



More about our Constitution

A Constitution is a body of fundamental principles according to which a State is to be governed. It sets out how all the elements of government are organised and contains rules about what power is wielded, who wields it and over whom it is wielded in the governing of a country. It can be seen as a kind of contract between those in power and those who are subjected to this power. It defines the rights and duties of citizens, and the mechanisms that keep those in power in check

The Constitution of the Republic of South Africa is the supreme law of our country. It provides the legal foundation for the existence of the Republic, sets out the rights and duties of its citizens, and defines the structure of the Government. It has been called the "birth certificate" of a free and democratic South Africa.

Our Constitution is the most important - or supreme - law of the land. No other law may

conflict with it; nor may the Government do anything that violates it. In a constitutional democracy such as ours, the Constitution is superior to Parliament and is the yardstick by which all other laws are judged. It applies to all organs of State. The Constitutional Court is South Africa's highest court on constitutional matters and is the body that has the final say on the interpretation of the Constitution.

South Africa's Constitution, for example, describes how the Government is formed, how it is elected and how it functions. It outlines the Government's powers - as well as the limits to these powers - and entrenches the rights of the people. It also sets out how the Government will be accountable to the people who elect it.

The Constitution forms the basis of public life in South Africa. But it does more than just describing the nuts-and-bolts of the functioning of the State. Our Constitution reflects the hopes and aspirations of a nation.



Institutions that may be approached regarding your human rights

The Office of the Public Protector

The Office of the Public Protector aims to fulfil its constitutional mandate to strengthen constitutional democracy by conducting investigations into alleged improper conduct by organs of State, facilitating resolution of disputes, reporting and recommending remedial action and enhancing awareness about the role and responsibilities of the Public Protector.

Toll free: 0800 11 20 40
www.pprotect.org

The South African Human Rights Commission

The South African Human Rights Commission is a national institution established to entrench constitutional democracy through the promotion and protection of human rights by addressing human rights violations and seeking effective redress for such violations monitoring and assessing the observance of human rights raising awareness of human rights issues and education and training on human rights.

E-mail: complaints@sahrc.org.za
www.sahrc.org.za

The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities

The Commission for the Protection of the Rights of Cultural, Religious and Linguistic Communities (hereafter the CRL

Commission) aims to promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities.

E-mail: cgeinfo@cge.org.za
www.crlcommission.org.za

Commission for Gender Equality

The Commission for Gender Equality (CGE) has been established to promote and respect gender equality and to ensure the attainment of gender equality in all sectors of communities. Accordingly, the CGE strives to establish a society free from gender discrimination and all forms of oppression, in which people will have the opportunity and means to realise their full potential, regardless of race, class, sex, religion, sexual orientation, disability or geographic location.

E-mail: cgeinfo@cge.org.za
www.cge.org.za

The Office of the Public Service Commission

The Office of the Public Service Commission derives its mandate from sections 195 and 196 of the Constitution. The PSC is tasked and empowered to, amongst others, investigate, monitor, and evaluate the organization and administration of the Public Service.

This mandate also entails the evaluation of achievements, or lack thereof of Government programmes. The PSC also has an obligation to promote measures that would ensure effective and efficient performance within

the Public Service and to promote values and principles of public administration as set out in the Constitution, throughout the Public Service.

Email: info@opsc.gov.za
www.psc.gov.za

Department of Justice and Constitutional Development

The Department of Justice and Constitutional Development has a Branch: Constitutional Development. The purpose of the Branch is to promote, amend, and develop the Constitution, human rights and participatory democracy on behalf of government.

Email: constitutionalrights@justice.gov.za
www.justice.gov.za

Legal Aid South Africa

Legal Aid South Africa is an independent statutory body established with the aim to give legal aid or to make legal aid available to indigent persons within its financial means. It also provides legal representation at State expense, as set out in the Constitution and relevant legislation giving content to the right to legal representation at State expense.

Toll free number: 0800 110 110
www.legal-aid.co.za

