegal Women*, 1978, oil on canvas, on loan from Iziko South African National Gallery

Gerard Sekoto, *The Smoker*, 1993, oil on canvas, on loan from Iziko South African National Gallery [p. 121]

Gerard Sekoto, *Song of the Pick*, 1978, oil on canvas, on loan from Iziko South African National Gallery [p. 120]

Lucky Sibiya, *Ritual*, 1977, woodcut

Jaco Sieberhagen, *Judge*, undated, wood

Pontso Sikwasnsana, *Steady but Surely*, undated, ink on paper

Eris Silke, *Portrait*, undated, acrylic, ink, crayon and Plaster of Paris on wood

Edwine Simon, *The Right to Strike (Labour)*, “Images of Human Rights Portfolio”, 1996, linocut [p. 176]

Penny Siopis, *Forgotten Family 1*, 1996, mixed media [p. 138]

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Carole Smollan, *Constitutional Court 2*, 1995, ceramic

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Thea Soggot, *Figure II (back)*, 2004, Magaliesburg earth and pastel on paper [p. 150]
Mana Solomon, *Molewa*, undated, embroidery
Ntombizodwa Somlayi, *Body Map*, 2002, digital inkjet print on paper
Alfredo Sosabravo, *En la Noche Serena*, 2005, gouache on paper
Victor Sousa, *The Catch*, undated, linocut
Victor Sousa, *Rebanhoe*, undated, linocut
Victor Sousa, *Nude Study*, undated, screenprint
Paul Stopforth, *Freedom Dancer*, 1993, acrylic on wood [p. 92]
Véronique Tadjó, *Three Figures*, 2002, oil pastel on cloth [p. 168]
John Taouss, *Where Hope May Head*, 2007, ink on paper
Tasch, *Untitled*, undated, oil on canvas
Tasch, *Untitled*, undated, oil on canvas
C. Taylor, *Game*, 1970, acrylic on paper
Thobani, *Body Map*, 2002, digital inkjet print on paper
Gary Thomas, *Reclining Nudes*, 1986, wood
Thozama, *Body Map*, 2002, digital inkjet print on paper
Wendy Trupos, *Highveld Storm (Turmoil of the Time)*, 1989, mixed media on canvas and wood
Barbara Tyrrell, "The Barbara Tyrrell Collection", undated, 32 paintings, oil on canvas
Umcebo Trust Group, *Untitled*, 2005, mixed media
Umcebo Trust Group, *Untitled*, 2005, mixed media
University of the Witwatersrand, *San Rock Art 1*, c1999, digital print on board
University of the Witwatersrand, *San Rock Art 2*, c1999, digital print on board
Meyer Uranovsky, *Landscape 1*, 1973, charcoal on paper on board
Meyer Uranovsky, *Landscape 2*, 1973, charcoal on paper on board
Andrew Verster, *Cultural Association*, "Images of Human Rights Portfolio", 1996, linocut [p. 175]

Andrew Verster, *Hotlands*, 1993, triptych, oil on canvas [p. 34]
Andrew Verster, *The Provinces*, 1996, neon and Perspex [pp. 32, 75]
Diane Victor, *The Right to Information*, "Images of Human Rights Portfolio", 1996, linocut [p. 174]
Victoria, *Body Map*, 2002, digital inkjet print on paper [p. 164]
Edoardo Villa, *Untitled*, 1973, metal sheets
Vuyile Voyiya, *Untitled*, "Images of Human Rights Portfolio", 1996, linocut [p. 178]
Marjorie Wallace, *At Home*, undated, gouache on board
Sue Williamson, *A Few South Africans: Caroline Matsoaledi*, 1984, photo-etching and screenprint collage
Sue Williamson, *A Few South Africans: Charlotte Maxeke*, 1984, photo-etching and screenprint collage
Sue Williamson, *A few South Africans: Helen Joseph*, 1986, photo-etching and screenprint collage
Sue Williamson, *A Few South Africans: Jenny Curtis Schoon*, 1985, photo-etching and screenprint collage [p. 153]
Sue Williamson, *A Few South Africans: Mamphela Ramphela*, 1985, photo-etching and screenprint collage [p. 152]
Sue Williamson, *A Few South Africans: Virginia Mngoma*, 1984, photo-etching and screenprint collage
Laurie Wohl, *Untitled*, undated, mixed media
Nlanhla Xaba, *Migrant Family Life in South Africa*, "Images of Human Rights Portfolio", 1996, linocut [p. 179]
Sibongile Xulu, Hlabisa basket, undated, Ilala palm
Gavin Younge, *Ntento*, 1997, oil on parquet, canvas backing and vellum
John Yule, *Safe as Housing*, "Images of Human Rights Portfolio", 1996, linocut [p. 176]

Zapiro, cartoon for *The Sowetan* 7 June 1995, ink on paper
Zapiro, cartoon for *The Sunday Times* 16 May 1995, ink on paper
Zapiro, cartoon, undated, ink on paper
William Zulu, *Life*, "Images of Human Rights Portfolio", 1996, linocut [p. 177]
Unknown artist, *Moshoeshoe – King of Basutoland (1815 – 1869)*, undated, mixed media on paper
Unknown artist, *Untitled (Baobab)*, undated, sand on canvas on board
Unknown artist, *Untitled (Biblical Story 1)*, undated, gouache on parchment
Unknown artist, *Untitled (Biblical Story 2)*, undated, acrylic on canvas [p. 169]
Unknown artist, *Untitled (Biblical Story 3)*, undated, acrylic on canvas
Unknown artist, *Untitled (Court Scene)*, undated, fabric paint on cloth
Unknown artist, *Untitled (Elephant)*, undated, fabric paint on silk
Unknown artist, *Untitled (Fishing)*, undated, batik
Unknown artist, *Untitled (The Hunt)*, undated, appliqué
Unknown artist, *Untitled (Hunting)*, undated, fibre
Unknown artist, *Untitled (Judges)*, undated, mixed media on canvas
Unknown artist, *Untitled (Mask)*, undated, wood and cloth
Unknown artist, *Untitled (Monkey)*, undated, appliqué
Unknown artist, *Untitled (Movement and Association)*, 2004, linocut
Unknown artist, *Untitled (Russian Cityscape)*, undated, mixed media
Unknown artist, *Untitled (San Art)*, undated, fabric paint on cloth
Unknown artist, *Untitled*, 1972, ink on paper
Unknown artist, *Untitled*, undated, cotton thread

INTEGRATED ARTWORKS – ARTISTS AND FABRICATORS

ACOUSTIC BANNERS, COURT CHAMBER

Artist Andrew Verster

Weavers The Weaver's Hut: Princess Dlamini, Flora Dlomo, Hilda Dludlu, Thuleleni Makhanya, Patricia Makhanye, Nomthandazo Mbambo, Tholani Mbambo, Buyiswa Mbatha, Gladys Mdlalose, Nomathemba Memela, Thenjiwe Memele, Maureen Mthanane, Gladys Ngubo, Kwenzikela Phoswa, Emmelia Radebe, Sizakela Shalamba, Florence Sokhela, Patience Zondo, Agnes Zuma

CARPET, WELSH LIBRARY

Design Siphwe Zulu, Storm Janse van Rensburg

Tufting Blackboard Jungle/Brabetz: Sheridan Arnett, Nirvasha Baulraj, Manfred Brabetz, Michael Brabetz, Stoja Brabetz, Walter Brabetz, Neela Chetty, John Donovan, Charmane Emmanuel, Savy Govender, Shussie Govender, Rachel Horwitz, Joshua Letlaphe, Joe Malesa, Willy Malesa, Joseph Masheve, Sifiso Myeza, Jano Naidoo, Devi Nallan, Kogie Padayachee, Stephen Rantauo, Lee Short, Christine Shunmugam

CARPETS, COURT CHAMBER AND FOYER

Artist Andrew Verster

Hand tufting Blackboard Jungle/Brabetz: Sheridan Arnett, Nirvasha Baulraj, Manfred Brabetz, Michael Brabetz, Stoja Brabetz, Walter Brabetz, Neela Chetty, John Donovan, Charmane Emmanuel, Savy Govender, Shussie Govender, Rachel Horwitz, Joshua Letlaphe, Joe Malesa, Willy Malesa, Joseph Masheve, Sifiso Myeza, Jano Naidoo, Devi Nallan, Kogie Padayachee, Stephen Rantauo, Lee Short, Christine Shunmugam

CARPETS, JUDGES' CHAMBERS

Artists Romeo Zamane Makhanya, Sfiso Ka-Mkame, Contact Art (Diana Page, Jenny Parsons, Mary Visser)

Tufting Sculptured Rugs: Zanendyebo de Villiers Bisani, Mary-Anne Gailey, Roger Gailey, Kolekile Maninjwa, Sandile Mbiko, Buyile Monco, Dambile Mpupu, Josiah Nani, Mlangabezi Potwana

CARPETS, ADMINISTRATION WING

Artists Romeo Zamane Makhanya, Sfiso Ka-Mkame, Contact Art (Diana Page, Jenny Parsons, Mary Visser)

Tufting Tactile Carpets: Braam Cronje, Yvette Cronje, Boyisiwe Khumalo, Dhlozi Khumalo, Mavis Kubheka, Dorah Mhlanga, Figile Moloji, Gertrude Moloji, Bhegi Twala, Zeppi Twala

CARPETS, JUDGES' MEETING AREA, COMMITTEE ROOM, CONFERENCE ROOM AND LOUNGE

Design Siphwe Zulu

Tufting Sculptured Rugs: Zanendyebo de Villiers Bisani, Mary-Anne Gailey, Roger Gailey, Kolekile Maninjwa, Sandile Mbiko, Buyile Monco, Dambile Mpupu, Josiah Nani, Mlangabezi Potwana

CHANDELIERS, EXHIBITION GALLERY

Robert Denton, Lientjie Wessels

CHANDELIERS, FOYER

Walter Oltmann

CHANDELIERS, VERANDAH

Lindelani Ngwenya

CRAFT, JUDGES' LOUNGE

Coordinator The African Art Centre

THROUGH THE BARRIER – 1956 TREASON TRIAL FRIEZE AND LADDER

Artist Georgie Papageorge
Installation Charl van der Merwe

COURTYARD INSTALLATION

Right to Life Wilma Cruise
Prison Hacks Willem Boshoff

DOOR, COURT CHAMBER

Artists/Concept Andrew Lindsay, Myra Fassler-Kamstra
Team Verna Jooste, Pravesh Manga, Jacob Ramaboya, Sam Thoko, Mark Zammit
Coppersmith Larry de Klerk

DOOR, FOYER ENTRANCE

Artists Andrew Verster, Andries Botha,
Carvers Smanga Madlala, Richard Maphumulo, Jabulani Mkhize, Dumisani Mthethwa, Ernest Mthethwa, Musa Ngcobo, Lindelani Ndinsa, Richard Shange
Sign linguist Odette Swift
Clay maquettes Carla de Cruz, Sivani Naidoo, Pragashnie Pillay, Tina Solomon, assisted by Aidan Walsh

EMBROIDERED BANNERS, JUDGES' COMMITTEE ROOM

Coordinator Leonard Shapiro
Artists Sannah Brandt, Nontlupeko Fanele, Eve Jayine, Anna Kabini, Linda Koopman, Rose Mabona, Ncediwe Mhlolo, Nkagisang Mocuminyane, Motiagomang Mokhwa, Lizzie Moses, Lahliwe Motlonye, Angelina Ngcobo, Kediemetse Obusitse, Boitumelo Seebela, Kgogodi Selokelo, Mosadiwapula Sesedi, Maria Magdalena van Reiners

FLAG, COURT CHAMBER

Coordinators/designers Anthea Martin, Hlengiwe Dube, Leonie Malherbe (the African Art Centre)
Beadwork Brenda David, Anthony Joseph, Ntombi Agnes Mbatha, Tholani Mbatha, Ntombifikile Greta Nkosi, Sphindile Nkosi, Zibuyisile Pretty Zulu

FONT

Designer Garth Walker (Orange Juice Design)

GLASS PANELS, WEST ELEVATION

Coordinators Philippa Hobbs, Coral Vinsen
Artists Philip Badenhorst, Kim Berman, Ezekiel Budeli, Samkelo Bunu, Jonathan Comerford, Dina Cormick, Margaret Gradwell, Sandile Goje, Philippa Hobbs, Thami Jali, Norman Kaplan, Ian Marley, Carina Minnaar, James Mphahlele, Vedant Nanackchand, Sophie Peters, Pieta Robin, John Roome, Sibusiso Sabela, Edwine Simon, Dominic Thorburn, Andrew Verster, Diane Victor, Vuyile Voyiya, Nhlanhla Xaba, David Yule, William Zulu

LIGHTS, CANTEEN

Hugh Fraser

LOGO

Artist Carolyn Parton
Installation of logo on Welsh Library tower Donovan Dymond

MEMORIAL BENCH FOR JUDGE DIDCOTT

Artist Marco Cianfanelli
Assistants Gunn Mogoane, Joshua Mogoane

MOSAICS, BUILDING FAÇADE

Artist Andrew Lindsay
Mosaics Katileho Mosaic Group, Kasia Kwiecinska, Jacob Ramaboya, Mark Zammit
Installation Mervin Dowman and team

MOSAICS, FOYER COLUMNS

Artist Jane du Rand
Ceramics and layout Nandipha Baduza, Sandile Cele, Alvina Chonco, Zama Dunywa, Paul Figuero, Raksha Gobardan, Thando Mama, Vukani Mpanza, Tanja van Zyl
Installation Elias Lukhozi, Richard Masoka, Patrick Xulu

NEON SCULPTURE (THE PROVINCES)

Andrew Verster

SECURITY GATE, JUDGES' GALLERY

Lisa Perold

SECURITY GATES, JUDGES' CHAMBERS

Artists/fabricators Sue Fox, Lovell Friedman, Felix Holm, Kurt Lossgott, Martine Margoles, Paul Mikula, Mukondeni Trust (Azwifarwi Ragimana, David Rousseau, Thomas Rudman, Neillen van Kraayenburg), Andrew Verster, Andy Victor, Lientjie Wessels

STAIR NOSINGS

Ceramic artist Jabu Nala
Bronze casting Olde World Foundry

SUN SCREENS, WEST ELEVATION

Artists Lewis Levin, Patrick Rorke
Fabrication and installation Donovan Dymond





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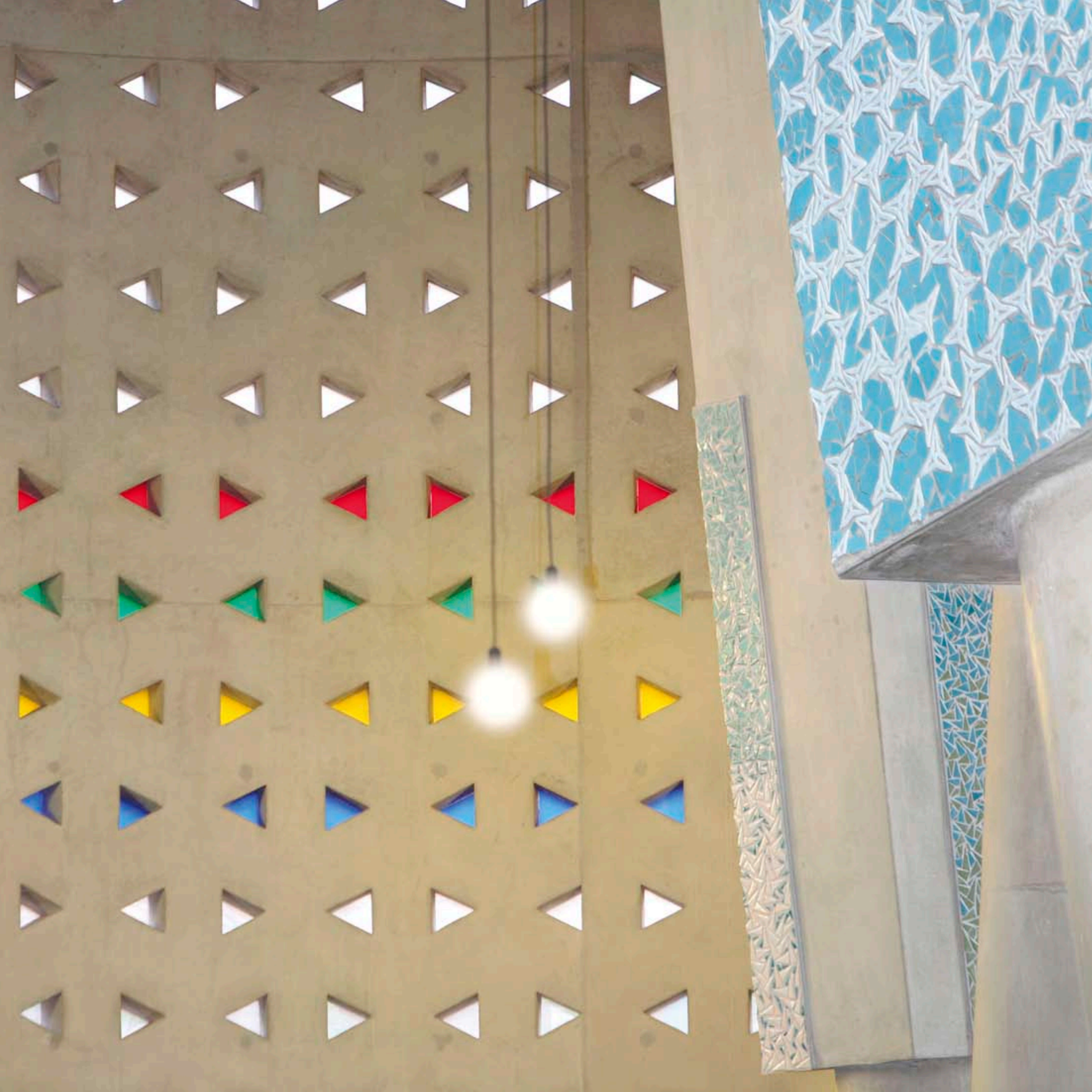
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Standard Bank for photographs of the "Images of Human Rights Portfolio" pp. 174-179

LEFT: The Court Foyer

OVERLEAF: Cast concrete wall on the south façade of the Court and slanted columns with mosaics

BACK COVER: Court Foyer looking south to the Old Fort ramparts



Ben Law-Viljoen has worked as an electrical engineer, a building project manager, a 4 x 4 mechanic and a photographic printmaker, juggling freelance photography with all of these activities since 1991. He has a degree in Biochemistry from Rhodes University where he also studied photography and colour printing under Obie Oberholzer. He lived in New York for ten years, working for a fine-art printing lab and as first assistant to a busy New York fashion photographer, before returning to South Africa in 2006.

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