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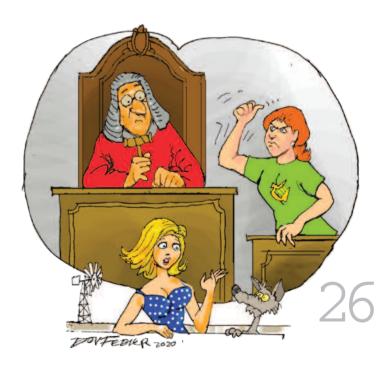
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Cover: Artwork: Marlene Dumas (1953-), *The Benefit of the Doubt (detail)*, 1998, triptych, edition of two, industrially produced fibre, 1980 x 10750 mmx (x 2), 1980 x 7420 mm (x 1). Donated by the artist with the support of the Dutch government in 2001. Cover image courtesy of the Constitutional Court Trust, as part of the Constitutional Court Art Collection (CCAC). For more information, visit ccac.concourttrust.org.za or follow @concourt\_art on Instagram, and Twitter.

Photograph by Gisèle Wulfsohn.



## ConstitutionalCourtArtCollection/cover

# The Benefit of the Doubt

#### THE CONSTITUTIONAL COURT TRUST

n 1998, Marlene Dumas attended a talk on South Africa's Truth and Reconciliation Commission presented by Justice Albie Sachs in The Hague. After the lecture, Dumas invited Sachs to her studio in Amsterdam and offered to donate a spare set of these industrially produced tapestries to the Constitutional Court Art Collection (CCAC). A set was originally made for the Palace of Justice in Den Bosch, the Netherlands.

apartheid South Africa but across its borders; it implores the legal system to place human dignity at the centre of all of its work.

The artwork was taken down in 2018 for a year-long conservation process conducted in Cape Town. It was reinstalled with a new conservation frame in October 2019.

Marlene Dumas is considered one of the world's great contemporary living artists. She was born and raised in South Africa and moved to the Netherlands in 1976, where she has since lived. Her work was chosen for the August cover in commemoration of Women's Month.

A CCAC publication about this artwork is currently being produced, and is set to appear late 2020. ◆

In 2001, the Dutch Prime Minister formally presented the very large tapestries to the Court at a ceremony in the Market Theatre in Johannesburg, where they stood on view for some weeks before being transferred to the temporary offices of the Court. They were later installed in their current position in the permanent Court building, which opened in 2004.

When plans were being drawn up for the Constitutional Court building, the architects suggested installing the textiles in the court-room. However, according to the wishes of the Justices to keep the chamber a more sober, unadorned space, the triptych ultimately found a home on the concrete beams linking the court foyer with the exhibition gallery. The triptych spans almost 30 metres in length and is two metres high.

As indicated by the artwork's title, the work symbolises the legal principle of innocence until proven guilty and speaks to the burden of proof being placed on the State in criminal law cases.

The viewer is encouraged to see the person, whomever it may be, in that diverse people are depicted without any visible clothing or markers, leaving their societal status unknown.

The three faces appearing on each of the panels suggest a multiplicity of voices and testimonies to take into account – one is reminded of the work of the Court to make value judgments impartially and without prejudice.

The work is meant to be welcoming instead of conveying authority. The human faces convey tenderness and ambiguity, appearing infinitely vulnerable, as if they are urgently appealing for help, and are waiting desperately for a reply and a sign of redemption.

This artwork is explorative of the role of justice, not just in post-



